

AN ABSTRACT OF THE THESIS OF

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Arthur Inghram Baker's sixteen years in Kansas spanned the transition from pre-territorial to statehood and his participation in many of the important events of this period make his life an ideal study of the various aspects of the Upper Neosho pioneer. The early years of Kansas were characterized by violence, political intrigue, and land speculation. It is in these areas that Baker's life and death add to the understanding of the issues which created the thirty-fourth state.

It was as a blacksmith, in 1846, with the Sac and Fox Indians, that Baker first came to Kansas. He remained with the Indians until 1854, when he was dismissed by the agent as being "an unfit man to be in Indian Country." With knowledge that the territory would soon be open for settlement, Baker moved west and established a store at the Rock Creek crossing of the Santa Fe Trail just east of Council Grove.

By his pre-emption at Rock Creek, Baker became not only the first settler in what was to become Breckinridge County, but he immediately became its most prominent citizen and business and political leader. At his home, now named Agnes City, Baker became noted as a farmer, merchant, post master, attorney, trade correspondent and land

speculator. It was at Agnes City that the county's first seat of government was established with Baker its first probate judge.

It is as a political leader that Baker is best remembered in local and territorial history. During the seven years that Kansas was a territory, Baker was an active and vocal advocate of the entire gamut of its diverse political factions. Baker ranged from a slave-owner and pro-slavery sympathizer to leader of the county Free-State party, founder of the Republican party and then a Democrat advocate.

Was Baker a dedicated promoter of the frontier, a political opportunist, or a fool? The question arises from his constant switching of political parties and his desire to maintain control of the county. His loss of such control in the 1859-60 county seat war between Americus and Emporia resulted in his removal from Breckinridge to Morris County. Although he retained his home at Agnes City, Baker became the proprietor and editor of the Press and the proprietor of the Union Hotel in Council Grove.

Due to the economic upheaval created by the Civil War and the sudden death of his wife, Baker's business ventures in Council Grove soon failed. Regardless of his Union editorial support and his election as commander of the local militia, Baker left the Upper Neosho for Missouri where he was arrested and imprisoned as a secessionist.

After being held for four months the charges were dismissed, and Baker returned to Agnes City. It was not long after his return that he engaged in a personal quarrel, killing the father of a neighboring family, and then, in turn, the sons of the family took Baker's life and burned his home and store in revenge.

Baker's life and death in Kansas presents a strange combination of the paradox and conflict so inherent in its territorial history. The

sativity of both his business and political ventures provide for
the historian a microcosmic study of that history.

ARTHUR INGRAM BAKER:

FRONTIER KANSAN

A Thesis

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DEDICATION

I wish to dedicate this study to my grandfather, Donald W.

who like Baker, was in his own way a true type of the

I wish to dedicate it to Billy and Sonia, with whom

I have time to play.

ACKNOWLEDGMENTS

I wish to extend my deep appreciation to Dr. William H. Seiler for his assistance and encouragement. It was Dr. Seiler's patience and understanding that made this study possible. I would also like to thank all of my professors at Emporia State University and Professor George Simpson of Washburn University, all of whom served to create a genuine interest in the study of history for me.

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CHAPTER I

INTRODUCTION

Before many moons, I will place this little romance of mine before the public, when I will be allowed to use names. Until then--

"Here's a sigh to those who love me,
And a smile to those who hate:
And, whatsoever sky's above me,
Here's a heart for every fate."¹

With these words one of the first pioneers and founders of the State of Kansas closes a letter to a well-known Kansas newspaper, denouncing his honor and name. Unfortunately, this frontiersman never completed the task of placing his "little romance . . . before the public."² He was never allowed to use those names which might have cleared the air. For within not too many moons, just over three months, this man was dead in the cellar of his store on the Santa Fe Trail. He was the victim of one of the most cruel and treacherous murders in the annals not only the Neosho River Valley, but also in all of Kansas.³

Who was the recanter who wrote these lines and who was so soon to lay but a mangled, charred remnant of his former self? His name was Arthur Inghram Baker. When one looks through the various histories of early Kansas and the Neosho River valley, it is hard to find the

¹Letter to the editor from A. I. Baker in the Emporia News, April 12, 1862.

²Ibid.

³For the purpose of this paper the term Neosho River valley refers to the present counties of Lyon and Morris in the state of Kansas. Santa Fe Trail is used most of the time in this paper as it is the most common name for the major trade route to the Southwestern territories. It must be noted, however, that many of the newspapers of the mid-nineteenth century used the title of Santa Fe Road.

of Arthur Inghram Baker.⁴ But as one takes a closer look at those sources, it is clear that they are mixed with inconsistencies and omissions, which concern not only Baker's life, but to a lesser degree the history of the early years of Kansas. Baker's life in Kansas, from the pre-territorial days in 1847 to its second year of statehood in 1862, is directly related to many of the major historical events occurring during that period; and thus can be considered a microcosm of those events. Since those early years of Kansas are open to a great deal of discussion and since this was a very critical era of American history, it is the hope of this writer that by presenting a biographical study of Arthur Inghram Baker, a greater understanding may be gained of many of those major events.

This thesis, then, will be a discussion of the paradoxes found in Baker's life and how they relate to early Kansas history. The study will begin with a discussion of Baker as first a blacksmith and then a settler with the Mississippi Sac and Fox Indian Agency in Franklin County, Kansas. Here the first major crisis of Baker's life occurred when his right to trade was not renewed and he was forced to remove himself from

⁴Some sample references to Arthur Inghram Baker are A. T. Andreas, History of the State of Kansas (Chicago: A. T. Andreas, 1906), one reference; Louise Barry, The Beginning of the West: The Story of the Kansas Gateway to the American West 1540-1854 (Topeka: Kansas State Historical Society, 1972), nine references; Louise Barry, Comprehensive Index, 1875-1930, to Collections, Biennial Reports, and Publications of the Kansas State Historical Society (Topeka: Kansas State Historical Society, 1959), twenty-five references; Lalla Maloy Brigham, The Story of Council Grove On the Santa Fe Trail, (2d ed., n.p., 1921), two references; William E. Connelley, Standard History of Kansas and Kansans, Volume I (Chicago: Lewis and Clark Publishing Company, 1918), two references; Charles R. Green, ed., Days in Kansas (Olathe: C. R. Green, 1913), five references; History of County Archives of Kansas, No. 64, Morris County (Washington: Works Project Administration, 1936), two references; John W. Stotler, "History of Morris County," Council Grove Kansas Cosmos, Vol. 1, No. 1, January 26, 1886 to May 7, 1886, thirty-six references; Jacob Stotler, History of Emporia and Lyon County (n.p., n.d.), three references.

vation.

The third chapter deals with Baker's removal to the Santa Fe crossing of Rock Creek in what was to become the northwestern Breckinridge County.⁵ It was here that Baker became established as one of the first, if not the first, settlers in Breckinridge County. The dual historical controversy of the location of Baker's settlement and the actual date of his settlement is discussed in this chapter. Baker is presented as one of the first frontiersmen in Kansas Territory, and is given for the historian an example of the many activities in which a frontiersman might take part. The fourth chapter presents a discussion of Baker as a frontier farmer, merchant, pre-emptor, land speculator, newspaper editor, attorney, editor and hosteler.

During the years prior to the American Civil War, a major question which affected Kansas was whether the territory would be free or slave. This controversy is perhaps best seen in the various elections which were held in the years just following the creation of the territory. The most controversial of these elections is that for the first territorial Legislature of 1855 when the two sides first formulated political parties supposedly designed to further the free or slave issue. They were known as the Free State Party and the Pro-Slavery Party. Baker's role as a candidate in that election creates a paradox in that he was both a Free State or Pro-Slavery candidate. The chapter begins with a reinterpretation of that question of party

Breckinridge County, established in 1855, was named for John C. Breckinridge, Vice-president of the United States under James Polk. After the Civil War began, the county was, in 1862, renamed in honor of General Nathaniel Lyon. The spelling of Breckinridge varies from one account to another, but in this paper the spelling "en" will be used.

ment in the election of 1855.

From the time of Baker's candidacy in the election of 1855, he becomes increasingly involved in the political life of the territory in the Neosho River valley. Chapter five continues by discussing Baker as a force in Breckinridge County politics, his activity in the Free-State Party, his efforts to help establish the Republican party, and finally his alignment with the Democratic Party.

The first part of the chapter is not merely a discussion of Baker's version of musical chairs, but provides the needed background for a discussion of the very important county-seat question of 1859 and 1860, one of the major controversies in early Breckinridge County history. In connection with this question, Baker plays what is perhaps his most important role. The question of political control of the county was one which affected Baker throughout both his private and professional or political life. The conclusion of this chapter is designed to provide a new insight about this aspect of Breckinridge County history.

Following the loss of the county seat by Americus and its re-creation in Emporia, Baker removed himself from Breckinridge County politics and became more involved in the affairs of Morris County and Council Grove.⁶ In 1861, Baker became the editor of the Council Grove News and the proprietor of the Union Hotel in Council Grove. He also became involved with the recruitment of troops for the Union Army. All

⁶ Morris County was established in 1855 as Wise County, named for Henry A. Wise, governor of Virginia and a well-known pro-slavery advocate. In February, 1859, the territorial legislature, now in the control of the Free-State Party renamed the county, in honor of James Morris, a prominent United States Senator from Ohio. Baker's home at Rock Creek was located just ten miles East of Council Grove. It was thus geographically closer to the seat of Morris rather than to Breckinridge County.

activity served as background for another major paradoxical Baker's life. In the fall of 1861 Baker was arrested in for attempting to join the Confederate forces of General Price. Besides providing a discussion of Baker's activities in Grove, chapter six begins by attempting to clarify his act- Missouri.

Just as Arthur Inghram Baker lived in controversy, he died in controversy. The sixth chapter concludes with the controversy of his and the immediate events which led to it.

The very nature of Baker's life and death have presented a tremendous challenge in searching for understanding and truth. The inconsistencies and paradoxes inherent in the various historical references must have to first be examined with a critical eye. Nearly all of the references are from secondary sources and are seemingly the product of stories passed on to the writer. The few writers who personally knew Baker were recording their remembrances many years after the events took place. Some of these writers were recording second-hand information, as they themselves were not actual witnesses to the events.⁷

Although those references found in the various state and local histories have served as the starting point for researching Baker, proof of their validity became dependent upon what bits and pieces of primary evidence this researcher has been able to obtain. A brief discussion of the problems associated with some of these primary sources will serve to illustrate the difficulty in writing a history of a relatively obscure, yet important individual.

⁷Examples of these inconsistencies will be used throughout this thesis in connection with the different topics mentioned earlier.

Unfortunately, any private papers or records which Baker might have kept were most certainly lost due to the fire which consumed his home and place of business at the time of his death. There are other papers and records, however, which have been found by this researcher. Concerning the family history of Baker, this researcher has made use of the genealogical record kept by the Baker family. Although these records contain many gaps concerning Arthur Inghram, they do provide some information concerning his life. The family papers also contain a manuscript written by a niece of Baker's, Mary Simcock, one of the early pioneer ladies of Council Grove. This manuscript, along with an interview with another niece of Baker's, Fanny Axe of Lakewood, California, although lacking in many details, has provided the researcher with many interesting sidelights concerning Arthur Inghram and the entire Baker family.

Baker's tenure at the Mississippi Sac and Fox Indian Agency is briefly mentioned in the histories of early Kansas. Here the researcher depended upon the letters and records of the Sac and Fox Indian Reservation in the custody of the National Archives. Although there are some gaps in these materials, they have proved invaluable in discovering Baker's role with the agency.

A major source of material was found in the local newspapers published during Baker's residence in Breckinridge County. Although there is a wealth of material concerning Baker in the Council Grove Press and the Emporia News, there is a major void in that the Americus Sentinel is all but completely lost to the historian.⁸ This creates some difficulty for the researcher, as other newspapers were periodically

⁸There is only one known copy of the Americus Sentinel in existence. This copy concerns the drought of 1860.

making reference to Baker's comments in the Sentinel. This paper would be of great value in understanding the Americus side of the county seat question.

The problem of newspaper coverage is compounded by the fact that some issues of the Council Grove Press are missing. Many of these issues are from the period of Baker's proprietorship.

An effort was made to develop a greater understanding of Baker's life at the Rock Creek crossing of the Santa Fe Road, when the writer participated in and helped direct an archeological excavation of his home. This excavation was done under the auspices of Emporia State University, under the overall direction of Professor Jeffrey Brown.⁹

A great wealth of material was gained from various government records and documents. These consisted of county, territorial, state, and federal records. All of the early county commission records of Lyon County, Kansas, were lost during the transfer of records from the old courthouse to the new. Other than for these records, the courthouses of Chase, Lyon and Morris counties have supplied court, deed, probate and tax records to the researcher in great quantity.

The three territorial Kansas censuses which were taken supply a great amount of information about Baker. The first territorial census of 1855 is not considered a completely accurate assessment of the entire population, but it does supply some important information pertaining to Baker's relationship to the slavery question. An incomplete territorial census was taken in 1859. Fortunately this census is complete for Breckinridge County, and provides information concerning when the various pioneers settled in that county. The most valuable and complete of the

⁹This was one of two digs concerning Baker by the University. They were conducted in the summers of 1972 and 1973.

9 - Numbering
error.
No page 9

torial censuses is that of 1860. This census has a great deal of information concerning Baker's comparative wealth and economic position in the county at that time.

The major problem, then, in researching Baker has been, not that there is not historical material available, but rather that key documents have either been destroyed, lost, or so general that Baker has been merely a peripheral part of the entire record. Regardless of these problems, this thesis is a definite attempt to present the facts concerning the life of Arthur Inghram Baker and his effect on the Kansas Neosho valley frontier. In summary, it is the purpose of this paper to place Baker's "little romance . . . before the public," and even to name names."¹⁰

¹⁰Letter to the editor from A. I. Baker in the Emporia News, 11 12, 1862.

CHAPTER II

"AN UNFIT MAN"

The employment of Arthur Inghram Baker with the Mississippi Sac and Fox Indian Agency was a natural extension of his position as the youngest son. His father's employment as a blacksmith with the agency, and the employment of family friends, notably Charles H. Withington, served to draw him into a close association with it and with a frontier way of life directly related to the Indian nation. His family's association with the administration of Indian reservation affairs can further be seen from the fact that two brothers, three brothers-in-law, and his mother were also directly employed at one time or another with one or more agencies or missions.¹

The major historical question pertaining to Baker and his association with the Sac and Fox Indian Nation Agency is not whether he was employed or even why he was employed. The question does not even necessarily pertain to the nature of his association with the agency. Rather, the major historical question concerns the cause and nature of the termination of Baker's relationship with the agency.²

After having served with the agency, in one capacity or another, for nearly a decade, Baker's renewal of his license to trade with the Indians was denied by the agent, B. A. James. James then demanded that Baker remove himself from the reservation as "an unfit man to be in

¹ Illustrations of employment by these individuals will be given in this chapter.

² Alfred Cumming to George W. Manypenny, January 5, 1854, Correspondence From Office (of) Superintendent of Indian Affairs to Commissioner of Indian Affairs (typed copy in Archives of Kansas State Historical Society, Topeka, Kansas), henceforth referred to as Correspondence.

Indian Country."³ It is the background and validity of the charges which James brought against Baker and likewise the validity of Baker's counter-charges against James, which will be the focus of this chapter.

Arthur I. Baker's association with the Mississippi Sac and Fox Indian Agency began shortly after the migration of his family from Virginia to Iowa in 1834-1836.⁴ By 1839, Joshua Wells Baker became employed as a blacksmith with the agency in Iowa.⁵ There is some disagreement as to when Arthur I. Baker was directly employed by the agency. Louise Barry, in her monumental annals of Kansas before 1854, gives the date of Baker's original appointment as a blacksmith with the Sac and Fox of the Mississippi as November 1, 1844.⁶ There is some evidence, however, that Baker was employed for at least a year prior to his appointment. The first year in which the "Official Roster of Kansas" lists his employment is 1843.⁷ It is possible that Arthur Baker was employed on either a temporary or probational basis prior to his actual appointment.

In 1842 the Mississippi Sac and Fox Indians ceded their Iowa land claims to the government of the United States by treaty. In return,

³ Alfred Cumming to George W. Manypenny, January 3, 1855, Correspondence.

⁴ "Baker Family Genealogical History" (property of Fannie Axe). Family history claims that Joshua Wells Baker and his family "came from Virginia in 1834--the year that the stars fell--after Joshua's father died . . . Overtaken by a bitter winter in Carthage, Ill. they waited there. . . and during the temporary residence there, their sixth child, Eliza Ann, was born there 22 April 1836."

⁵ "Official Roster of Kansas" Collections of the Kansas State Historical Society, 1923-1925 (Topeka: Kansas State Printing Plant, 1925), p. 727. Henceforth referred to as Collections.

⁶ Louise Barry, The Beginning of the West: Annals of the Kansas Gateway to the American West 1540-1854 (Topeka: Kansas State Historical Society, 1972, p. 661.

⁷ "Official Roster," Collections, 1923-1925, p. 729.

the Indians were to receive a tract of land somewhere west on the Missouri River or its tributaries. They were also to receive some \$800,000 in payment.⁸ The treaty was ratified on February 15, 1843, and finally in 1846 most of the Indians were removed to Kansas.⁹ The younger Baker moved to Kansas Indian territory as a blacksmith with the bulk of the nation, while the elder Baker stayed with the remnant which remained in Iowa.¹⁰ It was not long after this removal that the elder Baker died "at Fort Des Moines, still in the service of the Indians."¹¹ With the demise of his father in 1848, Arthur I. Baker became the head of the family.¹²

History records that Arthur I. Baker was reappointed a blacksmith with the Sac and Fox in 1847 and again in 1848.¹³ A letter pertaining to his 1848 reappointment also notes the reappointment of Withington as a blacksmith, and the appointments of Baker's brother, Morris, and future brother-in-law, Emanuel Mosier, as assistant blacksmiths.¹⁴

⁸ Ida M. Ferris, "The Sauks and Foxes in Franklin And Osage Counties, Kansas," Collections, 1909-1910 (Topeka: State Printing Office, 1910), p. 339.

⁹ *Ibid.*, pp. 340-341. Ferris claims that "the Sauk and Fox reservation in Kansas embraced, generally speaking, all of Weller (now Osage) county south of Dagoon township, to the present Coffey county line, and extended six and one-half miles east into Franklin county, and some three miles west into Lyon county."

¹⁰ "Baker Family."

¹¹ "Major Beach's History of the Agency," History of Wapello County, Iowa (Chicago: Western History Company, 1878), p. 364.

¹² "Baker Family."

¹³ Barry, pp. 730, 792.

¹⁴ *Ibid.*, p. 792. Thomas H. Harvey to W. Medill, April 17, 1848, Correspondence. Harvey states that Arthur Baker and Mosier would "be paid out of the Reserved fund of these Indians under the 5" (sic) article of their treaty of 1842."

Arthur Baker remained with the agency as a blacksmith until 1849 when he resigned to become a trader with the same nation.¹⁵ Although the exact date of Baker's resignation is not known, it is known that Baker was serving as a trader by the ninth of August of that year. It is on that date that the Reverend Jotham Meeker records, in his diary, officiating at the marriage of Baker's sister Sarah to Emanuel Mosier.¹⁶ A marriage certificate signed by Meeker, states that the couple was "united by Marriage, at the House of Mr. Ingram Baker, Sauk & Fox Trader."¹⁷ Shortly after his marriage, Emanuel Mosier, along with Morris Baker, moved to Council Grove to accept appointments as blacksmiths with the Kanza Indians.¹⁸

Family history claims that Baker's mother, Agnes Miller Inghram Baker, came to Kansas in 1849 to visit her children.¹⁹ She was evidently intent on settling in Kansas, as Mary Simcock states that "she had sold her home in Iowa."²⁰ Since, however, Agnes Baker is listed on the 1850 Iowa census, she probably only came for the wedding of her eldest daugh-

¹⁵D. D. Mitchell to Orlando Brown, November 26, 1849, Correspondence.

¹⁶"Diary of Jotham Meeker, 1804-1855" (typed copy in Archives of Kansas State Historical Society, Topeka, Kansas), p. 586. Baker's middle name, Inghram, was his mother's maiden name. The spelling of this name varies from source to source. The spelling used in this thesis was taken from the family genealogical record. As shown in Appendix A, Baker was named for his maternal grandfather, Arthur Inghram.

¹⁷"Correspondence and Papers of Jotham Meeker" (1849 file in Archives of Kansas State Historical Society, Topeka, Kansas).

¹⁸D. D. Mitchell to Orlando Brown, December 10, 1850, Correspondence.

¹⁹"Baker Family."

²⁰"Manuscript of Mary Simcock," "Baker Family Genealogical History" (property of Fannie Axe). Henceforth referred to as "Simcock Manuscript."

ter.²¹ It was not until after the removal of the Mosiers to Council Grove that Agnes Baker, along with her other two daughters and youngest son, left Iowa for good and followed them there.²² Upon her arrival, Thomas Sears Huffaker, the teacher at the Kaw Indian Mission, "persuaded her to take the position of matron for . . . (the) Indian school."²³ In 1852, Huffaker married the second Baker daughter, Eliza Ann (pictured in Figure 1, page 15), in the first white wedding in Council Grove.²⁴

Although Baker was evidently serving as Indian trader by early August of 1849, his license to trade was not granted by the agent, C. N. Handy, until January of 1850.²⁵ Records show that Baker's license was renewed by the new agent, J. R. Chenault, first in February, 1852 and again in January, 1853.²⁶

Shortly after his 1852 license renewal, Baker employed his brother, Perry, "as clerk at his trading house . . . to fill the place of Eli Sewell."²⁷ Within six months following his 1853 license renewal, Baker again employed his brother-in-law, Eli M. Sewell, as a clerk and

²¹ 1850 Census of Iowa. The 1850 Iowa census lists Agnes Baker as living in Wapello County, Iowa.

²² "Simcock Manuscript."

²³ Ibid.

²⁴ Lalla Maloy Brigham, The Story of Council Grove On The Santa Fe Trail, (2d ed., n.p., 1921), p. 13.

²⁵ D. D. Mitchell to Orlando Brown, January 7, 1850, Correspondence.

²⁶ John Haverty to D. D. Mitchell, February 27, 1852, Correspondence (referring to 1852 renewal); John Haverty to D. D. Mitchell, January 29, 1853, Correspondence (referring to 1853 renewal).

²⁷ John R. Chenault to Luke Lea, April 8, 1852. Letters Received By the Office of Indian Affairs, 1824-1881 (microfilmed copy from National Archives, Washington, D. C.), henceforth referred to as Letters.

FIGURE 1



Arthur Baker's sister, Eliza Ann Baker Huffaker, as pictured later in life. Her marriage to Thomas Sears Huffaker, in 1852, was the first white wedding in Council Grove. (Courtesy of Kansas State Historical Society.)

stant trader.²⁸ Sewell was to remain a close business associate
 Baker's untimely death.

As an Indian trader, Baker was concerned with trading on both an
 individual and a contract basis. In trading with the Indians on an in-
 dividual basis, Baker, like most of the traders, was known to give very
 liberal credit, which was paid off when the Indians received their
 yearly indemnity from the government.²⁹ The issue of credit payment
 through indemnities became a major sore spot between the agent, James,
 the trader, Baker.

Baker also served the agency by making contracts with the Indian
 nation to supply them needed goods. In particular, Baker was known to
 have supplied the Sac and Fox with burial cloth.³⁰ A description of the
 use of burial cloth was given by Ida Ferris in her history of the Sac
 and Fox.

Before he expired the medicine men anointed him and he was
 painted for death. A grave was dug in the form of a seat, so
 the top of the head of the corpse, when seated, would be even
 with the top of the ground. A piece of domestic or strong
 cloth was passed around the body and tied tightly over the top
 of the head. The gun, wampum and other personal effects were
 buried also..... A green pole was set in the ground and bent
 over so that the end of this spring-pole came over the head of
 the departed Indian. Then the spring-pole was held down by
 being tied to a stake driven into the ground on the opposite
 side of the grave. The cloth on top of the Indian's head was
 then tied to the spring-pole. The idea was that when the res-
 urrection day should come the fastenings would give way at the
 stake and the spring-pole would elevate the Indian and set him
 upon his feet.³¹

²⁸B. A. James to George W. Manypenny, May 30, 1853. Letters.

²⁹Ke O Kuk, Pow a shick, Pis Ke Mah ne, Tue Quas, Pe shc she
 and Cap a co me to George W. Manypenny, August 16, 1853, Letters.

³⁰John Haverty to Orlando Brown, February 15, 1850, Correspon-

³¹Ferris, p. 338.

It was during the tenure of Chenault, as Indian agent, that Baker and his family first came into disfavor as a trading house with the agency. Although the two incidents which occurred under Chenault did not in themselves bring about Baker's dismissal, they were cited by the next agent as evidence of Baker being unfit to be in Indian territory.

The first incident with Chenault affected Arthur Baker only indirectly. This concerned Baker's brother, Morris, yet served to lay the seeds of distrust between the Baker family and the administrators of Indian affairs.

Morris Baker, who had been serving as a blacksmith with the Kaw agency in Council Grove, returned to Sac and Fox territory sometime in early 1852. While at the Sac and Fox agency, Chenault accused Morris Baker of stealing horses and "ordered (him) to leave the indian Country (sic)."³² In a cover letter sent to the Commissioner of Indian Affairs, Morris Baker proclaimed his innocence.³³ He enclosed ten depositions which supported his plea and petition to be allowed to remain in Indian territory.³⁴ There was no evidence that Chenault's decision was ever reversed by his superiors. It was, most assuredly, upheld, as the issue was resolved by the removal of Morris Baker and two of his brothers, Perry and William, to Oregon.³⁵

³²Morris Baker to L. Lea, September 10, 1852. Letters.

³³Ibid.

³⁴Deposition of Thomas C. Weaver, July 24, 1852, Letters; Deposition of E. M. Sewell, June 30, 1852, Letters; Deposition of Mellekers Wallode, July 30, 1852, Letters; Deposition of Thomas Crabtree, July 27, 1852, Letters; Deposition of Richard Bachster and Wan de waw, June 29, 1852, Letters; Deposition of Richard Backster and Jacob Miller, July 28, 1852, Letters; Deposition of Tylower James, June 30, 1852, Letters; Deposition of Thomas J. Connolly, July 27, 1852, Letters; Deposition of Susan J. Baker and Franinia M. Powers, July 27, 1852, Letters.

³⁵"Baker Family."

The second incident occurred during or just prior to the month of January, 1853, when Baker had applied for the renewal of his license to trade. The difficulty between Chenault and Baker was described in an affidavit by James F. Mills, a former blacksmith with the Sac and Fox.

. . . it occurred (sic) about a mixed blood Indian, named (George) Powers, the agent had refused to permit Powers to serve in any trading house, but consented to allow (sic) him (to) remain at Baker's store. And he sometimes would go in the storeroom. Chenault took offence, supposing that Baker had employed him. "36

Mills added that ". . . this was all explained and Mr. Chenault gave Baker a new license afterwards."37

Mills's conclusion, however, was in conflict with that of Chenault. Chenault referred to Powers as "a drunken fellow who I had dismissed from the interpreters place. . . ."38 In writing to James, Chenault defined Baker's role concerning this incident as "his whole conduct about keeping Powers in his service was such as to satisfy one conclusively that he was not disposed to show the slightest respect to the regulations."39 Chenault reminded James that

before I left the Sac & Fox Agency and after I had turned over everything to you as my succession I distinctly informed you that you would have no difficulty in getting along with any of the traders then there except A. I. Baker. That he was an unprincipled, impudent and meddlesom fellow who would be sure to give you trouble.40

Chenault continued by reiterating that Baker was "distitute (sic) of principle."41 Although Chenault admitted that he had in fact renewed

³⁶ Affidavit of James F. Mills, December 28, 1853, Letters.

³⁷ Ibid.

³⁸ John R. Chenault to B. A. James, May 23, 1854, Letters.

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Ibid.

ker's license, he changed the wording to read in such a way as to put
ker on probation.⁴² James claimed "that Major Chenault had to change
e wording of the license in order as may be infered (sic), to save
s oath of office."⁴³

With such a recommendation from his predecessor, it was evident to
me that James came into office with a set bias against Baker as a trader.
fore James's first year as agent was completed, he took steps to re-
ve Baker from the agency by refusing to even consider the renewal of
ker's license, when Baker made application on December 20, 1853.⁴⁴ In
e opinion of the Superintendent of Indian Affairs, Alfred Cumming, how-
er, James's refusal to allow Baker to remain as a trader with the Sac
d Fox was "grounded upon his conscientious opinion of the unfitness
Mr. Baker to be continued (any) longer as a trader in his Agency."⁴⁵

With the non-renewal of his license to trade, Baker, through his
torney, John W. Reid, appealed directly to the Secretary of the Interior
r "the fullest investigation" of the agent's "disservice" since coming
the Sac and Fox.⁴⁶ Reid made clear that Baker believed that such an
vestigation "will be satisfactory to the Department why his appeal should
sustained, and a License granted to him."⁴⁷

In support of his appeal for a reversal of the agent's decision,

⁴²ibid.

⁴³B. A. James to John S. Phelps, March 25, 1854, Letters.

⁴⁴Affidavit of Eli M. Sewell, December 28, 1853, Letters.

⁴⁵Alfred Cumming to George Manypenny, January 5, 1854, Corres-
ndence.

⁴⁶Appeal of Arthur I. Baker, John W. Reid to Robert M. Clelland,
d., Letters.

⁴⁷ibid.

made a series of charges against James, which were later enumerated

the Superintendent of Indian Affairs:

1" That Agent James, in the 20th December 1853, refused to renew Baker's license, and in violation of the regulations, omitted to furnish to the Department all the papers appertaining to the matter and the reasons which induced him to refuse him a license.

2" That no evidence is adduced to prove that he, Baker, is an unfit man to be in the Indian Country, and have a license to trade with the Indians.

3" That Agent James had stated that there were already too many traders in his Agency, and yet licensed H. S. Randa ll, who is supposed to be a relative, and partner of factor of the Agent.

4" That the mode of payment adopted by Agent James of issuing cards to the heads of families, containing the number of each in the pay role, was injurious to many traders, and ruinous to one.

5" That Randa ll was furnished by the Agent with information which facilitated his collections and injured those of others.

6" That Randa ll kept a store known as the "Toy Store" by the Indians, and extended his credits with the expectation of a treaty to be made with the Sacs and Foxes.

7" That a minor son of Agent James was employed as a clerk in the store of Randa ll.

8" That Agent James improperly withheld from Thomas J. Connolly, a private letter written to the said Connolly by Geo W. Ewing. And

9" That Agent James paid a Winnebago Indian who had no right to be enrolled among the Sacs & Foxes.⁴⁸

These nine charges became the basis of an investigation by the
Office of Indian Affairs into the Baker-James controversy. This in-
vestigation was initiated early in 1854, at the request of Baker, James,

both. ⁴⁹

⁴⁸ Alfred Cumming to George Manypenny, January 5, 1854, Correspondence.

⁴⁹ B. A. James to J. S. Phelps, March 24, 1854, Letters.

Shortly after the refusal of his license renewal, Baker journeyed to Washington with the apparent purpose of having James's decision reversed either by appeal or by the de facto method of influencing the Secretary to reject James's appointment as agent.⁵⁰ If Baker did try to influence James's confirmation as Indian Agent, he probably attempted to do so through a Senator from Iowa, Augustus Caesar Dodge.⁵¹ If such an attempt was made it was unsuccessful, for, by June, James acknowledged receipt of . . . my commission as Agent for the Indians within this Territory as confirmed by the Senate⁵²

While in Washington, Baker did meet with the Commissioner of Indian Affairs and perhaps even the Secretary of Interior, Robert McClelland.⁵³ Baker's introduction to such high government officials was presumably through Senator Dodge.⁵⁴

Baker's appeal seems to have had little effect on his removal from

⁵⁰Appeal of Arthur Baker, John W. Reid to Robert McClelland, Letters; B. A. James to J. S. Phelps, March 24, 1854, Letters.

⁵¹A. C. Dodge to G. M. Manypenny, March 30, 1854, Letters. This letter was written in support of "my friend A. J. (sic) Baker."

⁵²B. A. James to G. M. Manypenny, June 12, 1854, Letters.

⁵³B. A. James to G. M. Manypenny, April 22, 1854, Letters. James mentions that "Baker returned from Washington City to this Territory about 23rd of February" and had, while in Washington, met with Manypenny.

⁵⁴Appeal of Arthur Baker, John W. Reid to Robert McClelland, Letters. It is assumed that this petition was hand delivered by Baker to the Secretary.

⁵⁴It is not known whether Baker and Dodge were actually friends or perhaps just acquaintances from Iowa territorial days. It is probable that Dodge may have known either Baker's father or perhaps his maternal grandfather, Arthur Inghram. Baker's grandfather had served as the President of the Territorial Council of Iowa and was well-known in that state's early history. In either case, it is evident that Baker was attempting to use Dodge to promote his case for reinstatement.

reservation.⁵⁵ It does, however, leave open the question of the validity of the agent's action against him. The question of Baker's fitness remained and has never been answered. It is perhaps essential that Baker's charges be now more fully examined and some judgement made of their authenticity.

The first charge which Baker made concerned a procedural violation on the part of James. Baker maintained that the Agent "omitted to furnish to the Department all the papers appertaining to the matter, and the reasons which induced him to refuse him a license."⁵⁶

In support of this charge, Baker presented an affidavit from his mother-in-law, Eli Sewell, who had been serving as Baker's clerk. Sewell accompanied Baker when the letter requested his license renewal from the agent.

Sewell maintains that James "refused to receive or examine his (Baker's) application."⁵⁷ Baker seems to have inferred that the agent is bound by law to take applications and forward them to the commissioner of Indian Affairs. In this, Baker seems to maintain that it is not the function of the Indian agent to either approve or disapprove applications, but rather serve in a clerical capacity, forwarding such requests to the proper authority.⁵⁸

If such were the case, then Baker would have been quite proper in

⁵⁵By 1855 Baker had settled at the Rock Creek crossing of the Santa Fe Trail, on the Kanza Indian Reservation.

⁵⁶Alfred Cumming to G. W. Manypenny, January 3, 1855, Correspondence.

⁵⁷Affidavit of Eli M. Sewell, December 28, 1853, Letters.

⁵⁸Appeal of Arthur Baker, John W. Reid to Robert McClelland, Letters.

claiming that James had no right to deny his request. Unfortunately for Baker, it seems that James acted within his proper jurisdiction to deny or grant applications. The agent makes no attempt to refute in any way this first charge and the matter is not pursued by the Superintendent of Indian Affairs in his investigation.

It does seem evident that when James "refused the license & would not examine the papers,"⁵⁹ he had made up his mind on the matter and was thus executing his preconceived judgment.

Baker's second charge was a follow-through of the first, that James failed to prove that he was unfit to be in Indian territory. To refute this charge, James forwarded to the Commissioner the "distitute of principle (sic)" letter from former Agent Chenault.⁶⁰ This letter was countered by Baker with an affidavit from James F. Mills, defending Baker's side in the controversy.⁶¹

It seems that the Chenault view was readily accepted by the Superintendent of Indian Affairs in the investigation. James's summation was that Baker was "a man who it is impossible for me to get along with. . . ." and thus it was essential to remove him.⁶²

It was the third charge which seemed to have been the major point of contention between Baker and James. This charge was of prime importance, as many of the other charges were dependent on it. Baker charged that the agent "had stated that there are too many goods & traders . . ."

⁵⁹Affidavit of Eli M. Sewell, December 28, 1853, Letters.

⁶⁰John R. Chenault to B. A. James, May 23, 1854, Letters.

⁶¹Affidavit of James F. Mills, December 28, 1853, Letters.

⁶²B. A. James to Geo. W. Manypenny, April 22, 1854, Letters.

and thus some had to go.⁶³ Baker claimed that at the same time he was dismissed for being surplus, the agent was "licensing H. S. Randoll (sic) as near relative & personal friend. . . ."⁶⁴

James claimed that he was neither a relative nor a partner of Randall and supplied the Commissioner with a letter from Randall to that effect.⁶⁵ Baker presented an affidavit from Thomas Connally, a half-breed Indian, claiming that Randall was a brother-in-law of James, and that "it is correctly said and believed among the Indians that the agent and Randol (sic) are concerned together in trade."⁶⁶

Other charges of favoritism of Randall over the other traders by James, and complaints as to the quality of Randall's goods are based upon this one contention.⁶⁷

Baker charged that when James became agent, he changed the method by which the annuity payments would be made to the Indians. This new method hurt all the traders but Randall, as Randall had been supplied by James with inside information as to the method of payment.⁶⁸ Since the major share of a trader's business depended upon the credit which he gave to the Indians, it was important that the trader attend the yearly payment. As the individual Indian's name was called by the agent for

⁶³Appeal of Arthur Baker, John W. Reed to Robert McClelland, n.d., Letters.

⁶⁴Ibid.

⁶⁵H. S. Randall to B. A. James, n.d., Letters.

⁶⁶Affidavit of Thomas J. Connally, December 28, 1853, Letters.

⁶⁷These charges will be considered collectively as they are dependent upon the charge of collaboration between James and Randall.

⁶⁸Appeal of Arthur Baker, John W. Reed to Robert McClelland, n.d., Letters.

payment, the trader to which that Indian might owe money would step forward and collect his debt.

Instead of calling out the names of the Indians, James numbered the Indians and then called the numbers. Baker maintained that although he was not hurt by this method, as he knew personally most of the Indians, other traders were.⁶⁹ Connally charged that Randall obtained the numbers and corresponding names and "was thus enabled to make collections as the Indians were paid off . . . and this gave Randol (sic) a great advantage."⁷⁰

James's response was a letter by Randall claiming that "the Agent never (gave) me any numbers."⁷¹ The agent further offered evidence that prior to his dismissal, Baker praised the "manner in which the payment was made,"⁷² and that he had "always spoke of (James) . . . in the highest terms."⁷³

Concerning the charges of Randall's store being known as a "Toy Store" and that James's son worked for Randall, James answered by presenting an inventory of the goods furnished by Randall⁷⁴ and acknowledging that his son was an employee of Randall.⁷⁵

The last two charges, of James withholding a letter and making illegal payments, were not challenged by James, but were refuted by

⁶⁹Ibid.

⁷⁰Affidavit of Thomas J. Connally, December 28, 1853, Letters.

⁷¹H. S. Randall to B. A. James, n.d., Letters.

⁷²Affidavit of John B. Foreman, May 18, 1854, Letters.

⁷³John B. Foreman to B. A. James, n.d., Letters.

⁷⁴Inventory of Goods furnished H. S. Randall, n.d., Letters.

⁷⁵B. A. James to Alfred Cumming, February 25, 1854, Letters.

Cumming in his investigation.⁷⁶ James's summation of the entire episode was a bitter denunciation of Baker and all those who supported him. This denunciation was evident in nearly all of James's correspondence concerning the matter.⁷⁷

Baker's conclusion was that should "he be driven from the trade. . . he would be ruined."⁷⁸ He claimed to have over five thousand dollars in credit owed to him by the Indians and that this would be lost upon his removal.⁷⁹

In the eyes of the Superintendent of Indian Affairs, whose responsibility it was to settle the affair, the issue boiled down to the question of who to believe. Both sides made wild charges and claims against the other.⁸⁰ Both sides attempted to elicit political support to bring pressure for a favorable decision to them.⁸¹

When Cumming arrived at the agency to investigate the charges he found only one side to the story. Neither Baker, nor his attorney, Reid, were present to give the opposing view, and Cumming found it feasible "to exonerate him (James) in every important particular from the charges

⁷⁶A. Cumming to G. W. Manypenny, January 3, 1855, Correspondence.

⁷⁷James made several referrals to "Baker and his clan" and the trouble they caused, an example of which can be found in a letter from B. A. James to J. S. Phelps, March 24, 1854, Letters.

⁷⁸Appeal of Arthur Baker, John W. Reid to Robert McClellan, n.d., Letters.

⁷⁹Ibid.

⁸⁰Connally charged at one point that Randall had "persuaded a young girl, only eleven years of age, to bed and cohabit with him in disgrace." Thomas J. Connolly to G. W. Manypenny, April 19, 1854, Letters.

⁸¹Baker attempted to elicit the support of Senator Dodge from Iowa and James obtained the support of Congressman Phelps from Missouri.

brought against him by the complainant."⁸²

Cumming's decision appears a natural one, in that he was a friend of both James and Chenault, and thus according to Cumming they were "entitled to entire confidence for veracity."⁸³ It further seemed logical to Cumming that Baker was not present, having moved to Rock Creek on the Santa Fe Road, because his charges were not defensible.⁸⁴

The controversy was apparently settled, with a favorable decision to James by his superior, and the removal of Baker to a new life farther west. But the issue of his being labeled unfit still bothered Baker. If not the label, then the loss of his claims bothered him.⁸⁵ This issue was finally settled in 1861 when the Commissioner of Indians Affairs, A. D. Greenwood, ruled in favor of his claims and awarded to Baker "the sum of Eight Thousand Nine Hundred Eighty Three & 46/100 dollars as the amount due and all owed to him."⁸⁶

⁸² Alfred Cumming to G. W. Manypenny, January 3, 1855, Correspondence.

⁸³ ibid.

⁸⁴ B. A. James to G. W. Manypenny, April 22, 1854, Letters.

⁸⁵ Letter from A. I. Baker, Emporia News, April 12, 1862.

⁸⁶ Certificate of payment from A. B. Greenwood, March 12, 1861, Letters.

CHAPTER III

'NE-CO-ITS-AH-BA''

Subsequent to his unceremonious departure from the Sac and Fox Indian Agency, Arthur I. Baker followed his relatives and friends west to the vicinity of Council Grove. Council Grove and the area encompassed by the upper Neosho River drainage had seemed to become a haven for the malcontents of the Sac and Fox Agency.

It was to the upper Neosho River Valley that the Baker family tended to gravitate. The first Baker associate to locate there was his brother-in-law, Emanuel Mosier, who became a blacksmith with the Kanza Indians and a partner with Morris Baker in 1850.¹ Baker's mother, Agnes Miller Inghram Baker, along with her other daughters and youngest son, soon joined the Mosier family in Council Grove.² On May 6, 1852, Baker's sister, Eliza Ann, married the teacher at the Kaw Indian Mission, Thomas Sears Huffaker, and thus extended the family influence.³ One of Baker's closest friends, Charles H. Withington, left the Sac and Fox Agency in 1851, and settled in Council Grove where he became the mail agent.⁴ In 1854, Baker, along with his family and brother-in-law, Eli M. Sewell, joined the enclave.

¹Letter from D. D. Mitchell to Orlando Brown, December 10, 1850, Correspondence From Office (of) Superintendent of Indian Affairs to Commissioner of Indian Affairs (typed copy in Archives of Kansas State Historical Society, Topeka, Kansas).

²"Manuscript of Mary Simcock," Baker Family Geneological History (property of Fannie Axe).

³A. T. Andreas, History of the State of Kansas, 1 (Chicago: A. T. Andreas, 1883), p. 806.

⁴Louise Barry, The Beginning of the West: Annals of Kansas Gateway to the American West 1640-1854 (Topeka: Kansas State Historical Society, 1872), pp. 1058, 1114, 1185 & 1187.

Baker's resettlement in the Council Grove vicinity might have been but a minor footnote in local history. Yet, in several ways it is of considerable importance to students of upper Neosho River valley history. There are two interrelated historical questions concerning Baker's residence which will be answered in this chapter. These two questions concern the actual date of Baker's residency and the location of his home.

As one enters the Lyon County Historical Museum, one of the first items to be seen is an excellent historical map of the county during territorial days. One of the major features of this map is a listing of the early settlers in Breckinridge County from 1855 to 1862.⁵ The map names Charles Withington, pictured in Figure 11, as the first settler in the county. Withington is the only settler listed for 1854. For the year 1855, there are forty-two settlers listed. Oliver Phillips and Christopher Ward are listed as the second and third respectively. Arthur I. Baker is the thirty-third name on the list, although the settlers are not numbered following Phillips and Ward. Withington is credited with establishing the first store or trading post in 1854, while Baker is noted as opening his the following year.⁶ Most Lyon County historians appear to agree with the map's implied chronological listing of settlers.

Jacob Stotler, in his Annals of Emporia and Lyon County, states that Withington, "at the time of his death, was the oldest settler in this county," and that Phillips "thought he was next to the oldest

⁵As previously noted, Lyon County was originally established in 1855 as Breckinridge County. On February 6, 1862, the name was changed in honor of General Nathaniel Lyon.

⁶Historical Map of Early Lyon County: Breckinridge County from 1855 to February 6, 1862 (property of Lyon County Historical Society, Emporia, Kansas).

FIGURE 11



Charles H. Withington, a close friend of Baker, settled in Lyon County in 1854. Withington has been considered, by many local historians, as the county's first settler. (Courtesy of Kansas State Historical Society.)

settler in the county."⁷ It is interesting to note that Stotler refers to Withington and Phillips as "oldest," rather than as the county's "first" settlers. Stotler's reference is important as it is generally accepted as the earliest written Lyon County history. It is assumed that as such, this work, and its ambiguous use of "oldest," was used as a source for later historians.⁸

Lyon County historians located the stores or trading posts of both Baker and Withington in the northern part of the county on the Santa Fe Road. Withington's store was located at the One Hundred and Forty-two Mile Creek crossing of the Santa Fe Trail.⁹ Baker's store was popularly thought to have been located at the Bluff Creek crossing.¹⁰

It is the contention of this writer that these historians are inaccurate in their acceptance of Withington as the county's first settler and storekeeper, as well as their location of Baker's store. This writer further maintains that Stotler was in error when he stated that "The only mail received by the people at first came from the office at Withington's,

⁷Jacob Stotler, Annals of Emporia and Lyon County: 1857-1882 (Emporia, Kansas: n.p., n.d.), p. 5.

⁸Some sample references agreeing with Early Lyon County map and written since Stotler's Annals, are Andreas, p. 845; Frank W. Blackman, Cyclopedia of Kansas History (Chicago: Standard Publishing Company, 1912), p. 196; Laura M. French, A History of Emporia and Lyon County (Emporia: Emporia Gazette Print, 1929), p. 176; Flora Rosenquist Godsey, The Early Settlement and Raid on the 'Upper Neosho', Collections of the Kansas State Historical Society, 1923-1925, XVI (Topeka: Kansas State Printing Plant, 1925), pp. 452 & 456; Lucina Jones, "History of Early Lyon County, Kansas" (unpublished manuscript read before the Emporia Chapter, Daughters of the American Revolution, 1933, property of Lucina Jones), p. 2.

⁹Historical Map of Early Lyon County.

¹⁰ibid. This popular conception of Baker's store being at Bluff Creek is perhaps best seen in Betty Mason, "Agnes City," (unpublished manuscript found in White Memorial Library, Emporia State University, July 10, 1962), pp. 1-2.

which was the first and only office in the county in 1855-1856."¹¹ It was Arthur Baker who was Lyon County's first settler and storekeeper. Furthermore, there is some evidence that Baker might have had a post office in the county at the same time as Withington.

In discussing the complex historical question of when and where Baker originally settled in Breckinridge County, one must begin by considering the possibility that Baker, like Withington, first established himself in Council Grove and then moved back along the Santa Fe Trail. Some historians, like Laura Malloy Brigham, maintained that this was so. Brigham states that Baker and his brother Joshua were among those involved commercially in Council Grove prior to 1854.¹² This writer, however, rejects this statement on two counts. First, as previously noted, Baker was involved with the Sac and Fox Agency until 1854.¹³ Secondly, Joshua Baker was only twelve in 1854, and thus unlikely to be a tradesman at that time.¹⁴

A second writer who inferred that Baker was involved early in Council Grove was Andreas. He states that "The first house built in the town. . . was erected by Baker and Sewell."¹⁵ This writer maintains that the individuals here referred to are not Arthur Baker and E. M. Sewell, but rather Morris Baker and Emanuel Mosier. It should be noted

¹¹Stotler, p. 6.

¹²Laura Malloy Brigham, Story of Council Grove on the Santa Fe Trail (n.p., 1921), p. 11.

¹³For an account of Baker's activities at the Sac and Fox Agency, see Chapter II.

¹⁴1860 Census of Kansas. The 1860 census gives the age of Joshua Baker as seventeen.

¹⁵Andreas, p. 803.

se men established themselves at Council Grove in 1850.¹⁶ In
 of that year they sold a house, field and corral to Jacob Hall for
 red dollars.¹⁷ This house then became a mail station for the
 trading firm of Waldo, Hall and Company.¹⁸ It is possible that
 is Baker shortly to leave for Oregon and Arthur Baker soon to
 prominent in the "Upper Neosho valley," that the activities of
 me blended in the mind of the historian.

reas, on his map of the 1854 election districts, pictured in
 ll, also erroneously gives Baker's home as being in Council
 This error was probably based on Andreas's previously noted
 to the "Baker and Sewell house" in Council Grove.¹⁹ Andreas
 ct in that the election was held at the house of Arthur Inghram
 ut he was in error as to the location of Baker's house. The
 , according to official records, was held at the Baker home at
 Creek Crossing of the Santa Fe Trail.²⁰

like Withington, there was no need for Baker to first settle
 ll Grove when he moved to the upper Neosho. For Baker, with
 ally ties in Council Grove, was probably familiar with the
 ing territory. Thus he was able, upon leaving the Sac and Fox
 to preempt one of the choicest locations on the Santa Fe Road.

for references concerning Morris Baker and Emanuel Mosier in
 Grove see Chapter II.

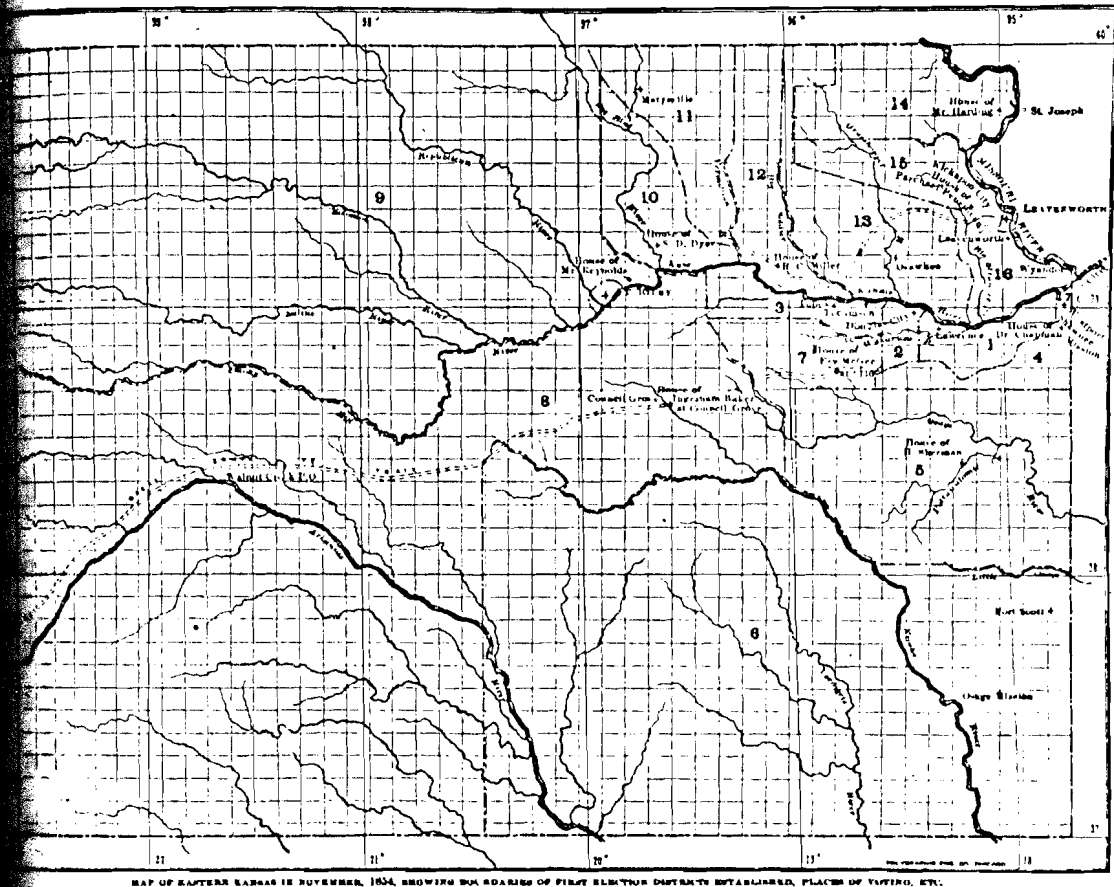
Hall v. Huffaker (Circuit Court of U.S. for District of Kansas),
 in Barry, Beginning of the West, p. 950.

Ibid.

Andreas, p. 88.

Executive Minutes Recorded in the Governor's Office During The
 ration of Governor Andrew H. Reeder," Collections, 1881-1884
 Kansas State Printer, 1884), III, p. 232.

FIGURE 111



As's map of electoral districts in Kansas's first territorial
 ion, November, 1854. The map gives the location of the polls
 he Eighth Electoral District at the "House of Inghram (sic)
 at Council Grove." Andreas was in error as to the location
 er's home, as it was located eight miles east of Council Grove
 Rock Creek crossing of the Santa Fe Trail. (Courtesy of
 State Historical Society.)

Moreover, by virtue of his recent sojourn in Washington, D. C.,
 was undoubtedly aware that Kansas would soon become an organized
 territory and thus legally open to settlement.²¹ When the Kansas-Nebr-
 aska Bill was introduced in Congress, January 1854, Baker was in the
 territory, and privy to much of the Congressional debate which the issue
 presented.²²

Baker evidently anticipated that the territory would soon be
 organized. As shortly following his return from Washington, he abandoned his
 position for reinstatement as a Sac and Fox trader, and moved west to pre-
 pare. The Sac and Fox agent, in a hitherto unpublished and evidently
 confidential letter, dated more than a month prior to the passage of the
 Kansas-Nebraska Act, written to the Commissioner of Indian Affairs,
 mentioned that Baker was "improving a place within eight miles of the
 Rock Grove."²³ James further stated that "no doubt he (Baker). . .
 is selling goods whenever he can do so secretly."²⁴

A contemporary of Baker's and Withington's in territorial Kansas,
 L. D. Bailey, wrote that "in Lyon county, formerly called Breckinridge,
 the first settler so far as I know was Arthur I. Baker, who settled on
 Rock Creek where the old Santa Fe wagon road crossed (sic) . . . and
 established (there) a place for a trading house."²⁵ The Rock Creek crossing

²¹For a discussion of Baker's visit to Washington, see
 page 11.

²²B. A. James to George W. Manypenny, April 22, 1854, Letters
 Sent by the Office of Indian Affairs, 1824-1881 (microfilmed copy
 National Archives, Washington, D.C.).

²³Ibid.

²⁴Ibid.

²⁵L. D. Bailey, "Along the Santa Fe Trail," Early Days In
 Kansas (Olathe: Charles R. Green, 1912), p. 45.

was located just eight miles east of Council Grove and thus was probably the area mentioned in the James letter.

John Maloy, in his "History of Morris County," agreed with this early arrival of Baker. Maloy stated that Baker came to the upper Neosho "in 1854, some months before the territory of Kansas was organized, holding to the doctrine that the people had a right to locate upon the public domain."²⁶

With Withington not settling in Breckinridge county until June 1854, a month after the enactment of the Kansas-Nebraska Bill,²⁷ Baker was thus the first settler in the county. There is perhaps some question as to whether Withington had actually settled that early at the One Hundred and Forty-two Mile Creek crossing of the Santa Fe Trail. In the Territorial Census of 1855, Withington is listed under the household of Baker and perhaps was at that time residing with him at Rock Creek.²⁸ This census was taken by James R. McClure in the early months of 1855. McClure, in his memoirs, recalled that upon leaving Council Grove he "followed the Santa Fe Trail, and some eight miles from the Grove, stopped at the cabin of a Mr. Baker, on Rock Creek, . . . (who) was at that time the only settler between Council Grove and '110' (located in Osage County)."²⁹

Regardless of the precise location of Withington's residence in 1854, he was living in Breckinridge County according to the ter-

²⁶Council Grove The Kansas Cosmos, May 7, 1886. Maloy wrote his history as a feature article in Kansas Cosmos.

²⁷Stotler, p. 5.

²⁸Census of 1855, Territory of Kansas.

²⁹James R. McClure, "Taking the Census in 1855," Collections, 1903-1904 (Topeka: Kansas State Printer, 1904), VIII, p. 234.

teritorial census of 1859. One of the features of this census is that it provides for the historian the date of settlement of each voter listed. In this list there are five voters who settled in the county in 1854. These persons were Baker, Sewell, Withington, C. Montgomery, and S. Griffith.³⁰

From 1854 to 1862, Baker's home at Rock Creek becomes the pivot around which the events of his life and death revolve. Baker's home at this location has been given several names by different people. The name Rock Creek was given to the stream on account of the "rocky bluffs that line its banks."³¹ The stream was originally named by the Indians, "Co-its-ah-ba."³² Concerning later events which were to occur at Baker's home, the Indian name, meaning "Dead Man's Creek"³³ was perhaps a more appropriate name.

Rock Creek crossing later became known as Agnes City, incorporated in 1857 by Baker, Mosier and Sewell.³⁴ In a letter, dated December 22, 1856, to the editor of the Kansas Weekly Herald, Baker claimed that Agnes City consisted of "one store, one Mill and one Blacksmith Shop and Post Office."³⁵ Most sources state that Agnes City was named either Baker's wife or daughter.³⁶ This assumption, however, is

³⁰Kansas Territorial Census of 1859. (Original copy in archives of the Kansas State Historical Society, Topeka.)

³¹Andreas, p. 796.

³²Ibid.

³³Ibid.

³⁴"Extinct Geographical Locations," Collections, 1911-1912 (Topeka: State Printing Office, 1912), XII, p. 472.

³⁵Letter to the Editor from A. J. Baker (sic), Leavenworth Kansas Weekly Herald, January 10, 1857.

³⁶The following sources make this claim. Andreas, p. 871; Bailey, p. 45; French, p. 176; and Mason, pp. 1-2.

ected, as Baker's wife was named Susan.³⁷ In all probability the
y was named for Baker's mother, Agnes Miller Inghram Baker.

The Agnes City Post Office was established on November 1, 1856,³⁸
n Mosier as the first postmaster.³⁹ Withington's post office at
n was established the previous year on February 26, 1855.⁴⁰ Thus
seems that Stotler was nearly correct in his assertion that Withington's
". . . the first and only office in the county in 1855-56."⁴¹ Yet
the same day that Withington received his appointment, Baker was
ointed postmaster at Miller, K.T.⁴² Miller existed for nearly a
r until it was discontinued on February 12, 1856.⁴³

The location of Miller is not known. The record of Kansas Post
ices states that the city was located in Wise County.⁴⁴ Yet in
bruary of 1855, there were no counties in Kansas, and thus it may
difficult to determine the precise location.⁴⁵

Since it has been established that Baker, by 1854, had been
roving his home at Rock Creek, it is the opinion of this writer
at Miller was an early name given for Baker's home at that location.

³⁷Census of 1860, Territory of Kansas.

³⁸Robert W. Baughman, Kansas Post Offices (Wichita; McCormick-
strong Co., 1961), p. 1.

³⁹Ibid., p. 201.

⁴⁰Ibid., p. 2.

⁴¹Stotler, p. 6.

⁴²Baughman, pp. 84 and 201.

⁴³Ibid., p. 84.

⁴⁴Ibid.

⁴⁵Counties were not determined by the Territorial Legislature
till later in 1855.

ably, like the later Agnes City, Miller was also named for Baker's
 her, taking her middle name. If Miller was located at Rock Creek,
 there were two "first" post offices in what was to become Lyon
 county, both established on the same day.

When Arthur Baker preempted in Breckinridge County, not only was
 the first to do so, but the structure which he built was, until his
 death, one of the finest, if not the finest, private homes in the county.
 For a time and place when a small dwelling of ". . . sometimes two rooms
 and a lean to kitchen . . ." ⁴⁶ was considered to be comfortable,
 Baker's home, at Agnes City, was said by his peers to be a collection
 of ". . . all the comforts of life." ⁴⁷ Baker, himself, referred to his
 home as ". . . the gem of Breckinridge," ⁴⁸ and as the scene of his ". . .
 past happiness . . ." ⁴⁹ In attempting to obtain a fuller picture
 of Baker and his role in the history of the upper Neosho, it is perhaps
 useful to present here a brief description of his home at Agnes City.

Baker's home, pictured in Figure IV, was a two-story stone dwell-
 ing with outside dimensions of forty-four by eighteen feet. The basic
 design and floor plan was a scaled-down facsimile of the Kaw Indian Mis-
 sion in Council Grove. ⁵⁰ It should be remembered that Baker's mother
 was the matron of the mission and his brother-in-law, the teacher. The

⁴⁶R. M. Armstrong, "Sixty Years In Kansas And Council Grove,"
 Collections, 1923-1925 (Topeka: Kansas State Printing Plant, 1925),
 VI, p. 555.

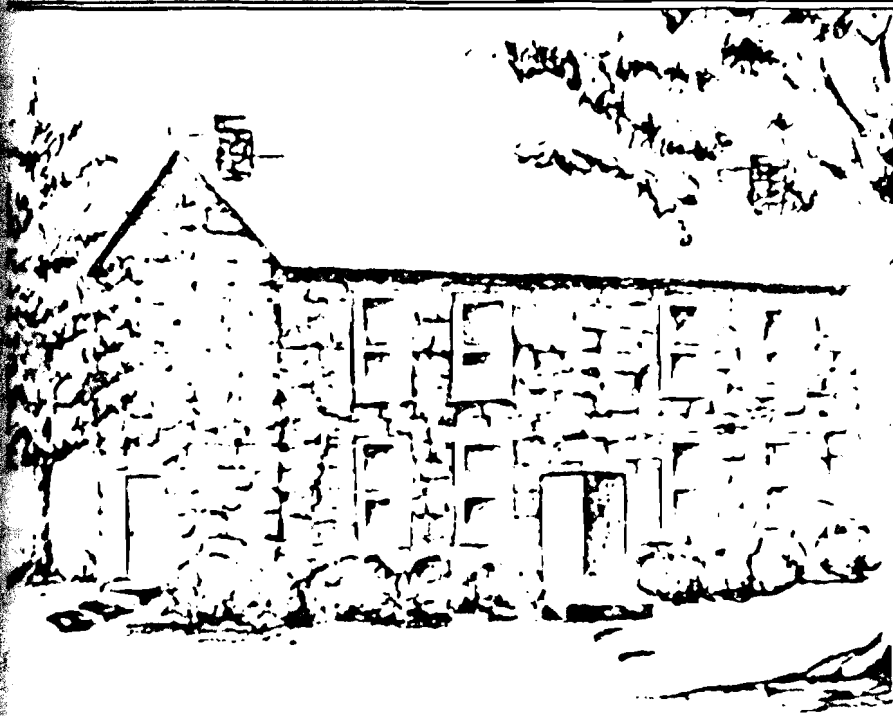
⁴⁷Cottonwood Falls The Kansas Press, July 25, 1859.

⁴⁸Council Grove Press, June 22, 1861.

⁴⁹ibid., July 20, 1861.

⁵⁰W. Michael Shimeall, unpublished field notes taken on an arch-
 eological excavation of Arthur Baker's home at Agnes City, July,
 1972.

FIGURE IV



artists conception of Baker's house at Agnes City. This house was probably built in 1857 or 1858 and served as the first county seat of Breckinridge County from 1855 to 1858. The building was destroyed by fire on July 3, 1862, when Baker was murdered by "Bloody Bill" Anderson. This drawing, by Peggy Lefler, was based on field notes from an archeological excavation of the home in July of 1972. (Courtesy Emporia State University.)

Similarity between the two buildings was extremely striking, even down to the ornamental detail of the masonry design of lintels and portals.⁵¹ This similarity can be seen by comparing the artist's reconstruction of Baker's home, Figure IV, and the photograph of the Kanza Mission, shown in Figure V.

The downstairs consisted of a kitchen and dining area at the south part of the house. There was an outside door in this section, which opened to the south and within a few feet of its pathway was a cistern. Directly in the center of the home was a rather spacious hallway, with stairs ascending to the upper floor. There was a large front door on the east side of the house which opened into the hallway. At the west end of the hall was a smaller back door. The stairs ascended from the east end of the hallway to the west, with the second floor landing above the rear door. At the foot of the stairs and directly inside the front door were two smaller doors, respectively on the north and south walls of the hall. The south door of the hall opened to the kitchen and dining areas. The north door opened to a large parlor room. The central feature of this room was a large fireplace directly in the center of the north wall.⁵²

The central floor plan can be seen in Figure VI. The photograph was taken from the parlor looking south past the central hall, to the kitchen and dining area. The hearth of the kitchen fireplace can be seen at the center of the south wall and the kitchen door can be seen to the right of the hearth. Figure VII shows the writer, fourth from left, helping to direct the excavation of Baker's home.

⁵¹ Ibid.

⁵² Ibid.

FIGURE V



The Kanza Indian Mission, taken circa 1890, in Council Grove. Baker's mother was the matron for the school held in this building and his brother-in-law served as its teacher. This building, which later became the Huffaker family home, served as the basic design for Baker's home at Agnes City. (Courtesy of Kansas State Historical Society.)

FIGURE VI



Photograph of archeological excavation of Baker's home, July 1972. View was taken from the north wall, looking south. The parallel stone foundation walls, running across the center of the picture, outline the central hall. The room to the back of the picture was the kitchen and dining area. The kitchen hearth can be seen at the center of the back wall, and the kitchen door can be seen to the right of it. (Courtesy of Emporia State University.)

FIGURE VII



Photograph of archeological excavation of Baker's home, July 1972. View was taken from the kitchen doorway on the south wall looking north. The writer, fourth from left, is directing the removal of the roots of a tree stump from the west wall. (Courtesy of Emporia State University.)

The second floor consisted of from two to four bedrooms.⁵³ Considering the number of people who were said to live in the house at any given time, it seems probable that the larger number was correct. The 1860 census lists a total of eleven people living in the Baker home.⁵⁴

It has been reported that besides the large stone dwelling, there were also several out-buildings nearby.⁵⁵ Baker's store was located directly one hundred feet southeast of the house.⁵⁶

It is not known exactly when Baker built his large stone dwelling. McClure, in 1855, referred to Baker's home as a "cabin,"⁵⁷ and thus it is assumed that the stone dwelling was not his original home at Agnes City. By 1857, however, eyewitness accounts of the upper Neosho began to refer to Baker's home as far superior to other private dwellings.⁵⁸ This writer's conclusion is that the large stone dwelling was built, by Baker, sometime between February 1855 and August 1857. The building lasted until Baker's death on July 3, 1862, when it was destroyed by fire.⁵⁹

Arthur Baker, as a historical figure, is important to the upper Neosho River valley. His home and trading post, at the Rock Creek crossing of the Santa Fe Trail, was the first dwelling and store in Wagonwheel County. His post office, called Miller, was possibly one

⁵³Ibid.

⁵⁴Census of 1860.

⁵⁵Emporia News, July 12, 1862.

⁵⁶Shimeall.

⁵⁷McClure.

⁵⁸Emporia Kansas News, August 8, 1857.

⁵⁹Emporia News, July 12, 1862.

of the two "first" mail facilities in the county. The stone house which he built was considered by the editors of the local newspaper to be ". . .the most comfortable looking place we have seen."⁶⁰ It was, undoubtedly, one of the finest homes in the territory during its time. The location of his home tied Baker not only to the Santa Fe trail but to every major event in the territorial history of the two counties which encompassed the upper Neosho River valley.

⁶⁰Emporia Kansas News, August 8, 1857.

CHAPTER IV

"A TRUE TYPE OF THE PIONEERS"

Judge A. I. Baker was one of the first settlers in the territory of Kansas, arriving from Iowa with the Sac and Fox Indians in 1846.¹ In 1854, "some months before the territory of Kansas was organized,"² Baker moved to the Rock Creek crossing of the Santa Fe Trail, thus becoming the first settler in what was later named Breckinridge county.³

As an early settler in Kansas, Baker was described by a contemporary as "a bold, rough, open-handed, large-hearted man, a warm friend and an open foe; a TRUE TYPE OF THE PIONEERS of the border."⁴ It is the purpose of this chapter to look at this description of Baker and to use Baker as an illustration of what a "true pioneer type" was in the territory of Kansas.

As a frontiersman, Baker was one of the wealthier individuals in the upper Neosho valley. According to the census of 1860, Baker had a real and personal estate value of six and one thousand dollars respectively.⁵ When one compares Baker's worth to that of the other heads of

¹Council Grove Kansas Cosmos, May 7, 1886. In 1886 the Kansas Cosmos printed a series of articles written by John Maloy entitled "History of Morris County." Also see Louise Barry, The Beginning of the West: Annals of the Kansas Gateway to the American West 1540-1854 (Topeka: Kansas State Historical Society, 1972), P. 661.

²Council Grove Kansas Cosmos, May 7, 1886.

³L. D. Bailey, "Along the Santa Fe Trail," Early Days in Kansas (Olathe: Charles R. Green, 1912), p. 45.

⁴Ibid., p. 47; emphasis added.

⁵Census of 1860, Territory of Kansas

households in Breckinridge and Morris counties, as shown in Table 1, the total estate value of seven thousand dollars would put him in the upper three percent in Breckinridge and two and one-half percent in Morris.

TABLE 1⁶

PERCENTAGE OF TOTAL VALUE OF ESTATE - 1860 -
BRECKINRIDGE AND MORRIS COUNTIES

(Heads of Households and/or males
- twenty-one years and older)

COUNTY	NO VALUE	\$1 to \$499	\$500 to \$999	\$1,000 to \$1,999	\$2,000 to \$2,999	\$3,000 to \$3,999	\$4,000 to \$6,999	above \$7,000
BRECKIN- RIDGE	11	27	18	22	11	3	5	3
MORRIS	17.5	30	17	20	2	1	2	2.5

Baker was thus, economically speaking, not necessarily typical of the early pioneer. Yet Baker's business activities, to obtain such wealth, are perhaps worthy of study, as they cover a variety of interests and therefore provide for the historian an informative collage of pioneer occupations.

Shortly after his settlement at Rock Creek, Baker began to engage in two activities. He established a farm and opened a store on the Santa Fe Trail.⁷ Agriculture, in territorial Kansas, was the basic occupation of the majority of settlers. According to the census of

⁶ ibid.

⁷ Manuscript of Mary Simcock, "Baker Family Genealogical History" (property of Fannie Axe).

1860, as illustrated in Table II, the percentage of adult males, in Breckinridge and Morris counties, who engaged in farming as their primary occupation was sixty-two and one-half, and fifty-nine respectively.

TABLE II⁸

PERCENTAGE OF OCCUPATIONS OF ADULT MALES - 1860
BRECKINRIDGE AND MORRIS COUNTIES

COUNTY	FARMING	TRADE	SERVICE	PROFESSIONAL	NOT GIVEN
BRECKIN- RIDGE	62.5	9.5	13	4	10
MORRIS	59	13	19	4	5

By 1859, Baker's home was described by his friends as a "fine farm . . . (with) one of the best corn fields in the Territory."⁹ In 1860, Baker had seventy-five acres of land under cultivation, with an additional eighty-five acres of unimproved land.¹⁰ The 1860 census lists the cash value of Baker's farm as three thousand dollars, with farm implements valued at two hundred and fifty dollars.¹¹

As a farmer, Baker was principally engaged as a stockman. In 1860, he had one of the largest herds of cattle in Breckinridge county. The census of that year lists Baker as having twelve milk cows, two

⁸Census of 1860, Territory of Kansas

⁹Cottonwood Falls Kansas Press, July 25, 1859.

¹⁰Census of 1860, Territory of Kansas. Crop reports for the 1860 census were given for the year ending June 1, 1860.

¹¹ibid.

30
working oxen and thirty-five other cattle.¹² The value of this livestock was listed at seven hundred dollars.¹³

By the time of Baker's death in 1862, however, the volume and thus the worth of his livestock had been considerably reduced. Thomas S. Effaker, Baker's brother-in-law and administrator of his estate, listed the sale of six cows for ninety dollars; three two-year-old steers for thirty-nine dollars; three yearling heifers for twenty-four dollars; seven calves for twenty-four dollars and fifty cents, and an unknown number of hogs for fourteen dollars.¹⁴ This would be a total worth of one hundred and ninety-one dollars and fifty cents.

The only crops reported to have been produced on Baker's farm in 1860 were two thousand bushels of Indian corn and forty bushels of oats.¹⁵ It is assumed by this writer that these were used primarily as feed for Baker's livestock. By 1861, however, Baker reported that "wheat and corn of prodigious size"¹⁶ were being cultivated on his farm.

A contemporary of Baker's, L. D. Bailey, claimed that Baker used Indians from the Kaw Reservation to herd his cattle and to do the farm chores.¹⁷ In return for their labor, Baker furnished the Indians with sugar, flour and beef.¹⁸ By 1861, however, Baker had begun to pursue

¹²ibid.

¹³ibid.

¹⁴"Bill of Sale of property belonging to the estate of Arthur I. Baker, deceased," Probate File of A. I. Baker, File Number 390 (property of Lyon County Probate Court, Emporia, Kansas), henceforth referred to as Baker Estate File.

¹⁵Census of 1860, Territory of Kansas

¹⁶Council Grove Press, July 20, 1861.

¹⁷Bailey, P. 47.

¹⁸ibid.

sho, as the year of the drought.²⁶ The first crop grown by white
in the upper Neosho valley, was the corn planted in 1851 by Baker's
ther-in-law, Thomas S. Huffaker. Huffaker, pictured in Figure VIII,
w the crop for the Kaw Mission School.²⁷ From that year to 1860, there
a tremendous increase in the cultivation of crops. New settlers
ing to the valley looked to this agrarian life with an assurance of
d crops. Maloy states that, "The Beginning of the year 1860 was
favorable for a bountiful harvest as any previous year. Crops were
nted as usual."²⁸ The drought began to show when May passed without
usual rains. Then June produced such a heat wave that "by the first
July nearly the entire vegetable growth had perished."²⁹

The farms of territorial Kansas were primarily developed for
sistence agriculture, and thus a drought, as in 1860, would ser-
sly threaten their existence. Maloy claims that the drought was so
ere that "There was not a bushel of corn raised . . . (in Morris)
nty that year."³⁰

The drought was equally severe in other parts of the territory.
phen J. Spear, an early settler in southeast Wabaunsee county, re-
rted that "The drouth was so severe that the streams stopped running,
l most of the pools in creek beds went dry."³¹ Samuel N. Wood, reported

²⁶Lalla Maloy Brigham, The Story of Council Grove On The Santa Fe
il (n.p., 1921), p. 19.

²⁷Council Grove Kansas Cosmos, April 16, 1886.

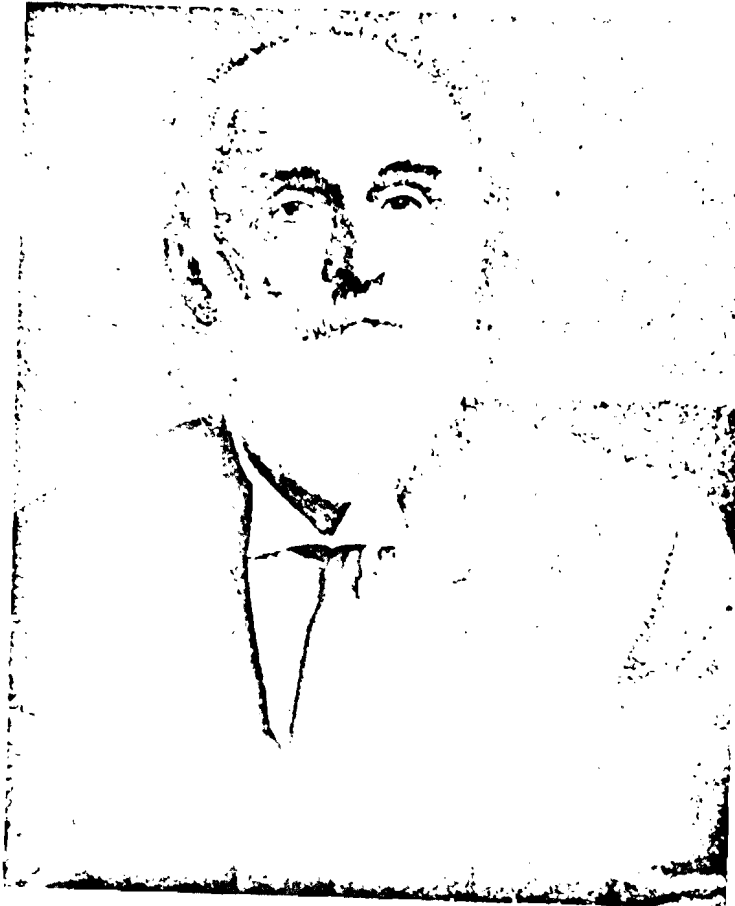
²⁸Ibid.

²⁹Ibid.

³⁰Ibid.

³¹Stephen J. Spear, "Reminiscences of the Early Settlement of Dragon
ek, Wabaunsee County," Collections of the Kansas State Historical Society,
3-1914 (Topeka: Kansas State Printing Plant, 1915), XIII, p. 355.

FIGURE VIII



Thomas Sears Huffaker, Baker's brother-in-law, business associate, friend and estate administrator, as pictured later in life. Huffaker was the first school teacher of white children in Kansas and the most distinguished citizen of Council Grove in its early history. (Courtesy of Kansas State Historical Society.)

in the Council Grove Press, that the wells of Emporia were all dry. Wood, who was prone to some exaggeration, claimed that water from the Cottonwood River was selling for five cents a bucket in Emporia.³² If a lemon was dropped into the bucket, according to Wood, then the water would sell for a nickel a glass.³³ To further illustrate the plight of Emporia, Wood gave the following description of its celebration for the fourth of July.

On the day previous to the "4th" our friends down at Emporia hauled water from the Cottonwood and filled up the town well, and hauled ice from Elmendaro and Waterloo which they put also in the well in order to have "cold well water," (*italics in the original*) but it was "no go," the water sunk away, and the crowd on the "4th" had to content themselves with pure Cottonwood water without ice.³⁴

The Americus Sentinel, in an extra edition on the drought, described the conditions in Americus and Cahola townships as being "without a parallel in the history of our country."³⁵ To prove the urgency of the plight of its citizens, the Sentinel compared the local farm situation of 1860 with that of 1859. These statistics, shown in Table III, provide for the historian an illustration of horrid conditions for the Breckinridge county farmer.³⁶

The prospect of the farmer, for both the immediate future and the long term, was not a pleasant one. It was evident that there was not enough food for the settler to feed either his family or his livestock. Furthermore, upon using what grain was available for subsistence, there

³²Council Grove Press, July 30, 1860.

³³Ibid.

³⁴Ibid.

³⁵Americus Sentinel, October 27, 1860.

³⁶Ibid.

TABLE III

COMPARISON OF AGRICULTURAL PRODUCTION
FOR THE YEARS 1859 AND 1860

(Americus and Cahola Townships, Breckinridge County)

	AMERICUS TOWNSHIP		CAHOLA TOWNSHIP	
	1859	1860	1859	1860
Number of families	---	67	---	23
Number of people	---	331	---	104
Number of Acres paid for	---	4,123	---	0
Amount of mortgage on land	---	\$1,135	---	---
Amount of Interest on mort.	---	6 - 48%	---	---
Acres planted	655	1,408	100	295
Bushels Raised	13,065	835	6,810	431
Acres sown	267	553	12	198
Bushels Raised	2,912	129	200	21
Number of POTATOES raised	773	56	125	21
Number of HORSES	---	107	---	80
Number of CATTLE	---	410	---	148
Number of HOGS	---	292	---	120
Amount on HAND	---	\$695 ^a	---	\$193 ^b
Amount of garden vegetables	\$138 ^c	\$67 ^d	---	---
Amount of WHEAT-bushels on hand	---	144	---	704 ^e
Amount on hand - lbs	---	5,955 ^f	---	300
Amount of Groceries on hand	---	\$185.50 ^g	---	\$20

^aTotal amount belonging to eighteen of the sixty-seven families.
^bBreakdown as follows:

• two families	\$10	• four families	\$50	• one family
• two families	\$20	• two families	\$75	• two families
• one family	\$25	• one family	\$250	• one family
	\$30	• one family		

^cTotal amount belonging to three of the twenty-one families.
^dBreakdown as follows:

- one family of six persons
- one family of five persons
- one person

^eNot including turnips.

^fIncluding turnips.

^gOne family had seven hundred bushels.

^hOne family, numbering four persons, had three thousand.

ⁱOne family, numbering seven people, had one hundred dollars.

no seed for planting the following year.

To help in bringing relief to the Kansas farmer, two committees were created to solicit aid in the East. The first of these were the Kansas Territorial Relief Commission under the leadership of Samuel Pomeroy. The other was known as the New England Kansas Relief Committee under George W. Collamore. Subcommittees of each were organized at local areas to help in the distribution of any possible aid.³⁷ Morris county, Wood became the local agent for the Pomeroy committee³⁸ and Baker for the Collamore committee.³⁹

At the same time as this activity was taking place, Kansas was in the process of becoming organized as a state under the Wyandotte Constitution.⁴⁰ With the likelihood of Kansas soon gaining statehood, Pomeroy began to work towards becoming one of its first two United States Senators.⁴¹

The Pomeroy committee thus became a tool of his senatorial campaign. Aid was distributed only by those who could help Pomeroy to benefit politically.⁴² The Morris County relief committee was first organized without regard to the political overtones and thus when wagons were sent to Chisholm for supplies they were refused.⁴³ Finally, Wood became Pomeroy's

³⁷George W. Glick, "The Drought of 1860," Transactions of the Kansas State Historical Society, 1905-1906 (Topeka: Kansas State Printing Plant, 1907), IX, pp. 480-484.

³⁸Council Grove Press, April 13, 1861.

³⁹Ibid.

⁴⁰William Frank Zornow, Kansas: A History of the Jayhawk State (Norman: University of Oklahoma Press, 1957), p. 88.

⁴¹Council Grove Kansas Cosmos, April 16, 1886.

⁴²Ibid.

⁴³Ibid.

ent in Council Grove and as a result was criticized for the favori-
sm and method he used in distributing aid.⁴⁴

The attacks on Wood became so bitter that Baker, who was associated
with the Collamore committee and not with Pomeroy, was forced not only
to defend Wood and Pomeroy, but also to issue a defense of himself.⁴⁵

As an agent of Collamore, Baker distributed for seed: one hundred and
fifty bushels of wheat,⁴⁶ fifty bushels of potatoes,⁴⁷ a lot of garden
seeds,⁴⁸ and fifty bushels of corn.⁴⁹

As a farmer, Baker was undoubtedly hurt by the drought, yet due
to his pursuance of other interests, his economic existence was not en-
dangered to the degree of one solely engaged in agriculture. Besides
his farm, Baker also established a trading post at the Rock Creek crossing
of the Santa Fe road. Maloy maintains that "merchants and business men
had about their usual amount of trade, and did not feel the effects
of a crop failure so keenly as did the farmer."⁵⁰ As evidence of
Baker's relative security during the drought, one can point to his ab-
ility and position of serving as conduit of help for others.

It was quite natural for Baker to establish a store at his home
at Rock Creek. It should be remembered that prior to his settling
there, Baker had been a trader with the Sac and Fox Indians in Kansas.

⁴⁴Columbus, Ohio The Crisis, April 25, 1861.

⁴⁵Council Grove Press, April 13, 1861.

⁴⁶Ibid.

⁴⁷Ibid., April 27, 1861.

⁴⁸Ibid.

⁴⁹Ibid., May 18, 1861.

⁵⁰Council Grove Kansas Cosmos, April 16, 1886.

When his license to trade was not renewed, Baker was faced with a large inventory of trade goods on hand and no immediate means to liquidate them. As a result, in the early months of 1854, Baker built a new store on the Santa Fe road and moved his inventory there.⁵¹ Shortly after opening his store, Baker named the site Agnes City.⁵² The store at Agnes City operated for eight years until it was the scene of Baker's violent death in 1862.⁵³

The activities of Baker as a merchant were probably similar to other merchants in Kansas territorial days. William F. Shamleffer, who was a merchant in Council Grove following the Civil War described a frontier merchant

. . . as a good mixer, and (one who was). . . at home in the Indian tepees or in the humblest bachelor's dugout or hut on the plains. . . . The more languages he could speak the better; and he should have on hand in his store a supply of everything from Bibles to whiskey and strychnine for he had to deal with all kinds of people.⁵⁴

The bulk of Baker's business probably came from "the freighters and traders to New Mexico and the mountains."⁵⁵ The Santa Fe traffic was prodigious during the years immediately preceding the Civil War. Seth Hays, a trader in Council Grove and pictured in Figure IX, reported

⁵¹B. A. James to George W. Manypenny, April 22, 1854, Letters Received By the Office of Indian Affairs, 1824-81 (microfilmed copy from the National Archives). Henceforth referred to as Letters. For a discussion of Baker's activities with the Sac and Fox Agency, see Chapter II.

⁵²Leavenworth Kansas Weekly Herald, December 13, 1856.

⁵³Bailey, p. 46.

⁵⁴William F. Shamleffer, "Merchandising Sixty Years Ago," Collections, 1923-1925 (Topeka: Kansas State Printing Plant, 1925), XVI, p. 567.

⁵⁵Council Grove Kansas Cosmos, April 16, 1886.

FIGURE IX



Seth Hays, the first settler in Council Grove and a trader with both the Kanza Indians and the Santa Fe freighters. As a business leader of Council Grove, Hays was an associate of Baker's. (Courtesy of Kansas State Historical Society.)

the seventeen-day period from June 28 to July 15, 1859, "There
 Grove during this time, 415 men, 289 wagons, 56 horses, 744
 51 oxen and 23 carriages engaged in trade, and they transported
 plains over one thousand and seven hundred tons of freight."⁵⁶

entire summer of 1859, Santa Fe trade involved "2,440 men,
 ns, 429 horses, 15,714 oxen, 5,316 mules, 67 carriages; and
 ported over the plains nine thousand six hundred and eight
 eight."⁵⁷

ough the bulk of this traffic would have undoubtedly received
 plies and repairs in Council Grove, a share of it likely
 ed at Agnes City. Besides his store, Baker claimed to main-
 nes City, a mill, blacksmith shop, and post office.⁵⁸ With
 lities, although there was no evidence that the mill actually
 Baker was able to provide the teamsters and traders with
 l supplies as they needed."⁵⁹

amleffer states that:

It was the business of the local trader to keep an eye
 out for sore-footed oxen which usually pulled the great
 freight wagons, who would buy them for from \$25 to \$35
 a piece, and keep them about thirty or sixty days, have
 them shod and sell them back for from \$100 to \$125 each.⁶⁰

experience as a blacksmith and claim of having a shop at Agnes
 was possible that Baker took advantage of the opportunity to

ottonwood Falls Kansas Press. July 25, 1859.

ouncil Grove Kansas Press, November 28, 1859. Italics and
 n original. In August 1859, the Press was removed from
 d Falls to Council Grove.

avenworth Kansas Weekly Herald, January 10, 1857.

iley, p. 46.

amleffer, p. 568.

vide such a service, if it could be considered a service.

A second source of business for Baker's store was the Indians on the Kaw Reservation.⁶¹ It should be noted, however, that Baker never a licensed trader with the Kanza, as he was with the Sac and . Thus, any trade which Baker incurred with the Indians, could not e been paid for by the usual manner of credit. Bailey maintains t the Indians worked for Baker to pay for what goods they received.⁶²

As more and more settlers moved into the vicinity of Agnes City, er's store began to do business with them,⁶³ although for major ms, most settlers undoubtedly traveled to the larger cities of ricus, Council Grove or Emporia.

Shamleffer states that:

The merchant had to hustle with business customers all day, and then entertain them royally at night; for some of them came hundreds of miles to trade, and the business house had to furnish many of them with sleeping quarters, places to cook their meals, corrals in which to keep their stock, and open access to the corn cribs and other feed.⁶⁴

ere was evidence that Baker's hospitality for his friends and cus- ers was well received. Bailey states that he "repeatedly enjoyed hospitalities of . . . (Baker's) house during the lifetime of his ker's) first wife."⁶⁵ In 1857, the Kansas News printed a letter,

⁶¹Bailey, p. 45.

⁶²ibid.

⁶³Betty Mason, "Agnes City," (unpublished manuscript found in te Memorial Library, Emporia State University, July 10, 1962), 2.

⁶⁴Shamleffer.

⁶⁵Bailey, p. 47.

ed M. Quad,⁶⁶ who testified concerning Baker that "Genuine hospitality reigns here, supreme."⁶⁷ A year later the editor of the News stated that after "partaking of his (Baker's) hospitality, we returned speedily home . . . refreshed in mind."⁶⁸

It was claimed by Bailey that Eli Sewell, "a younger brother of (Baker's) wife lived in his family and acted as clerk and general partner."⁶⁹ Sewell, pictured in Figure X, had served in a similar capacity with Baker was a trader with the Sac and Fox.⁷⁰ In 1856, Sewell married Baker's sister Margaret,⁷¹ "connecting the two families so closely . . ."⁷² It was perhaps at this time that Baker and Sewell became partners in the store. The 1861 tax assessment roll for Breckinridge County lists them as partners at Agnes City.⁷³ Baker's estate records include bills unpaid by the firm of Baker and Sewell.⁷⁴

Baker family history describes Sewell as

⁶⁶The name M. Quad does not appear on any Breckinridge County tax rolls and it is the supposition of the writer that "M. Quad" was a pseudonym, possibly that of the News's editor, Preston B. Plumb. A 'quad' in printing is a blank piece of type used for spacing.

⁶⁷Emporia Kansas News, August 8, 1857.

⁶⁸Ibid., July 24, 1858.

⁶⁹Bailey, p. 46.

⁷⁰B. A. James to George W. Manypenny, May 30, 1853, Letters.

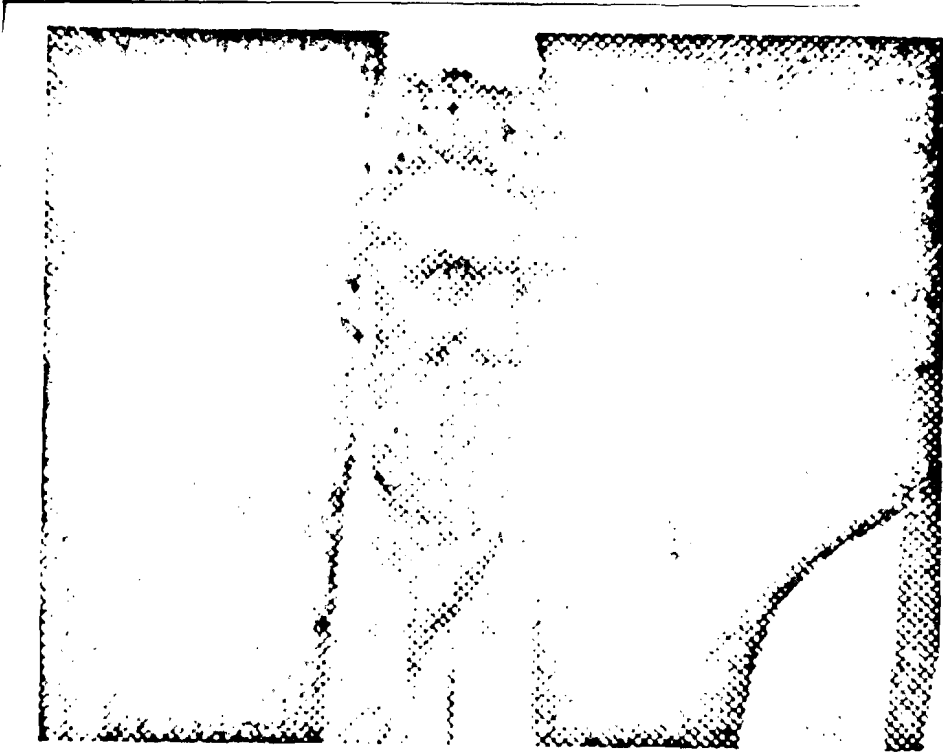
⁷¹A. T. Andreas, History of the State of Kansas, I (Chicago: A. T. Andreas, 1883), p. 807.

⁷²"Simcock Manuscript."

⁷³Breckinridge County Assessment Roll, 1861 (stored in basement of the Lyon County Courthouse, Emporia).

⁷⁴"Mess. Baker & Sewell, Agnes City, Breckenridge Co., To D. Jayne & Son," Baker Estate File.

FIGURE X



Eli M. Sewell, Baker's brother-in-law, closest friend, business associate, neighbor, and political ally. Sewell had worked for Baker since his Sac and Fox days and in 1856 became his partner. (Courtesy of Kansas State Historical Society.)

one of those good natured men, never taking a thought for anything but ease, which (was) the cause one time of nearly making an end of his earthly career. The store was full of traders and Indians and Eli lighted a pipe to be social with the Indians and sat down on a keg of powder. In a moment he was blown through the roof and when he was picked up he was in such a poor condition that they couldn't lif~~e~~ him but rolled him in a blanket and carried him into the house. He was barely breathing and was perfectly black.⁷⁵

er's mother, Agnes Miller Inghram Baker, was called to doctor Sewell. ly history states that Sewell lost one of his eyes and it took a g time for him to heal.⁷⁶

Andreas claims that Sewell was a farmer and a stockman at Rock ek and makes no mention of his employment at the store.⁷⁷ Property rds show that Baker owned the West one-half of the Northeast quarter the East one-half of the Northwest quarter of section twelve. Town- o sixteen, Range nine; and Sewell owned the West half of the South- t quarter of the same section.⁷⁸ On the 1860 census, Sewell's oc- ation was listed as a farmer.⁷⁹

At times Baker and Sewell evidently employed other individuals care for the store. The 1860 census lists a Albert D. Griffin as rader with Baker and Sewell.⁸⁰ At the time of Baker's death in 2, George Sequir, the brother of his new bride, was employed in the

⁷⁵"Simcock Manuscript."

⁷⁶ibid.

⁷⁷Andreas, p. 807.

⁷⁸"Records of Land Ownership," Morris County Land Deeds (Property of the Register of Deeds, Morris County).

⁷⁹Census of 1860, Territory of Kansas.

⁸⁰ibid.

store.⁸¹

The Leavenworth Herald states that the Agnes City post office was "at the house of A. J. (I.) Baker."⁸² In all probability this was actually in the store and not in Baker's house itself. The post office was established on November 1, 1856,⁸³ with Baker's brother-in-law, Emanuel Mosier, as the first postmaster.⁸⁴

By April 1, 1859, Baker was serving as the postmaster of Agnes City.⁸⁵ In 1861, the United States Official Register shows that Baker was paid eight dollars and eighteen cents as postmaster of Agnes City.⁸⁶

Baker performed one other function as a merchant at Agnes City. He served as a reporter for the Emporia Kansas News for information concerning commerce on the plains and in New Mexico and Arizona. The News noted, "This he can easily do, from his position on the road, and his correspondent of several heavy firms doing business in Santa Fe, who furnish him the latest news from the mines, etc."⁸⁷

Baker family history states that "Running his farm and taking care of his store kept him busy."⁸⁸ These two activities, however, were just

⁸¹Emporia News, July 12, 1862.

⁸²Leavenworth Kansas Weekly Herald, December 13, 1856.

⁸³Robert W. Baughman, Kansas Post Offices (Wichita: McCormick-Armstrong Co., 1961), p. 1.

⁸⁴Ibid., p. 201.

⁸⁵List of Post Offices In the United States (Washington: John Rives, 1859), p. 6.

⁸⁶United States Official Register, 1861 (Washington: Government Printing Office, 1862), p. 430.

⁸⁷Emporia Kansas News, September 11, 1858.

⁸⁸"Simcock Manuscript."

small portion of Baker's economic life as a pioneer in the upper Neosho valley. As greatly as he was involved in agriculture and as a merchant, Baker's interests soon began to develop in other areas.

Bailey claims that Baker "professed to be a lawyer."⁸⁹ On the 1860 census Baker attests to this by listing it as his occupation.⁹⁰ There is no evidence as to just when Baker became an attorney, nor is there any evidence that Baker ever received any formal training for the profession.

The first advertisement for Baker as an attorney appeared in the Kansas News on July 25, 1857. This advertisement, pictured in Figure 1, gave his office and residence as Agnes City and claimed that Baker was an "Attorney and counsellor at Law Will practice his profession and collect debts in all the Neosho River Counties."⁹¹

There is very little available evidence with reference to Baker as an attorney in criminal cases. This writer has been able to find Baker's name mentioned in connection with only two criminal cases, both in Morris County. Maloy states that in November of 1858, when the first case appeared before the new Justice of the Peace of Wise County, H. J. Espy, "The Territory of Kansas was plaintiff against some malefactor, and J. B. Collier and A. I. Baker figured as attorneys. The records do not show to what extent justice and law was vindicated."⁹²

⁸⁹Bailey, p. 45.

⁹⁰Census of 1860, Territory of Kansas.

⁹¹Emporia Kansas News, July 25, 1857 to December 11, 1848. With the start of its second volume on July 31, 1858, the News changed the spelling of Kansas to Kansas. When the third volume came out on August 13, 1859, the name was changed to Emporia News.

⁹²Council Grove Kansas Cosmos, March 12, 1886.

FIGURE XI

THE KANSAS NEWS.

Published Every Saturday Morning, at Emporia, Kansas,
BY PLUMB & STOTTLER.

Terms—Two Dollars per annum, in advance.
Clubs of ten, \$17. Clubs of twenty, \$30.

Rates of Advertising.

First insertion, per line, ten cents; each subsequent insertion, five cents; one dollar a line, per annum. One-fourth column three months, \$10; six months, \$17; one year, \$30. One-half column three months, \$17; six months, \$30; one year, \$50. All transient and foreign advertisements must be accompanied by the cash, to insure insertion.

J. M. RANKIN,

Attorney at Law & General Land Agent,
EMPORIA, KANSAS.

Will practice in the several courts of record in the and the adjoining counties. All business entrusted to his care will receive prompt attention.
October 3-14

P. B. PLUMB,

Land and Collection Agent,
EMPORIA, KANZAS

Will invest money for our subscribers. make collections, pay taxes, etc.
June 5

L. D. BAILEY,

Attorney and Counsellor at Law,
EMPORIA, KANSAS.

Will give prompt and faithful attention to any business of a legal nature that may be entrusted to his care in any court of the Territory. Office, at the Store of A. G. Pruster, 150 Commercial Street.
Feb 6, 1858

A. I. BAKER,

Attorney and Counsellor at Law,
AGNES CITY, KANSAS TERRITORY.

Will practice his profession and collect debts in all the Neosho River counties. Office and Residence at Agnes City, eight miles west of Council Grove, on the Santa Fe road Agnes City, July 26th, 1-57.-ed.

ALBERT GRIFFIN,

Attorney at Law and Land Agent,
MANHATTAN, KANSAS.

Prompt attention given to all business in the Kansas Valley, west of the Pottawatomie Reserve, entrusted to his care.
aug 14-17

E. S. LOWMAN,

Counsellor at Law,
LAWRENCE, KANSAS.

LOWMAN & REYNOLDS,
Land and Collection Agents,
april 7-17 LAWRENCE, KANSAS.

Business card for A. I. Baker, "Attorney and Counsellor At Law," which appeared in the Kansas News from July 25, 1857 to December 11, 1858.

A second criminal case in which Baker served as an attorney occurred in 1860. On the fourth of May, an Irishman by the name of Daniel Lanihan was found dead in his cabin, located about seven miles west of Council Grove. Lanihan had been shot to death and a Donald McDonald was arrested the next day as a suspect. The editor of the Council Grove Press, Samuel N. Wood, was at that time county prosecuting attorney.⁹³ Wood, who never seemed to be bothered by conflicts of interest, or the rights of the accused, gave the following account of the arraignment:

The justice, after a full examination, ordered defendant to give bail in \$1,000, for his appearance in court, which failing to do, he was committed to jail to await the action of the grand jury in September next. But little doubt is entertained of his guilt, and the circumstances show one of the most cold blooded murders on record. It is supposed, however, that McDonald will set up self-defense . . . (as his justification).⁹⁴

The nature of the defense used by McDonald's attorneys, Baker and B. F. Perkins,⁹⁵ is not now known. Maloy states, however, that McDonald "escaped conviction through some means or other, moved away and has not been heard of since."⁹⁶

Baker participated as an attorney in two of the fifty-four cases at Americus on the United States District Court docket for September 1860.⁹⁷ It is not known, however, whether these cases involved criminal or civil matters.

As an attorney, civil matters seemed to have been Baker's forte,

⁹³Council Grove Press, May 14, 1860.

⁹⁴Ibid.

⁹⁵Ibid.

⁹⁶Council Grove Kansas Cosmos, April 23, 1886.

⁹⁷Emporia News, September 15, 1860.

particularly those involving real estate. Beginning the first of
 1859, Baker inserted his business card in the Council Grove
 as an "Attorney and Counsellor at Law AND GENERAL LAND AGENT.
 Attend all the Courts of the Second District. Will Buy and Sell
 Warrants, And do a General Land Agency Business. Agnes City K.

On December 11, 1858, Baker's business card in the Kansas News
 changed by adding "REAL ESTATE AGENT, Dealer in Land Warrants, Town
 and Shares, Claims, etc."⁹⁹ The notice also stated, "Pre-emption
 business promptly attended to - - Money invested and debts collected - -
 instruments carefully drawn up and recorded - - Claims filed on
 Declaratory statements promptly forwarded etc., etc."¹⁰⁰

The News endorsed Baker and took note of his opening "an office
 in this county, for the practice of Law and attending to
 Agency business generally. The Judge will devote himself to his
 business exclusively for the future, and no doubt will render satisfac-
 to all who may employ him."¹⁰¹

The District Court Record for Breckinridge county shows only one
 case in which Baker was involved. The case became rather involved
 and lasted for over a year.

On June 16, 1859, a Samuel McCaul loaned to Henry Parker of Wise
 county the sum of eighty dollars, to be repaid in six months along with

⁹⁸Council Grove Press, August 1, 1859 to November 10, 1860. Em-
 s in original.

⁹⁹Emporia Kansas News, December 11, 1859 to March 17, 1860. Em-
 s in original.

¹⁰⁰ibid.

¹⁰¹ibid., December 11, 1858.

per cent interest per month. For collateral Parker offered the
 ed to his property in Wise county. Needless to say, Parker defaulted
 the loan, and McCaul filed suit.¹⁰²

Baker became involved in the case when it was discovered that pre-
 ous to the time that Parker borrowed the money from McCaul, he secured
 loan of six hundred and twenty-five dollars from a Thomas McLain of
 atte County, Missouri. As collateral for this loan, Parker put the
 me piece of property in trust, that he later used as a basis for the
 Caul loan. Like the McCaul loan, Parker defaulted on the McLain loan
 d thus the property was signed over to McLain, on December 1, 1858.¹⁰³

To retain what he thought was his property, McLain became a co-
 fendent with Parker in the McCaul case and hired Baker to represent
 m.¹⁰⁴ To compound the situation, McLain, through his attorney, Baker,
 untersued Parker and McCaul to secure not only the property, but also
 e repayment of the six hundred and twenty-five dollars.¹⁰⁵

The McCaul case was decided in McCaul's favor, with the court
 ling that he should be paid \$107.73 by Parker.¹⁰⁶ Concerning McLain,
 e court ruled that his case should be taken up separately, which was
 obably the reason for the countersuit.¹⁰⁷

There was no statement in the court record as to the actual

¹⁰²Breckinridge County District Court Final Record Book A, p.
 (stored in basement of Lyon county Courthouse, Emporia, Kansas).

¹⁰³ibid., pp. 52-3.

¹⁰⁴ibid.

¹⁰⁵Emporia News, January 5, 1861.

¹⁰⁶Final Record, p. 50.

¹⁰⁷ibid., p. 54.

disposition of the property in contention. Final decision of the case might not have been made by the time of Baker's death in July 1862, as McLain filed a petition with the administrator of Baker's estate for reimbursement of a six-dollar fee paid Baker.¹⁰⁸

Baker evidently did some other work for McLain concerning land transactions. During the drought of 1860, McLain hired Baker, for ten dollars, to purchase some property for him. Baker acknowledged the receipt of the money in a letter to McLain and said, "I will buy in the place for you should you not be here yourself. I will get it for a mere song probably for times are hard here (and) money scarce: but I will do for you the same as if it was for myself."¹⁰⁹ What property Baker was referring to and whether he actually acquired it is not known.

Baker's interest as a land agent and in the promotion of settlement in the upper Neosho valley was perhaps something more than a means of livelihood to him. Maloy stated that when Baker first settled at Rock Creek in 1854, he did so "holding to the doctrine that the people had a right to locate upon the public domain, wherever such occupancy did not interfere with the rights of others."¹¹⁰ Baker seemed to believe that the purpose of land was exploitation, that property was to be improved and not left to its natural state. In 1861, he made the statement that "in the absence of the ameliorating art of husbandry, nature presents to us a dull monotonous waste."¹¹¹

¹⁰⁸"Petition of Thomas McLain," Baker Estate File.

¹⁰⁹A. I. Baker to Thomas McLain, July 28, 1860, Baker Estate File.

¹¹⁰Council Grove Kansas Cosmos, May 7, 1886.

¹¹¹Council Grove Press, July 20, 1861.

Baker was a promoter of settlement in the upper Neosho valley before taking the quasi-official title of "Land Agent." In December 1856, Baker began to promote the upper Neosho in the Leavenworth. Baker, who perhaps fancied himself a poet, used the following words to entice the prospective settler.

Oh! don't be afraid, the disturbers are gone,
And now is the time to preempt a new home.
Come emigrants -- come you've trumps in your hand,
Play them and reap the fat of the land.

Kansas invites you all, beauteous as a bride,
With a wreath in her hair, and a plow by her side;
Bright symbol of Kansas, who'll be a bride groom,
And marry this virgin in her youth & her Bloom.

Rich Prairies and woodland bespangled all over,
Await you, sweet flowers grass and wild clover,
Clear waters beneath, above you a clear blue sky; ¹¹²

Of all of Kansas, Baker expressed the greatest faith in the future of the upper Neosho valley. His description of the area was all one of praise.

The source of the Neosho River, and its numerous branches of clear sparkling waters, all meandering through well timbered and beautiful vales, with springs of pure limestone water, gushing out of every hill, matchless soil, rank grass, with unsurpassed building and fencing stone (in the region only limestone deposits are found) lays almost wholly within the Counties of Madison, Breckinridge, Butler and Wise. ¹¹³

Even the drought did not dim Baker's enthusiasm for land promotion and the future of Kansas.

The blighting drouth, which hung over this country in 1860, like the shadow of death; naturally lead people into an enquiry (sic) concerning the future prosperity of the State, its resources, etc. The snow and rain this winter, has dispelled the apprehension of another drouth; and the people confidently expect to produce a large surplus of grain this

¹¹²Leavenworth Kansas Weekly Herald, January 10, 1857.

¹¹³ibid.

season. In view of this pleasant prospect, our mind very hopefully seeks other gratifying objects for the encouragement of immigration, and the substantial wealth of the future population of the commonwealth. Very little has ever been published by the press of Kansas, in regard to the boundless quantities of rich minerals known to exist (sic) within our borders.¹¹⁴

Baker constantly maintained that the future of Kansas was in the upper Neosho valley. "And should the State of Kansas be square, which it probably will," said Baker, "then here upon the Neosho, will according to the late Surveys, be the geographical Centre (sic) of the State of Kansas. The emigrant with the History of all the western States before him, must settle here if he wishes to locate near the final capital of Kansas."¹¹⁵

Baker's vision of the state capital's eventual location in the upper Neosho was not, for the time, an idle fancy. Maloy states that the first territorial governor of Kansas, Andrew Reeder, visited Council Grove in October 1854, "with the view of making it the capital of the territory, but learned while here that no treaty could be made with the Indians for their lands."¹¹⁶ Thus, according to Maloy, the first territorial capital became Pawnee, near Fort Riley.¹¹⁷

There was also the belief, at that time, that the first trans-continental railroad would transverse the upper Neosho valley. Jotham Meeker, the missionary to the Shawnee Indians in Kansas, claimed that this would be so. "The recent explorations of routes," said Meeker in a letter to the commissioner of Indian Affairs, "and especially the

¹¹⁴Council Grove Press, February 16, 1861

¹¹⁵Leavenworth Kansas Weekly Herald, January 10, 1857.

¹¹⁶Council Grove Kansas Cosmos, March 5, 1886.

¹¹⁷Ibid.

mountain Passes, shows that it is at least possible that the road may be built on what is called the 'Central' or 'Kansas Route'.¹¹⁸

Meeker pointed out that the State of Missouri was then building "what they call the 'Pacific Railroad,'" and that it will soon be completed from St. Louis to Jefferson City.¹¹⁹ He claimed that the railway was then to be extended to Jackson County, Missouri, and from there to Bent's fort in what later became the State of Colorado, along the way to "touch Council Grove."¹²⁰ This feasibility, of the first trans-continental railway crossing the upper Neosho, undoubtedly encouraged land speculators such as Baker, in their efforts to promote settlement.

The one major obstacle in the way of either establishing the state capital at Council Grove or building a transcontinental railroad through the Neosho valley, was the Kanza Indian Reserve. The location of this reservation was to remain a constant thorn in Baker's side.

In 1846, the Kanza Indians signed a treaty giving them a reserve approximately twenty miles square surrounding Council Grove. In the spring of the following year, the Indians moved to their new reservation.¹²¹ The precise boundaries of this, as well as other reserves, were unclear and when the Kansas Territory was organized, in 1854, Governor Reeder requested from the Bureau of Indian Affairs an official map delineating Indian Reservation. The governor was given one of "Eastman's Maps," which was certified as correct by George W. Manypenny, the Commissioner

¹¹⁸Jotham Meeker to George Manypenny, January 16, 1854, Letters.

¹¹⁹Ibid.

¹²⁰Ibid.

¹²¹Andreas, p. 796.

of Indian Affairs.¹²² Maloy states, "This map located the Kaw Reserve west and south of Council Grove."¹²³ Baker was well aware of "Eastman's map" and mentioned it in his letter promoting the upper Neosho for settlement.¹²⁴

"Assuming that map to be accurate," added Maloy, "settlers made claims east of here (Council Grove) on Rock Creek, and north and south of here on the Neosho, under the impression that they had located on the public domain."¹²⁵ One of these settlers was, of course, Baker.

The problem, for Baker and the other settlers, arose when, in 1857, the government surveyed the reservation and marked the boundaries.¹²⁶ The newly established boundaries placed Council Grove in the center between the north and south lines, with the east and west lines fifteen and five miles from Council Grove respectively.¹²⁷ "This move changed to a great extent all preconceived ideas as to the actual boundaries of the Reservation. . . ."¹²⁸ thus technically putting settlers, such as Baker, in a position of being "trespassers upon Indian lands."¹²⁹ This would explain why a patent for Baker's property at Rock Creek was not filed and deeded until after his death, when Kanza

¹²²Council Grove Kansas Cosmos, March 12, 1886.

¹²³ibid.

¹²⁴Leavenworth Kansas Weekly Herald, January 10, 1857.

¹²⁵Council Grove Kansas Cosmos, March 12, 1886.

¹²⁶Original Township Plats, Morris County, pp. 7, 9, 14, 19, and 26 (located at the Morris County Courthouse).

¹²⁷Council Grove Kansas Cosmos, March 12, 1886.

¹²⁸ibid.

¹²⁹ibid.

had been officially open and cleared for settlement.¹³⁰

The government's response to the situation was to order all settlers off the reservation. These settlers then forwarded a petition of grievance to the Bureau of Indian Affairs, resulting in a commission appointed by the government "to appraise improvements and compensation."¹³¹ Morris county history records that although compensation was made, "the United States treasury lacked funds to pay in 'Kaw Land scrip' on which the settlers realized only about 10 cents on the dollar."¹³² There has been no evidence found by the writer pertaining to how much, if any, "Kaw Land Scrip" Baker received from the government.

Although the white settlers were supposed to have been removed from the reservation, in actuality there was no real attempt to do it. The situation soon materialized in what Morris county historians have referred to as "the Indian raid of 1859."¹³³

On June 2,¹⁵ 1859, some ninety Kaw warriors rode up to the store owned by Hays in Council Grove. The immediate issue had to do with two of Hays' horses which had been stolen. Hays had demanded that the horses be returned and that those responsible for the act be turned over to him. The Indians had come to comply with the first and reject the second of his demands.¹³⁴

¹³⁰"Records of Land Ownership" Morris County Land Deeds (property Register of Deeds, Morris County). Records note that Baker's land claim was filed September 13, 1863.

¹³¹Ibid.

¹³²Inventory of County Archives of Kansas, No. 64, Morris County (Washington: Works Progress Administration, 1936), p. 17.

¹³³Brigham, p. 19.

¹³⁴Council Grove Kansas Cosmos, April 9, 1886.

on the rejection of his second demand, and perhaps because he
 sy due to the attitude of the Indians, Hays produced two pistols
 d them into the air.¹³⁵ This action, needless to say, startled
 ns, who, thinking they had been shot at, began making cries
 ge. On hearing those cries, Hays retreated inside, leaving
 uffaker, who was acting as an interpreter, and Charles Gilkey,
 l-keeper, outside to face the Indians.¹³⁶ Gilkey was then
 n the breast with an arrow, and a young man named Parks, who
 ing the street - - - to the hotel, was shot with a rifle and
 o the ground, and everybody supposed he was killed."¹³⁷

ker's brother-in-law, Huffaker, then heroically warned the
 to leave town, which they promptly did.¹³⁸ The immediate danger
 ed, the townspeople began to prepare for a war with the Indians.

cribes the scene:

. . . A "council of war" (was) held, which decided that
 'war was inevitable," and that the Kaws must be exter-
 minated. H. J. Espy. . . was elected Captain and Thomas
 White. . . . was elected Lieutenant. Up to 12 o'clock
 about forty men were enrolled; some with old shot guns,
 others with rusty squirrel rifles, and others entirely
 unarmed; all anxious to take part in the obliteration of
 that pestiferous tribe of "noble red men."¹³⁹

no evidently was not impressed with the wisdom of such a
 litary campaign, then gave the following aside. "Think of
 it of such a contest! Forty men armed as stated above court-
 ngagement with 400 well-armed Indians who were securely pre-

⁵ibid.

⁵Emporia Kansas News, June 27, 1859.

⁷Council Grove Kansas Cosmos, April 9, 1886.

³Emporia Kansas News, July 11, 1859.

³Council Grove Kansas Cosmos, April 9, 1886.

ed for a long ~~sa~~ige."¹⁴⁰

Fortunately, wiser counsel soon prevailed and it was decided to send a messenger to negotiate with the Indians for the surrender of those who had done the shooting. "One man only was found who was willing to go to the Indian camp. That man was T. S. Huffaker."¹⁴¹

Huffaker, was successful in his efforts and returned with the Indians, who were "Without the formality of a Court, judge or jury. . . .immediately hung (sic)."¹⁴²

The purpose of presenting the above incident was not to make judgement concerning the actions of the settlers, but rather to illustrate the intensity of feeling by both the Indians and the settlers. The intensity on the part of the settlers was so strong that, shortly after the incident occurred, Colonel Milton J. Dickey, the newly appointed Indian agent, expressed "the opinion that it is useless to attempt to remove the settlers from the Kaw Lands, and that the Indians will soon be removed."¹⁴³

Shortly following the "Indian raid," the settlers decided that a permanent military force was needed and thus a meeting was held for the organization of the 'Morris County Frontier Rifle Guards."¹⁴⁴ According to their constitution and by-laws, the "Guards" were an ad hoc military company for "the protection of our homes and the instruction of

¹⁴⁰ ibid.

¹⁴¹ ibid.

¹⁴² ibid.

¹⁴³ Cottonwood Falls Kansas Press, June 13, 1859.

¹⁴⁴ Council Grove Kansas Cosmos, March 26, 1886.

youth in military exercises."¹⁴⁵ Baker's name was listed among forty-two who signed the constitution, along with the names of brother, Joshua and brother-in-laws, Huffaker and Mosier.¹⁴⁶ degree to which the "Guards" were active has not been mentioned in of the histories, nor in any of the newspaper accounts of the time. rconstitution did state that regular meeting would be held "on first Saturday of October, January, April and the fourth of July each year, for the purpose of instruction, (mounted) (Parenthesis original)."¹⁴⁷ The minutes of the organizational meeting state there was to be a meeting "on Saturday the 20th day of Aug., A. 1859."¹⁴⁸ No evidence has been found by this writer which indicated that this meeting ever took place.

H. J. Espy was elected the captain of the "Guards." Espy's action, "was attributed to the fact that he was slow of movement and prudent."¹⁴⁹ With such leadership, the "Frontier Rifle Guards" perhaps died of benign neglect, which could explain the reason why it never again mentioned.

On October 5, 1859, Alfred B. Greenwood, Commissioner of Indian Affairs, signed a new treaty with the Kanza Indians,¹⁵⁰ which they "ceded the northern portion of their reserve to

¹⁴⁵Council Grove Kansas Press, December 12, 1859.

¹⁴⁶Ibid.

¹⁴⁷Ibid.

¹⁴⁸Ibid.

¹⁴⁹Council Grove Kansas Cosmos, March 26, 1886.

¹⁵⁰"Indian Treaties and Councils Affecting Kansas," Selections, 1923-1925 (Topeka: Kansas State Printing Plant, 1925), XVI, p. 765.

the Government."¹⁵¹ The settlers on the reservation objected to the treaty as there was no "provision inserted recognizing the rights of the settlers who had settled upon the lands prior to the Montgomery survey (1857)."¹⁵² The treaty called for the sale of the Indian trust land by sealed bids, to the highest bidder.¹⁵³ Thus, under the Greenwood treaty, there was no way for the squatters to retain their claims.

A meeting of all the settlers on the Kansas reservation was held on October 22 to protest the Greenwood treaty.¹⁵⁴ Baker played a prominent role in that meeting. He "was called for, to give a brief history of the settlement of this portion of the country."¹⁵⁵ The minutes of the meeting state that Baker "responded, by setting forth the claims of the settlers, to the lands they now occupy, and urged upon the meeting the importance of immediately taking some measure to prevent the ratification of the recent Treaty."¹⁵⁶

Baker, along with eight others, including Huffaker and his wife's brother-in-law, Elisha Goddard, also served on the resolutions committee.¹⁵⁷ The resolutions, which were unanimously adopted, basically outlined the position of the squatters, presenting arguments for the justification of their settlement. It condemned the Greenwood treaty and petitioned the

¹⁵¹ Morris County Archives, p. 12. The northern section was referred to as the Kaw Trust lands, and what was left of the reservation became known as the Kansas Diminished Reserve.

¹⁵² Council Grove Kansas Cosmos, March 19, 1886.

¹⁵³ Ibid.

¹⁵⁴ Council Grove Kansas Press, October 31, 1859.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

ment and the Senate not to ratify it.¹⁵⁸

The appeal was evidently successful, as the Senate amended the
 y to allow the squatters on the trust land to purchase their
 at the appraised value of one dollar and seventy-five cents per
¹⁵⁹ Baker was thus able to purchase the property on which his
 at Agnes City was located.

Baker's attitude towards the Indians was evidently more mellow
 many of his contemporaries. Where individuals such as Wood would
 t their frustration directly at the Kanza Indians and refer to
 as "a set of lazy lousy savages,"¹⁶⁰ Baker's frustration was
 ted towards the government for being unwilling or unable to pursue
 e viable land policy, conducive to settlement. It should be re-
 red that Baker was a promoter for settlement and thus interested
 curity for those he hoped to entice to the upper Neosho.

Although Baker referred to the Indians as his "copper-colored
 ds,"¹⁶¹ he did not hesitate to air his displeasure with the
 nment's handling of them when they interfered with his own econo-
 nterest.

In November 1859, Baker wrote to the Americus Sentinel concerning
 n trouble on the Santa Fe road.

It is with painful feelings of reluctance that I ever
 write a cencere (sic) against the powers that be; but,
 we sometimes are driven to it in pure defence (sic). .

Why have not some steps been taken by the

¹⁵⁸ibid.

¹⁵⁹Morris County Archives, p. 17.

¹⁶⁰Council Grove Kansas Press, December 12, 1859.

¹⁶¹Council Grove Press, March 3, 1861.

Government to chastise these Indians? Why are they allowed to prowl along the Arkansas, robbing and murdering with impunity? The Frontier is now daily in danger of a fearful massacre at some point. The Indians have openly made threats to that effect and God only knows upon whom it will fall. . . . If some measure is not taken, the spring trade and travel upon this route will be broken up.¹⁶²

Concerning the location of the Kansas reservation and its impact upon white settlement, and thus Baker's promotional activities, he wrote

It is well known that we have always taken the position that the present Kansas reservation is not, according to the treaty of 1847, the lands designed for this people -- We, with others, used all the influence we had to prevent the present Treaty. We urged (upon) Commissioner Greenwood the claims of the Whites to these lands, and the necessity and propriety of removing the Kaws to unoccupied lands farther to the South and West, about which there was not, nor ever would be, any controversy about the title.¹⁶³

Baker's work as a "Land Agent" took many forms. Apart from his interest in obtaining settlement of the Kaw reservation boundary question, Baker became quite active as a town promoter. It was quite reasonable for Baker to expect that if the capital of Kansas was to be located in the upper Neosho, then why should it not be in a community in which he had an interest?

The first town Baker was known to be involved with as a promoter was Agnes City. It should be remembered that Agnes City was the location of Baker's store, home and farm. Although some historians maintained that locations such as Agnes City were in actuality only

¹⁶² Americus Sentinel, date unknown. Quoted in the Council Grove Press, December 5, 1859.

¹⁶³ Council Grove Press, March 23, 1861.

ships and rural post offices,¹⁶⁴ this writer believes that there is every intention on the part of promoters, such as Baker, to make these locations into prominent cities. In his letter to the Leavenworth Herald, Baker describes only three communities in the upper Koshonko valley. These three cities were: Columbia, "the county seat of Madison County";¹⁶⁵ Council Grove, which "will be one of the most important towns in the Territory of Kansas on account of its increasing trade with New Mexico";¹⁶⁶ and Agnes City, "in one of the most lovely valey (sic) in the world."¹⁶⁷

Although Agnes City was incorporated in 1857 as a family-owned town corporation,¹⁶⁸ its future became immediately uncertain due to the Kaw land survey of that year. When a correspondent of the News visited the city in early August 1857, he described it as one which "did not discover . . . at first, but it was pointed out to me. The site is a good one, but being on the Reservation no attempt has as yet been made to improve it, and probably will not be until the question concerning the title is definitely settled."¹⁶⁹

Agnes City, however, did obtain some prominence that year, when the territorial legislature established Breckinridge county and design-

¹⁶⁴William E. Unrau, "The Council Grove Merchants and Kanza Indians," The Kansas Historical Quarterly, (Topeka: Kansas State Historical Society, 1968), XXXIV, No. 3, p. 274.

¹⁶⁵Leavenworth Kansas Weekly Herald, January 10, 1857.

¹⁶⁶Ibid.

¹⁶⁷Ibid.

¹⁶⁸"Extinct Geographical Locations," Collections, 1911-12 (Topeka: State Printing Office, 1912), XII, p. 472. Agnes City was incorporated by Baker and two of his brothers-in-law, Samuel Mosier and Eli Sewell.

ed it as the county seat.¹⁷⁰ The seat of government remained at
 es City until October 1858, when it was moved to Americus.¹⁷¹

With the problem of land ownership hindering its growth and
 ericus becoming the new county seat, the Agnes City town company
 er plated the town into lots.¹⁷² Thus the name Agnes City soon
 e to refer to a township, rather than a town.¹⁷³

As a land agent, Baker became a specialist in obtaining land
 les for town companies. He was responsible for obtaining title to
 ge sections of the two great Breckinridge rival towns, Americus
 Emporia.¹⁷⁴

The town in Breckinridge county that Baker was most closely
 ociated with, besides Agnes City, was Americus. Baker purchased
 north half of this town site on March 10, 1857, "for the use and
 efit of the occupants thereof."¹⁷⁵ The Americus Town Company was
 nized on June 1, 1857, with sixteen members,¹⁷⁶ and the title to

¹⁷⁰Laws of the Territory of Kansas, 1857 (Lecompton: R. H.
 nett, Public Printer, 1857), p. 90.

¹⁷¹Emporia Kansas News, December 25, 1858.

¹⁷²Emporia News, September 1, 1860. The paper listed the
 ber of town lots in the county. There are no lots listed for
 es City.

¹⁷³Agnes City Township was created in 1857. It has existed
 r since.

¹⁷⁴Warranty Deed, March 10, 1857, Book B of Deeds, p. 593
 gister of Deeds, Lyon county). This deed is in reference to
 ericus and henceforth will be referred to as Book B. Warranty
 d, December 16, 1858, Book C of Deeds, p. 418 (Register of
 ds, Lyon County). This deed is in reference to Emporia and
 eforth will be referred to as Book C.

¹⁷⁵Warranty Deed, March 10, 1857, Book B, p. 593.

¹⁷⁶Emporia Gazette, May 28, 1957.

property was deeded to them by Baker for the sum of one dollar.¹⁷⁷
 mile-square townsite was divided into blocks of sixteen lots each.
 town company member was then given one lot in every block.¹⁷⁸
 r's prominence in the company was shown by the fact that he was
 president.¹⁷⁹ Besides Baker, Sewell and Goddard were also founding
 ers of the company.¹⁸⁰ It was while Baker was involved with the
 company, that he moved his law practice to Americus.¹⁸¹

The great rival of Americus in Breckinridge county was Emporia,
 ty which Wood claimed to be "selfish and dictatorial"¹⁸² towards
 other cities of the county. The city was "located in February,
 . . . by Preston B. Plumb, G. W. Brown, Geo. W. Deitzler, Lyman
 n, and Columbus Hornsby."¹⁸³ The town was to be, like Americus,
 le square, but title could only be obtained for the northern half.
 e the town company had already platted the site and "erected a hotel,
 es, and dwelling houses thereon,"¹⁸⁴ not having a clear title to the
 erty presented a problem. Baker, acting as the county probate judge,

¹⁷⁷Warranty Deed, March 10, 1857, Book B, p. 593.

¹⁷⁸Emporia Gazette, May 28, 1957.

¹⁷⁹Stock Certificate Number 203, November 28, 1857, Americus
 Company (property of the Lyon County Historical Society). This
 ificate bears Baker's signature as president of the town company.
Emporia News, December 11, 1858 to March 17, 1860: below Baker's
 ness card, the paper added an editorial comment, "Mr. B. is also
 icient of the Americus Town Company."

¹⁸⁰Warranty Deed, March 10, 1857, Book B, p. 593.

¹⁸¹Emporia Kansas News, December 11, 1858.

¹⁸²Cottonwood Falls Kansas Press, July 11, 1859.

¹⁸³Jacob Stotler, Annals of Emporia and Lyon County: 1857-1882
 Emporia: np., n.d.), p. 5.

¹⁸⁴Warranty Deed, December 16, 1858, Book C, p. 418.

entered the case and obtained the title, which he signed over to the town company for an unknown reward.¹⁸⁵

The method used by Baker to obtain title for Emporia was relatively simple and was perhaps used by him in other such cases. To obtain title for one of the two quarter sections, Baker located a man of the Seminole Indian War, Marmaduke Wofford, who then was persuaded by Baker, after first filing claim on the property as bounty on a deserter, to assign the property over to him.¹⁸⁶ What compensation was offered to Wofford by Baker is not known.

For the second quarter section, Baker used the same method. This time he located a widow of a revolutionary war veteran, Eleanor Wofford, who assigned the property to him.¹⁸⁷ The deed to these two sections of land was then transferred from Baker to the town company. Immediately after this the News gleefully announced,

The town site of Emporia has been preempted, and the Town Company will be ready, in a few days, to give deeds for town lots. -- Those having shares would do well to forward them to the Company at Lawrence or Emporia.¹⁸⁸

It is interesting to note that although the News did not credit Baker with the town site, his efforts, the town site would never have been possible without

Baker was also involved as a speculator and promoter with several other towns in the upper Neosho, all of which are now defunct. In

¹⁸⁵ Ibid.

¹⁸⁶ Patent, December 10, 1860, Book F of Deeds, p. 540 (Register of Deeds, Lyon County). Henceforth referred to as F.

¹⁸⁷ Patent, December 10, 1858, Book F.

¹⁸⁸ Emporia Kansas News, December 25, 1858.

Baker was, along with five others, including Huffaker, an incorporator for the town of Sonora in Breckinridge county.¹⁸⁹ The location of Sonora is not known and this writer was unable to find mention of the city in any of the newspapers of the day.

In 1858, Baker was an incorporator of Waupego, in what later became Chase county.¹⁹⁰ Records of the Chase County Historical Society have located Waupego near the mouth of Diamond Spring Creek.¹⁹¹ Members of the town company were Goddard, Plumb, W. A. Phillips, Bancroft and A. Z. Sheldon.¹⁹²

At the time of his death, Baker was involved with filing the plat for the town of Toledo, in Chase county.¹⁹³ The town company had been organized in 1858, but never filed.¹⁹⁴ Evidently it had been abandoned, as Baker owned lots in the town.¹⁹⁵

Exactly what financial benefits Baker received for his efforts in town promotion is not known. Records state that in some of these communities, if not all, Baker had town lots. These lots were then sold by Baker, most probably for profit.¹⁹⁶

The year 1861 brought a temporary change of Baker's residence in part to his economic activities. In January of that year, he

¹⁸⁹"Extinct Geographical Locations," p. 486.

¹⁹⁰Chase County Historical Sketches (Emporia: Emporia Gazette, 1911), I, p. 29.

¹⁹¹Ibid.

¹⁹²Ibid.

¹⁹³Ibid.

¹⁹⁴Ibid.

¹⁹⁵"Chase County Treasurer's Receipt," Baker Estate File.

¹⁹⁶Emporia News, July 21, 1860.

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ed to Council Grove, where he became involved as a businessman. Noted previously, the location of Baker's home at Agnes City, not only linked him to events in Breckinridge but also to those in Morris county. His close family ties to Council Grove seemed to make it inevitable that he would eventually become involved in the economic life of that city. And thus in January 1861, Baker became the proprietor of the local newspaper and the only hotel in Council Grove.

The first newspaper in Morris county, and the one of which Baker became editor and proprietor, was the Council Grove Press. This paper was founded by Samuel N. Wood at Cottonwood Falls,¹⁹⁷ with the first issue dated May 30, 1859. Wood, shown in Figure XII, originally named the paper the Kansas Press.

In his last issue from Cottonwood Falls, Wood states, "The next number of our paper will be issued at Council Grove, this will be expected by our readers and was by us three days ago."¹⁹⁸ Not having an explanation, Wood promised to inform his readers at a later time.¹⁹⁹ On September 5, 1859, he moved his paper to Council Grove.²⁰⁰ Wood's reasons for relocating were purely mercenary.

In the first issue of his paper printed at Council Grove, Wood maintained that

from Cottonwood Falls we were receiving no support because there was nothing there. COUNCIL GROVE on the other hand

¹⁹⁷Cottonwood Falls is located about thirty miles south of Council Grove, in Chase County.

¹⁹⁸Cottonwood Falls Kansas Press, August 29, 1859.

¹⁹⁹Ibid.

²⁰⁰Council Grove Kansas Cosmos, March 26, 1886.

FIGURE XII



Samuel N. Wood, editor and proprietor of the Council Grove Press. Wood originally established the paper at Cottonwood Falls, Chase County, under the name of the Kansas Press. In January, 1861, Baker purchased the paper from Wood and published it until the fall of that year. (Courtesy of Kansas State Historical Society.)

is a business place; doing a large (r) business than any other town in Southern or Western Kansas. . . . The people here wanted a paper, offered us inducements which we believe it our duty, as well as interest to accept. And here we are at what is destined to be one of the most important places in Kansas.²⁰¹

The "inducements" which Wood found to be his "duty to accept" were spelled out in a later issue of the paper, when an agreement between Wood and the Council Grove Town Company, was printed. This agreement was a bonanza for Wood, in that if Wood would print his newspaper in Council Grove for two years, the Town Company would furnish him "a room for his press free."²⁰² The Town Company also furnished Wood with a lot on which he could build his printing office, a lot for his house and "one fifteenth of the town of Council Grove."²⁰³ In addition the Town Company agreed to purchase a total of two hundred and fifty copies of Wood's paper, at a dollar a copy, with a guarantee that he "would not be taxed to pay any portion of the 250 papers above mentioned."²⁰⁴

The printing of the agreement between Town Company and Wood was evidently a mistake and a source of embarrassment to him. In the very next issue of his paper, Wood claims that its publication was an accident and that "It was a paper thrown away as useless, as no such agreement exists between us and the Town Company."²⁰⁵ This writer believes that

²⁰¹Council Grove Kansas Press, September 26, 1859. Emphasis in original.

²⁰²ibid., October 17, 1859.

²⁰³ibid.

²⁰⁴ibid.

²⁰⁵ibid.

as, in denying the agreement, trying to save face by making
 tives seem more noble than they actually were. Wood was, at
 me of the printing of the agreement, involved as a candidate for
 rritorial legislature and this might have been a reason for his
 g to save face.²⁰⁶

William E. Unrau, in his article on the merchants of Council
 stresses Wood's financial inducements from the town company
 aims that Wood became the "principal spokesman" for the business
 st in the community.²⁰⁷ This writer, while agreeing that Wood
 tedly moved to Council Grove for financial reasons, disagrees
 Unrau that Wood was a spokesman for the business interests. It
 have been true that Wood was to have been the merchants' spokes-
 ut in fact the very document that evidently "induced" him to
 to Council Grove, also put the paper "under the entire control of
 Wood,"²⁰⁸ and thus the merchants seemingly had no control over him.
 Instead of promoting the merchants' interests and serving as
 spokesman, Wood seemed to have lost favor with them. There might
 been several reasons for this. One was the abrasive manner in
 Wood treated nearly everyone in his paper. Shortly after re-
 ing his paper in Council Grove, Wood became a candidate for the
 torial legislature, running against one of the men responsible
 ne agreement which brought him there. This was Huffaker, Baker's
 er-in-law.

During this campaign Wood became a spokesman who promoted himself,

²⁰⁶Council Grove Kansas Cosmos, March 19, 1886.

²⁰⁷Unrau, pp. 273-74.

²⁰⁸Council Grove Kansas Press, October 17, 1859.

community. He began a series of editorial attacks on the
Democratic Party, his opponent, and anyone who supported his opponent.²⁰⁹
Huffaker's staunchest supporters was none other than Baker, and
seemed to have taken a perverse delight in his attacks on him.²¹⁰
The campaign reached such bitterness that Wood finally conceded that
he destroyed his relationship with the community when he stated
"I came here, expecting aid in our enterprise, but when we found that
aid if received at all, must be received at the sacrifice of principle;
if we could not obtain it, we must discontinue it, and must depend upon the liberality of the people of
this county, to sustain us, if we continue our paper here."²¹¹

From the election of 1859 on, the feasibility of Wood's ability
to continue his newspaper diminished. Just as the chances for the
success of the paper declined, so had Wood's relationship with the com-
munity. Within a year following the election, the local business com-
munity began to discontinue patronage of the paper. On October 28,
1859, the community's leading merchant, Seth Hays, withdrew all sup-
port²¹² and the paper soon began to show a noticeable lack of local
subscriptions. Wood responded with an extremely bitter and perverse
editorial, extolling the virtues of the free press and attacking the
local business community, Hays in particular.

Hays & Co., own more property here than any other
two men; but Hays feels jealous of new comers. He

²⁰⁹ Ibid., October 31, 1859 and November 7, 1859.

²¹⁰ Ibid., November 28, 1859 and December 5, 1859. Wood won the
election by a forty-five vote margin over Huffaker. For a dis-
cussion of the election of 1859 and Baker's role in that election,
see Chapter V.

²¹¹ Ibid., November 28, 1859.

²¹² Council Grove Press, November 10, 1860.

has monopolized the trade here so long, that he cannot bear the idea of sharing it with others; in his own language "people are getting too thick here for him." Hays seeks to kill our paper by withholding his support. This is all right, we hope next spring to see a different class of merchants here altogether; men who will sell for reasonable profits, men who will not sacrifice their own interest to vent a little spite on a political opponent. If this cannot be done, let the paper die, let our place sink into insignificance (sic). Let Emporia, upon our South-East, and Junction City on our North, become the rival towns for the trade of the West. If Mr. Hays can stand it we can; so crack away. Better so than that we be the slave of any man, or set of men.²¹³

During that same year vandals pursued what seemed to be a concerted and deliberate plan of harassment against Wood. On October 1859, "some person set fire to three Ricks of Hay which we (Wood) on the Cottonwood, containing over fifty tons, which was a total²¹⁴ Just eleven days later, "some one entered our (Wood's) residence. . . and stole our only pair of pants, which we happened to off, whilst we were taking a short sleep."²¹⁵ An attempt was made to set fire to Wood's home, "but it failed to burn."²¹⁶ The solution, according to Wood, was to form "A Vigilance Committee hanging of every man who has not an honest countenance, or any other means of support, may correct the evil, nothing else will."²¹⁷

Evidently the recommendation was never taken, as in April 1860, Wood's home was destroyed by fire. Wood claimed arson and offered a \$500 reward for information that will lead to the detection and

²¹³ ibid.

²¹⁴ Council Grove Kansas Press, November 7, 1859.

²¹⁵ ibid.

²¹⁶ ibid.

²¹⁷ ibid.

of the person or persons; (sic) who committed the act."²¹⁸
 writer has found no evidence concerning where Wood could ob-
 oney to pay either that reward or the twenty-five dollar
 ered for information concerning his stolen pants.²¹⁹ Even
 d claimed to have a weekly circulation of over one thousand
 it was evident that the local business boycott of his paper
 ying his profit. By May 1860, Wood began to appeal for pay-
 bts by writing, "This is designed as personal to all indebted
 fice, and hope you cannot eat, sleep or rest, until you pay
 r."²²¹

claimed that over two thousand dollars in debts were due to
 ust 1860 and openly admitted "Our paper has not been a paying
 ut has been a continual drain upon our resources during the
 By November, Wood had "resolved to a strictly cash business
²²³ Wood was becoming so hard up for community support that
 ling to take local "orders at seventy five (sic) cents on the
⁴ At one point Wood became so desperate for support that he

bid., April 16, 1860.

Council Grove Kansas Press, November 7, 1859.

Council Grove Press, July 30, 1860. Wood's circulation
 doubted by this writer as the Census of 1860 listed the
ws circulation at nine hundred and fifty and the Amer-
nel at Six hundred and fifty. No record was given
ess, but Baker, when he was editor only claimed a cir-
f five hundred.

bid., May 14, 1860.

bid., August 6, 1860.

bid., November 10, 1860.

bid.

d with his subscribers:

Don't somebody want to subscribe for our paper or pay his subscription. We are out of money, and out of patience, and had to borrow \$1.50 to hire a stray printer to work the press, in order to send you this paper - - we want enough money to refund the \$1.50²²⁵

It soon became apparent that Wood would either be forced to close per or sell out to someone more freindly to local business in- . According to Andreas, Wood, in 1861, sold his paper to Baker, ng that his reason was that he was going to the army.²²⁶ This has found evidence, however, that Wood had sold his paper prior s and that Baker actually purchased the paper from a third party. riter further maintains that the paper was sold by Wood for ec- rather than patriotic reasons, as stated previously.

In January 1860, Wood had withdrawn as publisher of the Press, yet ed as editor. The Emporia News reported that the new publisher Frank E. Smith, a printer who formerly worked in the office, and l fellow."²²⁷ The News wished Smith success, "but his predecessor an unfavorable result when he states that the receipts of the office t five dollars a week and the expenditures thirty."²²⁸ Finally ember, the News printed that Smith bought out Wood and "The paper probably be discontinued. Mr. Wood has not received a very hearty t at hands of Morris county, according to his figures."²²⁹

Baker evidently then purchased the paper from Smith in early 1861. s probate record shows five, one-hundred-dollar notes outstanding

²²⁵ Ibid., June 11, 1860

²²⁶ Andreas, p. 804.

²²⁷ Emporia News, January 21, 1860.

²²⁸ Ibid.

²²⁹ Ibid., December 8, 1860.

E. Smith, all dated January 4, 1861.²³⁰ This writer submits that notes were let in payment for the purchase of the paper. Shortly following the letting of these notes, the News announced that "The Council Grove Press, has been purchased by our friend A. I. Baker, who hereafter run that 'masbeen' (sic) as editor and proprietor."²³¹

The earliest existing issue of the Press with Baker as editor and proprietor, a photocopy of which is shown in Figure XIII, was Volume number ten, dated February 16, 1861. The last extant issue with Baker as editor was number six of the second volume, dated November 10, 1861, and thus according to existing records there are three issues of the paper missing. These missing issues were probably published by Wood, as the Emporia News announced on February 2, 1861 that "We have received the first number of the Council Grove Press, issued under the name of A. I. Baker."²³² If that first Baker issue was published the day prior, as it undoubtedly was, then the three missing issues can be easily identified as Baker's.

Unrau's conclusion that Wood was the spokesman of the local business community was thus wrong. On the contrary Wood was driven from the paper perhaps the community because he failed to assume this role. As evidence and proof of this conclusion, Unrau used several quotes from the Emporia News, which promoted the business community.²³³ These quotes were at-

²³⁰"Notes of Debt of A. I. Baker," Baker Estate File.

²³¹Emporia News, January 12, 1861. The editor of the News was notably critical of Wood and typographical errors found in his work. This was probably the reason for the deliberate misspelling of the word "hasbeen."

²³²ibid., February 2, 1861.

²³³Unrau, pp. 276-78.

FIGURE XIII



The Council Grove Press, February 16, 1861. This is the earliest existing issue of the Press with Baker as its editor and publisher. Baker's business card, with R. M. Ruggles as his partner, is the first one in the left-hand column. Baker published the Press until the fall of 1861. (Courtesy of the Kansas State Historical Society.)

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tributed by Unrau to Wood. This conclusion was a historical error on Unrau's part, as these so-called Wood quotes were made in 1861 and thus were made by Baker, not Wood.²³⁴

It was Baker who served as the spokesman of the business community. It should be noted that the alleged debts for the purchase of the Press were countersigned by Huffaker, one of the leaders of the community.²³⁵ Further evidence of the business community's support was that shortly following his acquisition of the paper, Baker printed a special thanks to Huffaker, Hays, Nathan Dix, J. F. Dodds, James Phinney and G. M. Timcock, all local businessmen, "for a large number of subscribers to the Press."²³⁶ When Baker acquired the paper, there was also a noticeable increase in the amount of local advertisement.²³⁷

The Emporia News described the editorial position of Baker's paper as "'nary politic' for the present, but goes in strong for the Union."²³⁸ Later, the News noted that "The Council Grove Press has improved very much under the management of Judge Baker, both editorially and typographically."²³⁹

Baker's tenure as an editor, however, was short-lived. The last

²³⁴It is possible that Unrau merely overlooked Baker in his Council Grove study. The fact that Wood returned to Council Grove in 1863 and became once again the publisher of the Press, might have caused Unrau to assume that he was its one and only publisher and editor.

²³⁵"Notes of Debt of A. I. Baker," Baker Estate File.

²³⁶Council Grove Press, February 16, 1861.

²³⁷*Ibid.*, February 16, 1861 to July 20, 1861.

²³⁸Emporia News, February 2, 1861. For a discussion of Baker's political career and position concerning slavery, the South and the Civil War, see Chapter V.

²³⁹Ibid., February 23, 1861.

existing issue of his paper was dated July 20, 1861, but he undoubtedly published some issues beyond that date. The News in August of that year, stated that "The Council Grove Press has just announced that it will suspend for two months."²⁴⁰ Later in October the News noted that "The Council Grove Press has come to life again."²⁴¹ This was the last reference found to Baker's paper, and it was probable that with either that issue or shortly after the paper folded.

The reason for discontinuing the Press by Baker was uncertain. The Burlington Register maintained that the Press was closing, as well as numerous other papers, due to economic hard times.²⁴² The News purported that the Press was in economic difficulty when Baker resumed publication in October. Stotler, the News' editor, and a proponent of Lawrence as the State capital, claimed,

It is supposed that Topeka has breathed into its (Press) nostrils the breath of life, as it advocates the claims of that village for State Capital, even with as much eloquence and earnestness as it did those of Lawrence the week before it died, last summer. Time or something else has wrought a change in Baker's opinion -- especially something else.²⁴³

The News hinted in its next edition that perhaps "something else" was a financial inducement by Topeka interests, who

succeeded pretty well in getting the services of the newspapers in advocating her claims for the Capital. Besides some of the respectable papers of the State, all the dingy looking ones are "pitching in" for her, and many that were dead revived for that

²⁴⁰ ibid., August 17, 1861. This was a quote from the Burlington Register, n.d.

²⁴¹ ibid., October 26, 1861.

²⁴² ibid., August 17, 1861. This was a quote from the Burlington Register, n.d.

²⁴³ ibid., October 26, 1861.

purpose.²⁴⁴

Maloy states that Baker's business difficulties were compounded by the unexpected death of his wife.²⁴⁵ Susan Baker died on March 8, 1861, "at their residence in Council Grove. . . . of pulmonary affection, in the 34th year of her age."²⁴⁶ Maloy asserts that the death weighed upon his (Baker's) mind as to disqualify him for business.²⁴⁷ Unfortunately Baker's immediate response to his wife's death is unknown, and the issue of his paper for that week is missing from existing files.

Baker's economic difficulty might have been a decisive factor in the demise of his paper, as the notes of credit which he used to purchase the paper from Smith were still unpaid at the time of his death in July 1862, even though they were due in January of that year.²⁴⁸ Baker perhaps had some hopes of again publishing the paper, as he retained his press and fixtures. In October 1862, Baker's administrator, Huffaker, paid five dollars "for removing printing press from hotel."²⁴⁹ By April of the following year, Huffaker had sold the printing press and fixtures for two hundred and eighty dollars.²⁵⁰ These items were probably sold to Wood, as he returned to Council Grove that year and once again published a newspaper.²⁵¹

²⁴⁴ibid., November 2, 1861.

²⁴⁵Council Grove Kansas Cosmos, May 7, 1886.

²⁴⁶Emporia News, March 16, 1861.

²⁴⁷Council Grove Kansas Cosmos, May 7, 1886.

²⁴⁸"Notes of Debt of A. I. Baker," Baker Estate File.

²⁴⁹"Cash paid for the Estate of A. I. Baker," Baker Estate File.

²⁵⁰"Bill of Sale of property belonging to the estates of Arthur I. Baker, deceased," Baker Estate File.

²⁵¹Andreas, p. 804.

Shortly after Baker purchased the Council Grove Press, he expanded his business activities by becoming the proprietor of the Gilkey House, one of the best Hotel(s) in Southwestern Kansas."²⁵² Charles A. Gilkey had been the hosteler at the Hays' House, but in the fall of 1859 he began construction of his own establishment.²⁵³ This building, thought to be later used by Shamleffer and James as their store, is shown in Figure XIV. Gilkey, who was noted "to be a courteous, liberal-hearted and agreeable gentleman to the full extent. . . ."²⁵⁴ planned a grand opening of "his magnificent hotel . . . with a grand supper and ball."²⁵⁵ This affair was scheduled for December 26, 1859 and was promised to be the most brilliant fete of the Holiday season."²⁵⁶ There is no record, however, that the event was ever held.

Gilkey ran his new hotel until the middle of March 1860, when he caught the gold fever and left for Pike's Peak.²⁵⁷ He was evidently as successful in the mining fields as he was as a hosteler in Council Grove. The News claimed that, by July, Gilkey had made over five thousand dollars in Colorado.²⁵⁸

Upon Gilkey's venture to the gold fields, Wood evidently purchased the hotel. In November 1860, an announcement was placed in the News that there would be "A Presidential Ball in honor of

²⁵²Council Grove Kansas Press, December 5, 1859.

²⁵³Ibid., October 10, 1859.

²⁵⁴Emporia News, December 17, 1859.

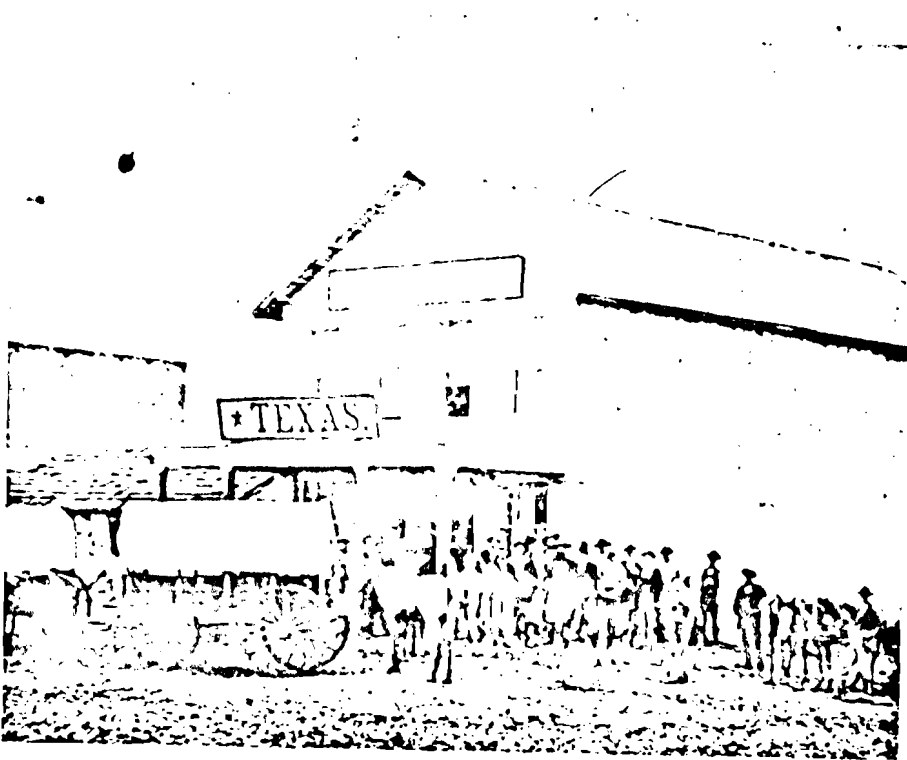
²⁵⁵Ibid., December 10, 1859.

²⁵⁶Ibid.

²⁵⁷Ibid., March 17, 1860.

²⁵⁸Ibid., July 14, 1860.

FIGURE XIV



The Texas, a store owned by Shamleffer and James in Council Grove. This picture was possibly taken in 1865. The store building is thought to be the former Gilkey House and Union Hotel in 1861. (Courtesy of Kansas State Historical Society.)

ham Lincoln."²⁵⁹ The advertisement was signed "S. N. Wood -- proprietor" and he showed his hospitality by charging admission of dollars and fifty cents a person.²⁶⁰

Advertisements in the Press in February 1861 also showed that was the proprietor of the hotel and that he had changed the name the Council Grove Hotel.²⁶¹ Baker noted that Wood held a party that in which "was the best of the season."²⁶²

By mid-March 1861, the hotel again changed names and proprietors. March 16, a new advertisement appeared in the Press for the former ey House. This advertisement, shown in Figure XV, was for the y renamed "Union Holtel (sic)" and its proprietor was Baker.²⁶³

This writer has found very few references to the Union Hotel or to r as a hosteler. The Press noted that Baker added to the hotel a on, which was "kept by John I. Delashmutt."²⁶⁴ Baker claimed that saloon was "always furnished with the very best of liquors, lager , osysters, cigars, tobacco and every other luxury. Besides pleasant ements furnished gratis."²⁶⁵

An Independence Day ball was given by Baker in 1861. Tickets sold for either two dollars and fifty cents per couple²⁶⁶ or one

²⁵⁹ Ibid., November 17, 1860.

²⁶⁰ Ibid.

²⁶¹ Council Grove Press, February 16, 1861 and February 23, 1861.

²⁶² Ibid., February 23, 1861.

²⁶³ Ibid., March 16, 1861 to July 20, 1861.

²⁶⁴ Ibid., March 16, 1861.

²⁶⁵ Ibid.

²⁶⁶ Ibid., June 1, 1861.

UNION HOTEL.

[FORMERLY THE GILKEY HOUSE,]

A. I. BAKER, ----- Proprietor,

Council Grove, K. T.

HAVING become the proprietor of this well known house, I take this method of informing the traveling public that I shall spare no pains to make this house a favorite resort for the traveling public.

OUR TABLE

Will always be furnished with the best the market affords. The house is large and commodious, and separate rooms are always furnished guests.

OUR STABLES

Have been completely repaired; each furnished with a good lock and key, a dog and night watch; whilst stock can have plenty to eat, they will thus be secure from thieves.

A few boarders will be taken on reasonable terms.

Baker's ad for the Union Hotel in the Council Grove Press. This ad appeared from March 16, 1861 to July 20, 1861. Baker closed the hotel at the same time that his paper folded in the fall of 1861. (Courtesy of Kansas State Historical Society.)

ar and fifty cents per couple.²⁶⁷ Although the admission price unclear in newspaper advertisements, Baker was clear that he "ex- ed (guests) to take care of their own horses, or be charged extra taken care of and fed at the stable."²⁶⁸

Maloy states that Baker and Sewell were partners in the hotel h was "the only hotel of . . .(that) time,"²⁶⁹ in Council Grove. as possible, however, that Baker, while serving as proprietor of Union Hotel, never directly involved himself in the daily operation t. As mentioned previously, the saloon was managed by Delashmutt,²⁷⁰ the News mentions a Josh Smith in reference to affairs which occur- at the hotel.²⁷¹

Although no evidence has been found by this writer concerning tly when Baker relinquished his interest in the hotel, the assump- is that Baker closed the hotel at the same time that his newspaper ed. Maloy states, "During the latter part of the year (1861) the l was unoccupied."²⁷² When Baker closed the paper in November, he Council Grove and never returned as a businessman.²⁷³

Baker's career as a hosteler and his career as a publisher ended ltaneously and for the same reasons. Maloy maintains that "Business so paralyzed by the breaking out of the war, as well as by disturbing

²⁶⁷Ibid., June 22, 1861.

²⁶⁸Ibid.

²⁶⁹Council Grove Kansas Cosmos, April 30, 1886.

²⁷⁰Council Grove Press, March 16, 1861.

²⁷¹Emporia News, June 7, 1862.

²⁷²Council Grove Kansas Cosmos, April 30, 1886.

²⁷³For a discussion of Baker's activities following his departure Council Grove, see Chapter VI.

of a local character, that no one would risk keeping a hotel, with rent free."²⁷⁴ Thus Baker's short-lived business ventures in Council Grove came to a close. The demise of these activities was hastened by the economic hard times of the day and the personal tragedy of the death of his wife.

Webster defines a pioneer as "one who goes before into that which is unknown or untried, to prepare the way for others."²⁷⁵ As a frontiersman, Baker readily fits into this definition. For Baker's whole economic existence was one of promotion and development of an unknown and untried new land. His various pursuits provide for the historian a concise overview of some of the many facets of frontier activity.

To those of us who live in an age of specialization, Baker's seemingly easy and casual transition from one occupation to another might at first seem incomprehensible. But as a pioneer in territorial Kansas, Baker in all of his various roles was amazingly constant as a promoter of settlement and growth of the upper Neosho valley. His occupational versatility was merely a means of achieving this end.

²⁷⁴Council Grove Kansas Cosmos, April 30, 1886.

²⁷⁵Webster's New Twentieth Century Dictionary, Unabridged Second Edition (Cleveland: The World Publishing Company, 1970), p. 1366

CHAPTER V

"THE NAPOLEON OF BRECKINRIDGE COUNTY"

The year 1854 was, to a great extent, a political watershed in American history. This watershed was centered around the passage and signing of the Kansas-Nebraska Act on May 30 of that year. The major issue, concerning the creation of these territories, according to Paul Gates in his study of Kansas land policy, could be summarized as "the slavery question."¹

Although the question of the extension of slavery into territories had been in the forefront of American politics since before the Missouri Compromise of 1820, it was the creation of the Kansas territory which transformed the political bruises of previous years into ulcerated wounds, setting a prelude to the American Civil War.

Under the Kansas-Nebraska Act, the question of whether the dual territories would be admitted as "free" or "slave" states would be dependent upon a provision called "popular sovereignty." This, in essence, meant that it would be the settlers in the territories themselves, not Congress nor any other source, who would decide the slavery question. This provision opened up the possibility that the territories could be slave, which had been impossible under the Missouri Compromise.² As Robinson, a contemporary of Baker's, declared, "The field of

¹Paul Wallace Gates, Fifty Million Acres: Conflicts Over Kansas Policy, 1854-1890 (New York: Atherton Press, 1966), p. 4.

²William O. Lynch, "Popular Sovereignty and the Colonization of Kansas From 1854 to 1860," Proceedings of the Mississippi Valley Historical Association, 1915-1918 (Cedar Rapids: The Torch Press, 1916), IX, pp. 380-392.

ble was thus removed from the halls of Congress to the plains of Kansas."³

Robinson's "field of battle" lasted for the entire seven-year period that Kansas existed as a territory. Historians have traditionally agreed with the editor of the Kansas News, when he declared in 1857 that the battle was being fought by only two polarized groups. In that year, editor Preston B. Plumb claimed, "There are but two Parties in Kansas: the Free State and Pro-Slavery."⁴ Plumb, as Robinson, apparently left no room for anyone to take a position outside of those two parties.

It is the purpose of this chapter to look beyond such simplistic interpretations. To many of the early settlers in Kansas, allegiance to one of the parties was not a clear-cut decision. Kansas territorial political history was not only violent, it was paradoxical. The political activities and views of Arthur Baker, taken as a microcosm, are illustrative of the variable temper of the times.

Prior to any portrayal of Baker's political life, it would first be advantageous to develop a working definition of the views of these two parties. According to John C. Van Gundy, an early Lyon County settler, the "distinction in party names in use then (1854-1861). . . are not made now."⁵ Proslavery people considered themselves defenders of the law and constitution."⁶ They insisted, recalled Van Gundy, that their party's name "meant not only the lawful right of African slavery in all states where it then existed but also the right of extending it

³Charles Robinson, The Kansas Conflict (New York: n.p., 1922), p. 6.

⁴Emporia Kansas News, November 28, 1857.

⁵John C. Van Gundy, Reminiscences of Frontier Life on the Upper Neosho 1855 and 1856 (Topeka: College Press, 1925), p. 15.

⁶Ibid., p. 18.

other territory."⁷

Van Gundy observed that followers of the Free State party likewise considered themselves to be defenders of the constitution. They believed that the institution of slavery had the legal right to exist where it had already been established: as it was "protected by the law (and) constitution."⁸ The difference between these people and those who were pro-slavery was that free-staters "were opposed to any other further extension of slavery."⁹

Van Gundy further claimed that the Free State party has been confused with "the upholders of abolitionism."¹⁰ Although the abolitionists might have agreed that slavery was lawful, he felt in no way obligated to abide with that law. In fact the abolitionist was bent on violating the constitution and "believed it the duty of the free states to dissolve their union from the slave-holding states."¹¹ Van Gundy summed up the difference between the two groups with an extremely astute observation. "All abolitionists then were freestate men but all freestate men were not abolitionists."¹²

The difference among these three, as opposed to two groups, should be kept in mind for any consideration of territorial politics. It should be remembered that meanings of terms and events change with time, as well as with people.

⁷ ibid., p. 17.

⁸ ibid.

⁹ ibid.

¹⁰ ibid.

¹¹ ibid.

¹² ibid., p. 18.

Of all the slave states, it was Missouri that was most interested in gaining control of Kansas. As a potential slave territory, Kansas was important to Missouri for two reasons. First, Missouri was a slave-holding peninsula, bordered on the East and North by free states of Illinois and Iowa. If Kansas became free, then leaders in Missouri believed that their future as a slave state would be doomed.¹³ The second reason concerned the importance of the Santa Fe Trail, and thus the Kansas position as the gateway to the Southwest. According to James Malin, if Kansas were a slave territory then the entire Southwest territory "could be saved to slavery."¹⁴

Within such a milieu, Baker was found to be a political chameleon. Baker's political loyalties and proclivities were constantly changing. There is no evidence concerning Baker's politics during his service with the Sac and Fox Indian Reservation.¹⁵ His interest in politics seems to coincide with his removal to Rock Creek, which incidentally coincides with the passage of the Kansas-Nebraska Act.¹⁶ Undoubtedly the environment in which Baker found himself prior to 1854, was not conducive to political activity. But, as noted, with the passage of the Kansas-Nebraska Act, Baker's environment and interests soon drastically changed.

With the creation and implementation of territorial government in Kansas, Baker became directly involved in its political life. Upon taking

¹³Perley Orman Ray, The Repeal of the Missouri Compromise (Cleveland: n.p., 1909), p. 136.

¹⁴James C. Malin, "The Proslavery Background of the Kansas Struggle," Mississippi Valley Historical Review (Cedar Rapids: The Torch Press, 1923), 7, 3, p. 289.

¹⁵Lynch, p. 380.

¹⁶For information concerning the relocation of Baker, refer to Chapter III.

office, the new territorial governor, Andrew H. Reeder, called for an election to determine a Congressional delegate.¹⁷ In the Eighth Election District, Reeder selected as the place of election, "the house of (Arthur) Ingraham (sic) Baker, on the Santa Fe road."¹⁸ Along with Baker, Reeder commissioned Thomas Huffaker (Baker's brother-in-law) and Charles Withington (Baker's close friend) as election judges.¹⁹

Baker's prominence in the Eighth District can be seen by the fact that on January 13, 1855, Governor Reeder commissioned him as its Justice of the Peace.²⁰ With no other territorial local government established as yet, this commission designated Baker as the chief governmental official in a district that was bordered by the Kansas River on the North, the Cottonwood River on the South, the Osage River on the East, and extending to the western boundary of the territory.²¹

Following a Territorial Census taken in February 1855, Governor Reeder ordered an election on March 30 to select a territorial legislature. The Eighth District election polls were at this time established at the Council Grove Mission House," with Baker and his two brothers-in-law, Emanuel Mosier and T. S. Huffaker, serving as election judges.²²

The Election of 1855 has been considered one of the most contro-

¹⁷"Executive Minutes Recorded In the Governor's Office During the Administration of Governor Andrew H. Reeder," Kansas Historical Collection, 1881-1884 (Topeka: Kansas State Printer, 1884), III, p. 232.

¹⁸Ibid., p. 233.

¹⁹Ibid.

²⁰Ibid., p. 243.

²¹A. T. Andreas, History of Kansas (Chicago: A. T. Andreas, 1883), I, p. 88.

²²"Executive Minutes," p. 255.

cial in Kansas history. As a result of this election Missouri gained control of the territorial legislature in Kansas and the years armed conflict between Free State and Proslavery forces began.²³ Missouri had gained control by invading Kansas Territory on election day with nearly five thousand fraudulent voters. These illegal voters secured the election of Proslavery legislative candidates who were either citizens of Missouri or directly sympathetic to its goals.²⁴

Baker's paradoxical political proclivities began with this election, when he ran as a candidate for representative in the Territorial legislature. State and local histories list candidates in this election as of either the Free State or Proslavery party.²⁵

To which party Baker aligned himself at this time is unclear. The state and local histories listing candidates place Baker in the Free State party.²⁶ Baker is also listed as a Free State candidate in the report of a congressional investigation of this election and related incidents in Kansas.²⁷

It is this researcher's conclusion, however, that at this particular time Baker was not a member of the Free State party, but was in actuality either a member of the Proslavery party or at least leaned in

²³Mary J. Klem, "Missouri In the Kansas Struggle," Proceedings of the Mississippi Valley Historical Association, 1915-1918 (Cedar Rapids: The Torch Press, 1921), IX, p. 403.

²⁴Ibid., p. 400.

²⁵Daniel W. Wilder, The Annals of Kansas (Topeka: Geo. W. Martin, Kansas Publishing House, 1875), pp. 60-61; and Jacob Stotler, Annals of Emporia and Lyon County (Emporia: n.p., n.c.), p. 11.

²⁶Ibid.

²⁷Report of the Special Committee Appointed to Investigate the Troubles in Kansas, Report No. 200 (Washington: Cornelius Wendell, Winter, 1856), p. 32

hat direction. Given Baker's background and past association, it seems improbable that he would have been a Free State party member in 1855.

L. D. Bailey, a contemporary and friend of Baker's claimed that when Baker moved to Rock Creek, he "was somewhat inclined to the pro-slavery party."²⁸ John Maloy, in his History of Morris County, claimed that at this time, concerning the area in and adjacent to the county, nearly the entire population was pro-slavery."²⁹

In a later chapter of his history, Maloy claimed that "Baker was the Free State candidate for representative in the first Legislature."³⁰ Maloy further states that "He was bold and outspoken upon this question when it was dangerous to utter such sentiments in some portions of Kansas. He was true to his party through all the early troubles in Kansas."³¹

Bailey, however, states that at this time, Baker "owned one or two slaves."³² This claim is verified by the 1855 Census which lists a Charlott Baker, age thirty, and two minors, Narcissa and Alexander Baker, all as slaves in Baker's household.³³

It should be remembered that it was the antislavery party which returned from the Civil War and cast themselves in the role of victors. It was these same people who wrote the territorial histories and in so

²⁸L. D. Bailey, "Along the Santa Fe Trail," Early Days in Kansas (Olathe: Charles R. Green, 1912), p. 45.

²⁹Council Grove Kansas Cosmos, March 12, 1886.

³⁰Ibid., May 7, 1886.

³¹Ibid.

³²Bailey, p. 45.

³³Census of 1855, Territory of Kansas.

ng put their cause in the best possible light. Such was the case
the 1855 election when they presented their writings as proof that
ir side was truly in the majority and thus in the right.³⁴

Maloy's statement that Baker was a Free State candidate was
tten as part of a chapter defending Baker as a Northern Civil War
tyr. This writer maintains that Maloy's defense of Baker and his
lication of that defense to the 1855 election is in fact an ana-
onism. As shall be seen, Baker's loyalty to the Free State party
e at a later time and was in fact not as "true" as Maloy would lead
to believe.

When one studies the congressional report closely, one discovers
t the investigators listed only the pro-Missouri candidates as Pro-
very and arbitrarily listed all other candidates as Free State. This
done regardless of the fact that much of the committee's collected
timony claimed that many candidates listed as Free State actually
ed slaves or favored slavery.³⁵

In testimony concerning the candidacy of Baker, James R. Stewart
ted that Baker "was a pro-slavery man, as was Mr. W. M. McGee,"³⁶
e Missouri candidate, officially listed in the report as Proslavery.
ewart added that Baker had nominated himself for the office.³⁷ This
ntention was contradicted by Maloy when he stated that Baker "was the
andidate nominated by the people for this district, and Mobillon McGee,
itizen of Missouri was the candidate of the Missourians or 'Border

³⁴Malin, p. 285.

³⁵Kansas Troubles, passim.

³⁶ibid., p. 251.

³⁷ibid.

ns. 11138

Maloy's statement was perhaps the crux of the contradictory prof-
 of party labels. This writer suggests that, concerning the election
 5, the central issue was not free or slave in the traditional his-
 1 sense. For citizens, such as Baker, the issue was whether the
 ury would be controlled and thus governed by the local people of
 or indirectly by the border people of Missouri. Freestate, in
 lection, had little to do with freedom from slavery and much to
 h freedom from control by Missouri.

Baker was a legislative candidate in the Fifth Representative Dis-
 which was comprised of the Seventh and Eighth Election Districts.³⁹
 e basis of the returns of the Eighth district, where Baker received
 -five votes to McGee's twelve, Governor Reeder declared Baker elected.⁴⁰

Maloy claimed that "Baker was elected, and received from the Gover-
 ne certificate of election, but McGee contested the election, and
 use being largely composed of his friends, of course Baker was
 ated, but McGee was."⁴¹ In reality, Baker seems to have been
 d his seat on the grounds that the returns of the Seventh Elec-
 District, returns there showed that Baker was outpolled by McGee
 vote of two hundred and ten to one. Thus the House disavowed
 s certificate of election and seated McGee.⁴²

³⁸ Council Grove Kansas Cosmos, March 5, 1886.

³⁹ "Executive Minutes," p. 259.

⁴⁰ ibid., p. 272.

⁴¹ Council Grove Kansas Cosmos, March 5, 1886.

⁴² "Executive Papers of Governor Reeder's Administration," Col-
 lons of the Kansas State Historical Society, 1889-1892 (Topeka:
 s State Printer, 1892) V, p. 188.

Throughout much of the territory, this original legislature, met first at Shawnee Mission and later at Lecompton, was not ed. Kansans resented its control by the Missouriians and its ents became known as "bogus laws."⁴³ In opposition to this legislature," a rival government was created which wrote its nstitution, conducted its own elections and enacted its own This rebel government has become known in history as the a Movement."⁴⁴

Baker's sympathy with the Proslavery party, however, continued ing the Election of 1855. One of the first functions of the " Legislature was to establish the boundaries of counties and county officials.⁴⁵ Wise and Breckinridge counties were at- to the now-defunct Madison County, with Columbia established seat of government.⁴⁶ Baker's brother-in-law, Huffaker, was by the legislature to head the county government as Probate At the same time, Baker's close friend, Withington, was se- as one of the two county commissioners.⁴⁷

On October 6, 1856, Baker was once more a candidate for the orial legislature.⁴⁸ Maloy contradicts his previous claim that

⁴³William Frank Zornow, Kansas: A History of the Jayhawk State (Lawrence: University of Oklahoma Press, 1971), pp. 70-71.

⁴⁴"The Topeka Movement," Collections, 1913-1914 (Topeka: Kansas Printing Plant, 1915), XIII, p. 125.

⁴⁵The Statutes of the Territory of Kansas (Shawnee M. L. School: T. Brady, Public Printer, 1855), Ch. 34, Secs. 1-3.

⁴⁶ibid.

⁴⁷Journal of the Council of the Territory of Kansas (Shawnee M. L. School: John T. Brady, Public Printer, 1855), p. 225.

⁴⁸Wilder, p. 110.

ker was a member of the Free State party by labeling him as one of
o Proslavery candidates from Madison county.⁴⁹ Once again Baker was
feated in his quest for the legislature, this time losing to the can-
dates of the Free State party.⁵⁰ Although, as a result of this elec-
on, the Free State party gained strength in the lower house of the
gislature, the Proslavery party retained their control of the Council
upper house.⁵¹

Bailey claimed that Baker "soon became convinced that Kansas
ould not be a good place for that kind of property (slaves), and got
d of them."⁵² Perhaps the results of the 1856 territorial election,
th Madison county going overwhelmingly in favor of the Free State
rty, persuaded Baker to dispose of his slaves.⁵³ Since Baker was
coming more and more involved in local political affairs, a change
f political allegiance would prove beneficial to him.

A second possible incentive for Baker's political conversion was
e increasing violence of 1856. By that year political conditions had
eteriorated to such an extent that the territory was called "Bleeding
ansas."⁵⁴ Atrocities were being committed by both Free State and Pro-
avery forces. On September 14, 1856, these atrocities reached Breck-

⁴⁹Council Grove Kansas Cosmos, March 13, 1886.

⁵⁰Wilder.

⁵¹Council Grove Kansas Cosmos, March 12, 1886.

⁵²Bailey, p. 45.

⁵³There are no records concerning when Baker disposed of
s slaves. The Census of 1860 lists no one by those names in
ansas. The Census of 1859 lists no slaves living in Breckin-
dge county.

⁵⁴The best account of the problems of 1856 is Alice Nichols,
Bleeding Kansas (New York: Doubleday, 1954).

idge county in the form of a raid on Neosho Rapids, a proslavery settlement, which resulted in the death of Mrs. Sarah Carver.⁵⁵

The raiders were Free State men, supposedly attached to the force of either James Lane or John Brown, who were bent on terrorizing the settlement.⁵⁶ According to Van Gundy, who was a brother to the slain woman, the raiders claimed that they were intent "that every proslavery man must leave this country or else we will come back, . . . and hang the last d--d (sic) one of them."⁵⁷

Flora Rosenquist Godsey, in her account of the raid, claimed that the following morning the raiders "left one of their number who was sick at (Oliver) Phillips' house, and later A. I. Baker, a free-state man from Council Grove, came and took him away."⁵⁸

Godsey's label of Baker being a "free-state man" at the time of the raid was premature, as it must be remembered that the following month Baker was a Proslavery legislative candidate. Further supportive evidence that Baker was inclined toward the Proslavery party in 1856, can be seen by his activities as a correspondent for the Kansas Weekly Herald.⁵⁹ The Herald was not only Kansas' first newspaper, it was devoted to the establishment of slavery.⁶⁰

⁵⁵Van Gundy, p. 15.

⁵⁶"Letter of John C. Van Gundy to William E. Connelley," Collections, 1926-1928 (Topeka: Kansas State Printing Plant, 1928), XVII, p. 597.

⁵⁷Ibid.

⁵⁸Flora Rosenquist Godsey, The Early Settlement and Raid on the Upper Neosho, Collections, 1923-1925 (Topeka: Kansas State Printing Plant, 1925), p. 461.

⁵⁹Letter to the Editor from A. J. Baker (sic). Leavenworth Kansas Weekly Herald, January 10, 1857.

⁶⁰Noble L. Prentiss, Kansas Miscellanies (Topeka: Kansas Publishing House, 1889), p. 80.

There can be no doubt, however, that Baker was familiar with the raid. Van Gundy claimed that Baker had circulated an early story concerning the raid. Van Gundy noted that, "Baker pointed out that this band of robbers were nothing more than a predatory gang of invaders for whom no commonwealth was responsible. That they would rob and steal from one party the same as the other."⁶¹

Perhaps it was this raid that Bailey was referring to when he stated that Baker "soon became convinced that Kansas would not be a good place for . . . (slaves), and got rid of them."⁶² For whatever reason, it soon became apparent to Baker that the territory was rapidly becoming free state and if he wished to enhance his political career, a conversion would be necessary.

Baker's political transition probably occurred sometime in 1857. In February of that year, the Territorial Legislature reorganized several of the counties and Breckinridge was given its own government. Wise county was attached to Breckinridge "for all civil and military purposes."⁶³ Baker was selected by the legislature as the first probate judge and ex-officio head of the Breckinridge county government.⁶⁴ Baker's home at Agnes City was made the first county seat.⁶⁵ Bailey asserts that Baker received these honors from his friends in the Pro-

⁶¹"Letter of John C. Van Gundy," p. 595.

⁶²Bailey, 45.

⁶³Laws of the Territory of Kansas (Lecompton: R. H. Bennet, Public Printer, 1857), p. 90.

⁶⁴Journal of the Council of the Territory of Kansas (Lecompton: R. H. Bennett, Public Printer, 1857), p. 254.

⁶⁵Laws of the Territory of Kansas, 1857.

avery party.⁶⁶ Bailey's information seems reliable in that the 1857 legislature was dominated by the Proslavery party,⁶⁷ and Baker's nomination was made by H. J. Strickler,⁶⁸ a Proslavery member of the Council.⁶⁹

Aside from this original appointment, however, any further advancement of Baker's political career would have to be in concurrence with the will of the local people, not that of a Proslavery legislature. Since the county was becoming more in favor of a free-state position, it would seem logical that Baker's ambition would lead him in that direction.

It might be surmised that such a rapid reversal of political meaning would be highly unlikely. Nonetheless, if Van Gundy's definitions are accepted as correct, then the difference between the abolitionist and free-state position, with respect to the very basic area of law and order, are greater than those between free-state and proslavery.⁷⁰ According to Van Gundy, it would have been relatively easy for a person to move from a proslavery position to that of free state, or vice-versa. Van Gundy claims that his own father, David Van Gundy, came to Kansas as a free stater, but because he was "strongly against abolitionism . . . (and) was a stickler for the law and constitution of his country. . . finally talked himself onto the pro-slavery side."⁷¹

⁶⁶Bailey, p. 45.

⁶⁷Zornow, p. 75.

⁶⁸Journal of the Council of the Territory of Kansas, 1857.

⁶⁹Wilder, p. 60.

⁷⁰See above in this chapter for Van Gundy's definitions of the early political parties.

⁷¹Van Gundy, p. 15.

Just as David Van Gundy switched easily from a free-state persuasion to a proslavery one, so too Baker's converse transition was probably accomplished without undue stress. It was true that Baker had to dispose of his slaves as property, but these slaves consisted of one woman and two children and were undoubtedly used only as domestic servants.⁷² Baker's slaves, therefore, were not essential to his existence. No evidence has been found to show how Baker "got rid of them," as Bailey claimed.

Although the exact date of Baker's political conversion is not known, the fact that it actually occurred is certain. There is some question, however, as to the sincerity of that conversion. Bailey claims that Baker "began to act with the free state party -- but always claimed to be a Democrat."⁷³

As previously stated, it is the opinion of this writer that Baker's change of politics was probably due to his increasing interest in establishing himself as a leader in local politics and that furthermore Baker desired to use this position to promote his section of the county. Gates acknowledged that such motives were the rule rather than the exception for individuals establishing political ties in Territorial Kansas.⁷⁴

Though the slavery question loomed large at the opening of the territory, it became increasingly blurred, and the sharp division between the proslavery and antislavery factions gradually dissolved. Filbustering, banditry, and personal ven-

⁷²Census of 1855, Territory of Kansas.

⁷³Bailey, p. 45.

⁷⁴It should be remembered that one of Baker's primary economic activities was land speculation and promotion. For a discussion of this activity, refer to Chapter IV.

dettas continued to flourish under the guise of conflict over slavery, but underlying these activities were struggles over promotion of towns, over the removal of the Indians and the opening of their reserves to purchase, over the staking of choice claims, and over the selection of Railroad routes.⁷⁵

The first record of Baker's involvment with the Free State party, other than his listing as a Free State candidate in the Election of 1855, concerns the aforementioned Topeka Movement. When the election was held to select delegates to the Topeka Constitutional Convention, the polls for the Eighth District were at the "House of A. J. (I.)

Baker."⁷⁶ It remains the opinion of this writer, nevertheless, that Baker was not in league with the free staters at that time. Baker's home was in a central location in the district and thus a logical place for the polls. Baker's loyalty to the official territorial government can be clearly seen by his candidacy in the 1856 legislative election. Further, neither Baker nor any of his close associates were involved either as election judges or as candidates to the convention. Since Baker and his close associates served as prominent leaders in that part of the territory, it would seem logical that if they were in agreement with the Topeka Movement, they would have been more directly involved.

Baker's direct involvement with the Topeka Movement, and thus with the Free State party, began in July 1857. It came during a "Mass Convention at Emporia" of the voters of the Sixth Election District to select delegates to a territorial convention of the Free State party.⁷⁷

⁷⁵Gates, p. 4.

⁷⁶"Topeka Movement," p. 139.

⁷⁷Emporia The Kansas News, July 18, 1857.

er participated as a featured speaker at the meeting and was elected delegate to the territorial convention.⁷⁸ The Sixth District meeting was important to Baker, as it noted for the first time a definite change in his politics. The convention, in its resolutions, indignantly condemned the official territorial government, while enthusiastically endorsing the Topeka Constitution and government. Since these resolutions were unanimously adopted, it should be concluded that Baker at least did not oppose them.⁷⁹ Baker also fulfilled his obligations to the Free State party by attending the territorial convention in Topeka.⁸⁰

Although Baker seemingly went along with a general condemnation of the "Bogus" legislature, as outlined in the resolutions passed at the July meeting in Emporia, he evidently remained true to his convictions concerning the adherence to duly constituted law. At a free-state meeting in Emporia, held just one month later, Baker disagreed with some of the more zealous free staters over the "question of participating in the October Elections."⁸¹

The territorial legislature, meeting at LeCompton, had called a general election to be held on October 5, 1857. The purpose of this election was to select a new legislature and a delegate to Congress.⁸² This put the Free State party in a quandry. If they participated in the election, they would be, indirectly at least, acknowledging the existence and thus the right of the Proslavery legislature to pass laws.

⁷⁸ ibid.

⁷⁹ ibid.

⁸⁰ ibid., July 25, 1857.

⁸¹ ibid., August 22, 1857.

⁸² Zornow, p. 77.

the free staters failed to contest the election, they would be handed over the reins of territorial government to the proslavery forces claim victory and possibly even gain statehood under a proslavery constitution.

The question of Free State participation in the election was to be decided at a convention at Grasshopper Falls on August 26.⁸³ The purpose of the Emporia meeting was to select five delegates to the Grasshopper Falls convention and to direct those delegates by passing resolutions.⁸⁴

The Resolutions Committee disagreed over the issue, and presented at the meeting both a majority and minority report. The majority report favored "an unconditional participation in that election, (and was) signed by H. J. Espy, Wm. Grimsley and E. God(d)ard (Baker's brother-in-law)."⁸⁵ The minority report declared "that such participation was suicidal, (and was) signed by P. B. Plumb and Orville Smith."⁸⁶

The committee, however, unanimously endorsed five individuals, including Baker, as delegates to the convention. When the resolutions were presented to the meeting, Plumb spoke in favor of the minority report, while Baker defended the majority view. When the vote was taken, the minority report was accepted. Upon this renunciation of his position, Baker withdrew his name as a delegate. The minority report was evidently too radical for Baker, calling for nonparticipa-

⁸³ ibid.

⁸⁴ Emporia Kansas News, August 22, 1857.

⁸⁵ ibid.

⁸⁶ ibid.

tion in the election and advocating the withholding of payment of any territorial tax.⁸⁷

Interestingly enough, Baker's position was vindicated by the Grasshopper Falls Convention which decided in favor of participation in the October election.⁸⁸ The wisdom of this course was further justified by the fact that by doing so the Free State party not only elected their candidate to Congress, but also gained control of the Territorial Legislature.⁸⁹

The August meeting is enlightening, as it shows a division more important than participation in the October election. This division concerned the vital question of who would control the county government, and was basically made along geographical lines.

During the early years, following the establishment of the territory, the first settled areas in Breckinridge County were the northern and western townships. These areas were occupied first due to their proximity to the Santa Fe Trail and the previously settled community of Council Grove. In the later territorial years, as more settlers immigrated into the upper Neosho Valley, they established their farms and communities in the southern and eastern townships of the county.

The reasons for this shift of population were twofold. First, the more choice sections of land in the northern townships had already been claimed and for the most part, it was obvious to the new settlers that they had to locate in other areas. Many of the early settlers in the Southern townships were interested in developing a town and thus

⁸⁷ Ibid.

⁸⁸ Ibid., August 29, 1857.

⁸⁹ Zornow, p. 77.

hed to establish themselves in an area free from previous settle-
 t. Stotler referred to these town promoters as "a lot of energetic
 ng men, who came to lay all on the altar for the town."⁹⁰ The town
 ch they established in the southern portion of the county was named
 oria.

The second reason for this population shift was the fact that the
 d claims in the northwestern townships were being contested. The
 ly pioneers in this region, including Baker, had settled on lands
 ch had been declared part of the public domain.⁹¹ When the Kanza
 ian Reservation was surveyed in 1857, however, these settlers claims
 e disavowed and "the new survey placed a large number of settlers
 the attitude of trespassers upon Indian lands."⁹² Maloy charged
 t "the uncertainty in regard to the Indian Reservation, a greater
 tion of which lay in this county, (Wise) prevented many people from
 tling here."⁹³ Since the reservation extended for some nine miles
 o Breckinridge county,⁹⁴ it seems certain that settlement in that
 a would also be retarded. An added effect of this controversy was
 t it tended to draw those settlers on the reservation lands closer
 Council Grove and Wise County, while at the same time loosening
 ir ties to Breckinridge County.

The schism over political control of Breckinridge county was

⁹⁰Stotler, p. 12.

⁹¹The problems associated with settlement on lands claimed by settlers
 the Kansa Indian Reservation are discussed in Chapter IV.

⁹²Council Grove Kansas Cosmos, March 12, 1886.

⁹³Ibid., March 19, 1886.

⁹⁴Inventory of County Archives of Kansas, No. 64, Morris County
 ington: Works Progress Administration, 1936), p. 12.

was drawn along geographical lines, rather than just ideological. It was a contest between the earliest settlers, in the northern and western townships, and the later settlers in the southern townships. The reports of the Resolutions Committee of the August 1857 meeting followed those same lines. The supporters of the majority report; Espy, Grimsley and Doddard, were all from the northern and western townships of the county, while Plumb and Smith, the minority report supporters, were both from the southern townships. It is also interesting that Plumb, who "sustained the position taken by the minority report,"⁹⁵ was the chief spokesman for the southern townships of the county, while Baker, who defended the majority report, was the acknowledged leader of the northern and western townships.

The county's population shift and thus the power struggle began in 1857. This was the year when Emporia was preempted and, according to Stotler, when Breckinridge "received its first rush of settlers."⁹⁶ The 1859 census gives credence to Stotler's claim, as it records not only the year, but in some cases the month and day, when the heads of households first settled in the county. This census, as shown in Table V, reveals an immense increase in the county's adult male population beginning in 1857 and continuing through 1859. The year 1857 saw an increase of two hundred and fifty-five and four-tenths percent in the county's population. New settlers in that year alone accounted for over one-third of all the county's voters in 1859. The townships showing the greatest increase, both in aggregate number and percentage, were the southern and eastern townships of Emporia and Waterloo. With

⁹⁵Emporia Kansas News, August 22, 1857.

⁹⁶Stotler, p. 12.

BRECKINRIDGE COUNTY POPULATION TRENDS

1854-1859*

Showing number and percent of new settlers,
by townships, each year.

TOWNSHIP	1854		1855		1856		1857		1858		1859		TOTAL#	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
AGNES CITY	5	55.6	—	—	6	17.1	7	3.7	19	10.6	18	23.1	55	10.6
AMERICUS	—	—	5	16.7	10	28.6	23	12.2	44	24.6	27	34.6	109	21
COTTONWOOD	2	22.2	4	13.3	7	20	37	19.6	38	21.2	11	14.1	99	19
EMPORIA	1	11.1	14	46.7	11	31.4	75	39.7	56	31.3	5	6.4	162	31.2
WATERLOO	1	11.1	7	23.3	2	5.7	37	19.6	22	12.3	17	21.8	86	16.5
TOTAL**	9	1.7	30	5.8	35	6.7	189	36.3	179	34.4	78	15	520	—

*The year 1859 only accounts for those settlers who settled prior to July.

**Township Total percent is of aggregate total.

#Year Total percent is of aggregate total.

with the following year showing a similar increase, Emporia and Waterloo townships were soon nearly equal in adult male population to the three eastern townships of Agnes City, Americus, and Cottonwood.⁹⁷

The 1860 Census, as illustrated in Table V, shows a continuation of this growth trend in the year's time between July 1859 and July 1860, the month in which the two were taken. Not only did the county record a sixty-eight and seven-tenths percent increase in population, but the greatest share of this was in the southern and eastern townships where there was a growth rate of one hundred and eighteen and one-tenth percent. This can be compared to a relatively small increase in the northern and western townships of but twenty-seven and eight-tenths percent.⁹⁸

This population shift, as illustrated in the tables derived from the 1859 and 1860 censuses, not only locate the greatest population density in the southern and eastern townships, but Table VI shows that the vast majority of these settlers listed northern states as their place of birth. It is interesting to note that, by 1860, sixty-seven percent of the adult males in Breckinridge County were born in the free states of the north; while only twenty-one percent were born in slave states. The remaining adult males were foreign born. The table shows that the greatest number of northern settlers were born in the mid-western states of Ohio and Indiana, which together accounted for nearly one-half of the free-state total. The middle Atlantic state of New York accounted for an additional eighteen and two-tenths percent of the free state emigrants. Nearly all of the slave state emigrants came from

⁹⁷ Census of 1859, Breckinridge County, Territory of Kansas.
(Original copy in the archives of the Kansas State Historical Society).

⁹⁸ 1860 Census of Kansas.

TABLE V
POPULATION COMPARISON BETWEEN
THE YEARS 1859 AND 1860

BRECKINRIDGE COUNTY

Showing number and percent of settlers by
townships, each year.

TOWNSHIPS	1859		1860*		% of INCREASE**
	No.	%	No.	%	
NORTHERN AND WESTERN					
AGNES CITY	55	10.6	43	4.9	-21.8
AMERICUS	109	21	120	13.7	10.1
COTTONWOOD	99	19			
CAHOLA			43	4.9	
PIKE			81	9.2	
FREEMONT			98	11.2	
SUBTOTAL***	263	50.6	385	43.9	46.4
SOUTHERN AND EASTERN					
EMPORIA	162	31.2	244	27.8	50.6
WATERLOO	86	16.5	94	10.7	9.3
FOREST HILL			154	17.6	
SUBTOTAL***	248	49.4	492	56.1	98.4
COUNTY TOTAL	520	XXXX	877	XXXX	68.7

*Due to an increase in population and the addition of a three-mile strip to the county's southern boundary, township lines were redrawn and new townships were added in 1860.

**Percent of increase in population in 1860 over 1859. Given only for those townships listed for both years.

***Subtotal percent is of county total for that year.

TABLE VI

BIRTH STATES OF ADULT MALES

1860 -- BRECKINRIDGE COUNTY

AGNES CITY TOWNSHIP	AMERICUS TOWNSHIP	CAHOLA TOWNSHIP	FREMONT TOWNSHIP	PIKE TOWNSHIP	TOTAL N/W TOWNSHIPS	EMPORIA TOWNSHIP	FOREST HILL TOWNSHIP	WATERLOO TOWNSHIP	TOTAL S/E TOWNSHIPS	COUNTY TOTAL	% OF TOTAL
0	5	3	12	2	22	23	2	10	35	59	6.7
0	3	0	2	0	5	3	0	1	4	9	1
0	1	2	3	0	6	0	0	1	1	7	.7
0	1	1	1	0	3	10	2	0	12	15	1.7
0	0	0	2	0	2	6	4	1	11	13	1.4
0	0	0	4	0	4	0	0	5	5	9	1
0	0	0	0	0	0	4	0	2	6	6	.6
8	30	7	24	14	83	48	33	33	114	197	22.5
5	15	4	17	6	47	23	15	22	60	107	12.5
0	1	0	1	0	2	2	1	1	4	6	.6
3	14	3	6	8	34	23	17	10	50	84	9.5
16	50	20	39	39	164	88	57	23	168	332	37.9
0	8	5	6	2	21	11	5	3	19	40	4.5
8	10	5	12	20	55	36	15	4	55	110	12.5
0	0	0	0	0	0	1	0	0	1	1	.0
1	0	0	1	0	2	3	2	1	6	8	1
7	32	10	19	17	85	37	35	15	87	172	19.6
0	0	0	1	0	1	0	0	0	0	1	.0
24	85	30	75	53	267	159	96	66	321	588	67
55.8	70	70	76.5	65.4	69.4	65	62.4	70.2	65.2	67	XXXX
3	4	2	6	0	15	14	25	7	46	61	6.5
0	0	0	0	0	0	2	0	0	2	2	.0
3	4	1	4	0	12	8	21	7	36	48	5.5
0	0	0	1	0	1	3	2	0	5	6	.1
0	0	1	1	0	2	1	2	0	3	5	.1
0	3	0	0	0	3	1	0	0	1	4	.0
0	0	0	0	0	0	1	0	0	1	1	.0
0	3	0	0	0	3	0	0	0	0	3	.0
7	16	3	9	23	58	35	20	7	62	120	13.7
1	4	1	0	18	24	21	4	3	28	52	7.4
4	6	0	2	2	14	4	9	0	13	27	3
2	6	2	7	3	20	10	7	4	21	41	4.7
10	23	5	15	23	76	50	45	14	109	185	21.1
23.3	19	11.5	15.3	28.4	19.7	20.5	29.2	14.9	13.8	21.1	XXXX
9	12	8	8	5	42	35	13	14	62	104	12
20.9	1	18.5	8.2	6.2	10.9	14.5	8.4	14.9	12.6	12	XXXX
43	120	43	98	81	385	244	154	94	492	877	XXXX

ntucky, North Carolina and Virginia, with only a scattering born
 elsewhere in the South. Missouri accounted, as the place of birth,
 r only six-tenths of one percent of the county's total adult male
 population. The 1860 census showed that the adult males born in
 ave states did not settle in any single section of the county. Per-
 ntages of this group, based on the total county population, remained
 rikingly similar in all the townships.⁹⁹

As a result of his previous appointment as probate judge by
 e territorial legislature, Baker soon discovered that he was in the
 sition of defending the established order. When Breckinridge County
 s first established with its own government, all appointed county
 ficials were from the northern and western townships. Besides Baker's
 ointment, the legislature selected C. Columbia and A. Dow as county
 mmissioners, and Baker's brother-in-law, Goddard, as sheriff.¹⁰⁰

The first meeting of the Breckinridge County Commission was at
 ker's home in Agnes City on September 3, 1857. The commissioners
 signated election precincts and set October 5, which was the day of
 e territorial election, for the election of permanent county officers.¹⁰¹

The conflict over who should control the county government began
 th this first election in 1857. On September 26, a meeting of the
 ters of Breckinridge County was held at Americus to nominate candidates
 r the various county offices. Baker served as secretary of this meet-
 g, and William Grimsley, who was also a resident of the western town-

⁹⁹ ibid.

¹⁰⁰ Morris County Archives, p. 20.

¹⁰¹ ibid.

ships, was selected its chairman.¹⁰²

The county nominating convention adopted but one resolution. This resolution was in line with Baker's earlier opposition to the resolutions passed by the August Free State meeting in Emporia. It called for those assembled to

support the regular nominations of this meeting, and . . .(to) oppose, by all honorable means, any clique or combination of persons seeking to divide the people with a view of preventing a compliance with the terms upon which all parties have resolved to participate in the October election.¹⁰³

This was, of course, a reference to the Free Staters from the southern portion of the county who had vowed nonparticipation in the election.

The so-called "regular nominations" made by the convention included that of Baker, as Probate Judge, and Goddard, as Sheriff. For the two other major county offices the convention nominated Grimsley and H. W. Fick, as Commissioners.¹⁰⁴ The election of such a ticket guaranteed the continuing dominance of county affairs by the western townships, as Baker, Goddard and Grimsley were all residents of that section. The other commissioner nominee, Fick, was a resident of Emporia.¹⁰⁵

In opposition to the "regular nominations," the Free Staters from the southern sections met at Kansas Centre on the first of October to select their own candidates.¹⁰⁶ It is interesting to note that all of the Free State nominees were from the southern and eastern sections

¹⁰²Emporia Kansas News, October 3, 1857.

¹⁰³Ibid.

¹⁰⁴Ibid.

¹⁰⁵The location of each candidate's residence was taken from the 1859 Territorial Census.

¹⁰⁶Emporia Kansas News, October 3, 1857.

the county. This desire, by the Free Staters, to gain control of the county by the southern and eastern townships, can be seen in the fact that they offered candidates in opposition to all of those "regularly nominated" except the Emporian Fick.¹⁰⁷ In a letter to the editor of the Kansas News, however, Fick endorsed the "regularly nominated" ticket and claimed that his Free State nomination "was done without my knowledge and consent."¹⁰⁸

The endorsement of the Regular Ticket by Fick undoubtedly enabled it to carry the election. The election results, as shown in Table VII, portray the geographical division within the county. It further notes the growing electoral strength of the southern and eastern sectors of the county. The Regular Ticket won only with the aid of crossover voters from those precincts. Only Fick, who was in fact a candidate for both tickets, showed any universal appeal.¹⁰⁹ It is the opinion of this writer that the electoral coattails of Fick made the difference for the Regular Ticket. Although Table VII lists only the results of the county elections, it should be noted that the more minor positions, such as treasurer, clerk, coroner, justices of peace, surveyer and constables, were also carried by the Regular Ticket.¹¹⁰

The struggle for control of the county was not settled by the 1857 election. The conflict continued and actually increased in intensity. Following the election, the struggle took the form of attacks by residents of the southern portions on the government officials associated

¹⁰⁷ibid.

¹⁰⁸ibid.

¹⁰⁹ibid., October 10, 1857.

¹¹⁰ibid.

MAJOR RESULTS OF FIRST COUNTY ELECTION
 BRECKINRIDGE COUNTY
 OCTOBER 5, 1857

NAME	TICKET	OFFICE	NORTHERN & WESTERN PRECINCTS		SOUTHERN & EASTERN PRECINCTS		TOTAL
			AGNES CITY- AMERICUS	# COREY'S	EMPORIA	KANZAS CENTRE	
A. I. BAKER*	Regular	Probate Judge	57	37	32	1	120
E. P. BANCROFT	Free State	Probate Judge	3	0	92	21	114
E. GODDARD*	Regular	Sheriff	60	37	38	1	136
R. W. CLOUD	Free State	Sheriff	3	0	89	22	114
H. W. FICK*	Regular & Free State	Commissioner	50	37	127	24	238
WM. GRIMSLEY*	Regular	Commissioner	70	38	35	4	147
O. PHILLIPS	Free State	Commissioner	5	0	92	22	119

#Corey's was located in what later became Cottonwood Township.
 *Designates winner.

with the western townships. One of these attacks was on Christopher Columbia. Columbia was elected to the legislature as a representative in the October 1857 election.¹¹¹ Columbia had been nominated by the District Free State Convention, which met in September at the Sac and Fox Agency. The editor of the Kansas News, at that time claimed that he was "unacquainted (with him, and two other candidates nominated), but we suppose that they are reliable Free State men."¹¹²

The News soon regretted its endorsement of Columbia and evidently began to question his reliability as a Free Stater. According to the News, its reversal of endorsement came as a result of Columbia having voted "for the members of the Territorial Legislature from Leavenworth county, who were elected by the frauds perpetrated at Kickapoo."¹¹³ The News, in publishing its account of an "Indignation Meeting" against Columbia, charged him with "insincerity to his pledge made previous to his election, and . . . criminal complicity with his Border Ruffian colleagues."¹¹⁴ The News further declared "no confidence" in Columbia and called for "him to resign at once his disgraced seat in our Territorial councils."¹¹⁵ Since Columbia was a resident of the western portion of the county, his deeds in the legislature, in the eyes of the News, would have reflected on that entire region. If Columbia was unreliable, then perhaps that entire region was also unreliable.

A particular sore spot, to the supporters of the southern faction

¹¹¹Council Grove Kansas Cosmos, March 12, 1886.

¹¹²Emporia Kansas News, September 19, 1857.

¹¹³Ibid., December 26, 1857.

¹¹⁴Ibid.

¹¹⁵Ibid.

the county; was the fact that the county seat was at Agnes City. September 1857, the News expressed a resentment at being "obliged go to 'Agnes City,' a distance of 24 miles from this place, to te."¹¹⁶ As noted in Table VII, however, the Emporians did not have make the trek to Agnes City, as a precinct was established at Emporia.

The fact that Emporia was given its own precinct did not satisfy e News and its editor, Plumb. In January 1858, Plumb, shown in Figure 1, declared that "The county seat of this county is situated in the treme north-west corner of the county, and is unoccupied."¹¹⁷ Plumb en reminded his readers that the county seat was acquired for the stern section "by the Border Ruffians, and from a Legislative body ich the people have ever refused to recognize."¹¹⁸ From this point , it became obvious that the southern faction would be satisfied only th gaining the county seat for themselves.

Shortly after Plumb's declaration, the southern section began its tempt to destroy the creditability of the county government under the adership of the western section. In February 1858, N. S. Storrs, unty treasurer, resigned his position. Storrs, who had been elected the Regular Ticket, aired his displeasure with the county government a letter to the News, which Plumb gave a very prominent place on the rst page of his paper.¹¹⁹ It is interesting that shortly following s resignation, Storrs moved from Emporia to Butler County, where

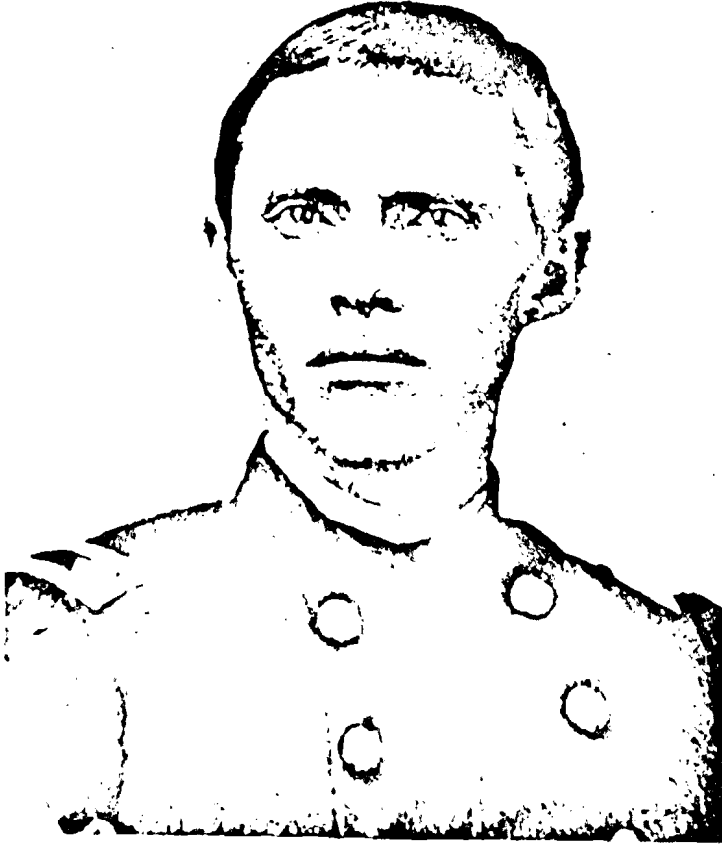
¹¹⁶ Ibid., September 19, 1857.

¹¹⁷ Ibid., January 30, 1858.

¹¹⁸ Ibid.

¹¹⁹ Ibid., February 27, 1858.

FIGURE XVI



Preston B. Plumb, shown in his Civil War uniform. Plumb was a founder of Emporia, editor of the Emporia News, leader of the county's southern faction and Baker's chief adversary for control of Breckinridge County. (Courtesy of Kansas State Historical Society.)

he became quite prominent in local and territorial politics.¹²⁰ It is quite possible that this move was the real reason for Storrs' resignation, and that his published account was merely the rhetoric of one section of a county in its campaign for gaining control.

Storrs maintained that the October election had been illegal and in fact the officials were elected by only a "small minority of the people of the county."¹²¹ Storrs charged that any voters living in the townships which were part of the Kanza Indian Reservation were "not legal voters, and all officers claiming to be elected by such votes are liable at any moment to be ousted."¹²² According to Storrs, the county government, which was headed by Baker, was "recreant to every principle of justice and honor, (and) . . . an instrument for the enforcement of the infamous Missouri code."¹²³

The fact that the southern section, under the banner of the Free State Party, had opposed Baker in the October election and were now attacking the county government which he headed did not seem to deter Baker from remaining active in the party's affairs. Baker's Free State activity centered on his involvement with the local government.

Following their statewide victory in the October election, the Free State Party opened the 1858 legislative session with a desire to reorganize local government and repeal the "bogus" laws of the previous legislature. As a result of these legislative efforts, the boundaries

¹²⁰ Ibid., September 25, 1858.

¹²¹ Ibid., February 27, 1858.

¹²² Ibid.

¹²³ Ibid.

of Breckinridge county were changed to conform with township lines and the county's name was changed to Cahola. Americus was established as the temporary county seat.¹²⁴ According to the Kansas News, the reorganization bill became law "by being retained by the Governor more than three days."¹²⁵ Regardless of the News' announcement, the reorganization bill did not in fact become law. The county's name, boundary and seat of government remained as they were before. There has been no evidence found as to why the reorganization bill did not become law. Following its announcement, the News failed to mention the county change again, and returned to referring to the county as Breckinridge. There has been no other reference found by this writer of Cahola County.

Yet it remained the intent of the territorial Free State Party to reorganize the local governments and thus ensure Free State dominance. In February 1858 the territorial central committee of the Free State Party appointed Baker as Cahola County party chairman and authorized him to select "five reliable Free State men . . . with whom they can correspond."¹²⁶ Baker then took the liberty to call a county convention for February 25 in Americus "for the purpose of nominating candidates to represent the Free State Party in a Convention soon to be held at the Capital of Kansas, to frame a new Constitution."¹²⁷

The editor of the Kansas News, Plumb took a dim view of Baker's appointment and expressed "our total dissent from the call."¹²⁸ Plumb

¹²⁴ Ibid., April 10, 1858.

¹²⁵ Ibid.

¹²⁶ Ibid., February 20, 1858.

¹²⁷ Ibid.

¹²⁸ Ibid.

charged that Baker and committee were appointed in secret and denied their authority to act."¹²⁹

The opposition to Baker's authority was evidently such that the Americus convention failed to fulfill its objective of nominating constitutional convention delegates. "After some discussion it was resolved that to secure harmony and unity of action, the meeting would adjourn and issue a call for a 'Union Meeting' to be held at Americus on Tuesday next."¹³⁰

The Americus "Union Meeting" was hailed as a success by Plumb. Plumb claimed that the meeting was attended by "almost one hundred and fifty persons" and that it was "the largest meeting ever held in the county."¹³¹ Plumb further claimed that the Free State Party "in this county has 'harmonized' for the present."¹³² The delegates selected, according to Plumb, "reflect the wishes and views of a large majority of the people of the county."¹³³ Plumb undoubtedly felt that such praise was justified, as he was elected to head the delegation. Baker was one of thirteen persons selected to serve as an Executive Committee for Breckinridge County. Plumb noted that the size of the committee was necessary to obtain unity and to "represent all portions of the county."¹³⁴

With the blessing of a unified Free State Party, Baker thus became an acknowledged leader in Breckinridge County at two levels. Be-

¹²⁹Ibid.

¹³⁰Ibid., February 27, 1858.

¹³¹Ibid., March 6, 1858.

¹³²Ibid.

¹³³Ibid.

¹³⁴Ibid.

sides his Free State activities, Baker was still the duly elected leader of the county commission.

Unfortunately, the official commissioners record of Breckinridge during territorial days has been lost and thus much of their early activity is now unknown. There are only two known sources which refer to the work of the first popularly elected board of county commissioners. The Breckinridge County Commissioners Record was used as reference on Morris County when their archives were inventoried by the Works Progress Administration. These references, however, are fragmentary and reflect only what refers directly to Wise County (Morris) when it was attached to Breckinridge.¹³⁵

A second source of knowledge concerning the first county commission is found in the printed reports of the Kansas News. The only minutes of this first commission that are published, however, concern a meeting on December 21, 1827 at Agnes City.¹³⁶ The purpose of this meeting was to divide the county into townships.

As illustrated in Figure XVII, the Breckinridge County Board of Commissioners created five municipal townships. The northern and western faction of the county was divided into Agnes City, Americus and Cottonwood Townships. The southern and eastern faction was divided into two townships, Emporia and Kansas Center.¹³⁷

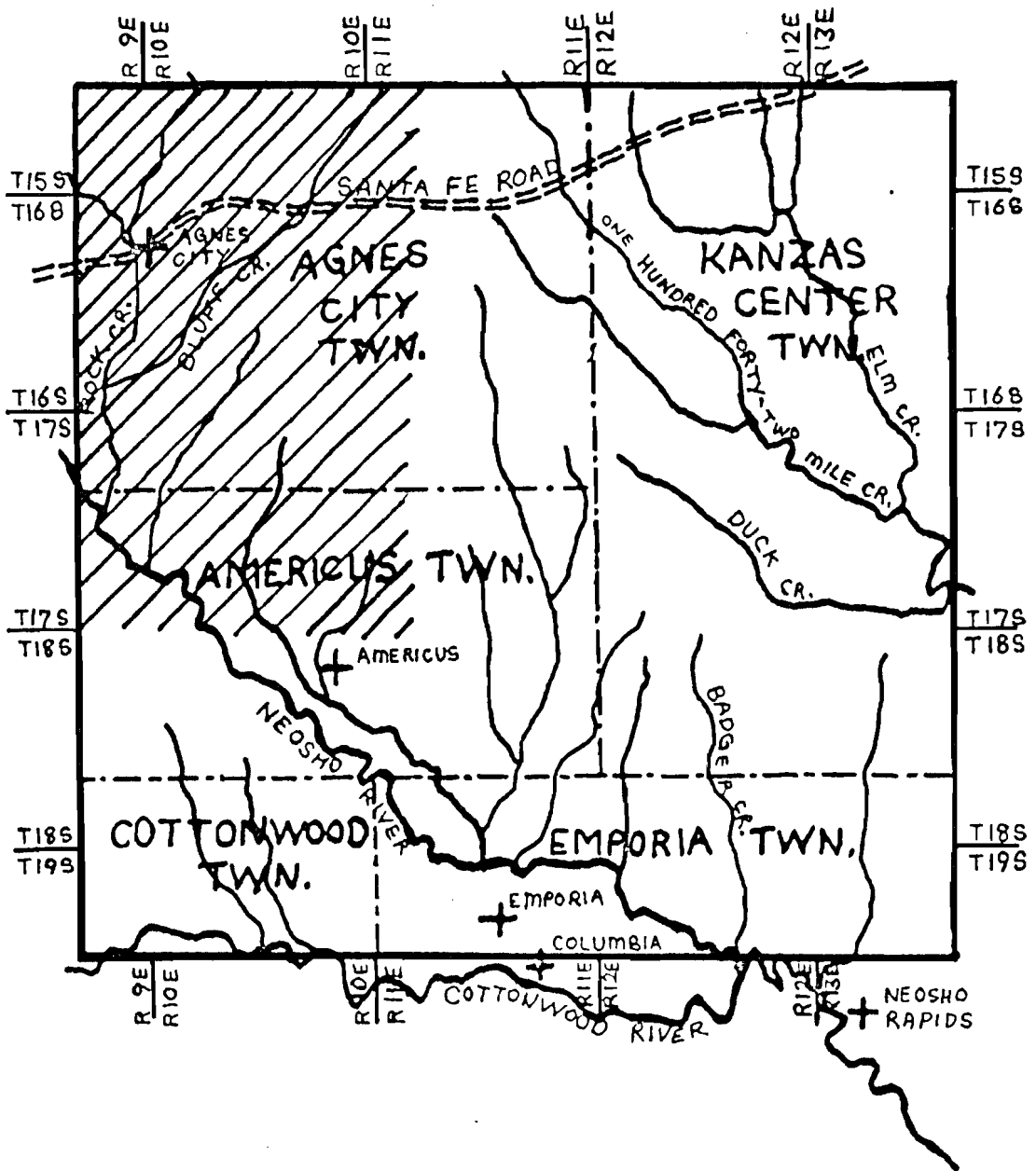
The boundaries of the townships were evidently divided only along geographical lines. As seen in Table IV, page 127, there was apparently no attempt to equalize or organize the townships according to population.

¹³⁵Morris County Archives, pp. 20-26.

¹³⁶Emporia Kansas News, December 26, 1857.

¹³⁷Ibid.

FIGURE XVII
BRECKINRIDGE COUNTY IN 1857



- LEGEND:
 //// Area of county which was part of the Kanza Indian Reservation.
 - . - . Township political boundaries.
 + Population centers.
 ===== Roads in county.

It is this writer's contention that the townships were organized in such a manner due to the fact that there was shortly to be a revision of representation on the county board. Although there is no evidence as to exactly when such a change took place, a new county board was meeting by August 1858. The old board of three commissioners had been replaced by a board of five supervisors. Each supervisor served as a representative of his township.¹³⁸ With a majority of the townships located in the northern and western part of the county, that section was thus able to retain its control of the government. Under the new rules of its membership, the duties of probate judge were separated from those of the Board of Supervisors. Baker's role as head of the county government thus ended. For his services as head of the county commission, Baker received a total of twenty-one dollars in payment.¹³⁹

The election of Breckinridge County's new Board of Supervisors was probably held on May 18, 1858. This was the day that the Leavenworth Constitution was voted on. This election was of great importance to Baker. Baker had been nominated by the delegates to the Constitutional Convention from Breckinridge, Butler, Greenwood, Madison, Davis and Wise counties as Circuit Judge for the Fifth Judicial District.¹⁴⁰

It should be remembered that Plumb had served as one of those delegates and thus would be one of those recommending Baker for the judgeship. Plumb's reasons for bestowing such a honor on Baker are unknown. Perhaps their past differences had been truly "harmonized" at the Americus meeting. Perhaps Plumb had been overruled by the other

¹³⁸ Ibid., August 21, 1858.

¹³⁹ Ibid., September 4, 1858.

¹⁴⁰ Ibid., April 17, 1858.

delegates of the judicial district. Or perhaps Plumb felt that if Baker were elected, his new duties would remove him from county politics.

Whatever Plumb's motives might have been, the result was that Baker's life and future became tied to that of the Leavenworth Constitution. For this reason Baker soon became quite active in promoting its passage.¹⁴¹ In an open letter to the editor of the News, Baker accepted the nomination and spoke "in favor of the adoption of the Leavenworth Constitution as a whole, because it reflects the will of a majority of the citizens of Kansas, and because it provides for all our wants and is a sublime vindication of a liberty-loving people."¹⁴²

At a local convention in Emporia on April 17, Baker was chosen as a delegate to a Senatorial District Convention to be held in Council Grove.¹⁴³ At the Council Grove Convention Baker served as chairman of the meeting and helped to secure the passage of a resolution promoting the Upper Neosho valley as the location of the permanent capital of Kansas.¹⁴⁴

Although the Leavenworth Constitution was accepted by the people of Kansas, it was rejected by Congress.¹⁴⁵ Baker's future as a circuit judge thus ended. It is not known whether or not Baker was elected. Plumb, in commenting on the election, claimed that in the Emporia precinct only eighty-four votes were cast. The News's editor added that

¹⁴¹ Ibid., May 8, 1858.

¹⁴² Ibid.

¹⁴³ Ibid., April 24, 1858.

¹⁴⁴ Ibid., May 8, 1858.

¹⁴⁵ Miscellaneous Document, No. 44 (Washington: House of Representatives, 1859), p. 24.

"The State officers on the District and County ticket generally received the full number cast; the most marked exception being for Senator and Circuit Judge; Mr. Baker, for Judge, receiving but 47."¹⁴⁶

The geographical division in the county government soon began to manifest itself in the politics of the Free State Party. The harmony that was so heralded after the Americus convention lasted for less than a month. The old division, both geographical and political, reemerged following the May election on the Leavenworth Constitution.

For some time, Plumb had been questioning the continued validity of the Free State Party. Plumb claimed that the Free State Party was "composed of men from all the parties known in the country--Republicans, Whigs, National Democrats, Free Soil Democrats, and Know Nothings."¹⁴⁷ The News's editor charged that "Any person at all acquainted with the Free State Party of Kansas . . . and who has seen its workings for the last six months, cannot fail to have been convinced that a separation of these elements must soon take place."¹⁴⁸

It was Plumb's contention that since the "external agitation having ceased," meaning presumably the defeat of the Missouri forces in the territorial legislature, that the Free State Party should now concern itself with self-purification.¹⁴⁹ The issue was no longer one of saving Kansas from Missourian control, but one of principle. The News's editor had previously stated that rather than be forced "to sacrifice a prin-

¹⁴⁶Emporia Kansas News, May 22, 1858.

¹⁴⁷ibid.

¹⁴⁸ibid.

¹⁴⁹ibid.

principle, we would rather the party should split into a thousand pieces."¹⁵⁰

The principles which Plumb wished to defend were those of "the Republicans, composing what is known as the Anti-Slavery wing of the party."¹⁵¹ It was now time, according to Plumb, for the Republicans to organize and prepare for action. Plumb believed that

After the first skirmish the various small factions will unite with either the Republicans or Democrats, as their affinities lead them, and the battle will be between slavery, centralization, and have the government administered as in the early and purer days of the Republic.¹⁵²

Baker's position was one of steadfast opposition to the proposed dismemberment. He declared, "The union of the Free State party must be preserved."¹⁵³ Baker claimed that a split in the party was "morally impossible," and that the only course was compromise by the various factions.¹⁵⁴

Plumb, however, countercharged that any "compromising party, without a single living, vital principle to keep it together. . . will fail, it should fail. There should be no compromise between right and wrong."¹⁵⁵ Those who called for compromise, according to Plumb, were those who were the recipients of "public patronage" and were "polluting and tainting public morals and virtue with . . . (their) dishonesty

¹⁵⁰ Ibid., March 6, 1858.

¹⁵¹ Ibid., March 13, 1858.

¹⁵² Ibid.

¹⁵³ Ibid., May 8, 1858.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid., March 13, 1858.

corruption."¹⁵⁶ Although Plumb did not state exactly who he was referring to in his charges, he did, two years later, in an open published letter, make it clear that he was referring to Baker and the others in the western townships.¹⁵⁷

The problems of "the last six months," that Plumb referred to were two-fold. Both problems concerned the relationship of the Free State Party to local affairs. As previously discussed, the Free State Party gained control of the Territorial legislature in the Election of 1858. In that election Breckinridge County was in a district "composed of nineteen counties, embracing almost all of Southern and Western Kansas, known as the 'nineteen disfranchised counties.'"¹⁵⁸ The district given that name "from the fact that they were allowed only three members."¹⁵⁹ Besides Columbia, who has already been discussed, the district was represented by Robert B. Mitchell and Dr. A. Danford, both of Lincoln County.¹⁶⁰

The first of these two problems concerned the quality and quantity of this representation. It should be noted that this issue was a point of controversy for the settlers of Breckinridge County, but tended to disenfranchise them with the territorial party. These settlers believed, as stated in their Americus Resolutions, that one of the first functions of the new Free State Legislature should have been to reapportion the representation of the nineteen counties. The second act of the legislature

¹⁵⁶ ibid.

¹⁵⁷ Emporia Kansas News, February 4, 1860.

¹⁵⁸ Council Grove Kansas Cosmos, March 12, 1886.

¹⁵⁹ ibid.

¹⁶⁰ ibid.

should have been to repeal "the entire bogus code."¹⁶¹ The problem was that the legislature, including Columbia, had failed to act on either matter. Plumb claimed that "There is a deep feeling of indignation amongst the masses of the people in regard to the base betrayal of their interests by the Free State Legislature, and the will assuredly put the seal of their condemnation upon it."¹⁶²

The condemnation that Plumb predicted came in a series of resolutions passed at various meetings. The first outcry came at the aforementioned "Union Meeting" at Americus. Here the settlers repeatedly attacked the legislature. The foremost issue was apportionment, which was considered unjust. The resolutions questioned how the 'nineteen disfranchised counties, containing nearly one-half the population, are allowed but three Representatives out of thirty-nine, and but two members of the Council out of thirteen."¹⁶³

The Americus resolutions continued attacking the legislature for its "irresponsible banking" policies and because the "Legislature did, through fraud and corruption . . . locate the Capital of the Territory at the paper town of 'Minneola.'"¹⁶⁴ Here Plumb's quest for principle might be brought into question, as he evidently did not object to Minneola because of the legislative fraud involved,¹⁶⁵ but because it was "neither in the geographical center of the Territory nor in the center

¹⁶¹ Emporia Kansas News, March 6, 1858.

¹⁶² ibid.

¹⁶³ ibid.

¹⁶⁴ ibid.

¹⁶⁵ Zornow, p. 79. Zornow claimed that thirty-five of the fifty-two legislators were financially interested in Minneola.

of the population."¹⁶⁶ If the capital would have been placed according to these criteria, then it would have been in or close to Breckinridge County. Such a location for the territorial capital could have been financially enriching to town promoters such as Plumb and Baker.

On the last day of August 1858 a second meeting was held at Americus. The purpose of this meeting, which was chaired by Baker, was to formulate a procedure for selecting delegates to a nominating convention to be held at Ottumwa, for candidates to the territorial legislature. It was decided that Breckinridge County's delegates would be apportioned and chosen by the various precincts.¹⁶⁷ As a result, Baker became a representative at the Ottumwa Convention of not only Breckinridge County, but Agnes City as well.

Besides Baker, Breckinridge was represented at Ottumwa by five other delegates, including Baker's sometime rival, Plumb.¹⁶⁸

Given the local grievance over the territorial legislature, the Ottumwa meeting took on a great importance to its delegates. Here Baker and Plumb entered into one of their increasingly frequent disagreements. This was a procedural matter concerning proxies. Plumb had requested that "where the delegation from any county is not full, those delegates present from such county, be authorized to cast the full vote of the county."¹⁶⁹ Since nearly half the counties consisted of but partial delegations, the matter was of some importance as it placed a good deal of power in the hands of but a few individuals. For this reason,

¹⁶⁶Emporia Kansas News, March 6, 1858.

¹⁶⁷Ibid., September 4, 1858.

¹⁶⁸Ibid., September 25, 1858.

¹⁶⁹Ibid.

Baker moved to reconsider Plumb's resolution and "After some discussion the motion to reconsider was put and lost."¹⁷⁰

The matter of voting, however, was the only recorded disagreement between Baker and Plumb at the Ottumwa meeting. Since they both served on the resolutions committee, and there was only one report presented, it is assumed they were in agreement on the resolution attacking "disfranchised counties." The resolution claimed

That the apportionment fastened upon us by a Pro-Slavery Legislature, and perpetuated by a pseudo Free State Legislature, places us practically in the position of "taxation without representation," a principle which we repudiate as being anti-Republican, and that we demand of the next Legislature that they redistrict and apportion the Territory in such a manner as to do justice to those who have so long been deprived of their dearest rights.¹⁷¹

In these resolutions, Plumb and Baker outlined some more of their principles. As a second reason given for a need of reapportionment, they stated their belief that the territory was about to receive "some large grants of land made to the Territory of Kansas for the purpose of building railroads."¹⁷² According to the resolutions, the southern and western counties needed equitable representation to insure equitable distribution of these railroad grants.¹⁷³ Needless to say, if Breckinridge County received its share of any proposed land grant, then any local promoters, such as Baker and Plumb, might become financially enriched.

The first problem which the settlers in Breckinridge County associated with the Free State Party concerned the political rights of equal

¹⁷⁰ ibid.

¹⁷¹ ibid.

¹⁷² ibid.

¹⁷³ ibid.

representation in the territorial legislature. Without this representation, according to these settlers, the county would suffer in the important area of land promotion. Concerning this, as well as other matter, the local incumbent in the legislature, Columbia, had failed to represent his constituency in a manner that they considered adequate.

The second problem concerned the aforementioned question of who should control the affairs of the county. As previously mentioned, the issue here was basically geographical and not necessarily ideological. But just as Plumb was beginning to advocate division in the Free State Party at the territorial level, he likewise expressed support of such a division at the county level.¹⁷⁴

The problem of who should control the county government became an overriding issue which soon involved every township of the county and created longstanding divisions between them. Local historians have referred to this division as "the county seat question."¹⁷⁵

Following their election in 1858, the new board of county supervisors began to concern itself with three major items of business. The first was the establishment of roads; the second was the assessment and collection of taxes; and the third, the most hotly contested of the three items, was the permanent establishment of a county seat.

With a majority of supervisors coming from the western townships, control of county affairs remained with that section. This control can be seen by the fact that Grimsley was chosen chairman and that all three issues were decided in the favor of the western townships by a three to

¹⁷⁴ ibid., March 13, 1858.

¹⁷⁵ Yesterday and Today (Americus: n.p., 1957), p. 17.

two vote. The roads that were established by the supervisors, were all designed to tie the southern portion of the county to the western. The issue of tax assessment was sent back to the townships for consideration.¹⁷⁶ By allowing the townships to set their own assessments, the western townships were able to ensure that their share of the county total would be kept at a minimum.

The last issue, selection of a permanent county seat, was the most controversial and brought the greatest anguish for the early settlers. As previously stated, the fact that Agnes City had been established by a pro-slavery legislature as the temporary county seat was of great concern to the residents of the southern townships. Plumb complained that not only was the county seat, at Agnes City, unoccupied, it remained there only because of what he called "vested rights." Plumb asked, "Will the Legislature override the wishes of a majority of the people to save these 'vested rights'?"¹⁷⁷ Plumb was thus linking the county government to what he considered a corrupt legislature.

It was obvious, however, that Agnes City was merely a temporary county seat and plans would have to be made for the selection of a new site. Agnes City was unsuitable due to its location. It was inaccessible to a vast majority of the county residents and was located on contested Indian land.

The question of where to locate the county seat was of immediate importance to every citizen in every township. If the seat of government could be obtained by a town in which a person was involved as a promoter, then the land values of that town would increase and its future

¹⁷⁶Emporia Kansas News, September 4, 1858.

¹⁷⁷Ibid., January 30, 1858.

would be assured. Although every township hoped to obtain the Breckinridge County seat, from the very beginning of the controversy only Americus and Emporia were serious contenders.

The city of Americus was established in the fall of 1857 for the sole purpose of becoming the county seat of Breckinridge County.¹⁷⁸ For the settlers of the western townships, Americus was an ideal location for the county seat. As shown in Figure XVII, page 142, Americus, although it was in a western township, was located near the center of the county, both geographically and demographically.

Unlike Agnes City, Americus was not located on the contested lands of the Kanza Indian Reservation, a fact which made its property titles clear of any possible legal entanglements. At the same time, the location of the city enabled its founders to maintain their close ties to Council Grove.

The founders and promoters of Emporia were determined that it would become the county seat. To obtain this goal, the community's leaders, in particular Plumb, dedicated their constant and intense efforts.

As a candidate for county seat, Emporia suffered from a drawback similar to that of Agnes City. It was located on the extreme edge of the county. Unlike Agnes City, however, Emporia was able to overcome this handicap. Emporia's plan to correct the problem of its location was simple. It was obvious that they could not move their city to the center of the county, so the only alternative was to effect a change in the boundaries of the county so that Emporia would be more centrally located. As shown in Figure XVII, page 142, although Emporia was located

¹⁷⁸Emporia Gazette, May 28, 1957.

on the southern boundary, on an east-west line it was near the center of the county. If the southern boundary could be lowered, Emporia could be the only city of any size near the center of the county. Thus, it would be obvious that Emporia would be the logical choice for the permanent location of the county seat.

Before Emporia could implement its plan, however, the county board of supervisors, on which the western townships retained a majority, ordered that the matter of choosing a permanent county seat would be brought to a vote at the territorial election on October 4, 1858. According to local history, Emporia attempted to have the election postponed "until after the three-mile strip on the south had been attached to the county."¹⁷⁹ To the dismay of the southern township this proposal was outvoted by the board's representatives from the west.¹⁸⁰

Plumb, the leader of the southern faction on the county board, was particularly upset with the decision to put the matter to an immediate vote of the people. It is interesting to note that Plumb, who on other matters had called for division, now decried this vote for being divisive. Plumb suggested that "such questions remain silent until the proper time when the proper authority will submit them to the people."¹⁸¹ Plumb vowed, "The question of the permanent location of the county seat of this county will not be settled for a couple of years, and if we begin to wrangle about it now it is time and money spent in vain."¹⁸²

The editor of the News claimed that the selection of a county seat should have been delayed because

¹⁷⁹Quoted in Yesterday and Today p. 17.

¹⁸⁰Ibid.

¹⁸¹Emporia Kansas News, June 12, 1858.

¹⁸²Ibid.

It is to their (Breckinridge County's) advantage rather to build up one good town thereby creating a market for their products, than to have a dozen half started things that will be of no account whatever to the county.¹⁸³

Plumb's allegation concerning the establishment of new communities was not an idle statement. On the same page of the News that he made his charge, Plumb printed the minutes of a meeting which was called to plat and organize a town site, known as Breckinridge Center. Breckinridge Center, as its name implied, was to be located "as near the center of Breckinridge county as practicable," and thus would be a contender for the seat "on what is called 'equality.'"¹⁸⁴

Altogether there were four candidates for county seat in the 1858 election. Besides Americus, Emporia, and the newly platted community of Breckinridge Center, Fremont was mentioned by the News as in contention for the seat.¹⁸⁵ The News, of course, backed Emporia,

believing that for the present, at least, it will accommodate a larger number of the inhabitants of the county than any other point, and because we believe it is to the best interests of the county to have one good town within its borders, rather than half-a-dozen half-starved things that will afford no market for the produce of the farmer, nor accommodations for trade.¹⁸⁶

Baker's role in the county seat question was a vital one. Just as Plumb was the chief spokesman for Emporia, Baker became the leader of the Americus faction. Baker was responsible for obtaining the land

¹⁸³ ibid.

¹⁸⁴ ibid.

¹⁸⁵ ibid., September 4, 1858.

¹⁸⁶ ibid.

title for Americus and served as its first mayor.¹⁸⁷ By December 1858, following the territorial election, Baker had opened a law office in Americus to "devote himself to his business exclusively for the future."¹⁸⁸ Baker's business, it should be remembered, was land promotion and speculation. And any success in his business endeavors was directly related to the future of Americus as the county seat.

Plumb charged that "Different candidates for the county seat are making 'bids' -- offering to give them the county seat."¹⁸⁹ It is interesting that while Plumb deplored such a practice, he claimed "that although Emporia does not desire to make any bids for the county seat. . . she will give double the amount to the county that any other town will give for the location of the county seat."¹⁹⁰

As noted in Table VIII, however, the Breckinridge County electorate rejected Emporia's bid. Since the margin of victory for Americus was narrow, the News noted that the voter turnout was low.

Two-thirds of the vote of Cottonwood township was not out at all, and about that proportion of Kansas Center township was absent. Emporia polled a larger vote than ever heretofore, but it was lessened some dozens by sickness and absence from the precinct.¹⁹¹

Such a low voter turnout in Cottonwood and Kansas Center could account for the electoral reversal of their previous allegiances. It is this writer's opinion, that had the turnout been greater in those two precincts, then Cottonwood would have cast a majority for Americus

¹⁸⁷For information concerning Baker's role in the establishment of Americus, refer to Chapter IV.

¹⁸⁸Emporia Kansas News, December 11, 1858.

¹⁸⁹Ibid., September 18, 1858.

¹⁹⁰Ibid.

¹⁹¹Ibid., October 9, 1858.

TABLE VIII
BRECKINRIDGE COUNTY
ELECTIONS CONCERNING THE ESTABLISHMENT
OF A PERMANENT COUNTY SEAT

FIRST ELECTION

OCTOBER 4, 1858

<u>PRECINCT</u>	<u>FOR EMPORIA</u>	<u>FOR AMERICUS</u>	<u>SCATTERING</u>
AGNES CITY	0	48	0
AMERICUS	0	100	3
COTTONWOOD	17	3	0
EMPORIA	157	36	28
KANSAS CENTER	14	15	7
	<hr/>	<hr/>	<hr/>
TOTAL	188	202	38

and Kansas Center for Emporia. Thus a greater voter turnout would not have changed the result of the election.

Plumb seriously questioned the validity of the Americus and Agnes City vote and claimed that it "was such as to give rise to a question of its entire legality, and the matter will probably undergo legal investigation."¹⁹²

Following Emporia's loss in its bid for the county seat, Plumb began to work for a new election. Prior to any new vote, however, Emporia would have to secure the change in the southern boundary. At the same time that the mechanics of gaining the change were started, Plumb began a new attack on the county board. Although Plumb was a member of the board, he, along with the other southern representative, divorced himself from it. Evidently Plumb believed that since Emporia could not have the seat of government, then he would refuse to partake in any of its deliberations. Simultaneous to his absence from the county board, Plumb renewed his attack on the representatives of the western townships when they decided not to publish their proceedings.

If it is necessary to have a county tribunal, it is just as essential that the people should be acquainted with the business transacted by it; this knowledge will best be obtained by its publication, and if the county can support the one, it can afford to pay for the other.¹⁹³

To reopen the county seat question, the Emporia faction, led by Plumb, maintained the same strategy that they had previously developed. This strategy was basically three-fold. The first phase was to relocate the southern boundary of the county. As previously discussed,

¹⁹² ibid.

¹⁹³ ibid., January 1, 1859.

this relocation would place Emporia in a more central location as well as increase the voting power of the southern townships.

The second phase of the Emporia strategy was to discredit the Americus faction and divide them from the rest of the county. This division was of a polarizing nature, with the electorate placed in a position of being pro-Americus or pro-Emporia. Although the division concerned primarily the county's governing board, it also pertained and affected an individual's party allegiance.

The county's political division and the relocation of the southern boundary would lead to the last phase and ultimate objective of the Emporia faction. This was to obtain control of the county board. By obtaining this control, the southern faction could then arrange for a new election for a permanent county seat.

The Emporians had been working for some time to obtain the change in the southern boundary of the county. This change did not come by accident, but was carefully planned and executed by the Emporians. Stotler noted that immediately following the settlement in 1857 of the Emporia townsite, "A struggle was at once commenced . . . to detach a strip three miles in width from the north of Madison county and attach it to this county in order to take into Breckinridge the settlements along the Cottonwood river."¹⁹⁴

At a meeting to protest a possible change in the county line, citizens of Madison county condemned such a change and resolved "That we believe that designing men of Emporia, Lawrence and other places, were in favor of changing the line's of Madison County to benefit them-

¹⁹⁴Stotler, p. 7.

selves personally."¹⁹⁵ Plumb, in an editorial, responded to the Madison County accusation with a denial of any wrongdoing. As part of his denial, however, Plumb admitted that the people in the three-mile strip were important to Emporia's interest because "The Cottonwood settlement is the heaviest in the county, containing about one-third of its entire population, and will always exert a controlling influence in the election of county officers, etc."¹⁹⁶

The News's editor added, "Nineteen-twentieths of the settlers along the Cottonwood are desirous of having such a change made in the county boundaries as will bring them into this county."¹⁹⁷ Regardless of Plumb's claim, the Madison County citizens living within the three-mile strip passed a resolution deeming "It inexpedient at the present time to act according to the change of county lines."¹⁹⁸

Plumb also admitted that the Emporians were responsible for a "petition that was gotten up and presented to the Territorial Legislature."¹⁹⁹ Local history of Americus claimed that at the same time that the Emporians circulated their petition, "The Americus people got up a remonstrance against the plan."²⁰⁰ This remonstrance was then to have been taken by Baker to the legislature for consideration. The same history stated that on the way Baker became sick and stopped at an unnamed hotel. While Baker was there, C. V. Eskridge, the clerk

¹⁹⁵Emporia Kansas News, March 13, 1858.

¹⁹⁶ibid.

¹⁹⁷ibid.

¹⁹⁸ibid., April 24, 1858.

¹⁹⁹ibid., March 13, 1858.

²⁰⁰Yesterday and Today, p. 17.

of the county board, came along with the Emporia petition and

He agreed to carry the Americus remonstrance to the legislature. When the petition was presented to the legislature it carried the names of both the petition and the remonstrance, so there was no remonstrance. The legislature granted the petition of Emporia and it was all over before word reached Americus.²⁰¹

Although this researcher has found no verification of this claim, it could possibly be the reason that Plumb claimed "we believe every voter . . . signed (the petition)."²⁰²

Regardless of the method used, the Emporians gained the three-mile strip for the southern boundary of the county. By February 1859 the News announced the change by act of the legislature.²⁰³ In an editorial aside, Plumb claimed that "This change makes Breckinridge the best county in the interior,"²⁰⁴ although he did admit

There are doubtless those in this and Madison counties who were opposed to the change; but we firmly believe that a majority of the citizens of both counties favored it, and are glad that it is made.²⁰⁵

For the Emporians the first phase of their campaign to gain control of Breckinridge County was completed. An attempt to obtain a reversal of the change in the southern boundary failed. Just a year from its enactment, the News decried the introduction of such a bill in the Territorial House of Representatives by Samuel Wood. Plumb charged:

²⁰¹ ibid.

²⁰² Emporia Kansas News, March 13, 1858.

²⁰³ ibid., February 19, 1859.

²⁰⁴ ibid.

²⁰⁵ ibid.

The united efforts of a few destruction-workers north-west of us, and some countyseat speculators in the central part of Madison County may ignore the united wishes of the settlers upon that strip to remain in this county, and get it through the House, but we cannot but think that there is good sense enough in the Council to "floor" it obviously.²⁰⁶

vidently the attempt failed as predicted, because two weeks later the ews announced "It's 'O.K.'", and the Cottonwood still continues to run in an easterly direction."²⁰⁷

With the three-mile strip assured of permanent attachment to Breckinridge, the Emporians turned their full attention to discredit Americus supporters. These efforts came on two fronts. The first and most important was in questioning the credibility of the county government while it was under the control of the western townships. As previously noted, Plumb had been doing this for some time. New opportunities for attack came with every new decision of the county board.

On the first day of 1859, the board decided that the territorial tax collected by the county treasurer would be withheld from payment to the territorial government in order to meet local expenses.²⁰⁸ Plumb immediately charged ^[impropriety] improbity on the part of the board, by declaring that the money was to be used only for "paying the per diem, mileage, and other expenses of the Board of Supervisors, that have as yet accomplished nothing of substantial benefit for the county."²⁰⁹

In his condemnation of the county board, Plumb used some of his

²⁰⁶Emporia News, February 18, 1860.

²⁰⁷Ibid., March 3, 1860.

²⁰⁸Emporia Kansas News, February 5, 1859.

²⁰⁹Ibid., February 12, 1859.

harshest language ever.

The only thing, in fact, for which they are particularly noted, is drawing their per diem and mileage with commendable punctuality. The county is to be plunged into debt and an expensive litigation with the Territory, to gratify the inordinate propensities of these superannuated grannies, to feed at the public crib.²¹⁰

In April, Plumb again questioned the credibility of the board on county financial matters for causing

a system of extravagance which will entail upon the people a high rate of taxation, burdening them with debt, and preventing . . . growth and prosperity.²¹¹

With the geographical and demographical changes resulting from the addition of the three-mile strip, the board, in March 1859, redesignated townships in the county. As shown in Figure XVIII, the county supervisors added the three new townships of Cahola, Fremont and Forest Hill.²¹² Kansas Center Township had been renamed Waterloo at a previous meeting.²¹³

Placing the Americus backers in a defensive position, it is interesting to note that they retained control of the county government by adding two townships to the western faction, and one township to the southern. The Americus group thus retained a possible five to three majority.

Plumb immediately attacked the board's redistricting of townships. Concerning Forest Hill Township, Plumb stated, "It includes the towns of Forest Hill and Neosho Rapids, and should have been called 'Neosho,'

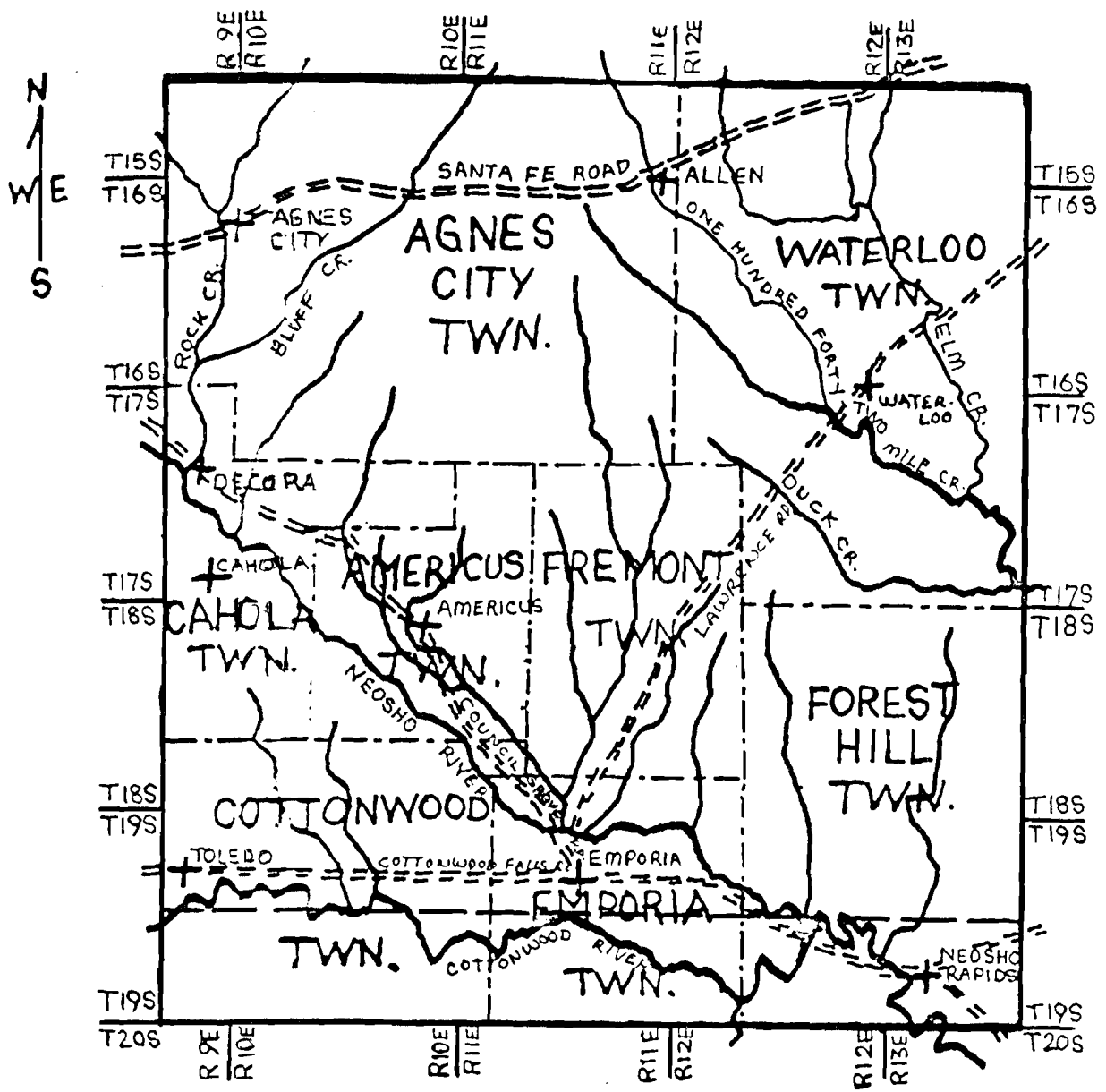
²¹⁰ ibid.

²¹¹ ibid., April 9, 1859.

²¹² ibid., March 12, 1859.

²¹³ ibid., February 5, 1859.

FIGURE XVIII
BRECKINRIDGE COUNTY IN 1859



LEGEND:

- · — · — · — Township political boundaries.
- + Population centers.
- ==== Roads in county.
- - - - - Southern boundary of county in 1857.

as it seems to us -- but there's no accounting for tastes."²¹⁴ The establishment of Cahola, however, drew sharper criticism from the News's editor.

Cahola Township is located near the mouth of Rock Creek, and takes off a portion from Agnes City and Americus Townships. As Agnes City has usually cast about 25 votes and Americus about 40 or 50, of course it was necessary that a new Township should be created to enable such a crowd of people to vote in one day! Cahola is as necessary to a certain interest as the English Borough system was to the British Tories.²¹⁵

A new board of county supervisors was elected, at the annual spring election on March 28, 1859. Baker was elected township representative from Agnes City to the county board of supervisors.²¹⁶ Then, or shortly after, Baker resigned his position as Probate Judge and was replaced by Eskridge,²¹⁷ who had previously resigned as Clerk of the Probate Court.²¹⁸

At the same meeting that the previous board had decided to withhold the territorial tax, proposals were approved for the construction of a courthouse and jail in Americus.²¹⁹ This decision raised such a furor from the rest of the county that the new board was forced "to rescind the order of the Board making appropriations for the erection of County Buildings."²²⁰ The commotion over this issue was led by Plumb,

²¹⁴ Ibid., March 5, 1859.

²¹⁵ Ibid.

²¹⁶ Ibid., April 2, 1859.

²¹⁷ Ibid., April 30, 1859.

²¹⁸ Ibid., March 5, 1859.

²¹⁹ Ibid., February 5, 1859

²²⁰ Ibid., April 30, 1859.

who began his attack in March 1859 with an editorial in which he referred to the proposed buildings as "Spanish Castles."²²¹

Even though the new board had reversed the decision, Plumb continued to use the issue as a "bloody shirt" in his attacks on the Americus government. Plumb and his supporters in the southern faction made it clear that if Americus built any county buildings, they would refuse to pay any county tax to cover the expense. The News was especially upset over what it considered an unequal tax levy.

Now, it is well known that about one-half of the land pre-empted in this county was pre-empted after the assessment last June, and just before the land sales. Not one foot of all this land -- not one foot of all the Kaw Reserve -- will ever be taxed one cent to pay for these buildings, and the whole cost of them, together with the other indebtedness of the county, will leave to be paid this winter by those few who pre-empted before the assessment was made in June last.²²²

On the day before Christmas 1859, the Emporians held an anti-tax meeting at which they vowed not to pay any tax. S. G. Brown, one of the organizers of that meeting, claimed that

Most of those who had been instrumental in levying this tax for county building, lived on the Kaw Reserve; and would not be compelled to pay a cent of the tax, which was levied for the benefit of a few speculators in one-horse town lots.²²³

When the county board once again voted on the construction of county buildings it is interesting that several townships reversed their previous allegiances. The western township of Cottonwood voted against the construction, the southern and eastern townships of Forest Hill and

²²¹ ibid., March 5, 1859.

²²² Emporia News, December 17, 1859.

²²³ ibid., December 31, 1859.

Waterloo joined Agnes City, Cahola and Fremont in passing the resolution. Americus abstained from the voting.²²⁴

The News maintained that the election which placed the county seat at Americus was not legal and thus the location was only temporary. It was claimed that the election was conducted "under a defective law and contrary to the course advised by the governor."²²⁵ In an open letter to the News, signed by "Taxpayer," it was charged that Breckinridge was the only county that

located its seat of government in pursuance of this defective law, and the reason why a vote was taken on the question in this county under it, was because the people on the Kaw Reserve wanted the county seat at Americus, and thought, . . . that if they did not go into the election, the people in the eastern and southern portions of the county would, and by their default, the county seat be claimed at Emporia. On the other hand, the people in the southern and eastern portions of the county were suspicious that if they neglected to go into the election, the people on the reserve and about Americus would, and Mr. Baker, at that time Probate Judge and wholly interested in the latter place, by default of a vote in the other parts of the county, would declare, as the defective law required, the county seat located at Americus.²²⁶

Reminding his readers that the question was settled in favor of Americus by only fourteen votes, the letter writer concluded that

I have not the least doubt but that there were three times as many illegal votes polled as the majority by which it was claimed to have been located. This, in connection with the fact that since that vote was taken about 600 voters have been added to the county, seems to make it nothing more than proper; right and just, that the question should be re-submitted, before the county is plunged into debt, and the people highly

²²⁴ Ibid., December 17, 1859.

²²⁵ Ibid.

²²⁶ Ibid.

taxed to put up building at a county seat.²²⁷

The Emporians first challenged the Americus faction by directly attacking the credibility of the county officials meeting there. A second method was more subtle, however, as it entailed a division in the Free State Party. Prior to the 1858 county seat election, Plumb had been calling for such a division, and shortly after it he announced the party's demise. In a report concerning the Free State Territorial convention, the News's editor claimed that the convention "was essentially a failure . . . (and) the main reason was that there is not enough respect left among the adherents of the Free State Party to come up to its funeral."²²⁸

As previously noted, Plumb was in favor of replacing Free State dominance with that of the Republican Party. By April 1859, when the first Republican meeting in Breckinridge County was to have been held, Plumb made it clear that the three western townships of Agnes City, Americus and Cahola were excluded from the organizational call.²²⁹ The minutes of that meeting, however, show that not only were the three townships in attendance, but the leaders of those townships, Baker, Grimsley, and Goddard, were prominent in the meeting. Baker served as a delegate from Agnes City and on the credentials committee. He also spoke in favor of a resolution which defended popular sovereignty and any formation of new states "with or without Slavery."²³⁰ That resolution was the only point of controversy in a meeting called to organize the

²²⁷ ibid.

²²⁸ ibid., November 27, 1858.

²²⁹ ibid., April 9, 1859.

²³⁰ ibid., April 30, 1859.

local Republican Party. The voting on that resolution closely followed the division between the Americus and Emporia factions.²³¹

The first Republican meeting in Breckinridge County produced a total of nine resolutions. Besides the one which Baker defended, other resolutions basically praised the national Republican Party for "its disinterested devotion to the cause of freedom and right by its steadfast and consistent defense of the people of Kansas in the darkest hour of their tribulation,"²³² and condemned "the debauched and demoralized Black Democracy of this country."²³³ The resolution also attacked the Dred Scott decision and condemned "with equal abhorrence Jay Hawking and Fillibustering."²³⁴ Although the resolutions regarded "the institution of Slavery as a great moral, social and political evil,"²³⁵ they were "opposed to extending the rights of suffrage to free negroes in Kansas," and were "in favor of the United States purchasing by legal and just means, some portion of Central America and encourage the colonization of our free blacks thereon."²³⁶

Their resolutions very obviously show that these early Republicans were not abolitionists, but still carried on the Free State tradition as outlined earlier by Van Gundy. Freedom for these settlers meant the right for free labor dominance in Kansas and not, in any modern liberal sense, equality for the Negro.

231 ibid.

232 ibid.

233 ibid.

234 ibid.

235 ibid.

236 ibid.

The final action taken at this meeting was to select a Republican Central Committee to continue the organizational work of the party. The three individuals chosen to serve on this committee were nominated by Baker. With only one member coming from the Americus faction, however, the Emporia group gained control of the party's leadership.²³⁷

The first function of the central committee was to recommend the use of primary elections for the nomination of all candidates for county office.²³⁸ If the party accepted this recommendation then the Emporia faction would be assured of control of all future county offices. Previously, candidates had been nominated by a county convention system. Under this system delegates were chosen to represent the various townships for the nomination of candidates. Since the selection of these delegates was based on geographical representation, rather than by population, the smaller western townships were able to maintain a proportion of power greater than their electorate would warrant under the primary system.

The western townships were not about to give up their power to the Emporians without a fight. At the next county Republican meeting, the Americus faction took steps to ensure the continuance of their political base of power, the convention system. The western townships used their delegate power to elect Baker as chairman, and gain control of both the credentials and resolutions committees. In its resolutions, the convention deemed "it injudicious to depart from the delegate Convention system without the expressed will of the people in convention assembled."²³⁹

²³⁷ibid.

²³⁸ibid., July 16, 1859.

²³⁹ibid., July 30, 1859.

they did, however, allow for the use of the primary system for the selection of delegates to the county conventions.²⁴⁰

In September 1859, the Republicans met at Fremont to select "delegates to the State and Council District Convention."²⁴¹ Although Baker was defeated as a candidate for delegate to the district convention, the Americus faction was able to add more members to the central committee, and thus strengthen their voice in that body.²⁴²

Baker's political life was constantly one of controversy and seeming contradictions. Of all his activity, however, no single aspect was more controversial for Baker than his relationship to the Republican Party in 1859. The nature of that relationship afforded Plumb and the Emporia faction their most aggressive attack on not only Baker's credibility but that of the entire Americus faction.

As previously noted, Baker was prominent in the formation of the early Republican Party in Breckinridge. Since the Republican Party was becoming the dominant party in not only territorial, but local politics, it was obvious to the leaders of the Americus faction that they would have to assume an active role in order to maintain their power base in the county.

On October 4, 1859, Baker was chosen an Agnes City delegate to a county convention²⁴³ called "for the purpose of selecting five delegates to represent Breckinridge county in a Senatorial, Representative,

²⁴⁰ ibid.

²⁴¹ Emporia News, September 24, 1859.

²⁴² ibid.

²⁴³ ibid., October 8, 1859.

and Judicial nominating Convention to be held at Ottumwa.²⁴⁴ For the first time in county conventions, the number of delegates allotted for each township was apportioned demographically. Thus the southern townships, where the greatest population was located, received the greatest number of delegates. A second function of the county convention was to nominate candidates for county office.²⁴⁵

Neither the selection of delegates or the nomination of candidates seemed to arouse any division at the time of the convention, which was held in Americus.²⁴⁶ The Emporia faction, led by Plumb, did attempt to have some of the nominations rescinded at a later convention called for that purpose.²⁴⁷ Plumb claimed that "the true and only cause of the 'bolt', which is that the whole ticket is not Republican."²⁴⁸ The edition of the Americus Sentinel, however, charged that the move was "'sectionalism' . . . that is a move of the south side of the river against the north."²⁴⁹ This charge was referred to by Plumb "as ridiculous as it is untrue."²⁵⁰ Plumb continued by counter-charging that "If a 'war of sides' has been or is to be inaugurated, it is the Sentinel's fault with a few individuals around it."²⁵¹

No matter what reasons motivated the reconsideration of the party's

²⁴⁴ ibid., September 24, 1859.

²⁴⁵ ibid.

²⁴⁶ ibid., October 15, 1859.

²⁴⁷ ibid., November 5, 1859.

²⁴⁸ ibid., October 29, 1859.

²⁴⁹ Quoted in ibid.

²⁵⁰ ibid.

²⁵¹ ibid.

nominations, the special convention produced only one change and that was in the nominee for county clerk. Robert Parham of Emporia township was replaced by David McMillan of Cottonwood Township. Baker spoke at the meeting "respecting the positions of parties and the object of the Convention."²⁵²

Although not chosen a delegate to the Ottumwa convention, Baker did attend, evidently replacing Ira Segur of Agnes City, who was an elected delegate, but was not in attendance. At the convention, Baker played no prominent role except to serve on the credentials committee.²⁵³

In October 1859, the Breckinridge Democratic Party was organized at Americus. Baker's law partner, R. M. Ruggles and long-time friend, Withington, were prominent in that organizational meeting.²⁵⁴ Whether party lines were clearly drawn by 1859 is unclear. In listing the Republican ticket for Breckinridge County, S. N. Wood, the editor of the Council Grove Press, claimed "that half of them . . . (are) Democrats, we always knew the Republicans of Breckinridge did not know their friends."²⁵⁵

Although Wood was never directly involved in the factional dispute in Breckinridge, his actions did become germane and thus indirectly affected its outcome. In September 1859, Wood was nominated as the Republican candidate for the Territorial legislature in a district composed of Madison, Chase and Morris counties. The News reported, "It is claimed that Wood was not fairly nominated . . . (and) the nomination does not give

²⁵² ibid., November 5, 1859.

²⁵³ ibid., October 22, 1859 and Council Grove Kansas Press, October 31, 1859.

²⁵⁴ Emporia News, October 22, 1859.

²⁵⁵ Council Grove Kansas Press, October 31, 1859.

general satisfaction, and we understand that an independent candidate will be run in opposition to him."²⁵⁶

The candidate chosen to run against Wood was a Democrat, T. S. Huffaker, Baker's brother-in-law.²⁵⁷ Although he was not a member of Huffaker's electoral district, Baker became involved wholeheartedly in his behalf. Baker attempted to use his influence in Madison county to gain votes for Huffaker. In October, Baker made a campaign trip to Madison. In a letter to the Press, a resident of Madison questioned Baker's credibility as a spokesman for Huffaker. According to that letter, Baker had claimed that Huffaker, if elected would work in the legislature "to give back to Madison county, the 'three mile strip' which Breckinridge swindled us out of."²⁵⁸

Evidently Baker's influence in Madison was not as great as he had hoped. Huffaker, as shown in Table IX, lost his election bid in Madison and Chase counties. Huffaker won only in Morris county, but his victory there was not enough to overtake Wood's total.²⁵⁹

Just prior to the November election Baker renounced his allegiance to the Republican Party and declared himself a Democrat. Baker's reasons for switching parties were unclear. Possibly, it was due to his support for Huffaker. The News, however, stated that Baker claimed "to have been impelled by an over-pressure of duty to his political principles to go over to the Democracy in order to obtain them."²⁶⁰

²⁵⁶Emporia News, September 24, 1859.

²⁵⁷Council Grove Kansas Press, October 31, 1859.

²⁵⁸Ibid., November 7, 1859.

²⁵⁹Ibid., November 28, 1859.

²⁶⁰Emporia News, September 24, 1859.

TABLE IX

ELECTION RETURNS FOR HOUSE OF REPRESENTATIVE
 DISTRICT COMPOSED OF
 CHASE, MADISON AND MORRIS COUNTIES

<u>COUNTY</u>	<u>FOR HUFFAKER</u>	<u>FOR WOOD</u>
CHASE	7	77
MADISON	14	38
MORRIS	107	48
	<hr/>	<hr/>
TOTAL	128	163*

designates winner

Baker, in a letter to the Americus Sentinel, stated that

I have . . . for the last five years been faithfully struggling to make Kansas a Free State, Kansas is FREE; was made so by the Organic Act, which inaugurated our existence In conclusion I am a Democrat, a Douglas Democrat; and so much do I admire S. A. Douglas, that I would regard his death a national calamity.²⁶¹

Wood, in an editorial reference to this statement, attacked Baker for considering himself the "Napoleon of Breckinridge County," and questioned what effect his change in parties would have on the territory.²⁶²

Concerning Baker's political conversion, Wood concluded that "we have noticed however that the sun continues to rise and set as usual, and the Earth continues its revolutions."²⁶³

Baker's political conversion and his support for Huffaker provided ammunition for Plumb and the Emporia faction to attack his credibility and that of the Americus faction. Prior to Baker's switch in parties, an unnamed resident from Forest Hill township wrote the News and asked

Can a man be a good Republican and at the same time work with the Black Democracy? Now, Judge Baker, who, I understood, styles himself the "Napoleon of Breckinridge County," stopped in our place a few nights since with a pro-slavery Democratic candidate for the legislature in the adjoining counties, If he is going with the Black Democracy, let him sever his connection with the Republican Party If men are to pursue such a course as this, I say the sooner the party lines are drawn, and the tighter, the better.²⁶⁴

Baker's response to the attacks on his integrity was to charge the Republican Party, in a letter to the Americus Sentinel, for the

²⁶¹Quoted in Council Grove Kansas Press, November 28, 1859.

²⁶²Ibid.

²⁶³Ibid.

²⁶⁴Quoted in Ibid., December 5, 1859.

1856 raid on Neosho Rapids.²⁶⁵ Plumb, said in an extremely acid reply, "No such proof exists now or ever has existed; and you well know it. In making these charges you have violated all decency and truth, and all claims to respect as a man of honor."²⁶⁶ Plumb basically called Baker a hypocrite by recounting his role in the Free State and Republican parties.

Ever since the organization of the Republican party in Kansas, you have been a (professedly at least) zealous worker in its ranks, and presistant (sic) seeker after its offices and emoluments; and I think that you will hardly be allowed at this late date to turn "state's evidence" to prove the disreputable character of the company you have been so long keeping.²⁶⁷

Plumb concluded his diatribe to Baker

In your eagerness to prove your sudden conversion to "sham democracy" genuine, you have placed yourself in a very unpleasant dilemma, in which I will take leave of you, with a word of advice to your allies -- to be careful how they allow you to "rush into print."²⁶⁸

The major question concerning Baker's political allegiance in 1859 was not why he switched to the Democrats, but rather, why he had joined the Republican Party in the first place. It is the opinion of this writer that Bailey had been correct in stating that Baker "always claimed to be a Democrat."²⁶⁹ It should be remembered that when Kansas first became a territory, there were but two organized parties -- Free State and Proslavery. To Baker, the act of making Kansas free was to

²⁶⁵Excerpts quoted in Emporia News, February 4, 1860.

²⁶⁶Ibid.

²⁶⁷Ibid.

²⁶⁸Ibid.

²⁶⁹Bailey, p. 45.

representation in the selection of delegates was effectively limiting their voice. By the time of the 1859 fall election in Breckinridge County, it had become evident to Baker that the two parties were sectional, with Emporia controlling the Republicans and Americus the Democrats. Thus Baker joined the Democratic Party because, first, he philosophically agreed with it and, second, it was his last hope for retaining his political power base.

Although Baker had joined the Democrats, he never became as active in party affairs as in his days with the Free State and Republican parties. In March 1860 Baker spoke at a Democratic meeting in Americus, declaring that as "between Republicans he was for Lane all the time."²⁷³ Wood, the editor of the Press, commented, "The meeting endorsed the remark by electing Baker to the Atchison Convention."²⁷⁴ His name was not on the list of those attending, however, as printed in the Weekly Champion.²⁷⁵

By the beginning of 1860, the Emporia faction had all but accomplished its goal of gaining the county seat from Americus. Plumb and the Emporians found success in the first two phases of their strategy to gain the county seat, gaining not only the three-mile strip, which placed Emporia in a more central location in the county, but also they had discredited the Americus government and succeeded in dividing the county into two political factions. Because of the consistency of these efforts, there had been a steady erosion of the power of the Americus backers in county affairs. The Americus group, led by Baker, found itself losing the initiative and resorting to a defensive position, one

²⁷³Quoted in the Council Grove Kansas Press, March 26, 1860.

²⁷⁴ibid.

²⁷⁵Atchison Weekly Champion, March 31, 1860.

in which they could only react to the Emporians' attacks.

Emporia's efforts to gain the county seat, and the resulting increase in power from their attacks on Americus, began to cause alarm in the counties adjacent to Breckinridge. Wood, the editor of the Kansas Press, became very critical of Emporia's actions and in July 1859 printed a scathing editorial.

We have no objection, even of Emporia's ^{typo}convolling ^{controlling} and dictating for the whole county of Breckinridge. But must say that with all their greatness, we cannot allow them to dictate for us; . . . We expect to go without, "hat in hand," saying to Emporia, "by your leave, sir."

Emporia must recollect that there are other places in Breckinridge County, and that the selfish and dictatorial policy pursued by her, must in the future, as it has done in the past, result in her injury. Better admit, that Forest Hill, Toledo, Fremont, Waterloo, Risdale and Americus are good points and encourage all parties to go ahead and build up the county, than to try and force everything to Emporia.

If Emporia is the natural point, for the great Emporium of Southern Kansas, no power on earth can prevent it becoming such. If not the natural point, no amount of Newspaper puffing can make it such.²⁷⁶

By gaining control of the Republican Party, the Emporians insured that favorable candidates would not only be nominated, but have an excellent chance of obtaining office. As long as the county, however, was governed by a board of supervisors, chosen at the township level, it would be nearly impossible for Emporia to gain control of the board. It should be remembered that Baker and Americus had managed to keep the number of townships in their favor and thus maintain control of the board.

For Emporia to gain control of the county board, it took a power greater than the editorial prestige of the News. In February 1860, the

²⁷⁶ Council Grove Kansas Press, July 11, 1859.

territorial legislature changed the make-up of county governments in that "the Board of Supervisors, as heretofore constituted, is done away with, and instead thereof a board of three Commissioners are to be elected, who are to constitute the tribunal to transact county business."²⁷⁷ The law also provided for the election of a county assessor.²⁷⁸

In an editorial praising this change, Plumb stated,

We hope now that our friends will see to it that the very best men will be elected to these important offices. There has been much complaint -- and not without some cause -- of the manner in which our county and township affairs have been managed heretofore, and it is desirable, at the approaching election, to place in office men of integrity and worth, who will economically and carefully conduct the business of the county.²⁷⁹

If there was any single moment when the hope of Americus retaining the county seat became a lost cause, it was when the legislature replaced the board of supervisors with county commissioners. Since the commissioners would be elected at large, yet represent districts, it would be impossible for the Americus faction to retain control of the county government.

When the new law went into effect, the Americus faction, led by Baker, panicked. They called a meeting to be held at Americus "of the friends of Breckinridge. . . . The object of the meeting will be to adopt measures to prevent the enemies of said county from any further attempts upon the welfare of the same."²⁸⁰

²⁷⁷Emporia News, March 3, 1860.

²⁷⁸ibid.

²⁷⁹ibid.

²⁸⁰ibid., March 10, 1860.

Plumb, in an editorial, made jest of the call by the Americus faction for a meeting. Plumb "interpreted" the call for his readers thusly:

AMERICUS to her friends, greeting: Dearly beloved -- It is high time for you to "gird on the whole armor" and come to my rescue. How can you be so inactive -- so regardless of my well-being? . . . But alas! my edict to tax has been unheeded -- my people have denied the right of "intervention" by a foreign power, pronounced it "unconstitutional," and continue to resist the payment of this just tax that I might have the means where with to proceed with the erection of so noble an edifice.²⁸¹

The Americus faction attempted to "gerrymander" the commissioners' districts. The board of supervisors waited until the Republicans nominated their candidates and then drew the districts "so as to place two of the nominees in one district, and leave one district without a member."²⁸² This attempt, however, was not successful as the Republicans managed to change their slate of candidates to fit the districts.²⁸³

The election, as shown in Table X, resulted in a complete victory for the Emporia faction. All three Emporia candidates for commissioner won by overwhelming margins. The candidate of the Emporia faction for assessor also won, although by not as large a margin. Concerning the election, Plumb concluded,

Two tickets were in the field at our county election held last Monday -- one of which was styled by a certain faction "the Americus ticket" and the other "the Emporia ticket." The issue was drawn, they said, upon the county seat question -- the fate of which was to decide its location at one or the other of the two places next fall. If this be so, the result must be anything but gratifying

²⁸¹ Ibid.

²⁸² Ibid., March 24, 1860.

²⁸³ Ibid.

TABLE X
 RESULT OF FOURTH COUNTY ELECTION
 BRECKINRIDGE COUNTY
 MARCH 26, 1860

NAME	TICKET	OFFICE	TOTAL VOTES
J. J. Campbell	Americus	Commissioner District I	223
E. P. Bancroft	Emporia	Commissioner District I	371*
E. L. David	Americus	Commissioner District II	240
Wm. T. Soden	Emporia	Commissioner District II	346*
Wm. Richardson	Americus	Commissioner District III	240
W. B. Davis	Emporia	Commissioner District III	346*
S. L. Kenyon	Americus	Assessor	276
Oliver Philips	Emporia	Assessor	308*

*Designates winner.

to those who labored for, and are interested in
Americus.²⁸⁴

Although the Emporians had gained control of the county govern-
ment, the county seat, at least temporarily, officially remained in
Americus. The new board of commissioners, however, held all of their
sessions in Emporia, a fact that Plumb never failed to point out as he
praised the new county government in his editorials.

We are happy to inform our readers that the finan-
cial credit and character of Breckinridge county
is fully redeemed. The new Board of County Com-
missioners, after a laborious session of five days
in this place, ending last evening, have brought
order out of the chaos that had so long existed,
and placed the financial affairs of the county on
a good footing.²⁸⁵

Following the election victory of the Emporia ticket, Plumb be-
came as lavish in his praise for the new board, as he was vindictive
in his condemnation of the old.

The judicious action of our county board has re-
sulted very favorably to the best interests of the
county. It has not only relieved the people from
the fear of overwhelming taxation for the purpose of
building towns for speculators who were too imbe-
cile to build them for them selves, but it has put
a positive cash value on the scrip of the county,
which has since circulated freely. Before, it was
valueless; now it has become a medium of exchange,
which has facilitated trade wonderfully.²⁸⁶

It is not known if Baker ever really thought of himself as the
"Napoleon of Breckinridge County," as previously charged by both the News
and the Press. By the fall of 1860, it was obvious to Baker that two re-
sults of the spring election would be the loss to Americus of the county
seat, and the loss of influence by the northern section and thus by Baker

²⁸⁴ Ibid.

²⁸⁵ Ibid., May 5, 1860.

²⁸⁶ Ibid., May 19, 1860.

in Breckinridge County affairs.

By October 1860, Baker had developed a new strategy for the development of a political power base. This strategy involved an agreement with his old adversaries in Emporia, whereby he would support them for the county seat and "in return the Emporia people had agreed to help create a new county to be composed of the south part of Wabonsee(sic) and the north part of Breckinridge."²⁸⁷

Although Baker had made a deal with Emporia, it was clear that he did not completely trust his old enemies. This distrust was shown in the form of three affidavits sent by Baker to the News' editor. These were sworn to by Baker's oldest friend, Withington; S. M. Leroy, a Justice of the Peace; and Griffin Sweet, a Methodist minister. All three affidavits charged that they had been informed by W. A. Shannon, an Odd Fellow living on Dow Creek, that the Odd Fellows of Emporia "said that they would not let the people of the north side off until the Bridges are built across the Neosho and Cottonwood, also a Courthouse and Jail."²⁸⁸

The publication of the affidavits caused Plumb to deny that Emporia would betray her new friends in the northern part of the county.

Now a plain statement of facts should put to rest all such reports. The citizens of this place have guarantee to the county the free use of suitable buildings for Court House, and county offices, for five years, in case the seat of justice is located here. This offer is not made to influence votes, but because we do not want county buildings until the county is able and willing to build good ones, such as will be a credit to the town and county. The building of bridges is a township matter entirely; and this township is both able and willing to build

²⁸⁷ ibid., October 13, 1860.

²⁸⁸ ibid.

her own bridges, and would no doubt have taken the necessary steps to do so this year, if the season had been a good one. With regard to economy in county matters, we can point with pride to the action of the board of county commissioners, elected by Emporia and its friends. In one short year, they have reduced the county tax from fifteen mills to four mills on a dollar. This should convince any candid mind that the "Emporia interest" is in favor of economy.²⁸⁹

In a later issue of the News, Plumb called Shannon a liar by stating

The affidavits . . . , have placed W. A. Shannon in an unpleasant position, for which we are truly sorry; but he must bear in mind, hereafter, that "honesty is the best policy," or if that old proverb is too strong for him, he can take this: "a lie persisted in, is nearly as good as the truth."²⁹⁰

Plumb's claims must have been able to reassure Baker, as he began to campaign in the northern part of the county for Emporia and for a possible change to be made in the county lines.²⁹¹

Regardless of Baker's endorsement, Plumb was not about to become overconfident of final victory and let down on his attacks on any other possible candidate for the county seat. In an editorial, Plumb turned his defense of Emporia into a condemnation of her enemies.

Emporia never has, and never will seek to influence any man vote (sic), in any other way than by fair arguments supported by facts, which are patent to any unbiased mind. On the other hand there are distributed throughout the county, within the past six weeks, more than fifty deeds to property in Americus and Fremont, for which there never has been one cent "value received;" the consideration is expected to be a vote for county seat.

This is not mere assertion, but can be readily proved at any time. Many of these deeds are im-

²⁸⁹ ibid. Italics in original.

²⁹⁰ ibid., October 27, 1860.

²⁹¹ ibid., October 13, 1860.

mediately destroyed by the "grantess," and "grantors" heaped with contempt as they justly deserve, Emporia has not lots to dispose of in this way; for these reasons; first it is not only morally wrong, but is a punishable offence under the laws of the country; and second our lots are too valuable.²⁹²

Plumb's charge against Fremont was denied by Thomas Armor, the president of its town company. Armor challenged the News' editor for proof by claiming "Produce it and I will resign my place in the Company."²⁹³

Plumb's reply:

So much for Fremont. The Sentinel does not deny the charge against them, and we predict will not until the eve of the election, when there will not be time to furnish the proof. There are now at least twenty and probably thirty deeds to Americus property in the hands of men in Pike township alone; the holders of which state publicly in our streets, that they never gave the value of one cent for them, except to influence them to vote for Americus.

When proprietors of paper towns, are obliged to resort to such contemptible meanness as this, it is time for the people to set the seal of their condemnation upon them, as they are sure to do on the 6th of November next.²⁹⁴

Americus was not easily yielding its position as the county seat. With Baker now supporting Emporia, the major spokesman for the Americus cause was its paper, the Sentinel. Unfortunately, there is but one known edition of the Sentinel in existence today, and it is a special issue about the drought. Known political positions taken by the Sentinel are second-hand accounts printed and commented on in other papers.

Just as the News attacked the county government when it was under

²⁹² ibid. Italics in original.

²⁹³ ibid., October 27, 1860

²⁹⁴ ibid. Italics in original.

control of Americus, so, too, the Sentinel attacked the government controlled by Emporia. The Sentinel's charges centered on the non-payment of bills by the new board.²⁹⁵ Plumb's response to those charges was

that. "All the answer the above charges require is, that they are false and every one false, simply and ridiculously false."²⁹⁶

The bidding for the county seat by Emporia and Americus literally took that form -- bidding. The Sentinel's response to Emporia's offer to build county buildings free for five years:

The people of Americus township will guarantee to Breckinridge county a suitable building for a Court House, free of any expense whatever to the county. The Court House will be sufficiently large and comfortable to answer the county's need for that purpose for ten or fifteen years.²⁹⁷

Sentinel added that they were more honest in their offer than Emporia in that

It would be folly for us to say, as the News does of their proposition, that this offer is out of pure charity to the county, for even if there were none but charitable motive, the people would not believe such a statement. The tax-payers of this township believe that the value of their property will be increased (by having the county-seat located at Americus) sufficiently to amply remunerate them for the cost of the building.²⁹⁸

Baker's official endorsement for Emporia came just three days before the election. This endorsement was an extremely long article, written by Baker and two others, outlining their reasons for supporting Emporia.

²⁹⁵Quoted in Ibid.

²⁹⁶Ibid.

²⁹⁷Quoted in Ibid.

²⁹⁸Quoted in Ibid.

We believe Emporia should be the county seat, because she is the center of population in the county -- she would accomodate a majority of the people of the county in the transaction of county, and all other kinds of business. She is the center of trade in county, and for upwards of a hundred miles south and west of here, and for a considerable distance north and east of her -- she is the largest, and, to-day, the most flourishing town in central Kansas, made so by her central position, in a rich, densely settled portion of the Territory. -- She is the only market in this portion of the Territory, where the farmers of the county can sell their stock, pork, produce, etc. -- With five large dry goods stores and other branches of business in proportion, with several large halls, offices etc. She is better prepared to accomodate the people of the county, She does not ask the county seat to build her up as a town, for her central position is a sufficient guarantee to her future prosperity, though you should locate the county seat within three miles of her.²⁹⁹

Most of Baker's endorsement, however, consisted of arguments for changing the county lines. Baker first discussed why land should be taken from Wabaunsee County.

By reference to a correct map of the Territory, you will see for yourselves, that Waubonsee (sic) county is about thirty-five miles long, with the Kansas river for her northern boundary, and that her county seat is located at the town of Waubonsee, on that river. The rich and heavily settled valley of the Kaw prevents its removal, and the consequence is, that a large number of people who have settled in the southern part of that county, are compelled to travel the unreasonable distance of about thirty-five miles, . . . to transact their county business. We ask you, in all seriousness, if this is not wrong and unjust to that people? They feel that it is so, and, are working for the formation of the new county. The people of the northern part should be cut off, and, will elect a Representative this fall who will labor in the legislature to accomplish that object.³⁰⁰

Baker maintained that the people of southern Wabaunsee County had similar interests to those of northern Breckinridge and thus they should be

²⁹⁹ ibid., November 3, 1860.

³⁰⁰ ibid.

united. He further believed that the creation of a new county would not only increase settlement, but "you add to the interests of central Kansas the influence of another county -- you increase our representation in all Legislatures, which we will greatly need when our lines of railroads come to be established."³⁰¹ Baker admitted that such a move would abolish Madison, but added that such a move was natural and would happen anyway.³⁰²

The Sentinel, however, decried any such change in county lines.

The disorganizers of our county avow the following changes in county lines as their policy in the next Legislature: --Winchell, of Osage, wants six miles off the east of Breckinridge; Sam Wood, the Temperance lecturer and bar-keeper, wants from two to four miles off the west; Emporia and its mercenary allies desire to throw twelve miles off the north, and take all they can get from the south. Their objects further avowed that, to create a new town and county seat at 142. (Withington's) to galvanize the town site of Superior into existence again, and aid as such changes in lines will, the forcing of Emporia and Council Grove into a degree of importance and position which will gratify the avarice and cupidity of the town speculators interested.³⁰³

Plumb responded to the Sentinel's charges by referring to them as lies and the "only thing that will be 'disorganized' will be a gang at Americus, who have made a living out of the hard-earned money of the tax-payers of the county."³⁰⁴

The News also announced the discontinuance of the Americus newspaper in an extremely satirical obituary.

The deceased leaves a large circle of (non-paying)

301 Ibid.

302 Ibid.

303 Quoted in Ibid.

304 Ibid.

friends, who can only console themselves with the words of the poet;

"Man groweth up like the hopper-grass,
And is cut down like the sparrow grass,
and is burried like the Jack-ask. (sic)³⁰⁵

In his first edition following the election, Plumb proudly announced a victory for which he had worked so long

At last, after more than three years of constant strife, the people of this county have settled their local differences, and settled them effectually. They have chosen Emporia for the seat of justice, by an over-whelming majority over all competitors -- They have said by their votes in the most emphatic manner, that they are in favor of a change in the boundaries of the county on the North and South. This question was forced upon us by our opponents, and the opposing candidates canvassed the whole county on that issue, and that alone.³⁰⁶

The vote totals, as shown in Table XI, show an overwhelming victory for Emporia in the second and final county seat election. There is no way to judge what influence Baker had on the election, as there are no records indicating the vote by townships.

Following the election, Baker removed himself from Breckinridge County politics by purchasing the Press and moving to Council Grove to publish it.³⁰⁷ While editor of the Press, Baker remained optimistic that his new county would soon be established. In May 1861, he announced the visit of Withington to Council Grove:

Mr. Withington, has laid out and surveyed a town at this place, which is called Allen. This town, will, one day, be the county seat of a new county,

³⁰⁵ ibid.

³⁰⁶ ibid., November 10, 1860.

³⁰⁷ For information concerning Baker as editor of the Press, refer to Chapter IV.

TABLE XI
BRECKINRIDGE COUNTY
ELECTIONS CONCERNING THE ESTABLISHMENT
OF A PERMANENT COUNTY SEAT
FINAL ELECTION
NOVEMBER 6, 1860

<u>LOCATION</u>	<u>TOTAL VOTES</u>
MERICUS	141
BRECKINRIDGE CENTER	14
EMPORIA	384*
REMONT	73
FOREST HILL	1

*Designates winner of election.

to be erected out of Breckinridge and Waubonsa (sic) counties.³⁰⁸

Although Plumb and the Emporia faction had vowed that both the northern and southern boundaries of the county would be changed, the net result was that only the southern boundary was changed. This, of course, resulted in the abolition of Madison County, but not in the creation of a new county in the northern part of Breckinridge.³⁰⁹

As shown in Figure XIX, the new county board redrew the boundaries of the townships. With the dotted line representing the previous southern boundary of the county, one can see that the names of two townships, Cottonwood and Forest Hill, were changed to Pike and Jackson and their southern boundaries, along with Emporia's, were extended into the newly acquired strip of land. A new township, Madison, was added, extending across the county south of these townships. Cahola Township was abolished. The two mile strip of land on the west, shown on the map with diagonal lines, was given to ^{Chase} Morris County.

The 1860 election did not completely settle the county seat question. The northern faction soon rejoined the Americus faction, as they became incensed at not only being denied their part of the bargain with Emporia, but the Emporians poured salt into their wounds by tacking onto a bill changing the name of the county to Lyon, a resolution "declaring that all votes cast by settlers on Indian land were illegal."³¹⁰

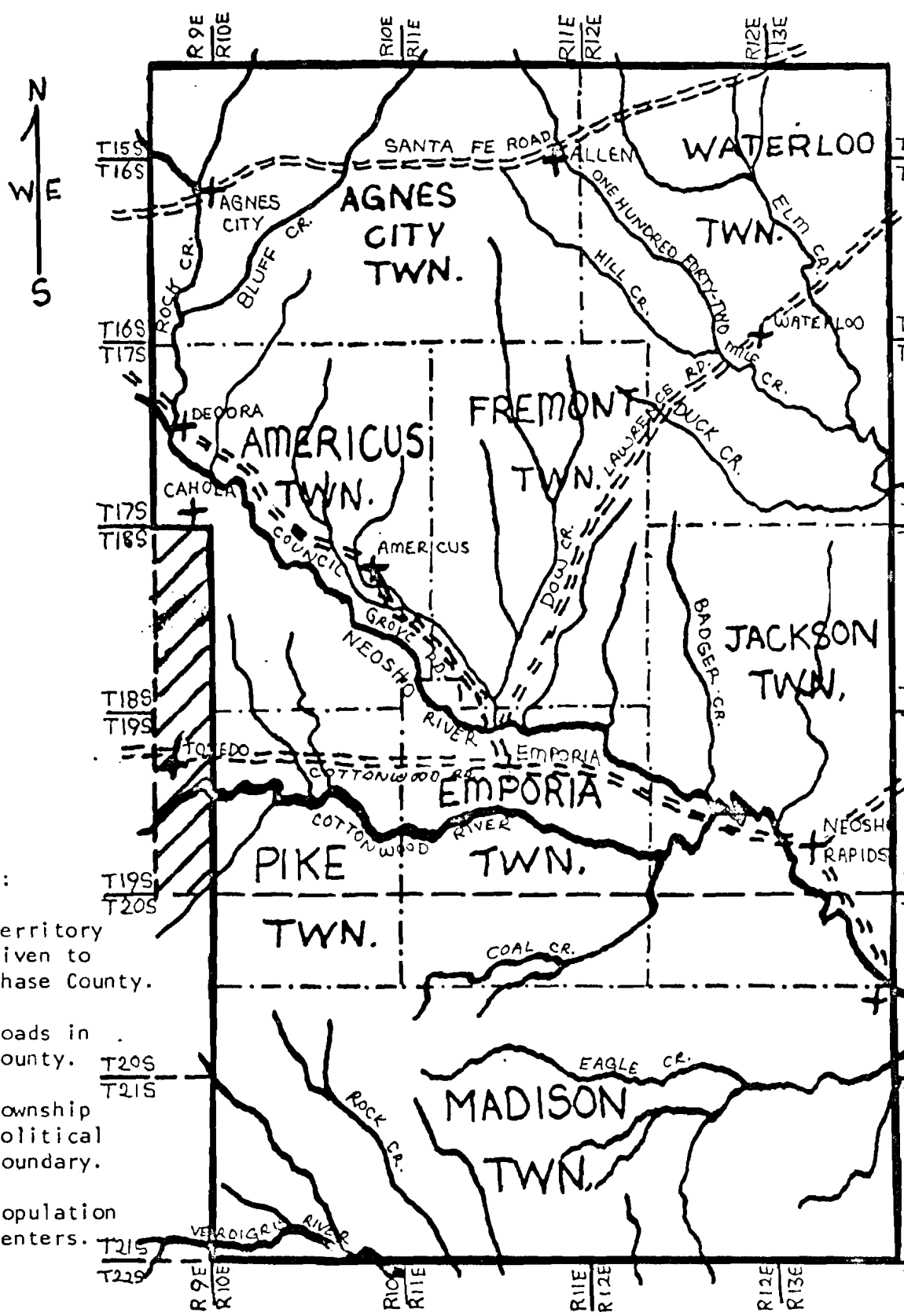
³⁰⁸ Council Grove Press, May 25, 1861.

³⁰⁹ Emporia News, March 9, 1861.

³¹⁰ "Americus Lost Out In County Seat War," Lyon County Clippings, IV, September 1950 - June, 1957 (Property of Kansas State Historical Society Library, Topeka, Kansas, n.d.), p. 273.

FIGURE XIX

BRECKINRIDGE COUNTY IN 1861



LEGEND:

/// Territory given to Chase County.

=== Roads in County.

- - - Township Political Boundary.

+ Population Centers.

T 20S

T 21S

T 21S

T 22S

R 9E

R 10E

R 10E

R 11E

R 11E

R 12E

R 12E

T 22S

T 23S

According to a story attributed to Eskridge and told by George ^{Wm} Simons of Americus, the Americus people in retaliation for what they considered to be an unwarranted act, refused to surrender the county records to Emporia. Emporia then sent a band of men to liberate the records. According to Simons

Three of the horses carried double, and those extra riders were Eskridge, John Watson and Bill Soden. At Americus the doors of the courthouse were quickly battered in and the records taken. Eskridge, Watson, and Soden took the records, . . . and hid in the tall grass and weeds, while the mounted bunch lit out west to Chase County,

The Americus crowd gathered, mounted horses and took out after them, while Eskridge, Watson and Soden started on foot for Emporia³¹¹

Simons claimed that while the three were crossing the Neosho River north of Emporia

Soden fell in. Watson instantly jumped in after him, calling to Eskridge who was in the lead, to "help me save Soden." Eskridge yelled back, "to hell with Soden, he can take care of himself. I'm saving the records." . . . it is said that the record book Soden had is water-stained yet.³¹²

Whether this story is true or false is not known, as the early county records are now missing. This writer has been unable to uncover any supportive information concerning Simons's story.

In October 1861, Baker became involved with two protests against Emporia's control of the county. In that month Baker once again was a delegate to a Breckinridge County Republican Party convention. The Civil War had seemingly greatly discredited the Democratic Party in the county, and Baker was seemingly making an attempt to regain some political in-

311 ibid.

312 ibid.

fluence in the county. The convention for Baker, however, represented his complete loss of political influence in the county.³¹³

The purpose of the convention was to nominate candidates of county offices and "also to elect Delegates to the Judicial and Representative Conventions."³¹⁴ When the item of business of selecting delegates to the Representative District convention came up, Baker "asked the Convention to take a recess for fifteen minutes, to give himself and friends time to caucus."³¹⁵

After the recess, Dr. D. Swim of Americus, who was serving as the convention's secretary and had remained loyal to the Republican Party throughout all the earlier factional problems,

complained that the majority were disposed to dictate to the minority, and the rights of the north side of the county were disregarded by the convention, and that as Americus township could not have its rights in the Convention the delegates from that township would withdraw. Fremont seemed to be of the same opinion, and followed Americus.³¹⁶

Following the vote on delegates for the Representative Convention, Baker "announced his withdrawal from the Convention."³¹⁷ Why Baker waited to withdraw is not known. He perhaps hoped for election as a delegate and possibly even becoming the candidate for representative himself. When he failed to be elected a delegate, he withdrew. If Baker had become a member of the House of Representatives, then he could possibly have established a new county in the northern part of Lyon

³¹³ Emporia News, October 12, 1861.

³¹⁴ ibid.

³¹⁵ ibid.

³¹⁶

³¹⁷ Ibid

County.

Plumb, in an editorial, claimed, "The County Convention . . . was not as harmonious as we could have wished -- six of the delegates having withdrawn for the alleged reason that they could not obtain what they perceived to be their rights - - the nomination of certain men for certain offices."³¹⁸

Baker then issued a call for a new political organization in the county "believing that in the present crisis (the Civil War) all former party organizations should be suspended, and that no organization should now be recognized."³¹⁹ Plumb, however, two weeks later announced that the convention "did not amount to as much as its getters -- up anticipated it would,"³²⁰ and was evidently a failure. This meeting was Baker's last known political activity in the county.

The political history of territorial Kansas was paradoxical and confusing in its contradictions. Baker, as a microcosm of that history, showed that confusion in his political activities. Even though Baker was noted for his constant shifting from one political party to another, he was consistent in his efforts to maintain a leadership role in local politics.

All political questions seemed to have been directly or indirectly related to the desires of one group or another to gain or maintain control of the county government and its seat of power. This desire was related to the benefits they might receive as land promoters and speculators in their part of the county. The territorial history of

³¹⁸ ibid.

³¹⁹ ibid.

³²⁰ ibid., October 26, 1861.

Breckinridge County was the history of the interaction between the northern and western townships, who as the county's earliest settled area were attempting to retain political control, and the southern and eastern townships, who were attempting to obtain control.

CHAPTER VI

THE FINAL PARADOX

The role of Arthur I. Baker as a person of prominence and influence in Breckinridge County came to an end in November 1860, when Emporia captured the seat of government. By January 1861, Baker had moved to Council Grove to become the editor and publisher of the Council Grove Press and proprietor of the Union Hotel.¹

Throughout his life as a settler and frontiersman in the early history of Kansas, Baker employed himself in many diverse activities and roles. Although he had achieved during his lifetime sufficient prominence in both his public and business lives, Baker was not primarily remembered by the local histories for these achievements. For it was not in Baker's life that the histories have shown their greatest interest, but in his death.

All histories concerning the early days of the Upper Neosho Valley mention Baker's death as one of its most notable events. An example of the notoriety given the death of Baker can be seen in the following account by William Jay, who wrote on local history for the Emporia Gazette in 1916:

The territory known as Lyon county had but two political killings; one was the reckless firing into a house near Neosho Rapids by some free-state ruffians, resulting in the death of a young wife. The other was the deliberate and cowardly assassination of Judge Baker, of Agnes City, by a gang of pro-slavery bandits.²

¹For a discussion of Baker's economic activities in Council Grove, refer to Chapter IV.

²Quoted in "letter of John C. Van Gundy to William E. Connelley," Collections of the Kansas State Historical Society, 1926-1928 (Topeka: Kansas State Printing Plant, 1928), XVII, p. 595.

Jay's account was typical in that it generalized the motive of Baker's death. The events leading up to the killing of Baker, however, are much more intricate and complicated than the portrayal in local histories.

The purpose of this chapter is to present a more detailed analysis of the events surrounding Baker's death and the reason for it. Indeed, there was no "political assassination." There was a murder of personal vengeance. As Jay's account indicates, Baker's death has been traditionally considered an incident directly related to the Civil War. Baker's death was related to the Civil War, but that relationship was indirect. True, had it not been for the chaos and violence inherent in the period just prior to and during the conflict, Baker would not have been involved in many of the activities in which he found himself. Thus the war years contributed an indirect explanation for the time of the murder and reasons for it.

To understand the direct reasons for Baker's murder, one must look at the events of his life. As noted, Baker, by the outbreak of the Civil War, had become the publisher of the Council Grove Press. Maloy maintained that, while an editor, Baker had "in almost every issue . . . denounced the South for her treason and pleaded for a union of all the States."³

A study of the editorials in the Press, while Baker was editor, reveals that Maloy was correct in saying that Baker was opposed to secession. This does not mean, however, that Baker was in favor of the North's immediate coercion of the South. It should be remembered that Baker was, at heart, a businessman, and such was interested in maintaining

³Council Grove Kansas Cosmos, May 7, 1886.

a stable political situation. If stability could be maintained, then business could continue as usual.

This attitude can be seen in an editorial in which Baker discussed the advantages and importance of retaining Missouri in the Union. According to Baker, if Missouri could be induced to remain loyal to the Union, then peaceful and profitable relations would be maintained between that state and Kansas.

In every interest the two commonwealths are identified, except that of slavery, and that dwindles down into an abstract question when compared with the multifarious advantages that must result from a perfect fraternal intimacy in commercial affairs.⁴

The importance of these two states,⁵ according to Baker,^{Miss} that they served jointly as the gateway to the far West and were dependent economically on that position. The economic interrelationship between the two states was such that "either one of which can lay an embargo that would distress the other beyond calculation."⁶ If conflict did come between Kansas and Missouri, however, Baker maintained that "Kansas would suffer the most Missouri would be an almost insurmountable barrier against us, so feeble are we in resources, from the blighting effects of the burning drought of last year."⁷

In his editorials, Baker took those to task who were calling for the North to march their armies into the South to coerce it into returning to the Union. For Baker, peace was preferable to war and

⁴Council Grove Press, April 20, 1861.

⁵Kansas was admitted as the thirty-ninth state of the Union, January 29, 1861.

⁶Council Grove Press, April 20, 1861.

⁷Ibid.

This happy consumation can be realized if the war-like spirit that irrepressibly is glowing in the bosoms of thousands who are desperately longing after glory on the gory battle field. If men could feel and know that ninety-nine out of a hundred who go to war, never reap military honors, and that most of them only find lingering, agonizing, and horrible oblivious annihilation. This is a war picture, but it is true. God grant that Missouri and Kansas will not, like Media (sic), butcher their own children.⁸

A second example of Baker's disdain of any possible coercion of the South was in an editorial taking Massachusetts to task for advocating it.

The State of Massachusetts is becoming rampant over the secession of the Southern States; goes in for coercion, and abuses the President because he didn't hang Hayne, the South Carolina commissioner. Go slow, you old Federal humbug. We would like to know if your resolutions of 1814, declaring Massachusetts out of the Union, have ever been rescinded. President Madison graciously received your commissioners then. We wonder if the people of that belligerent State, recollects, that while they were hatching treason in the year 1814, Gen. Jackson, with his Kentuckians, were pouring hot shot and shell into the British at New Orleans.⁹

Baker was greatly disheartened by the schism in the country and the growing possibility of war.

A deep, earnest, and growing solicitude prevades the hearts of union loving, conservative men in all parts of the country, as the period rapidly approaches which is to tell so vitally upon the future history of the nation.¹⁰

The editor of the Press blamed the nation's problems on those whom he considered radicals in both the North and the South. He was particularly contemptuous of what he felt to be the self-righteousness of the North.

⁸ ibid.

⁹ ibid., February 16, 1861.

¹⁰ ibid., February 23, 1861.

It is a fact that can not be controverted, that the troubles that now environ the nation, have, in a great measure, sprung from a kind of self-righteousness prevailing in the northern States, and more especially in New England; men there run wild upon the subject of philanthropy; they are outrageously humane and sympathetic -- If a moral undertaking is impracticable, the more zealously they advocate it, It is this selfrighteous principle that premises, because the people of the south do not think and act upon certain local subjects as we do at the north, that the south must be necessarily wrong.¹¹

Baker was equally critical of the South's radicals.

The South has refused all and every overture of a peaceful nature. Nothing, say they, will ever induce the Southern Confederation to listen to any proposition coming from the government; very well, let it be so. This country was a scene of peace, but the Southern demon, of a fanatical war spirit, is about to transform it into a scene of blood.¹²

To Baker, the real culprits of the nation's problems were the states of New England and the Deep South. Baker was constant in his belief that these two regions were working against the Union and for sectional interests.

The people of the United States, are paying 30 per cent, on sugar imported from Cuba and other foreign countries for the benefit of Louisiana; and that State is not satisfied -- has gone out of the Union. The people of New England have been waging a war against the institutions of the South, at the same time are protected in the carrying trade by discriminating laws in their favor, by the United States, so that no foreign bottom can compete with them.¹³

Baker's conclusion was that the whole situation, as found at the beginning of the Civil War, was "a commentary . . . upon the madness of men."¹⁴

¹¹ ibid.

¹² ibid., April 20, 1861.

¹³ ibid., February 16, 1861.

¹⁴ ibid.

The editor of the Press believed that with New England pressing its attitudes upon the South and the South reacting by secession from the Union, that the only hope for saving the Union "is now left entirely with the North and West. If they fail to do it, posterity will hold them responsible, the conservative people of the South are powerless."¹⁵

Although the Press's editor had long been an admirer and supporter of Stephen A. Douglas, when Douglas was defeated by Abraham Lincoln in the presidential election of 1860, Baker editorially supported the new president, "as far as his official acts shall compare with . . . (his) ideas of right and justice, to the several sections of our country."¹⁶

The editorial support by Baker, for the newly elected president, was a potpourri of sympathy, apprehension and hope. The editor of the Press made it clear that he supported Lincoln for the office which he held, not for the issues or people who elected him to that office. In fact, the sympathy which Baker expressed for Lincoln concerned the manner in which he was elected.

Unfortunately for the peace of the country, the President elect was bourne (sic) into office upon the shoulders of a sectional party -- openly hostile to the cherished institutions of a large portion of the country.¹⁷

The apprehension expressed by Baker concerned the uncertainty which he felt for his country's future

A deep, earnest, and growing solicitude pervades the hearts of Union-loving, conservative men in all parts of the country, as the period rapidly approaches which is to tell so vitally upon the

¹⁵ ibid.

¹⁶ ibid., March 30, 1861.

¹⁷ ibid., February 23, 1861.

future history of the nation.¹⁸

For Baker, the best hope for the nation was in the new president.

Baker was pleased with Lincoln's Inaugural address and referred to it as "eminently conciliatory."¹⁹ Baker stated that the new president's policy averted war and

. . . gives us infinite and unexpressible joy. The Southern States will now all return in due course of time. The border States are now satisfied of the fraternal disposition of the northern people toward them.²⁰

Unfortunately Lincoln's conciliatory policy was unsuccessful and war came. Baker resigned himself to this fact and called for action.

Arm to the muster -- grim-visaged war is upon us; we did not precipitate it, but we must meet it like men -- our cause is just -- the Constitution that Washington and his compeers gave us, we must defend, let what will come -- it is right -- and God is always with the right.²¹

Baker's loyalty to the Union was not just one of editorial support. It was expressed more vividly in his actions concerning the formation of a local militia unit. Baker was responsible for the organization of "A Company of Volunteers called the Frontier Riflemen . . . organized at Council Grove, Kansas, numbering 50 men."²² At its first meeting, Baker was chosen to lead the company as its Captain.²³

¹⁸Ibid.

¹⁹Ibid., March 16, 1861.

²⁰Ibid., March 23, 1861.

²¹Ibid., May 11, 1861.

²²Emporia News, May 13, 1861.

²³Ibid.; Council Grove Press, May 11, 1861.

Baker believed that there was a two-fold need for the organization of local militia. At a meeting in Emporia, on May 15, 1861, Baker discussed "the issues of the day, and the duty of the citizens of Kansas in general and of the Neosho Valley in particular in the present crisis of affairs."²⁴ During that speech, Baker stated that the citizens should prepare to defend themselves from "the Indians should they become troublesome, and ^{from} for the Border Ruffians of Missouri, should they make any demonstration."²⁵

Baker's primary concern for his company of volunteers was the procurement of weapons. In his call for the unit's first drill, Baker stated that "all the members are expected to be present, with guns if possible; any kind of guns will do."²⁶ As its commander, Baker had hoped that "Arms and ammunition; . . . can be obtained of the proper authorities free of charge."²⁷

By virtue of his command of the "Frontier Riflemen," Baker met at Emporia with the officers of the Sixth Regiment of the Southern Military Division of Kansas to elect Regimental and Brigade officers. Baker served as secretary of that meeting.²⁸ Although Baker expected his company to be shortly called into active service,²⁹ no evidence indicates that this ever occurred. The unit probably served as a rallying point

²⁴Emporia News, May 18, 1861.

²⁵Ibid.

²⁶Council Grove Press, May 11, 1861.

²⁷Ibid., May 4, 1861.

²⁸Ibid., May 18, 1861; Emporia News, May 18, 1861.

²⁹Council Grove Press, June 22, 1861.

for the local citizens of Council Grove during the uncertainty of those chaotic beginning days of the war. As the war developed, those citizens who fought in it evidently joined with regular units of the state militia and the "Frontier Riflemen" thus quietly disbanded.

Shortly following his activity with the "Frontier Riflemen," Baker became involved with the most controversial event of his entire life. That event was his arrest in Missouri and imprisonment and trial at Fort Scott for attempting to join the Confederate Army.

Maloy claimed that "in order that his (Baker's) motives may not be misunderstood, . . . (one must) give a detail of the circumstances attending, his capture by the Union forces, his subsequent impressment, trial and other facts connected therewith."³⁰ Since Baker's activity in Missouri immediately preceded and was indirectly related to his death, it is important that this event be discussed.

The life of Arthur Baker was one of constant paradox for the historian. When the Civil War began in 1861, Baker was a businessman, publicist and military leader seemingly loyal to the Union. By the beginning of the second year of the war, Baker was in prison at Fort Scott, charged with supporting the secessionist cause. Although Baker claimed he was innocent of any wrongdoing, testimony given by his contemporaries indicated otherwise.

When Baker returned to Agnes City, in April 1862, he wrote a letter to the editor of the Emporia News wherein he declared his innocence. Baker charged that while he was imprisoned, he had been deserted by his friends. In his letter, Baker compared his situation to the "story of the desertion of Christ by the Apostles, when he was arrested by Pilate's

³⁰Council Grove Kansas Cosmos, May 7, 1886.

soldiers."³¹ Although Baker promised to eventually tell why he went to Missouri and what he did there, that explanation was not forthcoming. It was for that reason Maloy claimed that "We, of course, cannot know what his (Baker's) motives were."³² Regardless of that acknowledgement, Maloy stated that, in his opinion, the reason for Baker's venture into Missouri was "to seek relief from the sorrow and anguish of mind caused by the death of his wife."³³ Maloy claimed that he "saw Baker the morning of his capture in Missouri . . . (and) he seemed to be laboring under some kind of abnormal excitement, and we were at a loss to understand the man."³⁴

It is the opinion of this writer, however, that Baker's "anguish of mind" was undoubtedly caused by more than just the immediacy of his wife's death. If Baker's venture into Missouri was caused by depression, then that depression was the result of an accumulation of frustrations in every phase of his life: public, private and business. Baker's wife, Susan, died in March 1861, but his business activities in Council Grove continued until October of that year.³⁵

At the same time that Baker's Council Grove business enterprises failed in October 1861, his frustrations were compounded by his failure to reenter the mainstream of Breckinridge County politics when he was forced to withdraw as a delegate to the county Republican Convention.³⁶

³¹Emporia News, April 12, 1862.

³²Council Grove Kansas Cosmos, May 7, 1886.

³³Ibid.

³⁴Ibid.

³⁵For a discussion of the relationship of Susan Baker's death to Baker's business activities in 1861, refer to Chapter IV.

³⁶Emporia News, October 26, 1861.

There were possibly two other frustrations affecting Baker at that time. His military career seemed temporarily stalled by the failure of his unit to be called up and his long-promised hope of having a new county formed out of northern Breckinridge and southern Waubaussee counties was obviously lost.³⁷

Despite Baker's profession of complete innocence, the circumstantial evidence that he was involved in some illicit activity is worth noting. What precisely was that activity? Unfortunately, it is still unclear because the various historical accounts and records are in contradiction to each other.

Maloy stated that "Baker claimed to be on his way to join the Southern army, and exhibited a paper which he claimed was a commission as Colonel in the Confederate army."³⁸ The Emporia News reported that when Baker was captured, he was wearing "a suit of secession soldier clothes."³⁹

Concerning such reports, Baker charged that

Strange and mysterious stories have been told and been published concerning my arrest and incarceration, all of which were deliberate lies from beginning to end. My object in going to Missouri was not to act in antagonism to my Government, but, on the contrary, was advised by those who have the welfare of the Nation and Kansas at heart, for an entirely different purpose.⁴⁰

Baker did not elaborate on the nature of that "entirely different purpose." He did, however, emphatically state "that it is impossible for me to be a secessionist."⁴¹

³⁷For a discussion of Baker's hope for the creation of a new county, refer to Chapter V.

³⁸Council Grove Kansas Cosmos, May 7, 1886.

³⁹Emporia News, December 7, 1861.

⁴⁰Ibid., April 12, 1862.

⁴¹Ibid.

A contemporary of Baker's, O. F. O'Dell, claimed that Baker was the leader of a "company of bushwhackers fromed on Bluff and Rock Creeks, Lyon Co., Kansas . . . (who) went on a raid somewhere down on the border counties and near the Missouri line and made a successful haul from the farmers."⁴² O'Dell stated that while in Missouri, "They happened to run into a squad of home guards, and Baker was captured and taken to Fort Scott and put into the guardhouse."⁴³

O'Dell's charge that Baker was the leader of a gang of bushwhackers seems valid for several reasons. First, when Baker was tried by a military commission, on March 24, 1862, it was in connection with a court-martial of a member of the First Kansas Cavalry for jayhawking.⁴⁴

The second reason giving credence to O'Dell's claim would be the reputation of those with whom Baker went to Missouri. Maloy stated that "Baker was accompanied by the man Ratcliffe, who was killed, and by Bill Anderson and Bert Griffin, who escaped, together with Richard Pinson."⁴⁵ O'Dell stated that James Anderson, Bill's younger brother, and William Reed, who with Griffin were cousins to the Andersons, were also in the party.⁴⁶ All of these individuals have been accorded unfavorable reputa-

⁴²O. F. O'Dell, "Along the Santa Fe Trail, And the Parts Respectively Played by 'Jim' and 'Bill' Anderson, and Members of their Infamous Gang, in the Early '60's," Border Ruffian Troubles in Kansas (Lyndon: L. D. Bailey, 1899), p. 48.

⁴³Ibid.

⁴⁴"Proceeding of a Military Commission, A. J. (I.) Baker," War Department Collection of Confederate Records, Citizen File. (Copy from The National Archives, Record Group No. 109.)

⁴⁵Council Grove Kansas Cosmos, May 7, 1886.

⁴⁶L. D. Bailey, "Along The Santa Fe Trail, Bill Anderson's Gang, And the Killing of Judge Baker, of Lyon County," Early Day's In Kansas (Olathe: Charles R. Green, 1912), p. 46.

tions. L. D. Bailey claimed that "The Andersons were from Missouri and of a rough type, and their reputation as to horse flesh was somewhat unsavory."⁴⁷

John Ratcliff, who was shot and killed at the time of Baker's capture,⁴⁸ likewise was of disreputable character. In a letter to Baker, dated March 10, 1861, Ratcliff, who was at that time in Colorado Territory, admitted to have previously stolen some horses from S. N. Wood.⁴⁹ Ratcliff also commented on efforts in Colorado for secession.

We, however, had commenced arrangements for secession, and consequently are not inclined to accept the kind offering of Congress, but rather inclined to assert our rights as independent freemen.⁵⁰

Ratcliff claimed that they had "made treaties of allaince (sic) . . . with all the Indians and Our merchants are going to the States this Spring, to get all the goods they can on tick, before the articles of secession are published."⁵¹

Although Ratcliff had requested of Baker that "These things you must keep to yourself, for I would be pointed at as a traitor, if it was known that I had peached,"⁵² the Press's editor promptly printed the letter.

The last reason why this writer agrees with O'Dell's assertion is the fact that Baker was captured "by a detachment of the Sixth Kansas

⁴⁷ibid.

⁴⁸Emporia News, December 7, 1861.

⁴⁹Council Grove Press, April 20, 1861.

⁵⁰ibid.

⁵¹ibid.

⁵²ibid.

cavalry."⁵³ According to Hane H. Haynes, whose husband was a Captain in the Sixth, "They done garrison duty, and duty around the border, watching for the rebels and bushwackers, and so on."⁵⁴

According to Maloy, Baker was "acquitted, as there was no proof of disloyalty."⁵⁵ In reality, according to the transcript of the military commission, this was not exactly true, as the Judge Advocate preferred "no charges against the prisoner, the prisoner was ordered to be discharged from custody forthwith."⁵⁶ Baker claimed that the reason why no charges were preferred, was "Because they had none!"⁵⁷ O'Dell however, claimed that Baker was released "Through the influence of friends."⁵⁸

If Baker went to Missouri as a marauder or jayhawker, it is possible that he did such not as part of the Confederate Army, but rather as part of the Union. The "Kansas Brigade," under General James H. Lane, was stationed in the vicinity of Fort Scott. Lane's brigade was widely noted for its "lawless and predatory character."⁵⁹ Lane's men were notorious for activities not unlike those listed in Baker's accu-

⁵³Council Grove Kansas Cosmos, May 7, 1886.

⁵⁴"Interview with Mrs. Jane H. Haynes, widow of Capt. Charles H. Haynes of the Sixth Kansas Cavalry, January 17, 1980," (typed copy in the Sixth Kansas Cavalry File; Archives, Kansas State Historical Society, Topeka, Kansas).

⁵⁵Council Grove Kansas Cosmos, May 7, 1886.

⁵⁶"Proceedings of a Military Commission."

⁵⁷Emporia News, April 12, 1862.

⁵⁸O'Dell, p. 48.

⁵⁹Wendell Holmes Stephenson, The Political Career of General James H. Lane (Topeka: Publications of the Kansas State Historical Society, III, 1930), p. 114.

sations. "His regiments 'contained much of that free and reckless fighting material of the frontier, which had been educated by the Missouri border ruffians to guerrilla methods.'"⁶⁰

Baker had long been a political supporter of James Lane, pictured in Figure XX, and even had indicated an admiration for the "General's" military prowess. Politically, Baker once commented, "He was for Lane all the time."⁶¹ As editor of the Press, Baker fully supported Lane's candidacy and election as the first United States Senator from Kansas. Further, the Press's editor claimed, "We believe him to be a warrior and a statesman."⁶²

It is possible that if Baker was "laboring under some kind of abnormal excitement,"⁶³ as Maloy observed, then he may have confused the situation to the extent of actually believing that he was working in conjunction with Lane. It was perhaps Lane who was referred to by Baker as being one of

those who have the welfare of the Nation and Kansas at heart . . . (and) advised (me in) . . . going to Missouri . . . for an entirely different purpose.⁶⁴

Regardless of Baker's reason for going to Missouri, following his release from the Fort Scott Stockade, pictured in Figure XXI, Baker returned to his home in Breckinridge County. The exact date of that return is not known. Maloy claimed that it was "in March or April, 1862."⁶⁵

⁶⁰Quoted in Ibid.

⁶¹Quoted in the Council Grove Kansas Press, March 26, 1860.

⁶²Ibid., March 16, 1861.

⁶³Council Grove Kansas Cosmos, May 7, 1886.

⁶⁴Emporia News, April 12, 1862.

⁶⁵Council Grove Kansas Cosmos, May 7, 1886.

FIGURE XX



General James H. Lane, early military leader and first United States Senator from Kansas. Baker had long been a follower and supporter of Lane's political and military activities. It is possible that in his own mind, Baker went to Missouri as a Lane partisan. At the time of Baker's arrest and imprisonment, Lane was the military commander of the federal troops at Fort Scott. His acquittal was possibly due indirectly to Lane's influence. (Courtesy of the Kansas State Historical Society.)

FIGURE XXI



United States military stockade at Fort Scott, Kansas. It was in this building that Baker was imprisoned as a secessionist from November 1861, to the dismissal of charges against him on March 24, 1862. (Courtesy of Kansas State Historical Society.)

O'Dell stated that Baker returned "About the 1st of May."⁶⁶ Available evidence seems to agree with Maloy, in that Baker's trial was on March 24, 1862⁶⁷ and his letter to the News declaring his innocence was dated April 9, 1862.⁶⁸ Thus one could assume that Baker returned to Breckinridge County sometime around the first of April.

Upon his return to Agnes City, Baker proceeded to put the various pieces of his life back together. In his letter to the News, Baker indicated that he had everything to live for at this point in his life. Baker claimed that all his relatives, as well as "all I love best on earth, is here."⁶⁹ He further stated that besides all his property being still intact around Agnes City, his Sac and Fox claims, "of several thousand dollars," had just been settled in his favor by the government.⁷⁰

There is one aspect of his life that Baker almost immediately moved to fulfill upon his return to Lyon County. This was an attempt to fill the void created by the death of his wife, Susan. Upon his return, Baker proceeded to date the young daughter of a neighbor, who was William C. Anderson. From this moment on, Baker's future was directly tied to the Anderson family.

Baker had once referred to Anderson as his "esteemed friend . . . , whose pleasant family know how to entertain their friends."⁷¹ Whether

⁶⁶O'Dell, p. 48.

⁶⁷"Proceedings of a Military Commission."

⁶⁸Emporia News, April 12, 1862.

⁶⁹Ibid.

⁷⁰Ibid.

⁷¹Council Grove Press, June 22, 1861.

Baker was making reference to Anderson's oldest daughter, Mary, at this point is doubtful. Yet by the time of his return to the Upper Neosho Valley, Baker was making such frequent visits to Anderson's home, at the Bluff Creek crossing of the Santa Fe Trail, that one contemporary claimed that "Anderson chose to consider that he (Baker) was engaged to marry his daughter."⁷²

Before that engagement could be realized, however, Baker showed the same inconsistency in his dating life that he had previously shown in his political life. "Baker became engaged to another young lady, the daughter of a recent settler in the neighborhood, who had taught a school there."⁷³ Baker's new bride-to-be was Annis Segur, a young girl of seventeen, born in the State of New York.⁷⁴ Annis's father, Ira B. Segur, and his family had moved to Kansas either in late 1859 or early 1860.⁷⁵ Both Baker family history and Maloy claim that the Segur family had been living with Baker at his home in Agnes City.⁷⁶ The 1860 Census and the 1861 Tax Roll for Breckinridge County, however, state that Segur had his own property.⁷⁷

About the time that Baker's engagement was announced, a team of hor-

⁷²Bailey, p. 46.

⁷³Ibid.

⁷⁴1860 Kansas Census. The tombstone of Annis Segur Baker Sommers in Greenwood Cemetary (Council Grove, Kansas) gives her birthdate as April 24, 1845 and death as May 14, 1875.

⁷⁵The 1859 Territorial Census had no listing for Segur, but the 1860 Kansas Census listed him as a farmer.

⁷⁶"Baker Family Genealogical History" (Property of Fannie Axe); Council Grove Kansas Cosmos, May 7, 1886.

⁷⁷1861 Tax Assessment Roll, Breckinridge County.; 1860 Kansas Census.

ses was stolen from Segur.⁷⁸ The alleged horse thief was Lee Griffin, a cousin of the Anderson brothers, and one of the gang of raiders who rode with Baker to Missouri.⁷⁹ It is not clear whether the two Andersons were directly involved in the actual crime or whether they were only tied to it by rumor. It is clear, however, that there was only a warrant issued for Griffin at this point.⁸⁰

In response to the theft of not only Segur's horses, but also "the belief that an organized gang of thieves had their headquarters in their midst,"⁸¹ Baker and his neighbors began a long search for Griffin and the stolen horses.⁸² In that search "Baker had gone west beyond Council Grove, meeting Lee Griffin, who had been out west and had traded the horses on the (Santa Fe) road."⁸³

Why Baker had not arrested Griffin at that time is not now known. Perhaps Baker was primarily interested in only the return of the horses, or, due to his previous association with Griffin, perhaps he for some unknown reason did not wish to harm his former compatriot. For whatever reason, Baker continued west where he found the two horses about eighty miles beyond Council Grove.⁸⁴ Van Natta states that Baker found one of

⁷⁸Jacob Van Natta, "Santa Fe Trail Experiences," Early Days In Kansas (Olathe: Charles R. Green, 1912), 11, p. 54. Van Natta claimed that they were "a span of fine bay horses."

O'Dell, p. 48. O'Dell claimed that they were "a pair of large iron-gray horses."

⁷⁹O'Dell.

⁸⁰Van Natta.

⁸¹Emporia News, May 17, 1862.

⁸²ibid.

⁸³Van Natta.

⁸⁴Emporia News, May 17, 1862.

ur's horses on a ranch, and "the other in the hands of a Mexican on road."⁸⁵ Baker then arrested the Mexican and returned with him to home on Rock Creek, where "he (the unnamed Mexican) was bound over appear at District Court."⁸⁶ The Emporia News later reported that the Mexican was "one of the gang of horse thieves and desperados to which Andersons belonged."⁸⁷

When the news of the arrest warrant for Griffin reached the elder Anderson, he, with his oldest son, Bill, "saddled up their horses, rode to Baker's and told him if he did not have the warrant withdrawn by A.M. next day they would surely kill him, and rode away."⁸⁸

The Emporia News, stated that "Anderson, and his son, . . . were connected by rumor, with the horse thieves, (and, that) Baker, among others, had spoken of Anderson in that connection."⁸⁹ It was for that, and perhaps one or two other reasons, which it is not necessary to make public, (that) Anderson sought his life."⁹⁰ Bailey claimed that one of these other reasons was Baker's reneging on what Anderson supposed to be an engagement to marry his daughter.⁹¹

The News claimed that the elder Anderson had taken a double-barrelled shotgun⁹² and was intent upon killing Baker right then and there.

⁸⁵Van Natta, p. 55.

⁸⁶Emporia News, May 17, 1862.

⁸⁷Emporia News, July 12, 1862.

⁸⁸O'Dell, p. 49.

⁸⁹Emporia News, May 17, 1862.

⁹⁰Ibid., July 12, 1862.

⁹¹Bailey, p. 46.

⁹²The weapon which Anderson carried had been previously borrowed from Bailey, "for the purpose of killing ducks." Ibid.

Anderson's son, however, "prevented the execution of the threat, and Anderson went away."⁹³

Anderson's threat to Baker occurred on Sunday, May 11, 1862.⁹⁴

That evening Anderson went to Emporia, where he proceeded to become quite drunk. Van Natta, who had been a member of the posse in search of the stolen horses, had a run-in with Anderson at his home, early the following morning, and claimed that Anderson "was yet under the influence of liquor."⁹⁵

Later that morning as Van Natta was traveling east from Baker's on the Santa Fe Road, he, along with several others, including Segur and Baker's fiancée, again met Anderson, this time "with his double-barreled gun, loaded and cocked."⁹⁶ Van Natta claimed that Anderson "was very abusive and threatened us . . . (and) insisted on us going back to Baker's with him, which we did."⁹⁷

The party reached Baker's about noon and Anderson went into the house in search of Baker.⁹⁸ Baker was upstairs in the house, where the Mexican was being held. Anderson, who "was in a bad humor,"⁹⁹ started up the stairs "avowing his intention to kill him (Baker)."¹⁰⁰ When Anderson reached "about half-way up, Baker appeared at the head of

⁹³Emporia News, May 17, 1862.

⁹⁴Ibid.

⁹⁵Van Natta, P. 54.

⁹⁶Ibid., p. 55.

⁹⁷Ibid., p. 56.

⁹⁸Emporia News, May 17, 1862.

⁹⁹Van Natta.

¹⁰⁰Emporia News, May 17, 1862.

the stairs and shot Anderson through the breast, killing him instantly."¹⁰¹

Baker family history claimed that Anderson had been "crazy with drink and walked into . . . (Baker's) house and began shooting at him. In defense, . . . (Baker) killed him."¹⁰² Although no other accounts claim that Anderson actually fired his weapon, both Maloy and the Emporia News stated that Baker fired in self-defense.¹⁰³ Van Natta, who served on the jury "for the coroner's inquest trial" of Baker for Anderson's death, stated that he was acquitted.¹⁰⁴

Van Natta also claimed that the Mexican was tried and acquitted. The News, however, reported that on the night of the day that Anderson was killed, "a crowd of armed men, numbering thirty or forty (sic) had collected at Baker's, full of vengeance for all horse thieves. Soon after dark, the Mexican was suddenly seized and taken from the room and the custody of the constable to the woods nearby, and hung to the nearest tree until dead."¹⁰⁵

Maloy claimed that upon returning Segur's horses, Baker "at once made affidavit and had a warrant issued for the arrest of the Anderson boys."¹⁰⁶ There is, however, no other record of any official charges made against the Andersons. Van Natta states that Bill Anderson "who

¹⁰¹ Ibid.

¹⁰² "Baker Family."

¹⁰³ Council Grove Kansas Cosmos, May 7, 1886,; Emporia News July 12, 1862.

¹⁰⁴ Van Natta, p. 56.

¹⁰⁵ Emporia News, May 17, 1862.

¹⁰⁶ Council Grove Kansas Cosmos, May 7, 1886.

had gone as escort to Lee Griffin, returned in time to attend the trial."¹⁰⁷ The News reported that

during the afternoon of Monday (the day of his father's death), young Anderson came to Baker's and delivered himself up to the authorities, to save himself from a mob which he said was being raised . . . to hang him. Fearing, however, that the authorities would not be able to protect him, he gave bail, mounted a fleet horse, and started for Missouri.¹⁰⁸

It is possible that this was the same mob who upon reaching Baker's, and finding that Bill Anderson was not there, proceeded to hang the ill-fated Mexican.

O'Dell, however, presented a different version of basically the same story. O'Dell claimed that Bill Anderson came to "One Hundred Fourty Two Mile Creek (sic)," where O'Dell lived, "for the burial of his father."¹⁰⁹ Van Natta confirmed the fact that that was where the elder Anderson was buried.¹¹⁰ O'Dell claimed that

after the burial, (Bill Anderson) stood his examination before Squire Tenager, at 142 Creek. He employed an attorney by the name of Rug(g)les, of Emporia, Kansas. The complaint or warrant being defective, Bill was set at liberty, he mounted his horse (Silver Heels) and rode away before other papers could be issued.¹¹¹

Just after Anderson's acquittal, C. H. Withington, Baker's close friend, remarked "that there had been a time in Kansas when there would have been no chance for lawyers to pick flaws in papers; that such crimes as Anderson's would have been punished on the spot."¹¹² According to

¹⁰⁷Van Natta.

¹⁰⁸Emporia News, May 17, 1862.

¹⁰⁹O'Dell, p. 49.

¹¹⁰Van Natta, p. 57.

¹¹¹O'Dell.

¹¹²ibid.

Dell, young Anderson, upon "overhearing the remark, grabbed an ax and dealt the old man a fearful blow, knocking him down; he then mounted his horse and fled."¹¹³ The News claimed that as he fled, Bill Anderson "swore vengeance on Baker and others."¹¹⁴ In early June, just three weeks following the death of Anderson and Baker's marriage, "a stranger with a team came and moved the Anderson family away from the neighborhood."¹¹⁵

Two days after the tragedy of Anderson's death Baker proceeded with his planned wedding to Annis Segur.¹¹⁶ Bailey sarcastically remarked that "the wedding was not postponed on account of the weather, or, yet, on account of the funeral."¹¹⁷

With the various parts of his life being put back together following his marriage, Baker "continued to reside at his old place and carry on business as usual."¹¹⁸ Baker's business was, at that time, almost totally confined to running his farm and store at Agnes City.¹¹⁹ Evidently his store was doing such a good business in supplying goods to the wagon trains on the Santa Fe Trail, that a younger brother of his wife lived in his family and acted as clerk and general helper.¹²⁰

¹¹³ibid., p. 50.

¹¹⁴Emporia News, July 12, 1862.

¹¹⁵O'Dell.

¹¹⁶Morris County Marriage Records, Book A (Office of the Probate Judge, Morris County Courthouse, Council Grove, Kansas). County records give the wedding date as May 14, 1862 and the ceremony was performed by the Reverend Joab Spenser.

¹¹⁷Bailey, p. 46.

¹¹⁸ibid.

¹¹⁹"Baker Family."

¹²⁰Bailey, p. 46.

Thus Baker seemingly concerned himself with his business rather than the stated threat against his life by the Anderson brothers. The News later commented, "It is a little surprising to us that, with his natural shrewdness, he should not have been more guarded."¹²¹

There is, however, ample evidence that Baker was concerned by the threat on his life. When his home was excavated in the summer of 1972, gun parts and unspent shells were uncovered alongside each of the three doors and by several of the windows; thus indicating that Baker had allowed for some preparedness in the event his home should be attacked by the Andersons.¹²² Maloy confirmed Baker's readiness for the Andersons when he stated that Baker had told him that "he would sooner or later die at the hands of Bill Anderson or his party, and he always went prepared for the worst."¹²³

The Andersons did return to fulfill their desire for vengeance. They, along with three others, "returned to Rock Creek on the second of July, but learning that Baker was absent from home did not permit anyone to know of their presence in the neighborhood."¹²⁴ On the following day, Baker and his bride returned from Emporia and the Andersons prepared their plans to strike against him.¹²⁵

O'Dell claimed that Jim Anderson later described to him how "they had killed Baker and burned him up in his own house."¹²⁶ The News reported

¹²¹Emporia News, July 12, 1862.

¹²²W. Michael Shimeall, unpublished field notes taken on an archeological excavation of Arthur Baker's home at Agnes City, July, 1972.

¹²³Council Grove Kansas Cosmos, May 7, 1886.

¹²⁴Ibid.

¹²⁵Ibid.

¹²⁶O'Dell, p. 50.

that the raid had occurred "On Thursday evening, the 3rd of July, at about 8 or 9 o'clock."¹²⁷ O'Dell quoted Jim Anderson as saying that "They went to Baker's soon after dark and secreted themselves near the grocery."¹²⁸

The Andersons then sent a member of their party to Baker's door to lure him out by claiming to be a wagon master who had come ahead to procure supplies for his train.¹²⁹ Maloy stated that "This manner of purchasing goods by the 'boss' of a train was an everyday occurrence, and the Anderson party knew this ruse would not create any suspicion."¹³⁰ Baker, nevertheless, took the precaution of strapping on a pair of revolvers and was accompanied by his young brother-in-law, George Segur.¹³¹

One of the items requested was whiskey, which Baker kept in the cellar of the store. Both Baker and Segur descended through the trap door to get the whiskey. As they did so, the remainder of the gang rushed into the store and fired down at Baker, hitting both him and Segur.¹³² When this happened "Baker reeled upon the steps, drew his revolver, and fired into the crowd, hitting Jim Anderson in the thigh, but not seriously wounding him."¹³³ O'Dell claimed that when the Andersons later visited him, however, that the leg was still "bleeding some-

¹²⁷Emporia News, July 12, 1862.

¹²⁸O'Dell.

¹²⁹Bailey, p. 46.

¹³⁰Council Grove Kansas Cosmos, May 7, 1886.

¹³¹ibid.

¹³²Bailey, p. 46.

¹³³Council Grove Kansas Cosmos, May 7, 1886.

what."¹³⁴

The Andersons then closed the cellar door with their victims trapped beneath, and "rolled a barrel of sugar up to the door and set fire to the building."¹³⁵ Bailey claimed that as they rushed into the store, the Andersons "with a triumphant yell told Baker that they 'got him at last and were going to burn him up alive in his hole."¹³⁶

Segur had managed to escape through a back window in the cellar and eventually made his way to hide and cool his burns in the creek. The young boy died the next day after telling of what happened in the store.¹³⁷ Young Segur claimed "that when Baker found that the store was on fire, he shot himself through the head to keep from the horrible death of being burned alive."¹³⁸

After making sure that Baker would not escape from his fiery grave, the raiders "then set fire to the remainder of his property, consisting of a large stone dwelling, several out-houses, a carriage, etc."¹³⁹ The News reported that "Baker's head, arms and legs were literally burned to ashes."¹⁴⁰ His wife and her family left in the house when Baker went to the store, fled to the woods along the creek and hid until the raiders left.¹⁴¹ Family history claimed that the women had been pre-

¹³⁴O'Dell, P. 50.

¹³⁵Ibid.

¹³⁶Bailey, p. 46.

¹³⁷Emporia News, July 12, 1862.

¹³⁸O'Dell, p. 50.

¹³⁹Emporia News, July 12, 1862.

¹⁴⁰Ibid.

¹⁴¹Council Grove Kansas Cosmos, May 7, 1886.

paring apple pies for the fourth of July celebration in Council Grove. These pies had been left unbaked on the kitchen table when the raiders struck. As the women were hiding along the creek they claimed that they could smell the pies baking in the flames, as they consumed the house.¹⁴²

From the moment of Baker's death, Bill Anderson, illustrated in Figure XXII, became known in the histories of the West as "Bloody Bill." He and the other raiders fled back to Missouri. They managed to travel a distance of over one-hundred-and-twenty miles in less than sixteen hours. They did this by stealing fresh horses from the various stage stops on the Santa Fe Road.¹⁴³ Following his raid on Baker's, "Bloody Bill" Anderson became not only a trusted lieutenant to the guerrilla leader William Quantrill, but a notorious leader in his own right.¹⁴⁴

Just as the life of Arthur I. Baker was one of controversy and paradox, the events connected to his death were also highly enigmatic. Not only had Baker's life been caught up in local grievances and issues, colored by the overriding national climate, but so too was his death. Baker was killed because of a local grievance with his neighbors and former compatriots. Since his death occurred, however, during the Civil War, and at the hands of a man destined to be one of the most feared Confederate guerrilla leaders, official histories directly relate it to the greater conflict.

There are a couple of possible reasons for this almost casual treatment by historians of Baker's death. The first is that Anderson

¹⁴²"Baker Family."

¹⁴³Emporia News, July 12, 1862.

¹⁴⁴Wiley Britton, The Civil War on the Border, 1862-1865 (New York: The Knickerbocker Press, 1898), passim.

FIGURE XXII



William "Bloody Bill" Anderson, as photographed during the Civil War. Anderson murdered Baker on July 3, 1862, in retaliation for Baker having previously killed his father. Anderson, a former neighbor and compatriot of Baker's, later became one of the most notorious Confederate guerrilla leaders of the Civil War. (Courtesy of the Missouri State Historical Society.)

himself claimed that his death was directly related to the war.

I lived in Kansas when this war commenced. Because I would not fight the people of Missouri, my native State, the Yankees sought my life, but failed to get me. Revenged themselves by murdering my father, destroying all my property, and have since that time murdered one of my sisters and kept the other two in jail for twelve months.¹⁴⁵

Anderson was referring to Baker's killing of his father as a reason for his Confederate activity in the war. This would imply that his retaliation against Baker was also tied to the war. His reference to his sister's death was in connection to the collapse of the Union prison in Kansas City for female prisoners. Anderson's sisters had been arrested as Confederate spies and quartered on the second floor of a temporary prison. Due to the undue stress on the building, it collapsed and Anderson's sister, Josephine, was killed.¹⁴⁶

The second reason for tying Baker's death directly to the Civil War is that his heirs and family made a concentrated legal effort to have it designated as a casualty of the war. The purpose of this effort was to make those heirs eligible for a reimbursement "of losses of Citizens of the State of Kansas by the invasion of bands of guerrillas and marauders during the years 1861, 1862, 1863, 1864 and 1865."¹⁴⁷ Due to the fact that Baker's heirs were successful in getting his death tied to the war, instead of being a killing of personal vengeance, the state leg-

¹⁴⁵Richard S. Brownlee, Gray Ghosts of the Confederacy, Guerrilla Warfare in the West, 1861-1865 (Baton Rouge: Louisiana State University Press, 1958), p. 201.

¹⁴⁶William E. Connelley, History of Kansas (New York: The American Society, Inc., 1928), II, pp. 632-34.

¹⁴⁷"Probate File of Arthur I. Baker, File 390" (Office of Probate Judge, Council Grove, Kansas).

islature of 1887 certified the losses to his estate at \$8,078 and allowed for a payment of \$2,500 to the heirs.¹⁴⁸

Thus a cold-blooded murder which ended the life of one of the earliest Kansas pioneers, created not only for Baker, but for the historian in his study of this frontiersman, the final paradox.

¹⁴⁸Journal of the Senate (Topeka: State Printer, 1887), p. 551.

CHAPTER VII

SUMMARY AND CONCLUSIONS

Few Kansans have been more closely associated with the events of their state's territorial history than Arthur Inghram Baker. Few of its pioneers have been so prominent, yet so misrepresented in her histories. Between 1847 and 1862, Baker became one of the best known frontiersmen of the Upper Neosho Valley. He was an articulate, yet largely self-educated man with remarkable versatility, as evidenced by the diversity of activities which he undertook. Since these activities have so closely paralleled many of the more notable events in early Kansas history, Baker has become, for this writer, a microcosmic study of those events.

Baker entered upon the Kansas scene in 1847, as a blacksmith with the Mississippi Sac and Fox Indian nation, when they were removed by treaty from their Iowa lands. He remained in the service of the agency for the next seven years, serving the last five as a trader. In 1854, however, Baker's intemperate attitude and actions brought him into disfavor with the resident agent. His license to trade was not renewed and he was ordered to vacate his claims on the reservation.

Baker did not acquiesce to the agent's edict, but proceeded to fight back. He counter-charged and even took his case for reinstatement to the Congress. The evidence shows that an investigation, by the Superintendent of Indian Affairs, found in favor of the dismissal. In a later investigation, however, Baker was awarded damages for any losses he incurred as a result of his dismissal.

The fact that two Indian Commission investigations drew seemingly two different conclusions illustrates the dilemma that the historian finds himself in. Looking back at Baker's life, one finds unanswered questions,

paradox and controversy concerning what was truth. In the matter of his dismissal, like later charges brought against him, Baker steadfastly pleaded his innocence.

It is at this moment of crisis, however, that Baker first showed the resiliency and tenacity that was to characterize him as a frontiersman. Instead of abandoning the territory entirely, Baker relocated himself and his family on Kanza Indian land at the Rock Creek crossing of the Santa Fe Trail. Here he began to reevaluate opportunities which might arise, as a result of the territory being opened to permanent white settlement.

The activities in which Baker employed himself are as diverse as the needs of the settlers who poured into the Upper Neosho Valley. Baker opened a store and was appointed one of the first postmasters in what later became Lyon County. As a merchant, Baker not only served the long wagon trains engaged in the Santa Fe trade, but also the squatters who hoped to gain title to Kanza lands. It was as a merchant at Agnes City on Rock Creek that Baker began and ended his existence in the Upper Neosho Valley.

At Rock Creek on the Santa Fe Trail, Baker constructed one of the first homes in the territory. The exact location of his home, a two-story stone structure modeled after the Kaw Indian Mission, has been a matter of local historical confusion. Its location was mistakenly thought to be five miles east at the Bluff Creek crossing of the Santa Fe Road. Ironically, the location given by local historians was that of the home of those who were later responsible for Baker's murder. Research by this writer, however, has corrected this fallacy.

A second misconception concerned when Baker settled in the county. This error was grounded in the fact that Baker's home at Rock Creek was

geographically associated with Council Grove. Following his death, the two-mile strip on the western boundary of Lyon County, on which Baker's home was located, was transferred to Morris and Chase counties. Baker's association with Council Grove was more than just geographical. His family and closest friends were either living in or near the community, and Baker himself lived and worked in Council Grove for the better part of a year before his death. Regardless of this association, research shows that when Baker relocated from the Sac and Fox reservation in 1854, he became one of the first, if not the first, settlers in Lyon County.

Besides his store at Rock Creek, Baker developed what has been described as one of the finest farms in the territory. Baker's principle activity as a farmer was that of a stockman. Available evidence indicates that in all probability Baker did not actually personally engage in husbandry. He used reservation Indians, hired hands, tenants, and sharecroppers to work his farm.

While watching the Kansas frontier fill with settlers, and having turned both his farm and store over to others to run for him, Baker switched his energy to new and more profitable pursuits. By 1857 Baker had hung out his shingle as an attorney and counsellor of law.

Although Baker did serve as an attorney in criminal cases, his real forte seemed to be civil law, especially in the area of legal matters concerning real estate. Being an attorney gave legitimacy to his most notable economic pursuit, which was that of town promoter and land speculator.

Baker sincerely believed that when Kansas eventually became a state, its capital would be located in the Upper Neosho Valley. He reasoned that the territory would be squared and its capital established

in the center. Thus logically, the natural location would be near his home at Rock Creek. His economic future would be directly tied to the promotion of the area for settlement.

Baker's interest in land speculation was twofold. As a self-proclaimed attorney and land agent he readily procured property for migrants hoping to settle on choice sections of land in the new territory. As early as 1856, Baker was promoting the availability and advantages of settling in the Upper Neosho Valley. He did this by publishing letters in newspapers with either circulation or editorial support in the East.

A second and more profitable aspect of being a land speculator and agent was in town development. Besides having established Agnes City at his claim on Rock Creek, Baker soon became involved in the establishment, plating and promotion of other new communities. Many of these, like Agnes City, are now ghost towns and the location of some are lost to history. Two of Baker's enterprises did survive, however, and they developed into the two most prominent communities in Lyon County. Baker was primarily responsible for obtaining^{ing} the title and thus the incorporation of both Americus and Emporia.

Since Baker's land agent activity preceeded land acts such as the Homestead Act, Baker used other means to obtain title. The one most often employed was in getting a veteran, or someone eligible for a veteran's claim, to allow Baker to file for the desired property in his or her name, and then purchase it from them at a small price. The system seemingly benefited both parties. The veteran was able to make some extra money without having to leave his home, and Baker was able to obtain valuable property at little expense.

Two factors affected Baker's town promotion and land speculation

activities in 1861. First, the Union was dissolving and, with war ready to erupt, the steady flow of new settlers from the East was cut to a trickle. Second, although he continued being a land agent, Baker temporarily moved his place of business to Council Grove.

The reason for this move was that Baker, the gentleman farmer, merchant, attorney and land agent, added to his frontier roles by becoming the editor and proprietor of the Council Grove Press. As editor, Baker used the Press as an instrument of promotion for the economic interests of the Santa Fe trade and the local business leaders involved in it. His goal was to promote the trade and Council Grove, which was dependent on it.

Shortly after becoming the Press's editor, Baker expanded his business ties to Council Grove by purchasing the Union Hotel. Both activities were cut short late in 1861, however, when the death of his wife and a poor return on his investment caused Baker to engage in other activities.

Although Baker became involved economically in a wide variety of activities, he remained constant as a pioneer who attempted to develop, promote and give service to an untamed territory. To accomplish and fulfill his economic life, Baker was thrust into the political affairs of the territory. As an articulate promoter of the frontier, it seemed only natural that Baker would enter local and territorial politics.

Although there is a direct relationship between Baker's economic and political life, it is in the latter that he is remembered in local history. It is in his political life that Baker is best seen as a perplexing and paradoxical study of a frontiersman. This is due in part to the nature of the time and place that Baker became active in politics. It is

also due to the fact that, unlike other pioneers such as Plumb and Wood, Baker was first and foremost a frontier promoter and not a political purist. Thus Baker could and did shift with relative ease from one political party or position to another. As a speculator, Baker was interested in maintaining a political climate favorable to economic growth, and not in maintaining a constant political theory. As a result, to his supporters Baker was an open, sincere and honest leader. To his detractors, however, he was considered arrogant and unprincipled, interested only in gaining total control of the county by a small minority. They ridiculed him as the "Napoleon of Breckinridge County."¹

When the Kansas territory was created in 1854, Baker became almost immediately involved in its politics. This was only natural, as the limited number of settlers in the territory and Baker's growing prominence all but dictated his involvement.

The first mention of Baker in Kansas political history is in reference to the use of his home as the polling place for the western district in the congressional delegate election of 1854. He is also mentioned as an election judge in both that election and in the 1855 territorial legislature election. In January of that year, Baker was commissioned Justice of Peace for the entire western district.

It is as a candidate in the 1855 election, however, that Baker is best remembered in territorial politics. Although Baker is best remembered as a Free State candidate and considered one of its leaders in 1855, available evidence and testimony state otherwise. In 1855 Baker was far more sympathetic to a Pro-Slavery position than a Free State one. The confusion over his party allegiance stems from the fact that Baker later

¹Council Grove Kansas Press, November 28, 1859.

became active in the Free State party, and that at the conclusion of the Civil War it was the former Free Staters who wrote the first state histories. It was these histories, striving to prove the consistency of Republican and Free State principles, which defined the meanings of the political labels used in the 1855 election.

Whereas the traditional definition of Free State and Pro-Slavery has been dependent upon whether one was in favor or opposed to the extension of slavery in Kansas Territory, that definition for the Election of 1855 is too simplistic. The year 1855 saw no organized political parties in Kansas. The terms Free State and Pro-Slavery were general labels given to two loose coalitions. The issue was not slave or free labor for Kansas. Rather the issue was whether or not the leaders of Missouri would be able to directly control the territorial government. With this issue in mind, a proper definition for Free State becomes one of freedom from that Missourian control. The name Pro-Slavery then is given to the Missouri faction. Thus it was possible for many of the 1855 Free State candidates, like Baker, to own slaves. Although Baker, a slave owner, was certified as elected; the Missouri-controlled legislature disavowed that election.

Baker again ran for the legislature in 1856, this time under the Pro-Slavery label. As in 1855, Baker went down to defeat, losing to the Free State candidate this time. The 1856 election saw the party lines more formally drawn and the beginning of some centralized party organization.

After his 1856 defeat, and having watched the influx of northern settlers into the Upper Neosho Valley, Baker rid himself of his slaves and began his conversion to traditional Free State principles.

Following this defeat, except for a try for a circuit judgeship

in the 1858 Leavenworth Constitution election, Baker concentrated his political activities at the local level. His involvement at the local level began when the 1857 Pro-Slavery legislature established Breckinridge County, with its seat of government in Baker's home, and appointed Baker as its first Probate Judge.

As a county political leader, Baker was drawn into a closer alliance with the newly established Free State Party. He quickly showed his allegiance to the party by being elected to its territorial convention. The reason for Baker's conversion was tied to his involvement in the county government. With the majority of new settlers in the county coming from the northern states, it became necessary for any aspiring politician, such as Baker, to ally himself with that faction.

As the chief executive and judicial officer of the county, Baker was the foremost leader in its early political life. In October 1857, his service as Probate Judge and head of the County Commission was endorsed by the voters when he was elected to continue in that post.

As a county official, Baker was interested in retaining control of the county by the northern and western townships. Such control was increasingly hindered by the fact that much of the land in those townships was on the Kanza Reservation and thus closed to any legal permanent white settlement. As a result, the majority of new settlers gravitated to the eastern and southern townships. This tendency accounted for the sharp rise in the population of Emporia in comparison with other Breckinridge County communities.

Failure of the settlers on the "Kanza lands" to successfully gain ownership rights to their claims greatly aggravated Baker's efforts to promote settlement in that area and thus retain political control of the county. Along with its tremendous growth in population, the southern

townships had the added advantage of some very ambitious leadership. Emporians, such as Preston B. Plumb, had dedicated themselves to gaining control of the county government and relocating its seat in their city. The fulfillment of their desires brought a sharp end to Baker's leadership in county political affairs and helped to spur his removal to Council Grove.

In the meantime, however, Baker concentrated his efforts in a holding action against the Emporians. Since Agnes City was on the "Kanza lands," and to forestall continued criticism by Plumb, the county seat was moved to Americus. Americus was a city created by Baker for the sole purpose of becoming the new county seat. Baker retained control of Americus by becoming its first town company president.

Baker ^{and} ~~the~~ the county commissioners, however, could only designate a temporary location for the county seat. A permanent location could be decided only by a vote of the entire county. The county seat question was the most hotly contested and divisive issue in the county's history. The two major contenders for the seat were Americus and Emporia.

In 1858 Emporia was located on the southern border of the county and thus suffered as a county seat candidate. Although Americus had won the permanent county seat election in October 1858, Emporia managed to have the southern boundary of the county extended and began to work for a new election.

To counteract such a move Baker and the county commission created three new townships, thus successfully splitting the southern vote. Since the legislature ^{then} ~~now~~ changed the physical make-up of county boards, by having township representatives rather than a board of three commissioners elected at large, such a move retained control in the hands of the Baker faction.

County government by township representatives was just temporary, however, as the board of commissioners was restored the following year. This was the beginning of the end for Baker and Americus as county seat.

Until 1860 there had only been one political party organized in Breckinridge County. What began as the Free State Party, had been re-organized as the Republican. All political battles, up to this time, had been fought within the confines of that party. The county seat question of 1860, along with the national election, now necessitated the formation of a county Democratic Party. This party was centered around Americus, with the Republican controlled by Emporia.

With the party lines thus drawn, a new election was held for the commission. The Republican-Emporia faction easily won control and soon called for a new county seat election. The second election for a permanent county seat was the victory⁵⁰⁵ which the Emporians had fought so hard.

This victory was gained by swaying votes away from the northern townships. The Emporians had promised that if the northerners would vote for their city, then they in turn would support a legislative bill creating a new county made up of the northern townships of Breckinridge and the southern^{Lones} of Wabaunsee. This support, however, was not forthcoming and the northerners, Baker included, bitterly disengaged themselves from Breckinridge politics.

The loss was as complete for Baker as the victory for Plumb. Although he later made one last attempt to rejoin the county Republican party, Baker was never again a force in its politics. By January of the following year he moved to Council Grove and became the editor of its paper.

With the Emporia victory in 1860 and the county seat question settled, political activity became more and more concerned with national

issues. The year 1861 saw the dissolution of the Union and the beginning of the Civil War. As editor, Baker was a staunch supporter of Lincoln and the Union. As a community leader, he was responsible for the organization and recruitment of a company of volunteers, serving as its captain.

With the death of his wife in the spring of 1861 and the failure of his Council Grove enterprises, Baker became involved in his greatest controversy. In the fall of that year he led a gang of bushwhackers into southern Missouri where they ran into the Union Army. Baker was arrested and charged with supporting the secessionist cause. He was held for several months at Fort Scott without trial before the charges were dropped and he was released. The question of whether Baker was acting on his own when he went to Missouri or in some semi-official capacity, perhaps under Lane, is left unanswered. The extent of Lane's involvement in the promotion of jayhawking would be worthy of some future study.

When Baker returned to Lyon County, and his home at Rock Creek, he took up once again the life of a store keeper, gentleman farmer and town promoter. It was not long before he became involved, however, in another controversy. This one involved his personal, rather than his business or political life.

Although he had been calling on a neighbor's daughter, causing the neighbor to consider him interested in marriage, Baker, without prior indication, announced his betrothal to another. The first young lady's brothers, named Bill and Jim Anderson, took offense and became involved in the theft of a team of horses belonging to Baker's fiancée's father. Baker's response was to swear out an arrest warrant for the theft and to hunt down the horses. The Anderson's father, after having made previous threats, went to Baker, intending to kill him. Baker, however,

fired the first shot and killed Anderson in self-defense.

The Anderson brothers, after vowing revenge, fled to Missouri, where they joined Quantroll. In July, 1862, the Andersons returned, and using a ruse managed to trick and then kill Baker in his store. The murder of Baker and the burning of his store and home to the ground was, according to local history, the beginning of the notorious career of "Bloody Bill" Anderson. It was because of Anderson's Civil War notoriety that Baker's death has been treated by local history as a Civil War casualty. The tie of his death to the war was enhanced by Baker's heirs, when they later successfully had his name added to a claim bill for damages committed by guerrilla activity in Kansas. Such a tie meant twenty-five hundred dollars to his heirs.

Evidence has shown, however, that Baker was not a casualty of the war, but a victim of personal revenge. Baker's death was perhaps a catalyst for Anderson's Civil War career, but not a result of it.

The early history of Kansas was one of violence, a battleground of conflicting ideologies and ways of life. It was the scene of the frenetic activities of speculation and settlement. It was a time that invited controversy rather than compromise. As one of its first pioneers, the life and death of Arthur Inghram Baker is thus of importance. It is in that life that the myriad activities found on the frontier can be seen.

Baker, the little-remembered pioneer, was responsible, perhaps more than any other single individual, for the opening up and settlement of the Upper Neosho frontier. He was its first true leader and promoter. As a promoter, he reached for the stars, only to find that others were to best him there.

Baker's potential for any further contribution to Kansas and the

Upper Neosho Valley remained unfulfilled due to his murder. Because of this, Baker, instead of holding a central place, has been relegated to but a footnote of its history. Yet, as frontiersman, pioneer leader and promoter of its settlement, Baker's life and death is important to any true understanding of the history of Kansas and the Upper Neosho. For that life is salient in the fact that Baker transcends Kansas' pre-territorial, territorial and early state history.

It is for this reason, that the writer has seen fit to place Baker's "little romance . . . before the public."²

²Emporia News, April 12, 1862.

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Probate Estate Records of Arthur I. Baker, (in Morris County Probate Court files).

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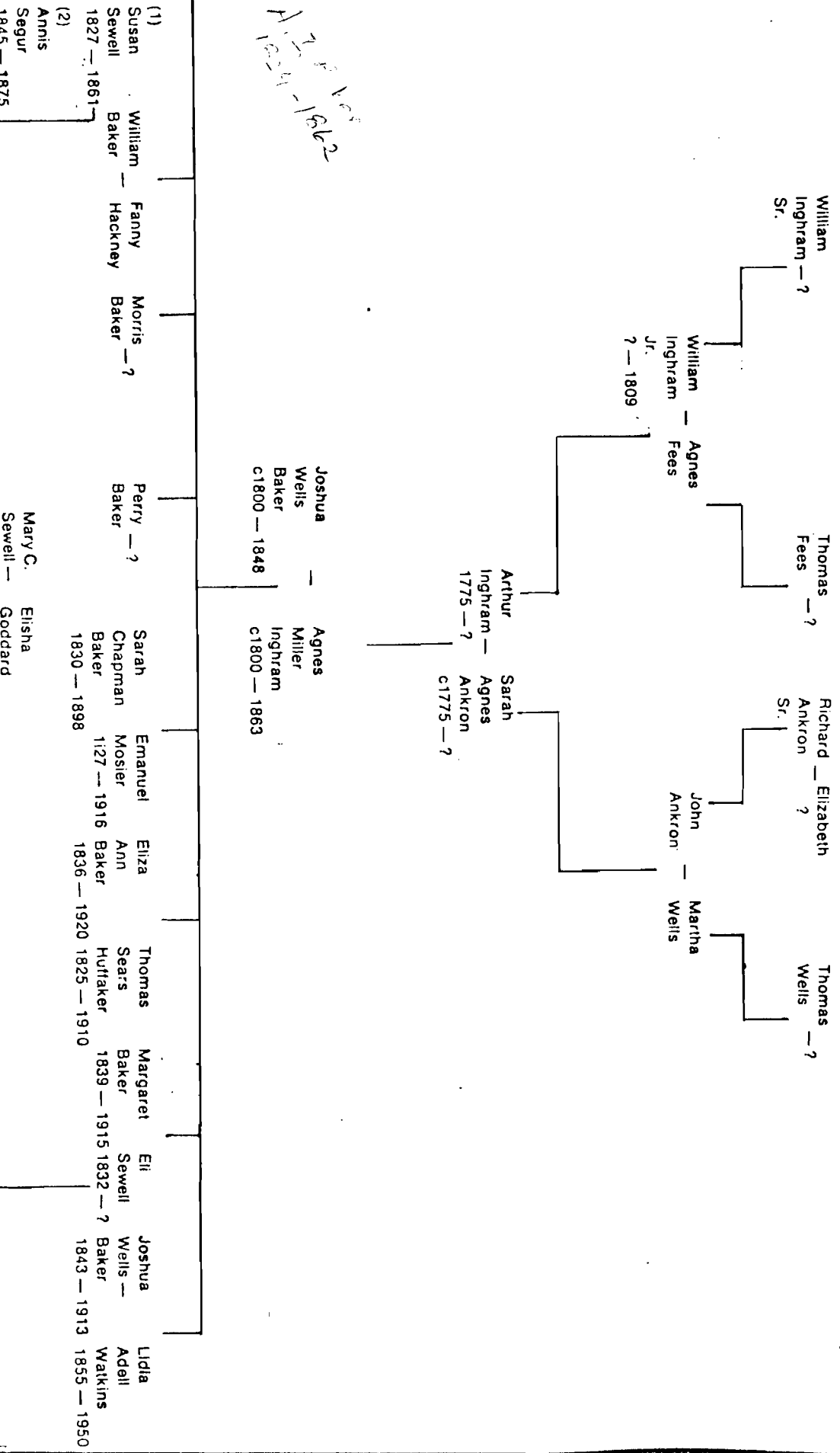
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APPENDIX

Family Relationships of Arthur Inghram Baker

Arthur Inghram Baker



(1)
Susan Sewell 1827 - 1861
Annis Segur 1845 - 1875

Mary C. Sewell -
Elisha Goddard

(2)
Perry Baker -?
Sarah Chapman Baker 1830 - 1898
Emanuel Mosier 1836 - 1920
Ann Baker 1839 - 1915
Thomas Sears Hutfaker 1832 - ?
Margaret Baker 1843 - 1913
Eli Sewell 1855 - 1950
Joshua Wells Baker 1843 - 1913
Lidia Adell Watkins 1855 - 1950