

Charles Robinson, Governor of Kansas, 1861–1863

A MESSAGE FROM THE GOVERNOR

Charles Robinson
March 30, 1861

With the election of Abraham Lincoln as president of the United States in November 1860, Southern states began to leave the Union and opposition to Kansas admission decreased. The senators from South Carolina were the first to withdraw from Congress. Those from Mississippi, Alabama, and Florida followed. These last six senators left their seats on January 21, 1861, and later that same day the Senate passed the Kansas bill. A week later the House passed the bill as amended and sent it to the president for his signature. Ironically, it was President James Buchanan, a man despised by most free-state settlers in Kansas for his pro-Southern policies, who signed the bill making Kansas the thirty-fourth state on January 29, 1861. The good news reached Kansas quickly, and within days the territorial legislature adjourned for the final time. Kansans, led by their first governor, Charles Robinson, were now free to take the necessary steps to launch the first government of the State of Kansas.¹

The joy over the adoption of the Wyandotte Constitution, that government's founding document, which had been ratified by the electorate on October 4, 1859, and the imminent prospects for statehood were tempered somewhat in late 1859 and 1860 by a severe drought and famine, and the jubilation on that first Kansas Day 1861 was clouded a bit by the prospects of war on the immediate national horizon.² Most Kansans were overjoyed with the news, but Kansas statehood elicited diverse responses: Senator Louis

1. A few special elections were required to fill vacant seats in the legislature, but otherwise executive and legislative positions had been filled at the December 1859 election. Robinson took the oath of office in Lawrence on February 9, 1861, once official word of Kansas admission had been received, but he decided not to convene the legislature at Topeka until March 26. For a discussion of the reasons for the delay and the controversy that erupted as a result, see G. Raymond Gaeddert, *The Birth of Kansas* (Lawrence: University of Kansas, Social Science Studies, 1940), 85–99; Don W. Wilson, *Governor Charles Robinson of Kansas* (Lawrence: University Press of Kansas, 1975), 71–77; see, for example, “Petition of the Republican Voters of the County of Franklin,” [1861], and R. H. Weightman, chairman, meeting of the Atchison bar, to Charles Robinson, February 8, 1861, Correspondence Files, folder 12, box 1 (27-03-06-03), Charles Robinson Administration, Records of the Governor's Office, Library and Archives Division, Kansas Historical Society, Topeka (hereafter cited as “Governor's Records”).

2. According to Andreas's *History of the State of Kansas*, “sixty thousand people in Kansas heard the howling of the ‘wolf at their door’ in the fall of 1860,” and an estimated thirty thousand of them left the territory. “About seventy thousand remained,—of whom perhaps, forty thousand were able to weather the stress of the times, but unable to aid the thirty thousand, too destitute even to get away.” The latter only could survive with assistance; Thaddeus Hyatt (New York), who visited the territory, gathered statistics, and appointed a relief committee (S. C. Pomeroy, General Agent, Northern Kansas; W. F. M. Army, G.A., Southern Kansas), organized the first such efforts. Support came from states throughout the North (Northeast and Ohio Valley) and lasted until the spring of 1861, when the rains returned and prospects for the next harvest greatly improved. The aid was generous and succeeded in relieving “a great amount of suffering,” but it “did not prevent many of the people of Kansas from suffering privation well-nigh bordering on starvation.” [William Cutler and A. T. Andreas], *History of the State of Kansas* (Chicago: A. T. Andreas, 1883), 178; see also, Joseph G. Gambone, “Starving Kansas: The Great Drought and Famine of 1859–60,” *American West* 8 (July 1971): 30–35.



When the first Kansas State Legislature convened on March 26, 1861, it did so in Topeka, the city selected as the temporary capital by the Wyandotte Constitutional Convention. Accommodations were sparse in the frontier community of 1861, so members of the lower house assembled in the second story of the Gale block, pictured here about 1865. In his message, Governor Robinson reminded the legislature that it had several important duties to accomplish during its first session. One was to provide “for submitting the question of permanent location of the Capital to a vote of the people.” The question was placed on the November 5 ballot, and Topeka received almost 8,000 votes, to Lawrence’s 5,300.

T. Wigfall, a Texas firebrand, railed that “the inhabitants of that so-called state are outlaws and land pirates . . . I shall not consent that Texas shall associate herself with such a state.”³

Texas passed an ordinance of secession on February 1, 1861, rather than associate with Kansas or any of her sister states of the North, but Kansans had little time for celebration or lamentation. Abraham Lincoln was inaugurated as the sixteenth president of the United States on March 4, 1861, as Southern states continued to secede. The first Kansas State Legislature convened on March 26. South Carolina troops fired on Fort Sumter on April 12. The battle for “free” Kansas was finally

over, but the conflict, which for the past six years had caused the shedding of Kansas blood, now engulfed the entire nation.⁴

Charles Robinson, who delivered his first address to the assembled state legislature on Saturday morning, March 30, 1861, was already under fire, figuratively speaking, for what some claimed was a politically expedient decision to delay that initial gathering. Born in Harwick, Worcester County, Massachusetts, on July 21, 1818, Robinson was accomplished in many areas, including the practice of medicine, before signing on as an agent with the New England Emigrant Aid Company and leading its first party of settlers to Kansas Territory in

3. Quoted in Albert Castel, *A Frontier State at War: Kansas, 1861–65* (Ithaca, N.Y.: Cornell University Press, 1958), 2; Castel’s source is Leverett W. Spring, *Kansas: The Prelude to the War for the Union* (Boston: Houghton, Mifflin and Co., 1885), 264.

4. Nicole Etcheson, *Bleeding Kansas: Contested Liberty in the Civil War Era* (Lawrence: University Press of Kansas, 2004), 219–45; Alvin M. Josephy, Jr., *The Civil War in the American West* (New York: Alfred A. Knopf, 1992); Jay Monaghan, *Civil War on the Western Border, 1854–65* (1955; reprint. Lincoln, Neb.: Bison Books, 1984).



The first state senate met in a hall on the third floor of the Ritchie block, located at the southeast corner of Sixth and Kansas. "By an act of the Legislature, approved March 2, 1863," observed F. W. Giles, *Thirty Years in Topeka* (1886), "the Secretary of State was directed to enter a contract on behalf of the State . . . to erect a temporary capitol building." He did so, "the building erected, and taken possession of by the state officers in the following autumn. The building . . . locally known as Constitution Hall, was embraced within the limits of the building prepared for the State—the principal room thereof becoming the Senate chamber." Fire destroyed the Ritchie block, pictured above, in 1869.

the summer of 1854. Robinson established the company's headquarters in Lawrence, which became the focal point of free-state activity and home to Charles and Sara Robinson for the remainder of their lives. Robinson's "cool, detached leadership provided a stabilizing influence on the Free-State party," wrote an eminent Kansas historian, and contributed to his success in territorial and early state politics. But absent its unifying issue, antislavery, the free-state coalition, now the Republican Party, experienced factional discord, and Robinson's single gubernatorial term was tumultuous, at best. Try as he did during the remainder of a long Kansas life, the former governor never reestablished himself as a political force in the state he did so much to create.⁵

5. Homer E. Socolofsky, *Kansas Governors* (Lawrence: University Press of Kansas, 1990), 82, 81–85; Hill P. Wilson, comp., *A Biographical History of Eminent Men of Kansas* (Topeka, Kans.: Hall Lithographing

The following, a slightly abbreviated version of Governor Robinson's address to the first Kansas State Legislature, contains several observations, thoughts, and comments worthy of our reconsideration on the eve of Kansas's statehood sesquicentennial.

Company, 1901), 3; *The United States Biographical Dictionary, Kansas Volume* (Chicago: S. Lewis & Co., Publishing, 1879), 5–8; Frank W. Blackmar, *The Life of Charles Robinson, The First Governor of Kansas* (Topeka, Kans.: Crane, 1902); Charles Robinson, *The Kansas Conflict* (1892; reprint. Lawrence, Kans.: Journal Publishing Co., 1898); and Sara T. D. Robinson, *Kansas: Its Exterior and Interior Life: Including a full view of its Settlement, Political History, Social life, Climate, Soil, Production, Scenery, etc.* (1856; reprint.) Lawrence: Kansas Heritage Press, 1990). Although its biases are obvious, the latter volume is an interesting and useful account by the wife of Dr. Charles Robinson, herself an active player in Kansas territorial affairs.

**To the Members of the Senate and House of
Representatives of the State of Kansas,
March 30, 1861⁶**

It is a source of congratulation that the people of Kansas, after a pupilage of more than six years, are permitted to inaugurate a government of their own. Probably no Territory of the United States has had such a varied history as that ceded by France, and of which Kansas is a part. From September 14, 1712, until ceded to the United States, April 30, 1803, the Civil Code, as modified by France and regulations of Spain, was the law of the Territory. . . .

On the 30th of May, 1854, Kansas and Nebraska were organized, with an Executive and Judiciary appointed by the President, and a Legislature elected by the people. Under the Organic Act it was claimed that the people were left perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States. This perfect freedom resulted in an earnest contest upon the question of Slavery, which enlisted on one side or the other the sympathies of the people of the States generally. The temptation to plant the institution of Slavery in the Territory before consecrated to Freedom, was too strong to be resisted, and to carry out that purpose, the first Legislature was elected by non-residents, citizens of an adjoining State.⁷ This proceeding was earnestly protested against, and the Legislature thus elected, with its enactments, repudiated by the inhabitants. The usurping Legislature elected all county and local officers for a term of four years, and provided such tests and restrictions for voting as to exclude from the polls all Free State men with self respect, thus rendering their rule perpetual.

6. The governor caused the message to be delivered to the senate and the house of representatives, where it was read aloud by the clerk. Kansas, *Journal of the House of Representatives*, March 30, 1861, 34–43; (Topeka) *Daily State Record*, March 31, 1861; see also “Governor’s Message,” March 30, 1861, Correspondence Files, folder 12, box 1 (27-03-06-03), Charles Robinson Administration, Records of the Governor’s Office, Library and Archives Division, Kansas Historical Society, Topeka; *Lawrence Republican*, April 4, 1861; *White Cloud Kansas Chief*, April 4, 1861. Stylistically, the governor’s message is reprinted here just as it originally appeared in 1861.

7. The reference here, of course, is to the state of Missouri and the March 30, 1855, election of the so-called “bogus legislature,” whose legitimacy freestaters refused to acknowledge. See, among others, Etchison, *Bleeding Kansas*, 50–67; Charles Robinson to Eli Thayer, April 2, 1855, Eli Thayer Collection, Collection 519, box 1, folder 1, Library and Archives Division, Kansas Historical Society, Topeka; C. K. Holliday to Mary Holliday, April 1, 1855, Cyrus Kurtz Holliday Collection, Collection 386, box 1, folder 2, Library and Archives Division, Kansas Historical Society, Topeka; William A. Phillips, *The Conquest of Kansas by Missouri and Her Allies: A History of the Troubles in Kansas* (1856; reprint, Freeport, N.Y.: Books for Libraries, 1971), 63–98.

The usurpation was endorsed by the President [Franklin Pierce], and there was no way out of the difficulty short of revolution, except in the formation a State Constitution. Accordingly, in October 1855 a Delegate Convention met at Topeka, and framed a Constitution, and provided for a State Government. This instrument, although repeatedly ratified by the people, was rejected by the U.S. Senate.⁸ After vainly endeavoring to enforce the Territorial usurpation, and after the removal of several Governors, for their inability or refusal to enslave the people, the obnoxious tests and restrictions were removed from the ballot-box, and the people allowed their rights under the Organic Act. In the mean time, a movement originated under the auspices of the usurpers, which resulted in the Constitution known as the Lecompton Constitution. This Constitution, like the Legislature providing for it, was repudiated by our citizens, and conditionally rejected by Congress, although approved by the President [James Buchanan]. While the Lecompton Constitution was pending in Congress, the people, in order to secure a Government of their own, called another Convention, which assembled at Leavenworth and passed a third Constitution, that was also rejected by Congress.⁹

8. Free-state voters approved the Topeka Constitution on December 15, 1855, and an election of state officers under that document was held on January 15, 1856; Robinson was elected governor. See his own account of the development of this first free-state constitution and the Topeka movement in Charles Robinson, “Topeka and Her Constitution,” *Kansas Historical Collections, 1897–1900* 6 (1900): 291–305; “Governor” Robinson boldly denounced the federally recognized territorial legislature and challenged the legitimacy of the executive and judicial authorities, who were appointed by the president, in his March 4, 1856, message to the free-state legislature, in *Organization of the Free State Government in Kansas with The Inaugural Speech and Message of Governor Robinson* (Washington, D.C.: Buell & Blanchard, 1856), 5–13, at <http://www.territorialkansasonline.org/>.

9. The Lecompton Constitution was drafted in convention during the fall of 1857 and ratified by proslavery voters in December—the vote was on a special slavery article only: in other words, “for the constitution with slavery” or “for the constitution without slavery.” Free-state partisans refused to participate and the “constitution with slavery” won 6,226 to 569. Months of controversy followed, but in August 1858 the Lecompton Constitution was soundly defeated. In the meantime, Kansans elected a new free-state legislature on October 5, 1857, and wrote and ratified a second, free-state constitution—the Leavenworth Constitution. Delegates for the territory’s third constitutional convention were elected on March 9 and assembled in Leavenworth on March 25, 1858. The Leavenworth Constitution was ratified on May 18, 1858, but serious efforts on its behalf ended with the final defeat of the Lecompton document. See Kenneth M. Stampp, *America in 1857: A Nation on the Brink* (New York: Oxford University Press, 1990); Robert W. Johannsen, “The Lecompton Constitutional Convention: An Analysis of its Membership,” *Kansas Historical Quarterly* 23 (Autumn 1957): 225–43; Robert Stone, “Kansas Laws and Their Origins,” in *History of Kansas*, ed., William E. Connelley (Chicago: American Historical Society, 1928), 2:993, for helpful comments on all four conventions and constitutions; T. Dwight Thacher, “The Rejected Constitutions,” *Kansas Historical Collections, 1883–1885* 3 (1886): 436; and Thacher, “The Leavenworth Constitutional Convention,” *Kansas Historical Collections, 1883–1885* 3 (1886): 5; Gaeddert, *The Birth of Kansas*, 26–43.



Joseph P. Root (1826–1885), a Wyandotte physician and the state's first lieutenant governor, presided over the senate that convened in Topeka on March 26, 1861. Active in the free-state movement from the time of his arrival in Kansas Territory as a member of the Connecticut-Kansas Colony (a.k.a., Beecher Bible and Rifle Company) in the spring of 1856, Root was elected to the senate under the Topeka Constitution in August 1857 and to the council or upper house of the territorial legislature in October of that year.

Persistent in their efforts to secure their political rights, another Convention was called by the people, through their Legislature, which met at Wyandot[te], July 5th, 1859, and framed the Constitution under which you were elected, and are called upon to legislate.¹⁰

10. *Kansas Constitutional Convention . . . Proceedings* (Topeka: Kansas State Printing Plant, 1920), which includes a transcript of the convention debates and additional material on the Wyandotte Constitution and convention; see also Gaeddert, *The Birth of Kansas*, 26–71; H. Edward Flentje and Joseph A. Aistrup, *Kansas Politics and Government: The Clash of Political Cultures* (Lincoln: University of Nebraska Press, 2010); Joseph G. Waters, "Fifty Years of the Wyandotte Constitution," *Kansas Historical Collections*, 1909–1910 11 (1910): 47–52; Virgil W. Dean, "Wyandotte Constitutional Convention," <http://kshs.org/kansapedia/wyandotte-constitutional-convention/14512>.

This Constitution has been approved by Congress, and by the act of admission we are placed on an equal footing, politically, with all the States of the Union.

The necessity for so much Constitution-making and strife as Kansas has experienced during the past six years, has been caused chiefly by the question of Slavery. That question, so far as the Constitution and laws can settle it, is now settled. Whether or not there is a vestige of the institution remaining, is for the Judiciary to decide. It is truly a cause for rejoicing that this disturbing element is forever removed from our local politics, and that our domestic institutions are such as are best calculated to develop the resources and secure the highest good of the State. . . .

The attempt to fasten upon Kansas an institution distasteful to a large majority of the people, in direct violation of the letter and spirit of the Organic Act, caused much suffering and pecuniary loss.¹¹ It is the duty of all Governments to preserve the peace. It is for this they are organized and supported. The citizen who is taxed to defray the expenses of a Government has a right to full protection to life and property, and the power that assumes the Government of a people is responsible for the peace of the same. It is notorious that the peace of Kansas was not preserved by the Government, but on the contrary in many instances the officers were the aggressors. In short, had it not been for the interference on the part of the Federal Administration, and its attempt to fasten Slavery upon us, in opposition to the wishes of a large majority of our people, but little, if any, loss would have been suffered by our citizens.

The Territorial Legislature of 1859 provided for a Commission to audit the losses incurred during the disturbances, and they award, as due to our people, five hundred thousand dollars. This amount it is clearly the duty of the Federal Government to pay, and it is believed that an appropriation will be made, at the next session of Congress, for that purpose.¹² As the Legislature provided

11. The Organic Act to which Robinson refers was, of course, the Kansas-Nebraska Act of 1854 that introduced the principle of popular sovereignty and reopened the issue of slavery into the territories, which had been "settled" by the Missouri Compromise of 1820. See Nicole Etcheson, "The Great Principle of Self-Government: Popular Sovereignty and Bleeding Kansas," in *Territorial Kansas Reader*, ed. Virgil W. Dean (Topeka: Kansas State Historical Society, 2005), 53–67, or <http://kshs.org/p/kansas-history-spring-summer-2004/12422>.

12. The three-member Hoogland Commission (chair, Edward Hoogland; members, Henry J. Adams and Samuel A. Kingman) was appointed by the territorial legislature and governor in February 1859 "to audit and certify all claims for the loss of property taken or destroyed during the disorder which prevailed in the territory from November 1, 1855, to December 1, 1856." For the next forty years



Governor Robinson argued that the expenses of government could "be greatly diminished without detriment, by reducing the number of members of the Legislature," from twenty-five to fifteen in the senate and from seventy-five to forty-five in the house. Among the latter group of solons was William Frederick Milton Army (1813–1881) of Anderson County (above), a free-state activist before and after his 1857 move to Kansas Territory. Army was a delegate to the Leavenworth Constitutional Convention, and with Thaddeus Hyatt and Samuel C. Pomeroy, he took the lead in seeking and distributing relief aid to drought stricken Kansans in 1860.

for issuing warrants on the Territorial Treasurer, for the amount of the awards of the Commissioners, it would avoid confusion, and do justice to all parties, should Congress provide that the money paid should be to the

Kansans, such as William Hutchinson, petitioned the U.S. Congress for an appropriation of \$500,000 to cover this bill. Kansas Claims, 36th Cong., 2nd sess., 1861, H. Rept. 104, serial 1106; William Hutchinson, "Claims for Losses of Kansas Settlers During the Troubles of 1855 and 1856," *Kansas Historical Collections*, 1897–1900 6 (1900): 360–65.

claimant in person, or his attorney, on the surrender of his warrant, or to the State Treasurer, who should pay it out in like manner. This method would protect all parties and relieve the State from liability, should any now exist, without loss to itself, and without incurring the odium inseparable from repudiation. The claimants are very numerous, for the most part worthy citizens, who suffered in a just cause, and it is highly proper that the State should render all aid possible, in procuring from Congress their due, while it protects all parties from loss.

From the report of the Territorial Auditor to the Territorial Legislature, it will be seen that the present indebtedness of the State cannot be less than \$100,000. On the principle that taxation and representation are inseparable, this debt should be assumed by Congress. Kansas has not only had no Representative in Congress, but the control of the Territorial Government has been with the Federal Administration. While we have furnished our full proportion of revenue to the Federal Treasury, without representation, it is not too much to ask that the expenses of the Territorial Government should be met by that Treasury. . . .

It is a serious detriment to the revenue and prosperity of any State, to have within it large tracts of land not subject to taxation, and more especially to a new State. Should Kansas relinquish the right to tax the Public Lands, a fair equivalent should be granted. While no exorbitant demands should be made, and the most friendly relations to the Federal Government be cherished, it is the right and duty of the Legislature to ask such terms as are just and equitable. The terms proposed by Congress are for our "free acceptance or rejection," and may be accepted absolutely or conditionally. Should the Legislature accept the proposition, and exempt the Public Lands from taxation, on condition that the expenses of the several Constitutional Conventions, the awards of the Claim Commissioners, and the indebtedness of the Territory, should be paid, and a grant of money and land for public institutions, buildings and railroads should be made, equal to grants made to other States, these conditions would doubtless be readily acceded to by Congress. . . .

It may be desirable to submit proposition to the people to authorize the disposal of a limited amount of the most valuable [school] land. Care, however, should be taken to guard against sacrificing them at a low price for the benefit of speculation. It is only in the more thickly

populated portions of the State that School Lands should be sold, and then at a valuation with a minimum of eight or ten dollars an acre. Posterity will hold the present generation to a strict accountability for the disposition of the School Lands, and the income secured from their sale.¹³

With proper management of the School Funds, Kansas, in a few years, can have the most munificent endowment for her Common Schools of any State in the Union, save Minnesota.

The Constitution contemplates legislation upon the following subjects:

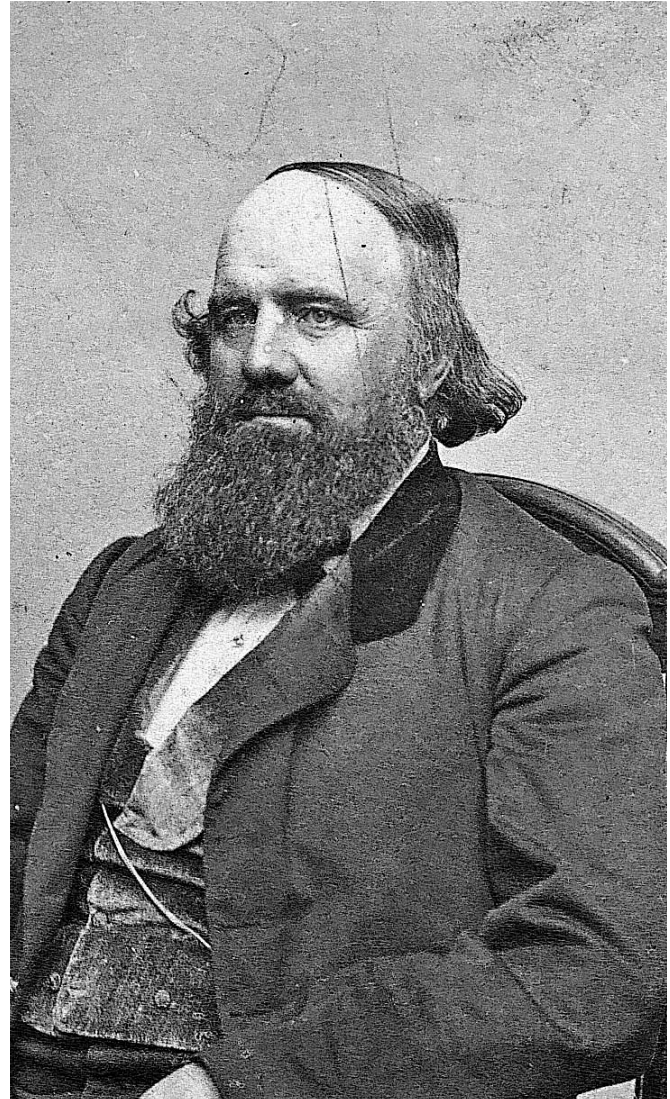
The times and places of holding District Courts, and their jurisdiction; Jurisdiction of Supreme Court; Duties of the Clerk of the District Court; Jurisdiction of the Probate Court and Justices of the Peace; The selections of pro tem. Judge of District Court; Duties of the State and County Superintendent of Public Instruction; Establish uniform system of Schools; State University; Benevolent Institutions; Penitentiary; Provision for the Poor; Organization of Militia; Apportionment; Assessment of Taxes; Public Printing; Property rights of married women; Location of Capitol; Removal of Suits from Territorial to State Courts; A State Seal. . . .

As all laws or parts of laws in force in the Territory, at the time of our admission, not inconsistent with the Constitution, remain in force until they expire or shall be repealed, it may not be necessary or expedient for the Legislature to act upon all the subjects above enumerated at its first session. It is made the duty of the first Legislature, however, to provide for an apportionment of the members of the Legislature, and for submitting the question of permanent location of the Capital to a vote of the people.¹⁴ Some legislation concerning the jurisdiction of the several Courts is called for [at] once, that this branch of the Government may have no doubts thrown over its action.

Although the Constitution continues in force, the Territorial laws, until they shall expire or are repealed,

13. For more on the disposal and sale of the public lands in Kansas, see Paul Wallace Gates, *Fifty Million Acres: Conflicts over Kansas Land Policy, 1854–1890* (Ithica, N.Y.: Cornell University Press, 1954); Charles Hanford Landrum, "A History of the Kansas School Fund," *Kansas Historical Collections, 1911–1912* 12 (1912): 195–217.

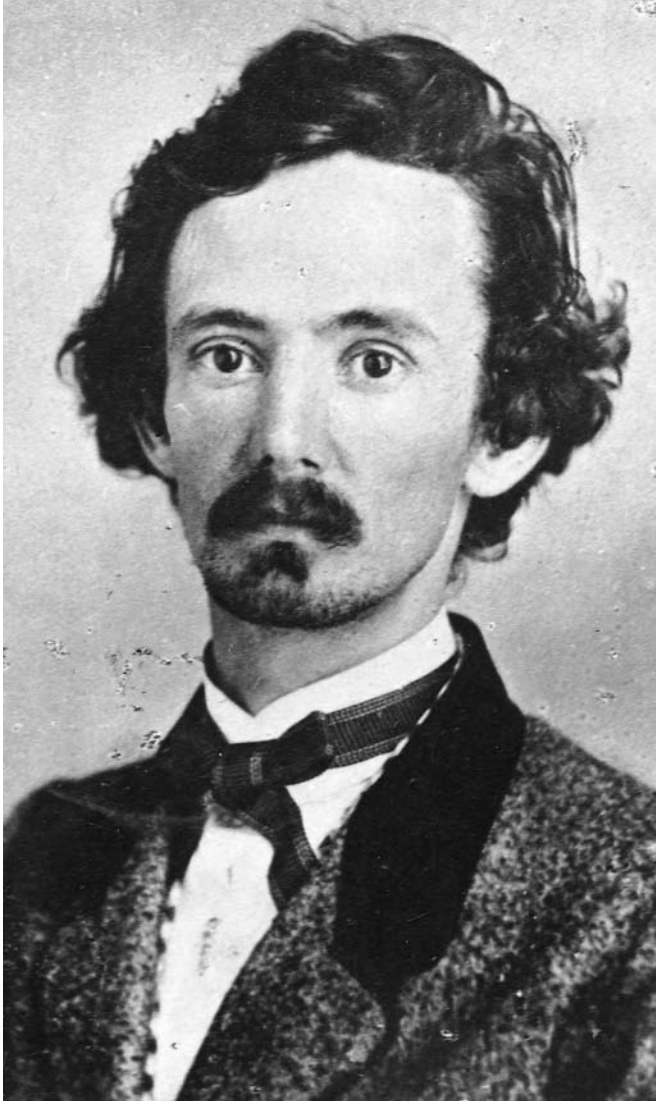
14. The location of a permanent state capital had been a contentious issue at the Wyandotte Convention; Topeka was chosen as the temporary seat of government, and the first legislature was instructed



Among the important duties of the first legislature was the selection of two United States senators to represent Kansas at this critical juncture in the nation's history. Atchison's Samuel C. Pomeroy (1816–1891), who first came to the territory in 1854 as an agent of the New England Emigrant Aid Company, quickly emerged among the leaders of the half dozen or so men vying for this high office. Pomeroy and James H. Lane captured the prize on April 4, 1861, and the former served until March 3, 1873, when legislators denied him reelection amid charges of bribery and corruption.

there is not one that does not require some change in phraseology or otherwise, to make it harmonize with the State Government. This being the case, and as the

to provide for a popular vote to settle the question. The question was placed on the November 5, 1861 ballot: Topeka received almost 8,000 votes; Lawrence 5,291; and all others 1,184. Gaeddert, *The Birth of Kansas*, 60–64, 117–20; *Kansas Constitutional Convention . . . Proceedings*, 455; D. W. Wilder, *The Annals of Kansas, 1841–1885* (Topeka: Kansas Publishing House, 1886), 325.



John James Ingalls (1833–1900) of Atchison was the senate's secretary and perhaps the man most responsible for the state motto, "Ad astra per aspera," and the basic design of the state seal. A Massachusetts native, Ingalls moved to Kansas in 1858, practiced law and politics, and represented Atchison County at the Wyandotte Constitutional Convention. As chair of the convention's phraseology committee, Ingalls influenced the final document, which became the Constitution of the State of Kansas, and was the "recognized scholar of the convention." He served in the 1862 state senate and succeeded Pomeroy as U.S. senator from Kansas in 1873 until 1891.

laws, in many instances, are contradictory and obscure, no time can be more appropriate than the present, for a complete revision and codification of all the laws. A Codifying Committee, composed of the best legal talent in the State, to sit during the recess, would save expense and hurried legislation. Should such a Committee be appointed, the first session could be limited to a few days, and all legislation, excepting such as may be necessary to

the harmonious working of the Government, postponed until the regular session.

The Constitution declares that "the Legislature shall provide, each year, for raising revenue sufficient to defray the current expenses of the State"; but for "extraordinary expenses," the State may contract debts.

The subject of Finances will call for early, earnest and careful consideration. With the most rigid economy, the taxes, for a few years, must be onerous, especially when the comparatively impoverished condition of the people is considered. It is, therefore, important to provide for funding the extraordinary expenses attending the change from a Territorial to a State Government, including the expenses of the Legislature.

The current expenses of the Government might be greatly diminished without detriment, by reducing the number of members of the Legislature. Until our population shall have largely increased, forty-five members of the House, and fifteen members of the Senate, would subserve the public interests quite as well as the present number, and reduce the per diem aggregate nearly one-half.¹⁵ . . .

Although it is believed that the General Government will assume and pay the Territorial indebtedness, amounting to about \$100,000, in the mean time it should be funded, payable some years hence, that the credit of the State may not suffer, and that the taxes already levied may be appropriated for current State expenses.

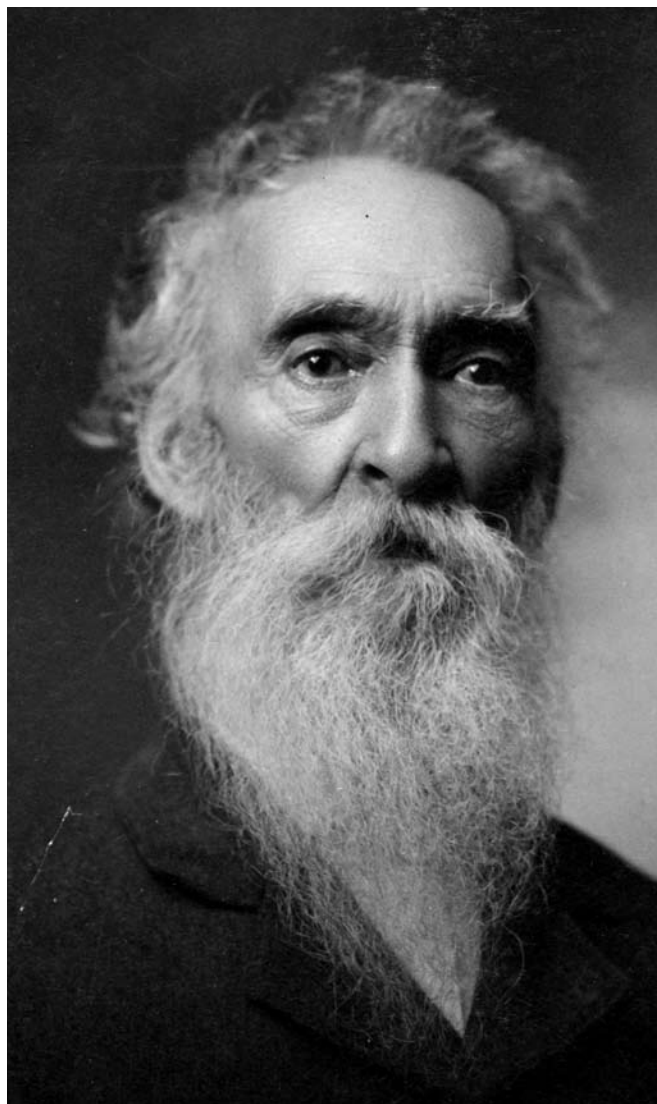
The past year has been one of unprecedented drouth and consequent scarcity in Kansas. Our farmers, encouraged by the bountiful return for labor bestowed upon the soil in years past, had an unusual quantity of land under cultivation. With an ordinary supply of rain, a large amount of produce would have been raised for export, and no people would have been more highly favored than our own. Instead, however, of plenty, and consequent prosperity, many of our citizens have been recipients of foreign charity. For the prompt and generous relief afforded by States and individuals, a suitable acknowledgment should be made by the Legislature, and it is proper to inquire if our State is not able to provide for its own poor in future. No spirited and energetic people will be recipients of charity when able to procure their

15. The first legislature consisted of one hundred members: seventy-five representatives and twenty-five senators; but the constitution provided that "after the first election, the number of Senators and Members of the House of Representatives shall be regulated by law; but shall never exceed one hundred Representatives and thirty-three Senators." Constitution of the State of Kansas, Article II, Sec. 2, in Wilder, *Annals of Kansas*, 266; Gaeddert, *The Birth of Kansas*, 46–48.

own subsistence. Such a course would be demoralizing and degrading. If the State has sufficient credit, it would be better to use it for the relief of her citizens, should it be necessary, than longer live upon the generosity of others. Seed has already been furnished in abundance, for spring planting, and by the first of June the stock that abounds upon our prairies will be suitable for food; it is, therefore, to be hoped that a general call for charity will soon cease.

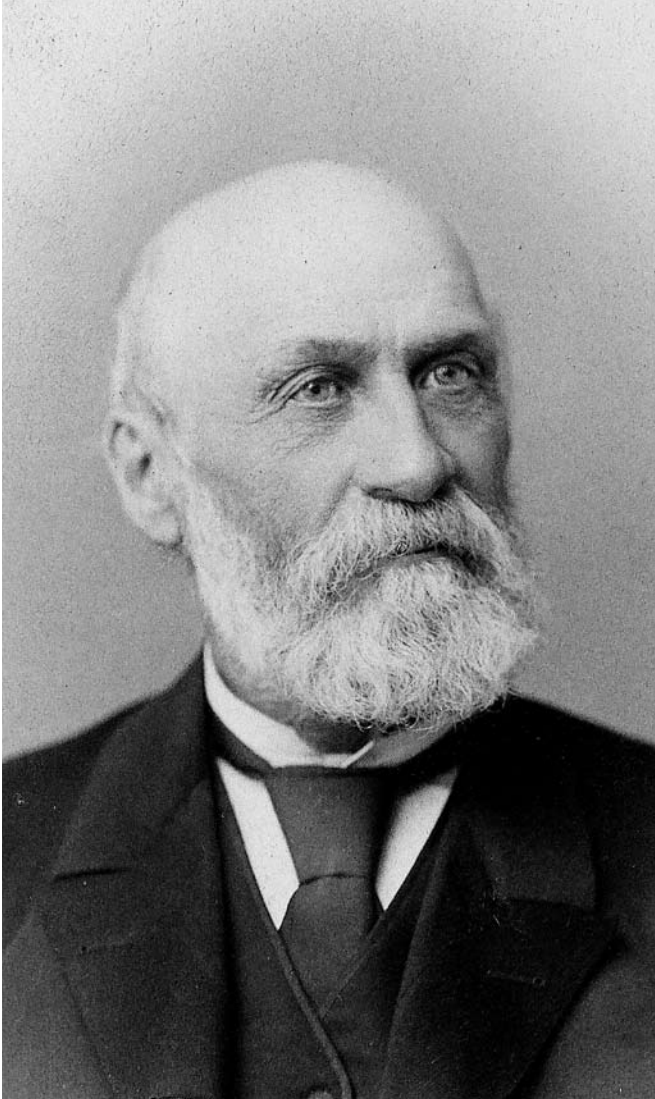
Although the past year has been one of adversity to our people, yet, with stern integrity and mutual cooperation of the several departments of the Government, together with a firm reliance upon that Providence which has thus far sustained and directed us, and whose promise that seed time and harvest shall not fail, inspires us with hope and courage in the darkest hour, we may confidently look forward to a happy and prosperous future for our new State.

When Kansas applied for admission into the Union, it was supposed there was a Federal Government that would endure until the present generation, at least, should pass away. Recent developments, however, have given rise to serious doubts as to its existence. Theoretically, there is such a Government extended over thirty-four States, but practically there is none. In seven States the laws are openly repudiated—the forts are seized—the revenue stolen—the Federal officers defied, and the flag of the Nation insulted with impunity; while eight others threaten to do likewise, if the Government attempts to assert its authority by force in any rebellious State. Such is the condition of affairs as bequeathed by the late Administration to the present. The future none can predict. Should matters progress as for a few months past, and coercion be decried as at present, not a prominent seaboard State will remain in the Union, and not a law of the United States will be enforced anywhere. Our Government, once regarded as a power in the earth, will become a hissing and a by-word among the Nations—a stench in the nostrils of all men. This Nation occupies a very remarkable position before the civilized world. It has heretofore been prompt and efficient in putting down treason and rebellion, and the whole force of the army and navy has been called into requisition at once whenever danger threatened. Shay's rebellion, the whiskey insurrection, South Carolina nullification, and the John Brown raid, were all summarily disposed



Born in Worthington, Massachusetts, Samuel A. Kingman (1818–1904) moved as a young man to Kentucky, where for some eighteen years he taught school, studied and practiced law, and held local and state elective office. He moved his family to Kansas in 1857, eventually settled in Hiawatha, and represented Brown County at the Wyandotte Constitutional Convention. Kingman was appointed to the three-member Hoogland Commission in February 1859, which audited territorial claims against the federal government, and was elected to the state supreme court in December 1859 under the constitution he helped draft. Subsequently, he served as associate justice (1861–1865) and chief justice, January 1867 through December 1876.

of, with no cry against “coercion.” Now, when certain persons in the South have seized upon the revenues, forts, ships, post offices, mints, arms and army and navy stores, waged war upon the United States troops, set up an Independent Government, and bid defiance to all law, the



Robinson's "cool, detached leadership provided a stabilizing influence on the Free-State party," wrote an eminent Kansas historian, and contributed to his success in territorial and early state politics. But absent its unifying issue, antislavery, the free-state coalition could not survive, and from the beginning the Republican Party in Kansas experienced factional discord. Robinson's single gubernatorial term was tumultuous, at best. Try as he did during the remainder of a long Kansas life, the former governor accomplished a great deal but never reestablished himself as a political force in the state he did so much to create.

position of the authorities have been simply that of non-resistance. Two independent and hostile Governments cannot long exist at the same time over the same territory without conflict, and either the Confederate States of the South or the Federal Government must succumb, or civil war is inevitable.

A demand is made by certain States, that new concessions and new guaranties be made to Slavery, or the Union must be destroyed. The present Constitution, however faithfully adhered to, is declared to be incompatible with the existence of Slavery: its change is demanded, or the Government under it must be overthrown. If it is true that the continued existence of Slavery requires the destruction of the Union, it is time to ask if the existence of the Union does not require the destruction of Slavery. If such an issue be forced upon the Nation, it must be met, and met promptly. The people of Kansas, while they are willing to fulfill their Constitutional obligations toward their brethren in the sister States to the letter, even to the yielding of the "pound of flesh," cannot look upon the destruction of the fairest and most prosperous Government on earth with indifference. If the issue is presented to them—the overthrow of the Union, or the destruction of Slavery—they will not long hesitate as to their choice. But it is to be hoped that this issue will be withdrawn, and the Nation still go on in its career of prosperity and power—the just pride of every citizen, and envy of the world.

The position of the Federal Executive is a trying one. The Government, when assumed by him, was rent in twain; the cry against coercion was heard in every quarter: while his hands were tied, having neither men nor money, nor the authority to use either. While it is the duty of each loyal State to see that equal and exact justice is done to the citizens of every other State, it is equally its duty to sustain the Chief Executive of the Nation in defending the Government from foes, whether from within or without; and Kansas though last and least of the States in the Union, will ever be ready to answer the call of her Country.¹⁶ [KH]

16. War followed shortly, within two weeks of Robinson's address, and Kansans did indeed answer President Lincoln's call for troops, the first of which was issued on April 15, 1861. Castel, *A Frontier State at War*, 39–48; William Frank Zornow, *Kansas: A History of the Jayhawker State* (Norman: University of Oklahoma Press, 1957), 107–8.