

TRANSACTIONS

OF THE

KANSAS STATE HISTORICAL SOCIETY,

1897-1900;

TOGETHER WITH

ADDRESSES AT ANNUAL MEETINGS, MEMORIALS, AND
MISCELLANEOUS PAPERS.

ALSO,

A CATALOG OF KANSAS CONSTITUTIONS, AND TERRITORIAL AND STATE
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with every congress. At the beginning of our effort the story of the Kansas troubles and consequent losses was upon every tongue, and congressmen needed no instructions as to the general history. We had champions there then, ready and primed to advocate our cause whenever the bill could reach its final passage. I well remember Judge Poland, of Vermont, General Butler, of Massachusetts, General Farnsworth, of Illinois, Mr. Julian, of Indiana, and many others, as well as our own representatives, were ready with their speeches awaiting call; but how changed! There is scarcely a man in congress to-day who has any personal knowledge of these events. Not one of our present delegation, as far as I know, was an actor in those scenes. Hence, every time our bill is offered, I must begin with the primer lessons, and the task grows progressively harder. It is poor consolation for the claimants to be told that other measures of merit have slept in the lap of congress for even a hundred years and at last found favor. I can only say that, whatever the Kansas legislature may do, all reasonable effort will be made here to obtain justice before we have all passed over the river.

NOTE.—June 1, 1900.—Action concerning these claims has been allowed to slumber because a bill has been pending for two years, based on the same facts precisely, for indemnity to the Emigrant Aid Company, of Massachusetts, for loss of the Free-State hotel, at Lawrence, which claim has been donated to the Kansas State University. It amounts to \$20,000. It has passed the senate twice, and is on the calendar of the house, with a fair prospect of favorable action by next session.

MARAIS DES CYGNES TRAGEDY.

Written for the Kansas State Historical Society by ED. R. SMITH, of Mound City.

THERE is much in the history of Kansas not yet recorded in the books. There are many tragic events that occurred in the early territorial days not yet down in cold type; in fact, now known to but few left of the brave, hardy pioneers, the first settlers on the debatable bloody skirmish line, with freedom upon the one side and slavery on the other—the demarkation between Kansas and Missouri.

In complying with your kind invitation, it is my purpose to give to you some of the more important events occurring in Linn county that finally led on to the Marais des Cygnes massacre of May 19, 1858, when eleven unoffending free-state settlers were captured “from the hearths of their cabins, the fields of their corn,” were “swooped up and swept on to the low, reedy fenlands, the marsh of the swan,” and were murdered in cold blood. In doing this I must recount some of the tragic events occurring here prior to my coming; that is, prior to April, 1857, since which my story will largely be from personal knowledge.

In 1856 General Clark, of Georgia fame, marched his army of border ruffians through Linn county. There was but little here for them to destroy at that time, but that little they effectually disposed of. Such free-state men as they were able to capture they took with them and sent under guard to Westport, Mo. Many of them never returned. Murder and disease relieved both captured and captor. The more fortunate anti-slavery settlers, upon the approach of the invading army, escaped through the brush, leaving their families to the tender mercy of men whose mission was to drive away all opposition to the making of Kansas territory a slave state. General Clark assured all that he came in contact with “that there was room in the territory for but one party, and that was the pro-slavery party, and all not in sympathy with making Kansas territory a slave state had to get out, and that within an hour.” James Montgomery was one of those who escaped, though vigorously pursued.

In the spring of 1857 Northern men and women fairly swarmed to the eastern counties of the territory. In the fall of that year the border ruffians again took the field for one more effort to intimidate the peaceful settlers and make them subservient to the pro-slavery design. Among other atrocities committed at that time, "old man" Denton, a prominent free-state settler on the Osage river, in Bourbon county, was called to his cabin door in the night-time, and, without a word, his frail old body was riddled with buckshot. This band of murderers came from Fort Scott, under command of one ever afterwards known along the border as "Fort Scott" Brockett. The only object of this murder was to strike terror into the hearts of the many free-state settlers along the Osage river and throughout the northern part of Bourbon county and the southern part of Linn. If such was the purpose, it certainly failed of its accomplishment, for, on the other hand, it aroused the entire eastern part of the territory to immediate and vigorous action.

General Lane at once assembled an army of between 300 and 400 men and marched into this county, establishing his headquarters in the timber some two miles west of Mound City, and there awaited developments. This display of free-state force was sufficient to quell further murdering forays for that immediate time, but, as soon as the force under Lane disbanded and marched away, "troubles," as they then were termed, broke out afresh. Then it was that the afterwards noted "Jayhawker" chief, James Montgomery, took the field in defense of the lives and homes of himself and neighboring settlers. He readily gathered to his standard from fifteen to fifty fearless characters, as the emergency might require, and proceeded to reenact the tactics of pro-slavery leaders who had operated in Kansas. He called upon every pronounced leader of pro-slavery ideas in this county and along the Osage river in Bourbon county, and politely informed them "that there was not sufficient room in the territory for two parties, and inasmuch as a precedent had been established by the pro-slavery men, when in majority, that the majority should rule, conditions now being changed, and the shoe being on the other foot, he felt himself justified in calling upon them, and all who sympathized with them regarding the future state of the territory, to forthwith gather their traps and effects and at once emigrate to more congenial environments." Captain Montgomery had an exceedingly persuasive way, and seldom had any difficulty in persuading his victims of his entire sincerity and terrible earnestness, and consequently, at the several places of his calling, there was weeping and wailing, but a continual hustle was on to promptly obey the dreaded jayhawker summons. They all went.

At and around Trading Post, on the Marais des Cygnes river in this county, were settled a number of bitter pro-slavery, abolition-hating fire-eaters, chief of whom was one Charles A. Hamilton, who had and occupied a claim just across the line in Kansas. In the spring of 1858 there was in successful operation at the Post a regular old-fashioned "doggerly"; therefore this place readily became a rendezvous for a gang of desperate characters, both in the territory and across the line, but some four miles away. This man Hamilton was the acknowledged leader of the Trading Post contingent of the pro-slavery element in Linn county. Hamilton had often declared his intention toward Montgomery and his offending band of Jayhawkers, of which Captain Montgomery was fully advised.

One fine day about this time, Montgomery, at the head of a small squad of men, quietly rode into the midst of a dozen houses or more, then constituting Trading Post, and without ceremony proceeded to clean out the pro-slavery headquarters by emptying the contents of several barrels of sod-corn whisky then on hand into the highway, at the same time leaving a general notice to pro-slavery

people to quit the territory. This last act of alleged vandalism on the part of the jayhawkers broke the camel's back, and Hamilton and some of his neighbors repaired at once to the friendly hospitality of congenial Missouri. Montgomery's work was done, and well done. Not a drop of human blood had been shed; not a dollar's worth of personal property had been taken from the evicted pro-slavery people. They were bidden to go in peace, but to go. No burnt cabins and houseless women and children, with murdered or captured husbands and fathers, were in his rear, as they were in the rear of the pro slavery army under Clark and others. The peace and quiet of the territory demanded heroic treatment. For the first time the free-state settler felt himself secure. For the first time for months did men feel themselves safe without being heavily armed. How little they dreamed of the bloody day so soon to dawn.

Among the first settlers in this county was one Joseph Barlow, by birth, education and prejudice a thorough Kentuckian. With "other goods and chattels," he brought with him to the territory a number of slaves. At the organization of this county he became prominent, and was made its first judge of probate and register of deeds. He was by profession a lawyer, a smooth and persuasive talker, kind-hearted and hospitable. Judge Barlow at once became the leader of the more conservative pro-slavery element in Linn county. Strange as it may seem, upon acquaintance, a warm and lasting personal friendship sprang up between this man and Captain Montgomery, which on more than one occasion saved the life of Barlow, who, while always an advocate of the "divine right," endowed with the courage of his birth and conviction, was nevertheless conservative in his views, and was never an advocate of violence and murder as a means to the end of bringing the territory into the union as a slave state. Montgomery had faith in the honor of Barlow and was not slow to advise him of his purpose and reason for expelling the objectionable pro-slavery element from the county—assuring him that there could be no lasting peace between such warring elements as freedom and slavery—that to have peace it must be all free or all slave. Judge Barlow argued in vain against what he termed Montgomery's unlawful course, assuring him that the precedent set by pro-slavery leaders in wrong-doing did not justify him in similar wrong-doing, and would not in the long run help the free-state cause, and if persisted in would surely bring retaliation in form and time that could not be protected against.

When Hamilton, late in April, 1858, left the territory for fear of a visit from Montgomery, he soon afterwards sent back word to his friend Barlow "to come out of the territory at once, as we are coming up there to kill snakes, and will treat all we find there as snakes." Barlow, upon the receipt of this message, at once left his home and family and joined Hamilton in Missouri, where he found the evicted refugees awaiting his coming. Shortly after his arrival in Missouri a mass-meeting was called at the old town of Papinsville. The object of this meeting was to incite an invasion of the territory in such force as would sweep all resistance before it. At this meeting Barlow was constituted a member of the committee on resolutions, and opposed returning to the meeting such resolutions as would indorse immediate invasion. He was overruled, and such action was indorsed and returned to the assembled mob, where it was received with boisterous applause.

Barlow, confident that such a course, if attempted, would only result in disastrous failure, still vigorously opposed the adoption of such a policy. To use his language, as he gave it to me years afterwards, in relating the pro-slavery side of the events preceding the Marias des Cygnes massacre, as I now call it to mind, he assured his friends that "we are not prepared for an immediate invasion of

the territory. We have no arms but our shot-guns and our squirrel rifles, and the jayhawkers, with their Sharp's rifles, would kill the half of us before we got within gunshot of them; besides, we have no food to support any number of us when away from our homes, and there is none in the territory. We must submit our case to the courts, which are in our control, and are in full sympathy with our purpose to maintain slavery in the territory as a permanent institution at all hazards. The courts, if resisted, will be backed by the military power of the government, which is now democratic and in full accord with our purpose."

Hamilton and others addressed the meeting in fiery terms. Barlow was brushed aside, and with a unanimous vote it was resolved to invade Kansas instant. That night and the next day there assembled an army of 500 men fully bent on the extermination of free-state sentiment in Linn county, and took up its line of march for Kansas. Upon arriving at the line between Missouri and Kansas, a halt was called for rest and final arrangement for descent upon the unsuspecting settlers in the beautiful valley surrounding the ancient and historic Trading Post. Here Barlow again availed himself of an opportunity to address this mob, and to better effect. They were tired, sober, and silent. They had ridden many miles, and were without food and blankets, and, besides, were at the threshold of hated but dreaded Kansas. Every man of them knew that Montgomery could not be far away. Barlow assured them that the crack of Sharp's rifles might now be expected at any instant. The hour was propitious. It was midnight, and the stars above them shone down upon this hungry, fear-stricken mob with cold and cheerless light. The sharp, rapid barking of a pair of marauding coyotes from a far distant mound sent an alarm through the ranks. Some declared it was the signal of the jayhawkers.

A panic was imminent. The more resolute cursed and swore at the timid. Captain Hamilton, disgusted at the evident cowardice of his brawling associates, in a rage mounted his horse, rode out of the mob around him, calling on "the bloody reds," his faithful personal following, "to ride to the front and follow me." At this summons, thirty as bloodthirsty wretches as ever cut a throat or scuttled a ship mounted and rode out and away over the border after their hot-blooded commander. The remainder of this collection of border ruffianism, like the wolves of the border that they were, before daybreak on that eventful May morning disappeared and were heard of no more.

The story of that awful day, that ever memorable 19th of May, 1858, has been so often told in all its shocking details and is so well known as to need slight reference here.

Hamilton with his cutthroats rode into the Post about nine o'clock in the morning of that bright May day. He captured several prisoners there, all of whom he released, except John F. Campbell, a clerk in a store at the Post. With Campbell he proceeded on the road to West Point, Mo. Scarcely a mile out they came up with Rev. L. B. Reed, a settler, and well known to Hamilton. Reed at the time was engaged in conversation with William A. Stillwell, a free-state settler from near Mound City, then with his wagon and team on his way to Kansas City for a load of goods. With these two was a young and intelligent Irishman, Patrick Ross, whose home was on the Osage river, in Bourbon county. Capturing the three of them, Hamilton, with his four prisoners, moved eastward to the vicinity of his former "claim." His next capture was Amos C. Hall, who was found sick in bed in his cabin. He was ordered up and out, scarcely able to stand, yet, under the excitement of threats of instant death, he was able to join the other prisoners. These five prisoners were driven on foot to the home of William Colpetzer, whose home joined that of Hamilton. Colpetzer was added

to the number of prisoners, as he refused to run, as his wife begged him to, when he first saw armed men coming. Turning northward a mile, Michael Robinson was captured, and one Charles Snider, a former acquaintance of Robinson in Illinois, then visiting at Robinson's; thence another mile northwest, where an old man, William Hairgrove, and his son Asa, were captured while at work in their corn-field. Austin W. Hall was next taken, as he was returning with the "brown oxen" from Snider's blacksmith shop.

Not one of these men had arms with them. With few exceptions, all were well known to Hamilton and many of his gang. They had never taken part in the differences between free-state and pro-slavery men. They were mostly the former near neighbors of Hamilton, and had not the slightest suspicion that he would harm them. With orders to "step up lively," and under pain of being instantly shot, "say nothing to each other," almost on a trot these unoffending men, guilty of no offense, charged with no crime but that of being free-state men, were hurried on.

"From the hearths of their cabins,
The fields of their corn,
Unwarned and unweaponed,
The victims were torn,—
By the whirlwind of murder
Swooped up and swept on
To the low, reedy fen-lands,
The Marsh of the Swan."

Into a deep gorge of the meandering mounds these eleven victims were hastily driven, and there ordered to fall in line, facing east, which they did.

"With a vain plea for mercy
No stout knee was crooked,
In the mouths of the rifles
Right manly they looked."

Hamilton, without further comment, ordered his men to form in front of their victims on the side of the ravine and a little above them. Old man Hairgrove, seeing the preparations for their murder, without a tremor in his voice, said, "Men, if you are going to shoot us, take good aim."

Hamilton at this gave the order to "make ready, take aim, fire." "Fort Scott" Brockett, at this, wheeled his horse out of the line, and with an oath declared he "would shoot them in a fight, but, by God! I'll have nothing to do with such an act as this." It was with difficulty that Hamilton brought his gang again into line, then again gave the order to fire, firing the first shot himself.

The entire eleven men in that line went down before the deadly fire of their murderers. As soon as the smoke from the firing arose it was observed that some of their victims were not dead. Hamilton dismounted a portion of his crew with orders to finish the job, ending his order with, "By God, dead men tell no tales." Colpetzer was not dead. He piteously begged to be spared to his wife and two children. A pistol ball went crashing through the poor man's brain. Patrick Ross was again shot, in order "to be sure the d—d Irishman was dead." Others feigned death and lay motionless in the blood flowing from their wounds. Austin W. Hall was not touched in the first fire, but fell with the rest and successfully feigned death. Colpetzer, Ross, Stillwell and Robinson were dead. The others, except A. W. Hall, were each desperately wounded. The pockets of the dead and wounded were rifled of such few valuables as they contained, A. W. Hall being violently kicked in the ribs as his body was being searched. This being done, Hamilton mounted his command and rode away, and to this day has not been seen or heard of by any one familiar with this bloody crime.

This was but the beginning of a fearfully bloody ending.

The dead were gathered up and all conveyed to a little cabin just north of the Post and laid on the puncheon floor. There, beside their dead, during one long, awful night, the widows and fatherless babes sat in sleepless vigil.

"In the homes of their rearing
Yet warm with their lives
Ye wait the dead only
Poor children and wives!
Put out the red forge-fire,
The smith shall not come;
Unyoke the brown oxen,
The ploughman lies dumb.

"Wind slow from the Swan's Marsh,
O, dreary death-train,
With pressed lips as bloodless
As lips of the slain!
Kiss down the young eyelids,
Smooth down the gray hairs;
Let tears quench the curses
That burn through your prayers."

Such were the words of sympathy that came to the stricken ones, fresh from the great heart of the Quaker poet. As true as the arrow of its mark was his soul as it rose in prophecy in his beautiful poem, "*Le Marais du Cygne*."

"Not in vain on the dial
The shades move along,
To point the great contrast
Of right and of wrong.
Free homes and free altars,
And fields of ripe food;
The reeds of the Swan's Marsh
Whose bloom is of blood.

"On the lintels of Kansas
That blood shall not dry;
Henceforth the Bad Angel
Shall harmless go by.
Henceforth to the sunset,
Unchecked on her way,
Shall Liberty follow
The march of the day."

At Trading Post there stands a beautiful marble monument, erected to the memory of our martyred dead, to the erection of which the state of Kansas contributed \$1000. Beneath its shadow rest the ashes of Colpetzer, Campbell, Ross, and Robinson. Stillwell was taken to Mound City and buried there.