

The Early Settlement of Kansas

By

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On the 7th of June, 1854, it was my lot to commence a settlement in that part of Kansas, now known as Franklin County, on West Ottawa Creek, four miles north-west of Ottawa Jones', (more familiarly known as Toy Jones.) I selected a claim and in a very short time the sound of the axes of myself and son could be heard by those passing in pursuit of Kansas homes, and at 12 o'clock noon it was evident we were taken for hotel keepers, from the application made for the best drinking water in the vicinity, and the liberal division of pork and beans which were cooking near by our work. Thus were we introduced to some of our future neighbors. Before the setting of the sun we had a camp raised, a square rail pen, waist high, covered with split boards, which was proof against the hogs of our Indian neighbor, Thomas Wolf. I then raised my voice and said: "This is the first roof raised by a white man in this settlement; why should not the event go into history." I cast my thoughts on Daniel Boone of Kentucky; but our Indian neighbors were not hostile. The Ottawas were under the care and tutorship of Missionary Meeker, and John T. Jones, men of education who taught the dusky sons of the forest to do honor and homage to their Great Father.

The Shawnee delegation having just returned from a treaty expedition to Washington, a few days before, the news flew on the wings of the breeze. All now hastened to take choice of claims, regardless of whether the newly made treaty would be ratified or not. Numerous were the families in waiting at the landing at Kansas City, to seek settlement at the earliest moment, when the die was cast. The rush into the Indian lands was like the surging billow of the mighty sea. The Territory was a moving mass of men and animals, wagon loads of men, and some on foot. The bottle was often seen tipped to an angle of 45° and the shout echoed, "Hurrah for Kansas."

Wit and good humor seemed to prevail, unless some one should allude to the "free soil" of Kansas, and in that event you might hear something like what the Quaker said, "Have a care, my friend; thou mayst run thy face against my foot." I have often thought of those two champions who agreed to fight a pitch battle all alone at some designated place; one of them, fearing his antagonist would be too much for him, prayed to the God of Battle, for success, thusly: "Now, Lord, if thou canst do nothing for me, I pray thou do nothing against me, but lay low and keep dark and perhaps you will hear some of the most confounded lick!"

The first days of our settlement were occupied in helping each other in house-raising. About this time the news came that Hon. A. H. Reeder [Reeder], the Governor, had arrived. We must have a Justice of the Peace; a Postoffice; deeds must be made to the lands sold by agent in the States; affidavits, and also power of attorney to our friends to act in our stead. Your humble servant was chosen by acclamation, at the house raising of Silas Moor, to handle the blank Statutes of the Territory, having had that honor conferred on him by His Honor, Thomas Caslin, while in La Salle County, Illinois, before my removal to the Territory, a few of the first acts of the Legislature not being in use when I gave up the docket and books, those old relics happening to come along with my library. The dust was brushed off and the acts, sections and appropriate clauses consulted. Will this law do the people of the Territory? It is common law! In the absence of direct legislation the common laws of England that are applicable, are recognized by our Constitution. Now we were red to try to right up the wrongs. During the process of raising the

first crops, two of our neighbors got into a law suit. Jacob Brunk commenced suit against Ferdinand Helrich for killing his hogs, that had "bulged" their pen, (as the boys used to call it,) and got in Helrich's squash patch, for our farms were then small. Some of Jacob's hogs had laid down to rest after having been in mischief and forgot to get up again, and he (Jacob) thought Helrich's hands could unravel the mystery. Joel K. Goodin and H. P. Welsh were then considered wise in council and their lights shone as brilliant as any at had, therefore they were pitted against each other to right up this first wrong. A jury was sworn and the whole neighborhood was in attendance during the trial. Three of the jury, Jacob Copple, James Davis, and John Wike, took the ague; two of them stood on their feet, and Wike who was unable to stand, raised up in the bed while they took the oath, both those dignitaries, (the council,) had taken cognizance of the weather in the almanac, then read a little in the Bible, - but when they come to handle the worn out and dilapidated statutes of Illinois, *it* was a sealed book to them. The Honorable Court looked up the appropriate acts, sections, and clauses, which they expounded with appropriate gestures and sneers. The jury brought in a verdict for the defendant and H. P. Welsh was the champion of the day, - if my memory serves me right.

In the archives, the history of Kansas is recorded in a series of events which matured into gigantic dimentions. [sic] Political and social intercourse became inflamed. Antagonistic forces were aroused and being fanned with that spirit which is not dictated by Him who tempers the chilling winds to the shorn lamb, but by that spirit of disobedience. Our Savior shed his blood to teach harmony and heal up the wounds inflicted by the influence of that wicked one. As Time has now past that unfortunate encounter, we look back and realize that we have raised the club of Cain and slew our brothers. The soil of Kansas, as well as that of other States, have drank the blood of our kindred. We must erect in memory suitable monuments to mark the spot where they fall that after ages the offspring of those sires who may approach and read upon those memorials that they must look back upon the past as a guide to the future, and learn war no more.

The decrees of the truth are equitable rights, Justice is based upon the pyramids, anterior to those of Egypt. The history of the world may be read in one short chapter, Romans, Plebians & Partricans. *Dis*-tinction was the motto of the first party, *-ex*-tinction the motto of all other parties. Those powers will osolate [sic] like the waxing and wanning [sic] moon.

Sheath the sword and break the spear; write upon the ironclads this motto: "Nevermore to be used against our brethren." Under this motto where is the enemy? It is said that the first attribute of man is to err, and to err in judgment is fatal.

The soil of Kansas is now prolific; the fires of the Sun are not extinct in the heavens, - the rains and dews are not suspended in the regions of space. Seed time and harvest is promised to the husbandman. We must plant and sow, reap and mow, and not let the fashions rise up in our place like an owl in battle. Starve pride and live is the motto of the sons of the toil. Liberty is the genuine nurse of genius. When truth, justice and honor is sacrificed upon the alter of injustice, the Goddess will wave her wand and blite with anathemas the strongest citidels [sic] of human invention.