

Wyandotte Constitutional Convention, 1859

Cast of Characters

William Addison Phillips

Born in Scotland on January 14, 1824, William A. Phillips immigrated with his parents to the United States in 1839 and eventually launched a career in journalism that would soon bring him to prominence in the hotly contested territory of Kansas. Phillips decided to travel to Kansas in 1855 and report upon the state of affairs in the territory. As a special correspondent to Horace Greeley's *New York Tribune*, Phillips penned several articles decrying the evils of slavery and the outrages committed by Missouri border ruffians against the free-state men of Kansas. His powerful anti-slavery views were fully set forth in an 1856 publication entitled *The Conquest of Kansas by Missouri and her Allies* that became a popular Republican campaign document in John C. Fremont's unsuccessful bid for the presidency that autumn. Phillips remained active in the free-state movement, and in the spring of 1858 Phillips—with four associates—founded the town of Salina. After eventful and distinguished service in the Civil War, Phillips returned to Kansas where he served in the state legislature and won three terms in the U.S. House of Representatives (March 4, 1873-March 3, 1879). Phillips failed in his bid for a fourth nomination and subsequently retired from political life. He died on Thanksgiving Day, November 30, 1893, at the home of a friend, W. P. Ross, in Fort Gibson, Oklahoma.¹

Benjamin Franklin Simpson, Paola, Lykins County (present-day Miami County), Republican, Lawyer.

The convention's youngest delegate at age 23, B. F. Simpson had been born in Belmont County, Ohio, on October 24, 1836, where he studied law and was admitted to the bar just prior to his move to Kansas Territory in 1857. Simpson was unmarried at the time of the convention, living in Paola with an Ohio-born millwright named E. McClure. Almost immediately he became involved in local politics and public service—elected Miami County attorney in 1858. He continued practicing law in that village, married, and prospered after the Civil War. Simpson represented Miami County in the territorial legislature, was elected Kansas's first attorney general under the Wyandotte Constitution on December 6, 1859, and served as captain of Co. C, Fifteenth Kansas Cavalry. Subsequently, Simpson was active in the Republican Party and elected to several terms in the state legislature (both the house and the senate), serving as speaker of the house for the 1871 session. He was appointed United States marshal for the District of Kansas in 1878 (until 1886) and served as a state Supreme Court commissioner from March 5, 1887, to March 1, 1893. He died in Paola on August 10, 1916.²

John A. Martin, Atchison, Atchison County, Republican, Editor.

Although not a delegate and only 21 years old, John A. Martin, a future governor of Kansas, was chosen secretary to the convention. Martin was already a respected and successful editor

(*Freedom's Champion*, formerly the *Squatter Sovereign*) and had helped found the Kansas Republican Party in May 1859. He distinguished himself during his Civil War service, before resuming his journalism career. The Atchison editor and veteran was active in the GAR, and in 1875, Martin was among a group of Kansas editors who founded the Kansas State Historical Society. He served as governor of the State of Kansas from 1885-1889 and died in Atchison on October 2, 1889, just eight months after finishing his second term.³

Solon Otis Thacher, Lawrence, Douglas County, Republican (former Whig), Lawyer.

Born in Steuben County, New York, on August 31, 1830, S. O. Thacher was the son of a county judge and a graduate of Union College at Schenectady, as well as the Albany Law School. In 1856, Thacher was admitted to the bar in New York, where he practiced law and served in the 1857 legislature, before moving with his wife and infant daughter to Kansas in July 1858. Thacher settled at Lawrence, where he acquired a half interest in the *Lawrence Republican*. In 1859, he proved to be one of the most active and liberal delegates at Wyandotte; previously, Thacher had defended the raids of James Montgomery and other such extreme activity and was a radical voice at the convention. On May 19, 1860, Thacher left the *Lawrence Republican*, but he remained politically active, winning a judgeship in 1861, running for governor in 1864, and serving in the state senate in the 1880s. He also maintained a successful and lucrative law practice in Lawrence and served as a regent of the state university. S. O. Thacher was appointed to a diplomatic mission that toured South America in 1883 and was president of the Kansas State Historical Society at the time of his death, August 11, 1895. "He is dead," reported the *Lawrence Daily Journal*, "and in his death we have lost a noble, honest, true, man."⁴

John P. Greer, Topeka, Shawnee County, Republican (former Whig), Lawyer.

Born in Montgomery County, Ohio, on October 21, 1812, J. P. Greer took up the practice of law and then moved to Kansas from Ohio in September 1856. He soon settled with his family in Topeka, where he lived the next thirty plus years. At the polls on June 7, 1859, Greer, "an ardent Free State man," led the field of eight candidates for three Shawnee County seats at the Wyandotte Constitutional Convention—he received 543 votes, John Ritchie polled 335, and H. D. Preston got 325; the remaining candidates tallied between 50 and 171 votes each. In the years following the convention, Greer edited the *Topeka Tribune* for a year, beginning on February 9, 1861, served briefly during this same period as judge advocate general in the Kansas adjutant general's department, "enlisted in the state militia [Second KSM] and was severely wounded in the Price raid," was elected probate judge of Shawnee County, and was appointed as consul to Matamoros, Mexico, 1869-1870. Judge Greer, who, according to his *Daily Capital* obituary, "was an able lawyer, ... a good citizen and a true friend," died in Topeka on November 28, 1889.⁵

Samuel Adams Stinson, Leavenworth, Leavenworth County, Democrat, Lawyer.

Born in Wiscasset, Maine, on November 24, 1831, and graduated from Bowdoin College, Sam Stinson gained a reputation as an outstanding orator and successful lawyer. He was married and moved to Kansas from Wisconsin in 1857; and although the unsuccessful Democratic candidate for associate justice of the state Supreme Court under the Wyandotte Constitution, Stinson was elected state attorney general on November 5, 1861 (special election) and served in that office until January 1863. He was, according to B. F. Simpson, “the most genial, magnetic, versatile and accomplished” of Leavenworth’s “galaxy of bright minds.” Stinson was “tall, well formed, with a bright, fresh face He devoured books, rather than read them, his tenacious memory enabling him to call up their contents at will.” The *Leavenworth Times* described him as “remarkable for the nervous activity of his mind, his quickness of perception, ready wit, easy and admirable use of language, and power in debates. . . . He has an easy address and most gentlemanly bearing,” and although he no doubt “acts on principle,” it was partisan principle based on “birth and education, and not from fixed and solid conviction.” Stinson was elected to the board of directors of the Union Pacific Railway, Eastern Division on April 6, 1864, but soon after the war ended he returned to his native state and old hometown, Wiscasset, where he died on February 20, 1866.⁶

Samuel Austin Kingman, Hiawatha, Brown County, Republican (former Whig), Lawyer.

Born in Worthington, Massachusetts, on June 26, 1818, S. A. Kingman was educated in the local public schools and then moved to Kentucky, where he taught school and studied and practiced law for some eighteen years. He also held local office (county clerk and county attorney) and served two terms in the Kentucky Legislature, 1849-1851. Kingman married in 1844, and after a short stay in Iowa, the family moved to Kansas in 1857, settling first on a farm and then in Hiawatha, Brown County. Kingman represented that county at the Wyandotte Convention and was elected, under the constitution he helped draft, to the state Supreme Court in December 1859; subsequently, he served as associate justice (1861-1865) and chief justice (January 1867-December 30, 1876) of the Kansas Supreme Court and was the first president of the Kansas State Historical Society. Judge Kingman died on September 9, 1904, at home (corner of Seventh and Monroe Streets) in Topeka, where he had resided since 1872.⁷

William C. McDowell, Leavenworth, Leavenworth County, Democrat, Lawyer.

The son of a prominent lawyer and politician, William McDowell was born at Hillsborough, Ohio (ca. 1828) and was admitted to the Ohio bar. He married about 1854 and the young couple started a family in her native state of Kentucky before removing to Kansas. He was recognized as “one of the best” stump speakers in Kansas Territory soon after his 1858 arrival; according to B. F. Simpson, “McDowell had an indescribable way of ‘putting things’ to a crowd that was irresistible.” The Leavenworth attorney served as a delegate to the Wyandotte Constitutional Convention in July 1859, and was described as “perhaps, the most rabid Democrat in the delegation, stout, bald and bearded, about middle age, and yet quite youthful in manner, full of humor and good nature, a gentleman and a good fellow.” According to the *Times*, however, McDowell was “purely Democratic on this all-absorbing question [slavery].” Despite his opposition to the original instrument, McDowell was nominated for and won election as first

district judge under the new constitution at the December 6 election. W. C. McDowell died in St. Louis on July 16, 1867.⁸

Clarina I. H. Nichols

Clarina Nichols was born in West Townshend, Vermont, on January 25, 1810, and was a recognized leader in the woman's rights movement and a champion of many other reform causes before ever moving to Kansas Territory. She worked for the *Windham County Democrat* in Brattleboro and married George W. Nichols, the *Democrat's* editor in 1843. Nichols ultimately took over the newspaper's editorial duties, making the *Democrat* more literary and more closely aligned with a variety of reform causes. Nichols' efforts on behalf of reform made her something of a regional celebrity and a sought after public speaker. In 1854, Nichols decided to migrate to the newly opened territory of Kansas, traveled west with the New England Emigrant Aid Society, and soon moved her family to a claim in southern Douglas County. Clarina Nichols' contribution to reform in Kansas focused mostly on woman's rights, but like most activist women of her day, she also was opposed to slavery. Her husband died in 1855, and Nichols spent much of 1856 on the campaign trail seeking support for Kansas and John C. Fremont, Republican presidential nominee. Subsequently, Nichols moved to Wyandotte County, where in the spring of 1857 she became associate editor of the *Quindaro Chindowan*, an antislavery newspaper. She traveled throughout the territory lecturing about equality, gathering signatures on petitions, and by 1859 building support for her participation at the Wyandotte Constitutional Convention. These petitions persuaded the delegates to give Nichols a voice and a platform. She sat in on the convention's daily proceedings, occupying a seat of prominence next to the chaplain. While there, she lobbied the delegates to grant women equal educational opportunities and the right to vote in school district elections, as well as equal standing on child custody matters and equality in holding real and personal property. Largely due to Nichols' lobbying efforts, the Wyandotte Constitution guaranteed these rights to Kansas women, and once the convention finished its work, Nichols campaigned for the constitution's adoption by the electorate. Kansas was a vital battleground for woman's rights, and events here remained important to the national movement. Thus, when the Kansas campaign for equal suffrage was launched in 1867, Susan B. Anthony, Lucy Stone, Olympic Brown, and Elizabeth Cady Stanton joined Clarina I. H. Nichols in the valiant but futile effort. Kansas voters ultimately rejected amendments for both female and African American suffrage. The cause of woman's rights advanced slowly, thereafter, but it did advance, thanks to Nichols and many other selfless and dedicated women. Nichols left Kansas in 1871 to be with two of her children in California, where she died on January 11, 1885.

John Ritchie, Topeka, Shawnee County, Republican, Farmer.

One of the Wyandotte Constitution convention's leading radicals, John Ritchie (or Ritchey) was born in Uniontown, Ohio, on July 17, 1817. He married at Franklin, Indiana, on January 16, 1838, and started a family there before moving to Kansas Territory in 1854. In addition to farming and real estate development in and near Topeka, Ritchie became a political leader in his community and was selected to represent his locale in both the Leavenworth and Wyandotte constitutional conventions. Notably, at the latter, Ritchie sought to omit the word

“white” from the final document and advocated for women’s rights—on the second day of the convention, Ritchie moved “that Mrs. [Clarina] Nichols be heard in behalf of the ladies.” Recognized as “the Radical of Radicals, the Extremist on all points *par excellence*,” Ritchie was described by the *Daily Times* as “an ultra Abolitionist, woman’s rights man, teetotaler and general advocate for reform,” who looked “eagerly and earnestly for the ultimate redemption of mankind from all oppressions, abuses and vices, of whatever nature and kind.” He was actively engaged in the cause of the Union throughout the Civil War, holding commands in both the Fifth Kansas Cavalry and the Indian Home Guards, and became one of the capital city’s leading benefactors in the postwar decades, until his death in Topeka on August 31, 1887.⁹

William Hutchinson, Lawrence, Douglas County, Republican, Farmer.

Born in Randolph, Orange County, Vermont, on January 24, 1823, and raised on a farm, William Hutchinson received a common school education, and taught several terms in the rural schools. He married on March 3, 1847, and the couple established a farm near Braintree, Vermont. Three years prior to their spring 1855 move to Kansas Territory, Hutchinson became editor and publisher of the *Green Mountain Herald* in Randolph, Vermont. William and Helen Hutchinson actively supported the free-state movement; he wrote letters on the situation in Kansas for the *Vermont Watchman*, the *Boston Journal*, and the *New York Times*, among other newspapers, and served as a Lawrence delegate to the Wyandotte Convention in 1859. Hutchinson boldly and consistently supported “Negro suffrage” during the convention debates, moving “to strike out the word ‘white’” from the suffrage clause because the right to vote should be extended “to every class of men.” But he was also implicated in some convention “skulduggery” toward the end of July, when Elijah Hubbard claimed Hutchinson had “offered me a good lot [in Lawrence] if I would vote for Lawrence” as temporary capital of the state. Hutchinson joined James H. Lane’s Frontier Guard in the nation’s capital in 1861, and although he maintained his residence in Lawrence, continued working in Washington, D.C.; he was an employee of the Interior Department at the time of his death on May 18, 1904.¹⁰

William Riley Griffith, Marmaton, Bourbon County, Republican, Farmer.

The man who would become the state’s first superintendent of public instruction (February 1861-February 1862), William R. Griffith, was a minister’s son born near Lafayette, Tippecanoe County, Indiana, on May 8, 1820. Griffith graduated from Asbury University in 1847, removed to Bourbon County, Kansas Territory, from Pennsylvania in the spring of 1855, and wasted little time getting involved in the politics of the day. Initially a free-state Democrat, Griffith was a delegate to the Topeka Constitutional Convention in October 1855, and a recognized leader of the free-state movement in the southeast. Griffith won election to the superintendent’s office on December 6, 1859, and took office after Kansas was admitted to the Union in 1861. He died in Topeka on February 12, 1862, after only one year on the job. During the Wyandotte Convention the *Daily Times* described Griffith as “one of the most valuable members of this body. . . . a good, clear thinker, concise and terse speaker, and a man true always to the best instincts of humanity.”¹¹

John James Ingalls, Sumner, Atchison County, Republican, Lawyer.

Born in Essex County, Massachusetts, on December 29, 1833, John J. Ingalls became a prominent lawyer, orator, author, and politician. He graduated from Williams College at Williamstown, Massachusetts, in 1855 and was admitted to the bar in 1857. Searching for a healthier climate and economic opportunity, the young attorney moved to the Kansas frontier in October 1858, and quickly became active in the political affairs of the territory, serving as a delegate to 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 carried on a voluminous correspondence throughout the territorial years and penned several extant letters to his father during the pivotal summer of 1859. Shortly after war’s end, on September 27, 1865, Ingalls married Anna Louisa (Lou) Chesebrough, the daughter of Ellsworth Chesebrough, a prominent New Yorker who moved his family to Atchison in 1859. Ingalls served in the state senate and as U.S. Senator from Kansas (1873-1891), becoming a well-known writer and orator. His political career ended involuntarily—he was defeated in 1891 by William A. Peffer—during the Populist Revolt of the 1890s, and he died at Las Vegas, New Mexico, on August 16, 1900.¹²



Wyandotte Constitutional Convention, 1859 is part of the Shared Stories of the Civil War Reader's Theater project, a partnership between the **Freedom's Frontier National Heritage Area** and the **Kansas Humanities Council**.



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¹ William A. Phillips, 1824-1893,"biographical sketch, "Personalities," www.territorialkansasonline.org.

² *U.S. Census, 1860*, Paola, Lykins County; and *1870, 1880, 1900, 1910*, Paola, Miami County; Simpson, "The Wyandotte Constitutional Convention," 236-247; William Cutler, *History of the State of Kansas* (Chicago: A. T. Andreas, 1883), 885, Paola, Miami County, biographical sketch; "Official Roster of Kansas, 1854-1925," *Kansas Historical Collections, 1923-1925* 16 (1925): 662, 665, 712; "Biographies of Members of the Legislature of 1868," *Kansas Historical Collections, 1907-1908* 10 (1908): 268; William E. Connelley, *Twentieth Biennial Report of the Kansas State Historical Society* (Topeka, 1916), 69, obituary, which contains same birth and marriage dates as newspaper: *Miami Republican*, August 18, 1916. See also, *Topeka Daily Capital*, March 26, 1912; and "B. F. Simpson, After 60 Years' Public Life, Dies," *Topeka Daily Capital*, August 11, 1916.

³ "John A. Martin," biographical sketch, "Personalities," www.territorialkansasonline.org; Homer E. Socolofsky, *Kansas Governors* (Lawrence: University Press of Kansas, 1990), 113-115.

⁴ Gaeddert, *The Birth of Kansas*, 37; Wilder, *Annals of Kansas*, 301; Simpson, "The Wyandotte Constitutional Convention," 244; Stuart Henry, "Solon O. Thacher," *Kansas Historical Collections, 1897-1900* 6 (1900): 206-219; Charles Hanford Landrum, "A History of the Kansas School Fund," *Kansas Historical Collections, 1911-1912* 12 (1912): 201n; *U.S. Census, 1870, 1880*, Lawrence, Kansas; *Lawrence Daily Journal*, August 12, 1895.

⁵ "Official Roster of Kansas, 1854-1925," 16: 674, 714; Wilder, *Annals of Kansas*, 260, 312; "Judge Greer's Death," *Topeka Daily Capital*, November 28, 1889; "Death of Judge Greer," *State Journal*, Topeka, November 29, 1889; "John P. Greer" resolution, in *Seventh Annual Meeting of the Bar Association of the State of Kansas, Topeka, January 7 and 8, 1890* (Topeka: Reed Martin Printing Co., 1890), 6-8; *U.S. Census, 1870*, Topeka Twp., Shawnee County, Kansas.

⁶ *Leavenworth Times*, July 23, 1859; *Kansas Constitutional Convention...Proceedings* (Topeka: Kansas State Printing Plant, 1920), 15, passim; Gaeddert, *The Birth of Kansas*, 37; Simpson, "The Wyandotte Constitutional Convention," 237, 242-243; "Official Roster of Kansas, 1854-1925," 16: 662; John D. Cruise, "Early Days on the Union Pacific," *Kansas Historical Collections, 1909-1910* 11 (1910): 538n; *U.S. Census, 1850*, Wiscasset, Lincoln County, Maine; *Kansas State Census, 1865*, Leavenworth County, Ward 4, City of Leavenworth.

⁷ The contemporary delegate listing, *Freedom's Champion*, July 16, 1859, which is reproduced in the *Annals*, recorded Kingman's age as 38 years (see also *U.S. Census, 1860*, Hiawatha, Brown County, KT); Waters and the 1900 *U.S. Census*, Topeka, Shawnee County, provide a June 1818 birth, which would have made him 41 years of age in July 1859. See also, "Official Roster of Kansas, 1854-1925," 665; *KHC* 13:115; "Quarter-Century Celebration," *Kansas Historical Collections, 1901-1902* 7 (1902): 153n; Joseph G. Waters, "Samuel A. Kingman," *Kansas Historical Collections, 1905-1906* 9 (1906): 45-66; etc. "Judge S. A. Kingman is Dead: Kansas' First Chief Justice," *Topeka Daily Capital*, September 10, 1904; Samuel A. Kingman, "Diary of Samuel A. Kingman at Indian Treaty in 1865," *Kansas Historical Quarterly* 1 (November 1932): 442, note #3, on line at www.kshs.org/publicat/khg/1932/32_5_kingman.htm; Gaeddert, *The Birth of Kansas*, 49, 56, 67, 541-543.

⁸ Wilder, *Annals of Kansas*, 290, 459; *U.S. Census, 1860*, 1st Ward, Leavenworth, Leavenworth County, Kansas; Simpson, "The Wyandotte Constitutional Convention," 243; "Constitutional Convention," *Leavenworth Times*, July 23, 1859.

⁹ *Daily Times*, Leavenworth, July 27, 1859; *Kansas Constitutional Convention... Proceedings*, 30; biographical sketch, "Personalities," www.territorialkansasonline.org.

¹⁰ William Hutchinson, "Sketches of Kansas Pioneer Experiences," *Kansas Historical Collections, 1901-1902* 7 (1902): 390n, 394; "The Frontier Guard at the White House, Washington, 1861," *Kansas Historical Collections* 10:419; *U.S. Census, 1850*, Orange County, Vermont; "William Hutchinson Dead," *Lawrence Daily Journal*, May 19, 1904; *Kansas Constitutional Convention...Proceedings*, 300, 467-469.

¹¹ Biographical note, *Kansas Historical Collections* 1-2:245, 6:295; "Official Roster of Kansas, 1854-1925," *Kansas Historical Collection, 1923-1925* 16 (1925):662, passim; Kenneth Stern and Janelle L. Wagner, "The First Decade of Educational Governance in Kansas, 1855-1865," *Kansas History: A Journal of the Central Plains* 24 (Spring 2001): 36-53, at <http://www.kansasmemory.org/item/3917>; Blackmar, *Kansas: A Cyclopedia of State History*, vol. 2, 592; *Daily Times*, Leavenworth, July 27, 1859; *U.S. Census, 1860*, Bourbon County, Kansas.

¹² According to Ingalls, "The language [of the constitution], Expression and arrangement are mine, as chairman of the Committee for that purpose." Even "Its opponents confer," wrote Ingalls, "that for accuracy of definition, conciseness of expression and terseness of language it is a model instrument." Ingalls Papers, Collection 177, Library and Archives Division, Kansas State Historical Society (<http://www.kansasmemory.org/item/2974>); "John James Ingalls, 1833-1900," www.territorialkansasonline.org/; *U.S. Census*, 1870 and 1880, Atchison, Atchison County, Kansas; Burton J. Williams, *Senator John James Ingalls: Kansas' Iridescent Republican* (Lawrence: University Press of Kansas, 1972); "Mrs. John J. Ingalls Dies," *Kansas City Times*, April 16, 1926.