

Stirring Events in Early History of Omaha

Hot Legislative Fight on Fixing State's Capital

Omaha Members of Assembly of 1858 Battle Valorously Against Florence "Seceders" and Others.

(Continued from Page Two).
shrewd practice by the opponents of Omaha.

Last Round of Fight.
Hanscom and his associates now turned several tricks which resulted in the securing of enough votes to prevent the passage of the bill over "Grandmother" Izard's veto.

The last round in the capital removal fight was fought out in the winter of 1858. Hanscom was again summoned to champion the cause of Omaha. At this time he was not a member of the legislature, but was classed as a lobbyist. However, that made but little difference with him. The plan of bribery was discussed, but Hanscom declared that he, for one, had been paying out money long enough, and that now he proposed to "punch" somebody.

The opportunity for the "punching" soon came. Speaker Decker had armed himself with a revolver and announced that he and his party were prepared for any emergency. The committee of the whole had elected Dr. Thrall as chairman, and he at once filled the chair. The Omaha men now let loose a flood of talk and held the floor from the morning hour until late in the afternoon, when a message was received from the clerk of the council after that body had adjourned. Under the joint rules no message could be received by one branch when the other that sent it was not in session.

Grabs For Gavel!
While this point was being discussed Speaker Decker attempted to take the chair, but Dr. Thrall held him off. Decker grabbed for the gavel in Thrall's hand, and at the same time announced that the committee of the whole would rise and receive the message from the council. This was out of order. Hanscom, as an ex-member of the legislature, took advantage of the privilege to make himself at home within the bar. He was sitting near the speaker's stand, and shouted to Thrall to "hit the rascal over the head with the gavel." As Decker attempted to push Thrall out of the chair Hanscom jumped to his feet and pulled Thrall back.

This tussle was continued back and forth for some little time. J. W. Paddock and Mike Murphy now took a hand and the next instant grabbed him by the back of the neck and the seat of his trousers and threw him with great force under a table. A free rough-and-tumble fight ensued in which several men were roughly handled and were given black eyes and bloody noses as souvenirs of the occasion. The Omaha "gang" won out.

Adjourn to Florence.
The next morning each house passed a resolution of adjournment to Florence. The proceedings of these two bodies at Florence amounted to little or nothing, and they were not recognized as a legislature by the governor, who at that time was W. A. Richardson of Quincy, Ill., who had succeeded Izard in January, 1857. The secessionists had appealed to the governor for protection from "an unrestrained mob" in Omaha, declaring that they had a well grounded apprehension as to the personal safety of the majority of the legislature, and they urgently requested him to communicate with them at his earliest convenience.

Governor Richardson addressed them as "members of the legislature," and not as "the legislature." He assured the Florence seceders that if they would return to Omaha and transact necessary business he would guarantee them protection from any act of violence by any man or set of men. The seceders, however, did

One of Omaha's Early Homesteads



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not accept the governor's offer of protection. This fourth session of the legislature, which broke up in a row, was held in the territorial capitol, which had been completed. There were no more attempts to move the capital until Nebraska became a state.

Call Extra Session.
An extra session of the legislature was called in the fall of 1858 to remedy a defect in the laws which by the action at the previous session left the territory without a criminal code, and the only mode of procedure was the common law of England under the provisions of which perjury, forgery and other crimes less than capital in the United States, were punishable with death. This hocus pocus bill, which brought about this condition, was engineered through to passage for the benefit of a Nebraska City murderer by his lawyer, who was a member of the legislature.

At this session the legislature paid a high tribute to Secretary Thomas B. Cuming, who had died in March. Cuming was a man of more than ordinary ability. He was highly educated, and had a somewhat varied and active career before coming to Nebraska. He had served in the Mexican war, enlisting as a private and soon rising to a lieutenant in

a Michigan company commanded by A. J. Hanscom. After the war he learned telegraphy in three weeks, and while employed as an operator in Keokuk wrote several brilliant articles for The Dispatch, of which paper he was soon made the editor. Under his editorship The Dispatch became the leading paper of Iowa.

Tribute to Cuming.
The late Judge Savage paid this tribute to Secretary Cuming: "Neither the lapse of time nor the passing of the years can efface the memory of the talented and generous Cuming from the minds of those still living, who knew him. No more gifted person has ever lived in Nebraska." He was only 30 years old when death cut short his brilliant career.

Upon the admission of Nebraska to statehood in 1867 Lincoln was made the capital of the state with little or no objection on the part of Omaha which had grown to be a city of some considerable size and importance. The Union Pacific was being rapidly constructed and the railroads from the east were nearing the Missouri river at this point. Business was brisk and everybody was thriving. The retention of the capital was no longer considered essential to the future prosperity of the city. The legislature compensat-

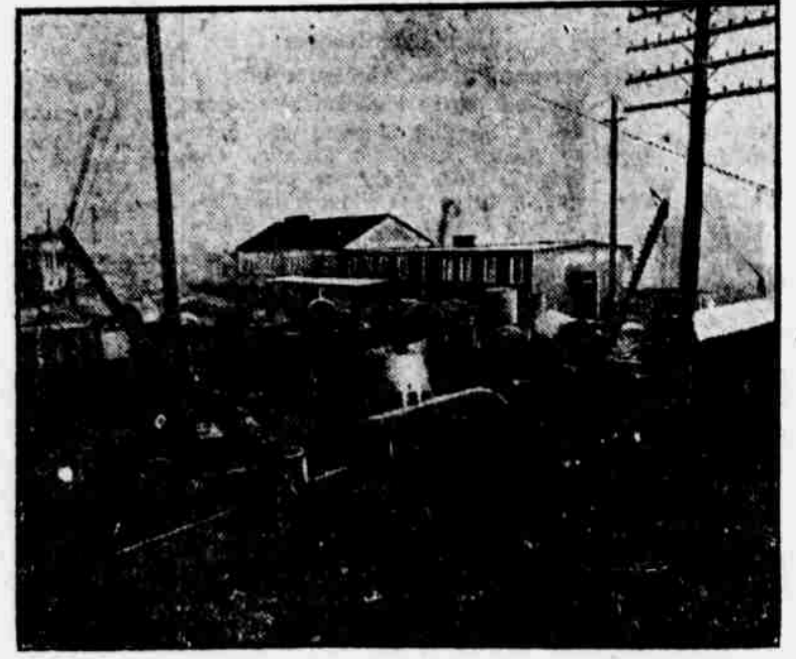
ed Omaha for its loss by giving the city a title to Capitol square in consideration that it should be used for public school purposes.

The Abolishment of Slavery.
Very few people of the present time are aware of the fact that negro slavery existed in Nebraska in the early territorial days. Nearly all the federal office holders were from the south and they brought with them a negro slave or two as servants. According to the first census there were 13 slaves in the territory in the fall of 1854. In 1859 there were seven or eight slaves owned by parties living near Nebraska City who had come from Missouri. In the fall of that year a colored servant girl from Missouri passed through Omaha way-billed as an express package and consigned to a United States army officer at Fort Kearney. At an extra session of the legislature in the fall of 1858 a bill was introduced to abolish slavery, but after considerable discussion it was side-tracked.

About this time an advertisement appeared in The Nebraska City Press announcing that the sheriff would offer for sale to the highest bidder "one negro man and one negro woman, known as Hercules and Martha," to satisfy a judgment in favor of William B. Hall. The Press called upon the legislature to take action in the matter, and in the fall election the question of slavery was made a direct issue. The republicans brought suit against Hall as a kidnaper, but nothing resulted from it except the effect upon the legislature.

At the next session of the legislature the question of slavery again came up. A report by William H. Taylor showed that quite a number of Nebraskans were slave owners. He was one of the most violent anti-slavery advocates in the territory and was called "Handbill Taylor" because of his propensity of "posting" men who refused to give him satisfaction according to the code of honor. An extract from his report says: "As evidence that slavery does exist in the territory of Nebraska I have only to cite the fact that Hon. S. F. Nuckolls has instituted suit against certain parties residing in Iowa for the value of two colored persons, his slaves, whom he alleges were abducted from him."

Dr. George L. Miller reported that he deemed it "extremely injudicious for the legislature to lend itself to the agitation of a subject which, to the people of Nebraska, is conceded to be of no practical



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1921

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