

Excerpts taken from:

“Go West More Land”

The Early Years of Westmoreland, Kansas

Written by Michael J. Zabel, 2005—2nd Edition

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Chapter 4, The Winning of the Courthouse

Early Courthouse History

In the 25 years after the arrival of pioneers on Rock Creek, many other settlers had come to the Westmoreland area. Most of these pioneers had children when they came or had them shortly after arriving. By 1880, most of this second generation was almost grown up or had already reached adulthood. It was quite fitting that this young, hopeful, and excited second generation would be in their prime when the most important and exciting event occurred in the history of the community. In 1882, a county-wide election was conducted to locate a permanent county seat. Due to an incredible series of events, Westmoreland, a tiny village, isolated in the middle of the county, won the election and the right to have a county seat. To understand the events that led the county seat to Westmoreland, one has to flash back 25 years in Pottawatomie County History.

In 1854, the U.S. Congress created two brand new territories out of what was once land promised forever to the Indians. The actual forever for the Indians turned out to be about 20 years. The northern territory would become known as Nebraska, while the southern part became known as Kansas. In both areas, Indians would be forced to leave, opening up the area for white settlement.

The first permanent white settlers of Pottawatomie arrived in August of 1854 and settled 8 miles south of the future site of Westmoreland. These men and their families were the founders of the Flush community. It did not take long before hundreds of other pioneers arrived and began to homestead in the county. When the Kansas Territory was first organized in 1855, there was no Pottawatomie County. The area was included in the counties of Calhoun and Riley. This arrangement proved confusing, for residents did not know which county they belonged to. So, in the last part of 1856, Dr. Luther F. Palmer drew up a petition asking the territorial legislature at LeCompton to create a new county called Pottawatomie, to be named after the Indian tribe that lived in the area before being forced to leave in 1854. Pottawatomie, according to Indian legend meant “pipe lighter”. The petition was presented by Charles Jenkins and J.A.J. Chapman and was granted February 20, 1857.

Since the town of St. George was platted out in 1855 by John Chapman as the county’s first town, it was named the county seat. In 1861, the territory became the 34th state. In becoming a part of the state, it became necessary for Pottawatomie County to choose a permanent county seat. There were four contenders for the honor, which included Louisville, St. George, Mount Union, and Welton. The top choice seemed to be the thriving town of Louisville, located on Rock Creek near the famous Oregon Trail Vermillion River crossing.

Louisville was a rival of such towns as Holton, Manhattan, Topeka, Seneca, and Marysville. It drew trade from all over the northern and eastern parts of the county. In its early days, the post office of Louisville served more square miles than are now in the entire county.

The election was held November 5, 1860. As it turned out, Louisville won the election with 164 voters, while second place went to Mt. Union with 143 votes. Mt. Union was a town that did not exist, but was supposed to be located on the O'Daniel place three miles south of the present site of Westmoreland. It was claimed by voters in the Mt. Union and St. George areas that Indians from the nearby reservation had come to Louisville and voted illegally. Indians were not considered citizens of the United States and were not allowed to vote. Charles Jenkins of Mt. Union filed a restraining order contesting the election, but State Representative O.J. Grover introduced a bill in the state legislature that made Louisville the county seat. The bill became a law in 1862 and thus Louisville became the county seat for the next 20 years until 1882.

Westy Wins the County Seat

In the late 1870's and early 1880's, controversy over the county seat began again. It seemed that there were many people, particularly in the northern part of the county who wanted the county seat moved to a more central location. On September 23, 1877, an election was held to determine the new county seat. The results were as follows: Wamego 975, Westmoreland 778, Louisville 630, and LaClede 587. According to election law a new vote had to be taken because no town received a majority of the vote. The top two vote-getters, Wamego and Westy, would be the only ones on the ballot. Considerable agitation developed in the county after the 1877 election which held off the run-off election for nearly five years. Most of the agitation centered on the rival towns of Louisville, the county seat, and the city of Wamego, located two miles to the south of Louisville. Years before, Louisville was one of the fastest growing cities in the state. Unfortunately, the Union Pacific Railroad in 1866 decided not to build their railroad through the town. Instead, the company maintained its route through the Kansa River Valley. Little did they know that many businessmen would eventually find it easier to move their businesses to Wamego where the railroad was located.

By 1877, Wamego had drained Louisville of most of their population and resources. After the results of the 1877 election became known, Louisville soon realized that their city was doomed. In one last attempt to keep Wamego from completely destroying their town, the citizens threw their support to Westmoreland in the run-off election. As the election day came closer, the bitterness intensified almost to the point of bloodshed. On September 19, 1882, the election was held. The Louisville citizens, true to their word, threw their support to Westmoreland which proved to be just enough to win the election for Westy. The final tally read Westy 1887 to Wamego's 1551. The village of Westmoreland, with a population of less than 50, was about to experience their "boom-town" period.

Chapter 5, The Boomtown Days of Westmoreland

The Taking of the Courthouse

The citizens of the Westmoreland locale were filled with excitement after learning about their victory in the county seat election. They knew that the village would finally have a chance to grow into a decent sized town. Unfortunately, their excitement turned into worry for a few days, when they learned that it was not going to be easy for the county seat to actually be moved from Louisville to Westmoreland. It so happened that the sheriff of Pottawatomie County, James Graham, was a pro-Wamego man who was very bitter about the outcome of the election. He was often heard to have threatened that Westmoreland would never become the county seat as long as he was sheriff. Graham's threats must have been taken seriously for no one attempted to go to Louisville and take the county seat property to Westmoreland.

However, the influential men of Westmoreland were secretly meeting to try and formulate a plan to somehow get the county seat property to Westmoreland. The schemers came up with a plan and patiently waited for the right day.

The day that the county seat would be moved occurred on Saturday, September 29, 1882. James F. (Frank) O'Daniel, a farmer-rancher south of Westmoreland, was in Louisville supposedly on business. Also in town that morning was a friend of O'Daniel's by the name of Elihue McMurray, who was a livestock buyer from the Moodyville area. Frank O'Daniel learned that Sheriff Graham was out of town that particular day and would not be returning until at least Monday. O'Daniel knew that this was the day they had been waiting for. He immediately found McMurray and sent him on horseback north to inform the citizens of Westmoreland that the time had come. Around noon, McMurray began to inform those who had wagons and horses to meet near Brush Creek, south of Westy near the Kenech farm, as soon as possible. He started with the Adam Scott's who lived south of Westmoreland, then proceeded up the valley to the McKimens', Zabel's, Grutzmacher's, Comfort's, Robson's, etc.

Charles Scott, who was of a young age, recalls in 1957, the moving of the courthouse as follows:

"Elihue McMurray bounded up to every owner of a wagon and team in the valley. He told them to take their teams and horses to the Brush Creek bridge to join others in driving into Louisville at midnight to load the county safes and records."

"As McMurray went up the valley in his "Paul Revere" act, the informed citizens were hastily hitching and greasing their wagons, and then hurriedly brought them to the meeting place."

Mrs. Florence Wolfkill recalled the following in 1957, in regard to the incident:

"Some of the men who actually went to Louisville that night were Otto Huckstadt, John S. Coddling, Mr. Curl, Mr. Wright, and many others. Once the men arrived at the county seat in Louisville, around midnight, they found that the flag pole was removed and the doors were broken in. While loading the furniture and the heavy safes, several Louisville citizens became upset. Since Sheriff Graham was not in town little could be done. It was said that a Mr. Benton immediately went to Alma to get a court injunction. By the time he returned, the men were well on their way to Westmoreland. The men encountered further trouble as they drove northwestward through the Rock Creek Valley. It seemed that the county treasurer's safe was so heavy that it kept breaking through the bridges. Somewhere along the way, three men stopped and ate." Mrs. Wolfkill stated that they ate at the Vanee place (Siebert's) north of Flush.

Charles Scott vividly remembered the coming of the wagons in Westmoreland as follows:

"Us youngsters were excited, we thought we were going to see a parade. The next morning, many of us went to the "Little Hill" south of Mt. Ephraim to watch the Louisville Road to see the wagons come by. Around 10 to 11, along the "West" Road (present day called the Flush-Westy Road) came 6 to 8 wagons, each drawn by four horses. They came into view near the O'Daniel house. The day was a typical fall day, sun out, not a cloud in the sky. The teams were dragging the wagons up the dusty road. No banners were flown, no bands were playing, no pomp or glory...was being displayed. We kids were disappointed."

Around noon of that day, the wagons finally reached Westmoreland. The furniture, records, and safes were unloaded at both the Congregational and Methodist Churches. The following day the county officers arrived in town for their first day of work. The county officers who arrived that morning were Henry Smith, County Treasurer; W.D. Jones, Probate Judge; J.J. Hostutler, Superintendent of Public Schools; and J.W. Fulton, County Surveyor. Each marked off their respective offices with chalk for business in the Methodist and Congregational churches. One notable absence for a while was Sheriff Graham who eventually had to come to his new office in Westmoreland or resign. Graham chose to continue as Sheriff, but was replaced in the next county election. Later that day, the townspeople of Westmoreland staged a mini-celebration. A short parade was held, along with a big bonfire and many speeches. Many of the speakers who were scheduled to speak that evening were unable to because they had drunk a little too much. (Prohibition was not a part of Kansas law in 1882.)

The Building of the Courthouse

Before the week was over, the community leaders, Frank O'Daniel, Arch Richards, John Q. Detweiler, John S. Coddling, Ed Moody, Charles Zabel, and others, began to discuss the erection of a temporary courthouse somewhere in the community. By the end of the week, \$2,000 was pledged by the above men and John Robson, Amos Plummer, Allen Cochrun, Josiah Comfort, Robert Beattie, John Selby, Thomas Brown, George Brown, Richard Wyatt, and A.H. Roberts. The committee of Robson, Beattie, and Comfort was formed to develop plans for construction. Within a month, the building was finished and stood 18 feet high (two stories), 50 feet long, by 26 feet wide. It was built on the northeast corner of 4th and Main Streets. Once the permanent courthouse was built, the temporary courthouse was purchased by Arch Richards and Frank O'Daniel and eventually leased to Zen E. Detweiler. He turned the building into Westy's finest hotel "The La Pierre House."



First, Temporary, Courthouse in Westmoreland, 1882

Mrs. Inez Moriarity, Detweiler's sister, ran it for many years afterward. In later years the building was moved to the middle portion of the block between 2nd and 3rd Streets on the north side of Main Street to make way for the construction of the I.O.O.F. building. (The building burned there.)

Throughout 1883 pressure began to build again to relocate the county seat elsewhere in Pottawatomie County. In March of 1884 a petition was circulated throughout the county to remove the county offices from Westmoreland. The threat of this petition told the townspeople of Westmoreland that if a more permanent structure was not built soon, the county seat would be possibly moved again.

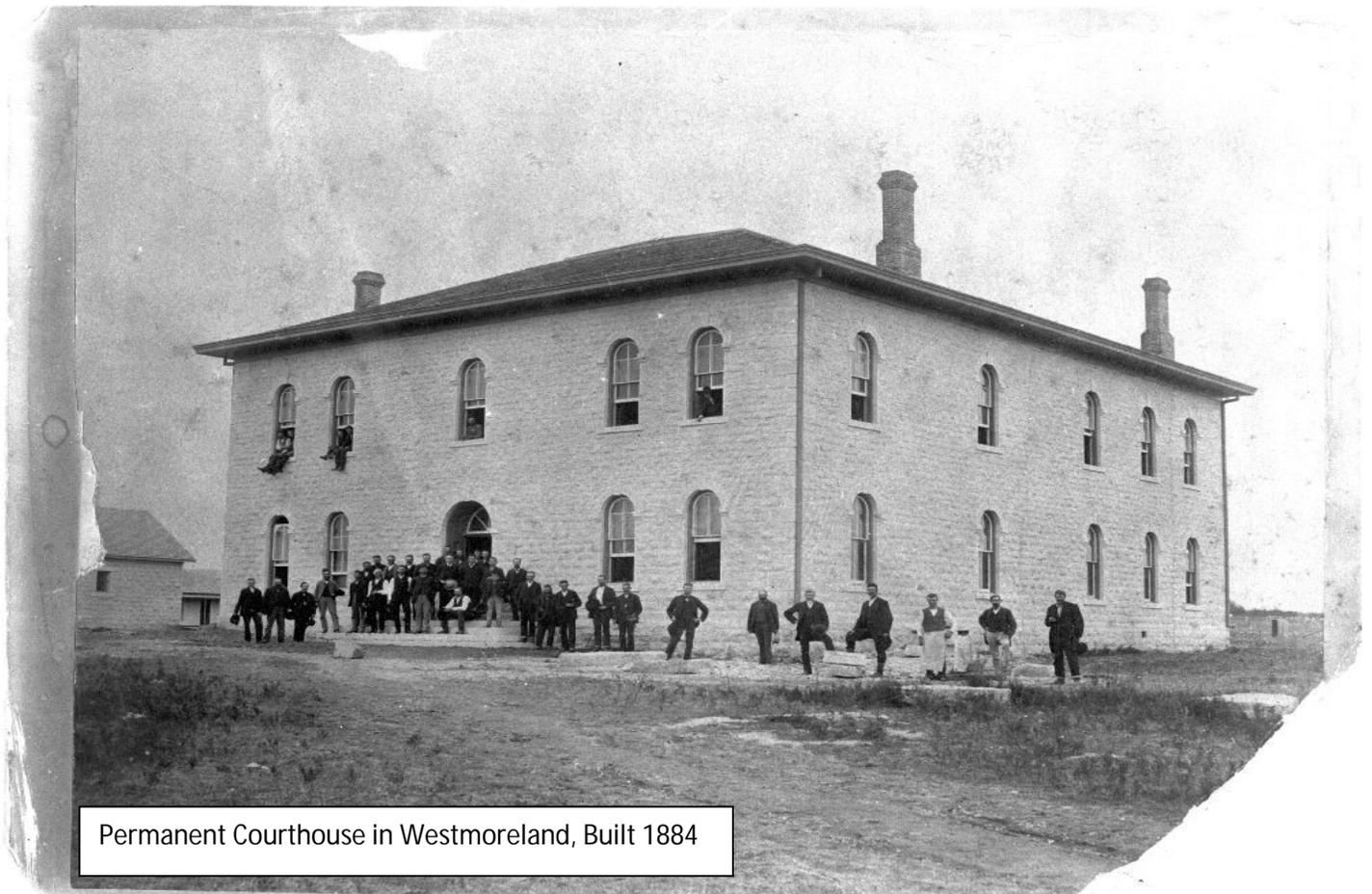
Very quickly, the townspeople came up with plans to build a modern two-story rock structure that would become the permanent home of the county seat. Within a year, the townspeople had collected \$10,000 in donations from the people of Westy to build the structure. The structure was to be built on land donated by David Kitts between 1st and 2nd Streets, just north of Main Street. In March of 1884, a derrick was set up to quarry the stone on land owned by Adam Scott, south of town. The citizens of the Westy community provided the labor throughout the hot summer and by September of 1884, the courthouse was ready for business.

On September 4, 1884, the town once again had reason to stage a celebration. The *Westmoreland Weekly Period* described the celebration as follows:

“At 10 o’clock, the clouds had cleared away and the sun shone out bright and warm. About this time, our ears were greeted with the sound of music, and upon going to our office window we beheld the splendid cornet band, from our neighboring city, Onaga, moving up Main Street, discoursing some excellent music as they went, followed by several carriages and buggies. The procession was here met by Charles Zabel, Esq. and marched to the Cottage Hotel and was amply provided for by the genial and good-natured landlord George Brown, Esq. Dinner being over, the vast crowd, which had in the meantime increased by new arrivals until it numbered several hundred persons and was composed of men, women, and children from all over the county, began gathering at the new courthouse, and while they were being entertained by the band, the Masonic Brethren, (for want of a more suitable place), convened at the *Period* office in order to make the necessary arrangements for their work, and from there they marched up Main Street to the courthouse where the crowd was anxiously awaiting their arrival.

Rev. St. John opened the exercise with an appropriate prayer, when the beautiful, impressive and appropriate ceremonies of that ancient order, inlaying a corner stone, was creditable performed, and the corner stone was duly laid over the archives of our city, the ladies contributing many keepsakes and curiosities to be there sealed up in a solid rock, to be opened, probably by generations yet unborn, if ever opened at all.

The Masons having retired, J.J. Hustutler, Esq., being called to the stand, responded with one of his most brilliant addresses, in that easy and graceful style peculiar to the gentleman, and was followed by a masterly speech from Hon. J.Q. Detweiler in which his review of the fulfillment of prophecy was well rendered and well received, but as the shades of evening began to draw nigh, the crowd, after having been further entertained by the band, returned to their homes feeling glad that they had been present and witnessed the impressive ceremonies upon this auspicious occasion.”



Permanent Courthouse in Westmoreland, Built 1884