

**REPORT ON THE ARCHIVES OF THE  
STATE OF NEBRASKA. REPRINTED FROM  
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AMERICAN HISTORICAL ASSOCIATION  
FOR 1910, PAGES 365-420**

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BY

ADDISON E. SHELDON



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ELEVENTH REPORT OF THE PUBLIC ARCHIVES COMMISSION.

APPENDIX D.

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REPORT ON THE ARCHIVES OF THE STATE  
OF NEBRASKA. †

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By ADDISON E. SHELDON,

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WITH THE ASSISTANCE OF

A. E. WARREN, W. H. HODGKIN, W. E. HANNAN,  
AND ESTHER CRAWFORD.

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## THE ARCHIVES OF NEBRASKA.

### INTRODUCTION.

The earliest written documents we have existing in Nebraska are copies of commissions issued by the Spanish governors at St. Louis to Nebraska Indian chiefs—the first one dating from 1795, being in Spanish, the next in French, and still a third dating from the purchase by Jefferson, being in both French and English. These commissions are now in the possession of the Nebraska State Historical Society and were rescued from destruction by Gov. Robert W. Furnas while agent for the Omaha Indians in the years 1864–1866.

Following the purchase of Nebraska by President Jefferson in 1803 as a part of the Province of Louisiana, came the explorations by Lewis and Clark in 1804–1806, by Maj. Long in 1819–1820, by Col. Fremont in 1842–1845, and the establishment of fixed fur-trading posts by Manuel Lisa, the American Fur Co., and rival fur-trading companies in the period from 1807 to 1840. The archives for this period of Nebraska's history and exploration are partly in the papers of the American Fur Co. at St. Louis and New York City, and partly in the departments at Washington. They have been used by Washington Irving in his *Astoria and Adventures of Capt. Bonneville* and by Capt. H. M. Chittenden in his volumes upon the western fur trade and Missouri River steamboat navigation.

On May 30, 1854, President Pierce signed the Kansas-Nebraska bill, giving political organization and boundaries to the Territory of Nebraska. In the same year treaties with Nebraska Indian tribes opened up for white settlement a large part of the territory adjacent to the Missouri River.<sup>1</sup> There was an immediate rush across the river of ambitious squatters and town-site empire founders. Claims were staked out in what were considered the most eligible sites for cities. On October 7, 1854, Nebraska's first Territorial governor, Francis Burt, arrived at Bellevue, then the principal settlement of the Territory, consisting of a few log houses, an Indian trading-post, and a Presbyterian Indian mission. Gov. Burt arrived in Nebraska a sick man and died on October 18, 1854, two days after he had taken the oath of office. He was succeeded by Secretary of State Thomas B. Cuming. An immediate contest for the location of the Territorial

<sup>1</sup> Bureau of American Ethnology, 18th annual report, 1896, pt. 2 p. 791.



capital ensued between Bellevue and the new village of Omaha, just started 8 miles above Bellevue. By the proclamation of acting Gov. Cuming, December 20, 1854, Omaha was designated as the place of meeting for the first Territorial legislature.<sup>1</sup> The first Territorial archives were kept by Gov. Cuming wherever he chanced to be. The first legislature met in Omaha January 16, 1855, designated Omaha as the seat of government, and the Territorial archives were transferred to the first Territorial capitol building—a two-story brick building about 33 by 75 feet, costing about \$3,000. This building was near Ninth and Farnam Streets in the older part of the city. It was succeeded during the period of 1856-1864 by a later structure built upon the hill, where now stands the Omaha High School. These two buildings held the growing body of early Nebraska Territorial archives from 1855 until the relocation of the capital.

March 1, 1867, President Andrew Johnson made proclamation declaring the State of Nebraska admitted to the Union. On June 14, 1867, the legislature then assembled at Omaha passed an act to provide for the location of the seat of government and the erection of public buildings thereat. Three commissioners were appointed with authority to carry out the legislative will. On the 29th day of July of the same year these commissioners assembled in the log cabin of W. T. Donovan, on the site of the present city of Lincoln, then an open prairie, located the capital there, and on the 14th day of August, the surveys having been made, these commissioners designated the present statehouse square of four blocks as the site of the capitol building.

November 10, 1868, ground was broken for the construction of the statehouse, and December 3, 1868, Gov. David Butler issued a proclamation announcing the removal of the seat of government from Omaha to Lincoln, and ordering the transportation of the archives of the State to the new capitol.<sup>2</sup> The archives were boxed at Omaha, loaded in freight wagons and hauled overland, a distance of about 65 miles. Some of the teams were 10 days on the road. The moving of archives continued through the winter, for, on January 8, 1869, Gov. Butler, in his address to the legislature, said: "On the 4th of March next the State will have removed from the old statehouse at Omaha all its movable property and have ceased to occupy [the grounds] for the purpose originally designed."<sup>3</sup>

The old red sandstone capitol building served to house the archives of the State of Nebraska from 1869 until its gradual replacement by the present statehouse under the series of acts of the legislatures of 1879, 1881, 1883, 1885, and 1887. The present building was completed

<sup>1</sup> Laws, resolutions, and memorials of the territorial and State legislatures of Nebraska, 1886, v. 1, p. 12.

<sup>2</sup> Nebraska, Senate Journal, 1868, p. 308.

<sup>3</sup> *Ibid.*, p. 19.

about 1889, the old building having been torn down about 1884. In the long period of years between 1855 and 1900, in the transfer of the earliest archives from Bellevue to the old first capitol at Omaha and their transfer thence to the second capitol at Omaha, in the journey by ox team over rough roads from Omaha to Lincoln in 1868 and 1869, in the unloading into the old red sandstone capitol at Lincoln, in the tearing down of the old red sandstone capitol and its replacement by the present structure in the period of 1880-1889, in the process of the location of new offices and the taking over of part of the documents and duties of old offices—in all these, the early Territorial archives were badly mixed and lost.

In the year 1901 the writer began a search through the various vaults and deposits of rubbish in the present statehouse for the lost minutes of the constitutional convention of 1875. In the course of that search, lasting for a number of months, many of the earlier documents were found in out-of-the-way places, entirely removed from connection with the departments to which they belonged. In some cases they were badly damaged. Some of these were restored to the offices where they belonged, and others, including the minutes of the constitutional convention of 1871, were, by permission of the legislature, removed to the rooms of the State Historical Society, to be edited for publication.<sup>1</sup>

The condition of the early archives still remains bad, with a few exceptions. Many of the records of the early State period are huddled into boxes and pigeonholes without adequate labels and so intermingled that it is impossible to give a correct list of all except with such wearisome detail of enumeration as would defeat the purpose of this reference list. A rapid examination has been made in these cases and the most important documents thus disclosed have been itemized. The remainder must await, for their recognition, the time of proper assortment.

In the catalogue which follows, the physical location of the different receptacles of papers is not revealed. It would not remain constant if it were revealed; for in the crowding of the statehouse with new offices and boards during the past 20 years there has been continual movement of archives from one part of the building to another, and this process is still going on. The catalogue has been arranged in alphabetic order of subjects, and the location of documents as shown in the list by various vaults and rooms is no index to their probable location a few months or years hence. In the main, one document or collection of documents has been entered once only in this list; but in a few cases, notably in the list headed board of public lands and buildings, the same entry has been duplicated under a second or even third subject when its importance seems to warrant

<sup>1</sup> Nebraska Constitutional Conventions, ed. by A. E. Sheldon, 1906 to date; v. 1, pp. 7-15.

such a course. The entire list has been limited to the manuscript archives in the capitol building.

A few words personal upon the work of preparation may serve to close this introductory sketch. The first search among Nebraska State archives, as already indicated, was made in the year 1901 by the writer. In the summer of 1903 several weeks were spent in making, with the aid of an assistant, a preliminary list of material in the statehouse basement vaults. The manuscript of that list was lost by the person having it in charge. In the preparation of the present list the assistance is acknowledged of Messrs. A. E. Warren and W. H. Hodgkin, students in the Law College of the University of Nebraska. Special acknowledgment is hereby made of the services of Mr. W. E. Hannan, of the Nebraska Legislative Reference Bureau, and Miss Esther Crawford, of the same bureau, in the final arrangement of the material.

#### GOVERNOR.

Francis Burt, first territorial governor, began his term of office October 16, 1854. Most of the existing important records of transactions by the territorial governors are in the office of secretary of state. Some are in the adjutant general's office; a few are in possession of the Nebraska State Historical Society; others were carried away and scattered. The governor's office does not seem to have been one of record in territorial days.

David Butler, first governor of the State, entered upon his duties February 20, 1867, a few days prior to the proclamation of statehood. Not until 1879 do regular correspondence files of the governor's office appear in the records of that office and they remain incomplete until 1900. Since that date all the records are complete and systematically arranged.

The requisition files, extradition papers, and bond records are in existence, but in disorganized form prior to 1901. Even the existing earlier files of correspondence are in many cases illegible.

#### ARCHIVES.

1. *Auditor of public accounts.* Annual report, 1864. (In collection marked "Miscel. repts.")
  2. *Bartley, J. S.* Petition for pardon from sentence to State penitentiary for embezzlement of State funds. 1901.
  3. *Battleship Nebraska.* Correspondence, 1905-7, relative to dedication and launching.
  4. *Bonds.* State officers' bonds, 1901 to date. (No prior records known.)
  5. *Boundary commission, 1899.* Report relative to boundary disputes between Missouri and Nebraska.
  6. *Boundary commission, 1901.* Report relative to boundary disputes between Iowa and Nebraska.
- Convict labor.* See Penitentiary.