1. NAME OF PROPERTY

Historic Name: Black Jack Battlefield

Other Name/Site Number: Evergreen Stock Farm; Pearson, Robert Hall, Farm; Sites #04000365, 04001373, 04500000389

Designated a National Historic Landmark by the Secretary of the Interior, October 16, 2012.

2. LOCATION

Street & Number: U.S. Highway 56 and County Road 2000, 3 miles east of Baldwin City Not for publication:__

City/Town: Baldwin City Vicinity: X

State: Kansas County: Douglas Code: 045 Zip Code: 66006

3. CLASSIFICATION

Ownership of Property	Category of Property
Private: X	Building(s):
Public-Local: X	District:
Public-State:	Site: X
Public-Federal:	Structure:
	Object:

Number of Resources within Property

Contributing		Noncontributing	
buildings	0	buildings	6
sites	3	sites	0
structures	0	structures	3
objects	0	objects	6
Total	3	Total	15

Number of Contributing Resources Previously Listed in the National Register: 6

Name of Related Multiple Property Listing:

4. STATE/FEDERAL AGENCY CERTIFICATION

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this ____ nomination ____ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property ____ meets ____ does not meet the National Register Criteria.

Signature of Certifying Official Date

State or Federal Agency and Bureau

In my opinion, the property ____ meets ____ does not meet the National Register criteria.

Signature of Commenting or Other Official Date

State or Federal Agency and Bureau

5. NATIONAL PARK SERVICE CERTIFICATION

I hereby certify that this property is:
___ Entered in the National Register
___ Determined eligible for the National Register
___ Determined not eligible for the National Register
___ Removed from the National Register
___ Other (explain): _____

Signature of Keeper Date of Action

6. FUNCTION OR USE

Historic: Defense	Sub: battle site
Current:	Sub:
Recreation and Culture	Museum
	outdoor recreation
Landscape	Park
	conservation area

7. DESCRIPTION

ARCHITECTURAL CLASSIFICATION: N/A

MATERIALS:
Foundation:
Walls:
Roof:
Other:

Describe Present and Historic Physical Appearance.

Summary

As the site of the first armed conflict between pro- and anti-slavery forces in the United States, Black Jack Battlefield, located three miles east of Baldwin City, Kansas, is nationally significant under NHL Criterion 1. Though small in scale, the Battle of Black Jack in 1856 had implications far beyond Kansas Territory. The debate over Kansas vividly reflected growing national friction over slavery and the events at Black Jack clearly marked a turning point in the march toward the Civil War. Events here gripped the imaginations and emotions of the nation and the world; more importantly, they also further divided the nation's already-polarized abolitionist and pro-slavery factions. As politicians, newspapers, and citizens watched the story of "Bleeding Kansas" unfold, hints of a larger and potentially violent conflict to come became increasingly evident. Black Jack Battlefield is also nationally significant under NHL Criterion 2 for its association with the nationally significant abolitionist, John Brown. Both the battle and the coverage of the battle in the nation's newspapers which followed, introduced the nation to John Brown, who called for armed insurrection to end slavery.

Location and Setting

Black Jack Battlefield is located in southeastern Douglas County, Kansas, 45 miles southwest of Kansas City, at the Kansas-Missouri state line. The site lies 20 miles south of Lawrence (population 80,000), where the University of Kansas is located, and 3 miles east of Baldwin City (population 3,600), home of Baker University. On U.S. Highway 56, the site is a short drive from Interstate 35. While the area surrounding the battlefield is made up primarily of small to mid-sized, privately owned farms, some suburban development has recently begun to occur along U.S. 56.

Geographically, Black Jack Battlefield lies within the Osage Cuestas physiographic province, a landscape of gently sloping topography comprised of shales and sandstones broken by limestone escarpments forming linear ridges known as *cuestas*. The area's geology, alternating layers of shale, sandstone, and limestone laid down over millions of years by shallow, fluctuating seas, resembles a tilted layer cake. The battlefield site lies upon high ground on the gentle back slope of a cuesta that rises to the north-northwest to form the steep, roughly east-west escarpment north of Baldwin City, Kansas. This landform is dissected by steep drainageways that have cut ravines into the topography on their course northward to the Kansas River. The underlying geology of the Black Jack Battlefield, centered on a gentle knoll overlaying a sandstone formation containing a groundwater aquifer, supports the presence of numerous springs that feed Captain Creek. The battlefield site lies at the headwaters of Captain Creek in the Lower Kansas River watershed, on the north edge of the topographic divide between the Marais de Cygnes River to the south and the Kansas River to the north. The relatively level east-west ridge that forms the division between these major watersheds was historically known as "The Narrows."

Today, the Black Jack Battlefield is operated by different entities. The one-acre Black Jack Highway Park, located along U.S. Highway 56, is maintained by Kansas Department of Transportation and the Santa Fe Trail Association. Just to the south is the Ivan Boyd Prairie Preserve (18 acres) maintained by Douglas County as a nature preserve and public park. Immediately southwest of the Prairie Preserve, Robert Pearson Memorial Park (.27 acres, established in 1969) is a Douglas County public park. The largest parcel of 39.24 acres was acquired in 2004 by the Black Jack Battlefield Trust for the purpose of preserving the main engagement area of the battlefield, and is now known as the Black Jack Battlefield and Nature Park. All four of these parcels lie within the boundaries of the Black Jack Battlefield property listed in the National Register of Historic Places in 2004, with a boundary increase approved in 2005. Within this 60-acre area lie resources associated with the 1856 battle, including unbroken prairie, topographic features, and creeks that were pivotal in the course of the battle

action. Cultural features survive that are associated with the Santa Fe Trail and the Black Jack Campground, which were also critical to the occurrence of the battle on this site.

As a site that represents a key episode in the events associated with "Bleeding Kansas," the Black Jack Battlefield is also affiliated with the recently designated Freedom's Frontier National Heritage Area. This Heritage Area encompasses more than 40 counties in Kansas and Missouri. Its goal is to preserve and explore the shared heritage of eastern Kansas and western Missouri, and "to tell the stories that contribute to our national and individual freedoms." Among these important stories about freedom is that of Bleeding Kansas, which is inextricably linked with the slavery question and the period of cross-border unrest that accompanied the opening of eastern Kansas to settlement in 1854. The Heritage Area will be a partnership of the cultural, historical and land-stewardship organizations in the region. "Bleeding Kansas and the Enduring Struggle for Freedom" is the overarching interpretive theme identified by the Heritage Area that binds together these many sites throughout the region.

Resources counted for this property for the purposes of this National Historic Landmark nomination are identified in bold text at the first full mention of their name. Names of contributing resources are followed by a (C), noncontributing resources by a (NC).

Description of Existing Conditions of Property

Overview

The Black Jack Battlefield landscape is comprised of three contributing sites that are evident today through the surviving spatial arrangement of the ravines, creeks, and topography described in accounts of the battle, as well as some cultural features that remain from 1856. The three overlapping, related sites are the site of the Battle of Black Jack, the Black Jack Campground, and the Santa Fe Trail.

The stage was set for the nationally significant Battle of Black Jack well before 1856. The regional geographical context dictated the route of the Santa Fe Trail, which began in 1821, and the placement of the campground along it. From the Black Jack area to the north and west past Palmyra and Brooklyn, the long, level ridge top named "The Narrows" was the most easily passable route for early travelers; the Santa Fe Trail was established along this alignment in the early nineteenth century. This alignment minimized stream crossings and provided a well-drained and level route for trail traffic. However, the upland course of the Santa Fe Trail along The Narrows created a problem of limited access to potable water sources, which were primarily below the ridgeline. Easily accessible upland springs and streams such as those found at Black Jack were valuable resources that were essential to trail travel, and camping sites sprang up around these natural resources.

Campsites along the trail saw intensive use by large groups of travelers. "Freighters" of trade goods bound for Mexico, Missouri, and points between, were comprised of forty or more large wagons drawn by oxen. Wagon trains that could stretch for miles in length passed through Black Jack; there were often two in a day at the height of travel season to one in four days at the slowest times. Ox-drawn wagons could travel about 12 miles a day, but nooning sites—places of mid-day respite—were located in two- to five-mile increments. In addition, other travelers, including groups of settlers, used established campsites along the trail, including the Black Jack site, for overnight stays. The physical characteristics of these encampments included circled groups of wagons, scores of oxen, horses, and other livestock, campfires, and potentially hundreds of people. The camps would have been arranged with areas to support activities such as food preparation, eating, sleeping, washing, wagon repairs, grazing, watering, and care of livestock and pack animals. All these uses had an impact on the environment, including compacting large areas of soil, damaging and clearing vegetation, and deposition of waste. The eroded ruts of the Santa Fe Trail itself are still clearly visible after 150 years.

Blackjack oaks (*Quercus marilandica*) have been identified within the wooded area along the stream in the central portion of the site (the upper stretch of the west ravine). Like Black Jack, many of the stopping places along the Santa Fe Trail were named for local vegetation: Hickory Point, Elm Grove, Council Grove, and Lone Oak. In contrast with current conditions in the area, there were very few trees on the prairie in the nineteenth century, even before settlement. At the time of the General Land Office (GLO) survey in 1855, only 6 percent of Douglas County was covered by trees; the remaining 94% was prairie grassland. The presence of even a few trees, which provided shade, shelter, and fuel, would have increased the site's value as a stopping place.

Captain Henry Pate's men, in the midst of searching for John Brown, were based at the Black Jack campground. Brown came to confront them there, resulting in the conflict that would be known as the Battle of Black Jack. The local landscape of ravines and rolling prairie topography shaped many of the details of the battle. In addition to the landscape features that provide compelling evidence of the battle, a spring structure, and traces of the Santa Fe Trail also still exist, adding to the integrity of the Black Jack Battlefield. Archeological remains of the trail and camp also exist and add to the overall integrity of the site. These archeological remains, recovered in professional archeological investigations to date, do not definitively include evidence of the battle of Black Jack, however, and while they contribute to the property and may be significant under another context, they are not individually nominated under NHL Criterion 6 in this nomination. There are areas that have the potential to contain archeological resources associated with the battle, however, and if investigated and resources recovered, Criterion 6 should be reconsidered.[1]

While the location of the battlefield is well known and well documented, there continues to be investigation and discussion about the details of the battle's action in relation to landscape features at the site.[2] Primary source descriptions of the battle, however, clearly indicate that a number of the surviving features in the landscape within the nominated property played a direct role. These include Captain Creek, the eastern and western ravines that are its tributaries; the existing topography of gently rolling hills enclosing the Captain Creek valley; and the area of high ground just above where the creeks converge. These landscape features together form the **Battle of Black Jack site** (C).

Overlaying the same general area as the Battle site is the **Black Jack Campground site** (C). Between 1822 and 1872, this area, in proximity to the Santa Fe Trail, was a popular stop along the route. The numerous springs and creeks at Black Jack provided a source of potable water, and the wooded ravines, with their black jack oaks and other hardwoods, were a rare resource in a landscape with only 6 percent woodland cover scattered within the vast prairie. This campground was chosen as a camp site by Henry Clay Pate and his men in 1856, leading John Brown and his men to come to Black Jack to the fateful confrontation that would be remembered as the nation's first pitched battle over slavery, leading directly to the Civil War. A spring associated with the campground flows into the western ravine of Captain Creek, and has been preserved due to the construction of a stone trough (date unknown; believed to have been added after 1856).

The sites of the battle and the campground lack clear edges, but encompass the entire property described in this nomination form and may extend beyond its boundaries.

Some noncontributing features are present within the Black Jack Battlefield landscape today. However, these later additions were generally placed lightly on the landscape and several are commemorative of the site's history, such as historical markers. Other additions to the landscape supported post-1856 transportation, such as roads and drives; and farming, such as outbuildings and fences; as well as public park use, such as a picnic shelter and grill. Some of these features are locally significant as part of the Robert Hall Pearson Farm, as

[1] Douglas Scott, Ph.D., RPA, "An Episode of the Bleeding Kansas Era: Archaeological Investigations of the Black Jack Battlefield and Ivan Boyd Prairie, Douglas County, Kansas" (Lincoln, NE: Connor Consulting, June 12, 2007).

[2] Scott's 2007 Archeological Study is the best detailed assessment to date.

documented in a Register of Historic Kansas Places nomination form for the farm site.[3] The Pearson Farm, while not nationally significant, is a surviving example of a late-nineteenth-century vernacular Kansas farm. Because its significance is local and post-dates the Battle of Black Jack, the farm features are considered noncontributing for the purposes of this National Historic Landmark nomination. In all, the noncontributing features in the landscape have a minimal impact on the integrity of the property.

Description of Resources by Area

Starting from the northern end of the property, U.S. Highway 56, a main asphalt-paved road, runs east-west along the property boundary. Turning off from U.S. Highway 56 into the property is an asphalt-paved loop road that enters the Black Jack Highway Park. This park area, shaded by large trees, includes three historical markers. One painted metal plaque mounted on a pair of metal posts is a **Kansas State Historical Marker** (NC) titled "The Battle of Black Jack," erected in the 1960s by the state of Kansas (the Kansas State Historical Society and the Kansas Department of Transportation.) Beside it is a pair of markers set on a concrete base. The first, a **painted metal plaque** (NC) on a post, was dedicated in 1984 and reads, "Black Jack Park. South of This Park are 18 Acres of Virgin Prairie. Purchased 1967 by Douglas County from Russell Hays for a Permanent Prairie Preserve and Historic Site. Evidence of Santa Fe Trail Plainly Visible. Original Site of DAR Marker was Near Pioneer Town of Black Jack One-Half Mile East." The adjacent **DAR marker** (NC), dedicated in 1906, is a small granite commemorative marker similar to others placed along the Santa Fe Trail route by the Daughters of the American Revolution. It is engraved, "Santa Fe Trail 1822–1872 Marked by the Daughters of the American Revolution and the State of Kansas 1906." It was moved here from the nearby H.H. Hays Farm due to the widening and paving of U.S. Highway 56 in 1938.

The one building in the northern part of the property is the **Santa Fe Trail log cabin** (NC), reportedly constructed by hand in 1969 of white oak logs, using traditional methods. The 40-by-60-foot cabin has a wood shingle roof and a central door in its west side flanked by two windows. The cabin is used for community gatherings and contains historical exhibits.

The Black Jack Highway Park is edged to the south by a wooded creek known as Black Jack (or, historically, Grindstone) Creek. This creek was one of several in the area; together, these creeks and associated springs provided a supply of fresh water that led to the establishment of the Black Jack campground here along the Santa Fe Trail. A small, non-historic wooden footbridge crosses the creek to access the Ivan Boyd Prairie Preserve, which lies directly to the south of the highway park.

The expanse of unplowed, unbroken prairie soil remains in good condition, with thriving prairie vegetation covering its gently undulating surface. This 18-acre swath of native prairie contains a pivotal historic resource: the **site of the Santa Fe Trail** (C) visible in the presence of an unusual segment of surviving ruts or swales in the prairie. From the 1820s to the 1870s, the Santa Fe Trail was the major trade route between the Missouri River and Mexico, more than a thousand miles marked by multiple sets of well-worn tracks and ruts from the constant traffic of large wagons known as freighters. The trail provided a route for traders, and as a result, settlers also followed. Numerous towns and campgrounds sprang up along its path. The Santa Fe Trail lasted until 1880 (though not in Kansas) when the Atchison, Topeka and Santa Fe Railroad became the principal means of transporting goods between Santa Fe and Missouri. Today few visible traces remain of the route. The Black Jack Battlefield contains one of the few clear remnants of the trail route. The Santa Fe Trail ruts are clearly visible, and have a minimal amount of erosion associated with them. A few narrow, informal foot trails wind across the prairie. Some of these, particularly at the north end of the park near the trailhead, have

[3] Dale Nimz, "Robert Hall Pearson Farm," Register of Historic Kansas Places Nomination, 2005. The Pearson farmstead resources are included as noncontributing resources in the National Register of Historic Places nomination for Black Jack Battlefield (Washington, DC: U.S. Department of the Interior, National Park Service), 2004.

developed into small ruts due to compaction of the soil along the narrow tread, while others clearly get very little foot traffic and likely are not fixed routes. Where the paths cross and in some cases follow the Santa Fe Trail ruts, there are some minor erosion conditions.

In the Prairie Preserve is also an archeological site consisting of an artifact deposit associated with the Santa Fe Trail and Black Jack Campground sites. Nineteenth-century artifacts collected included wagon parts, cast iron kettle parts, nails, and other items representing an overland trail discard pile.[4] The trail and campground were part of the 1856 landscape at the time of the battle, and were the reason that Henry Clay Pate's men were camped at Black Jack, precipitating the occurrence of the battle in this location. The presence of native prairie vegetation, the trail ruts, and archeological evidence of the trail and camp all contribute to the site's significance. Battle action, including Pate's encampment and the retreat route of Pate's men as they left the scene, is believed to have occurred on what is now the Prairie Preserve. The only non-historic features located on the Prairie Preserve today are two small, rough stone markers and two wooden signs indicating the presence of the trail ruts to visitors, all of which were added after the period of significance. One of the stones, a **sandstone marker** (NC) placed in the 1960s, is inscribed, "Grindstone Creek – 40 Rods – Sibley Survey 1825."

The largest post-1856 feature in the landscape at **Black Jack is County Road E2000** (NC), a graded, gravel-surfaced road which runs north-south along the section line between the eastern and western portions of the proposed NHL property. E2000 originates at U.S. Highway 56 and travels due south past the southern boundary of the property. This road intrudes on the landscape of the Black Jack Battlefield to some degree, as discussed later in this section under the heading "Integrity."

Located on the west side of County Road E2000, 0.2 mile south of U.S. Highway 56, Robert Pearson Memorial Park is a .27-acre county park given to Douglas County in 1970 by the Cavender family in memory of Robert Hall Pearson, their ancestor who was at the Battle of Black Jack. The partly-wooded park overlooks the area to the west where the ravines converge at Captain Creek, a key location within the heart of the battle action. Pearson Park is edged on the west and south by chain-link fencing, on the north by barbed wire fencing, and on the east along the road with a low, single-board wooden fence. The main structure within the park is a popular **community picnic shelter** (NC). Constructed in the 1970s, the shelter is open-sided, and set on a concrete slab floor. It consists of two bays, the southern one measuring 23 by 11.5 feet and the northern measuring 19 by 11.5 feet. The shelter is of wood frame construction, with 4x4 posts supporting the asymmetrical front-gable frame roof, and small areas of wood siding painted green on the ends of the gables. On its eastern side, the shelter is edged by a low mortared stone seat wall measuring 23 feet long, 2.5 feet tall, and 1.5 feet wide. Within the shelter are five wood plank-on-metal-pipe frame picnic tables.

There are **two granite markers** (NC) in Pearson Park. One is a circa-1913, five-foot-tall red granite monument moved to the site in 1970 and engraved to commemorate the battle. The text reads, "Battle of Black Jack First Battle Between Free and Slave States Fought on these Grounds June 2, 1856." The marker was originally located across County Road E2000 in the southern part of the Prairie Preserve, but was moved because it was in the road right-of-way and it was feared that it could be susceptible to damage. A smaller red granite marker beside it provides information about the erection of the 1913 monument, and is engraved, "Erected in 1913 by Post 40 Women's Relief Corps Grand Army of the Republic Deeded to the State of Kansas 1917."

There are a few other post-1856 features within Pearson Park. These include an outdoor grill constructed of rough stone masonry with a memorial inscription on the side, reading "In Memory of Emma Workman, 1900-1980." A small, 6-foot-by-6-foot, non-historic, yellow-painted frame outbuilding with an asphalt shingle shed roof, identified as a disused outhouse, stands at the northeastern corner of the park. A tall wooden sign erected

[4] Scott, "An Episode of the Bleeding Kansas Era," 23.

in the 1970s faces County Road E2000. It is composed of two posts holding up a series of planks routed with the name of the park, and the names of forty-eight of the participants in the Battle of Black Jack under the title "Those Taking Part." A smaller wooden plaque attached to the side of the large sign's posts directs visitors to the central area of the battle site between the ravines.

South and west of Pearson Park is the Black Jack Battlefield and Nature Park parcel, covering 39.24 acres. The parcel is the location of some of the most pivotal natural features associated with the Battle of Black Jack site. The headwaters of Captain Creek are formed by several smaller drainages that flow in from the east and west. The two largest of these streams form the east and west ravines that converge at the heart of the battlefield. According to battle accounts, these ravines provided cover for the opposing forces during the fight: John Brown's men took up their primary position in the western ravine, Pate's men in the eastern one.

The 1856 conditions of the creeks are not known, but they may have been somewhat degraded at that time due to the presence of the campground in the vicinity. Along the western ravine is a strongly flowing spring with a stone trough. The spring was said to have been popular with those staying at the Black Jack Campground along the Santa Fe Trail, suggesting that this area is also part of the Campground site. The stone trough is believed to have been added after 1856. The spring is listed as a locally contributing resource in the Register of Historic Kansas Places nomination for the Robert Hall Pearson Farm.

Today, the ravines are edged by steep banks of somewhat eroded soil, probably as a result of upstream runoff from agricultural fields to the south and east as well as minor grading and modifications associated with upstream crossings. The eastern ravine is culverted under County Road E2000 approximately 200 yards southeast of its confluence with the western ravine. The western ravine is crossed by the old farm lane bridge about 100 yards above the confluence. The eastern ravine is the deeper of the two, with the water flow appearing to be about 10-12 feet below the banks, while the western ravine is wider and more open in appearance, with the water flowing 5-7 feet below the banks.

The areas edging the ravines outside the central battlefield area are wooded with native trees and dense understory. As mentioned earlier, the site's namesake blackjack oaks (*Quercus marilandica*) are in the wooded area along the stream in the upper stretch of the west ravine. There is more woodland cover today than there was in 1856 due to the conversion of land to pasture and the pasture going out of use in the mid-twentieth century, subsequently growing up in woody vegetation. In recent years, clearing of brush has been done throughout much of the parcel as part of a prairie restoration plan that, when completed, will bring the landscape closer to its 1856 appearance. In the central part of the battlefield at the confluence of the ravines, the landscape has been maintained as an open area, and takes on a more park-like appearance, with groundcover maintained as trimmed lawn dotted with trees. From the confluence of the ravines, Captain Creek flows north off the Black Jack Trust property through a belt of woodland.

Within the confluence of the east and west ravines, in the mowed, park-like area, a set of five small wood signs mark locations where battle events are believed to have occurred. They were placed by Dana Cavender, a descendant of Pearson and a later property owner, who recalled being shown the locations as a youth by an elderly Captain Shore many years after the battle. They read as follows, beginning at the southern edge closest to the farmhouse, and moving counterclockwise from east around to west:

- "Where Pate's horses were shot forcing Pate's surrender."
- "Pate's position."
- "When Dr. Cram a prisoner of Pate's made a successful dash for freedom he was wounded in the act."
- "A popular campground from 1824 to 1870."
- "Shore's + Brown's position."

- "This post driven here August 1911 by Captain Shores [*sic*], Arthur Capper, and 3 members of the battle names of which I do not remember marking point of Pate's forces' surrender—witnessed by Dana Cavender." (this sign refers to a small wooden stake set into the ground beside it).

Cultural vegetation is minimal on the site, and dates from the post-1856 Pearson farm. An alleé of mature cedars planted along the driveway remains; although some of the trees are missing today, the surviving trees appear to be in good condition. Robert Hall Pearson's sugar maple grove along County Road E2000 is in good condition, with healthy, mature maples, grass groundcover, and little intrusion of other vegetation. It is missing only a few trees. Also at the Pearson Farm are two peach trees, likely post-1906 plantings. These are located along the farm lane south of the driveway.

A graded farm lane, approximately 12 feet wide, is surfaced in mown grass and extends south from the Pearson Farmhouse into a crop field, and west from the farmhouse across a small stone bridge to a barn and silo south of the west ravine. The flat-arched stone bridge is in poor condition with structural damage to one of its piers due to a tree undermining the footing.

The few buildings on the Black Jack Battlefield and Nature Park parcel are primarily associated with the Robert Hall Pearson farm; all post-date the battle. The **Pearson farmhouse** (NC) was built in 1889-90 by Robert Hall Pearson, an influential early settler of Douglas County who was present at Black Jack on the day of the battle. Pearson purchased the land in 1860 and constructed his farm, known as Evergreen Stock Farm, years after the battle, circa 1890. According to the Register of Historic Kansas Places Registration Form, "[i]n Pearson's mature years, he and his second wife chose to build their home overlooking the site of one of the most important events in Pearson's early life as a pioneer settler of Douglas County, Kansas," the Battle of Black Jack.[5]

The siting of the house on a rise overlooking the confluence of the ravines connects it visually to the battlefield although the house's small size and location behind a group of trees make it relatively unobtrusive to the eye from the battlefield area. A rutted gravel driveway lined by the cedar alleé provides access to the farmhouse from County Road E2000. The Pearson Farmhouse is an end-gable, balloon-frame, two-story structure on a stone foundation with a wood shake roof, in relatively good condition. The house faces east, with two additional entrances in the south façade. The building measures 48 by 20 feet, with two additions: a 16-by-7-foot enclosed porch on the south side and a small lean-to addition on the west side. The house is particularly unusual in that it has been subject to few changes since its original construction, with a simple addition on one end and an enclosed porch added to the east façade. The house and farm are designated as locally significant and are listed in the Register of Historic Kansas Places as "a prime example of a nineteenth-century Kansas farmhouse."[6]

Little is known about the farm's outbuildings. Some may be from Pearson's period of ownership, others from his descendants who continued to farm the land in the early to mid-twentieth century. Most of the outbuildings are unused today and are in fair to poor condition, having declined through lack of maintenance for a number of years prior to the acquisition of the property. The site includes a garage, poultry house or shed/barn, a low building variously identified as a hog house/chicken house, and two small frame sheds. All are described in detail in the National Register Nomination Form for the Black Jack Battlefield Boundary Increase; the Register of Historic Kansas Places Registration Form for the Robert Hall Pearson Farm; and the "Survey of the Black Jack Battlefield" completed in 2006 by Brent and Moore (see Bibliography, Section 9, for full citations). All of these buildings and structures post-date the 1856 period of significance and do not contribute to the significance

[5] Nimz, "Robert Hall Pearson Farm," 8:6.
[6] Ibid., 8:1.

of the battlefield site; they also are considered noncontributing to the Pearson Farm local significance due to a combination of factors (loss of integrity, poor condition, and post-dating the 1886–1906 period of significance).

The **garage** (NC), a deteriorated frame building standing northwest of the farmhouse, has a gable roof covered in corrugated metal, and a shed-roofed side bay. It faces southeast, with a front gable section measuring 12 by 20 feet and a shed addition that measures 10 by 20 feet.

The **shed/barn** (also called poultry house) (NC), is a 12-by-34-foot rectangular frame building covered in vertical board sheathing, with a corrugated metal covered gable roof and a stone foundation. It has an ell addition measuring 16 by 20 feet, sheathed in corrugated metal. The addition has a mortared fieldstone foundation. The building is in deteriorated condition.

The **hog house** (also called chicken house) (NC) is a deteriorated, low shed-roofed pole frame outbuilding. It measures 38 by 12 feet and is oriented east-west along the driveway southeast of the farmhouse. The roof and sides are clad in corrugated metal.

A large frame **barn** (NC) and related tile silo stand to the northwest of the farm complex, along the farm lane on the other side of the western ravine. The barn dates to the early twentieth century, and is in fair condition. It is composed of three bays: the central bay has a half-pitched gable roof, clad in corrugated metal, and it is flanked by two shed bays. The barn is sided in a combination of wood planks and corrugated metal. The building measures 58 by 28 feet. It is believed to date to the circa-1890 construction of the Pearson farmhouse.

The **silo** (NC) can be dated to post-1920 due to its distinctive hollow-tile construction. There is a metal ladder on the side. The silo is missing its roof and is otherwise in fair condition.

A few additional structures exist on the parcel; these are also associated with post-1856 farm use by Robert Hall Pearson and his descendants. Just southwest of the farmhouse, the partial U-shaped **stone foundation wall** (NC) of a barn may date to the 1890s. The courses from the base up to about 6 feet in height are of rough mortared limestone rubble, which is topped by three courses of mortared concrete masonry units. It is in ruinous condition.

A small, deteriorated brick structure south of the house, composed of a trough and chimney, has been identified as a rebuild of an older **maple distillery** (NC).[7]

Two **hand-dug wells** (NC) present on the property are identified as locally significant in the Register of Historic Kansas Places Registration Form for the Robert Hall Pearson Farm. One well, lined with dry-laid stone, is located directly south of the house, and is covered with a raised concrete cap. The other is also capped and lined in dry-laid stone, and stands near the barn and silo. Near the barn and silo are also a series of remnant fences in an overgrown area that indicate the presence of former stockpens.

Summary of Contributing Features

Three sites still evident at the Black Jack Battlefield support the national significance of the site: the Battle of Black Jack site, the Black Jack Campground site, and the Santa Fe Trail site. At Black Jack Battlefield, the natural features described in primary accounts of the battle are well preserved today, including Captain and Black Jack Creeks, the east and west ravines, and topography such as the high ground between the ravines. The

[7] Descendants of Robert Hall Pearson identified the purpose of the building.

Santa Fe Trail ruts remain visible on the Ivan Boyd Prairie, providing a sense of the scale and orientation of the trail when it was in use, and its relationship to the battle site.

Integrity

Overall, the Black Jack Battlefield has a high degree of integrity to the battle period, 1856. Most importantly, the overall topography of the battlefield remains intact along with the creek, the ravines, and their contextual relationship. The crossing of the Santa Fe Trail across the creek is readily identifiable as is the ridgeline to the east and west which the trail follows. Black Jack is one of the very few sites prominent in the story of Bleeding Kansas that is clearly identifiable and that retains integrity. The battle action that took place on the site can be readily understood through the appreciation of remaining landscape features.

The changes to the landscape since 1856 have been largely additive, such as roads, fence lines, the Pearson Farmhouse, and outbuildings. Some of the added features have the effect of diminishing the integrity of the battlefield. Most significantly, the addition of modern roads (U.S. Highway 56 and the E2000 road) has cut and divided the continuous rolling topography that was present at the time. Historically, the presence and layout of the roads convey an appreciation of the grid that was superimposed over the landscape at settlement, concurrent with the events related to Black Jack and Bleeding Kansas. However the roads cut through the battlefield in a manner that disrupts the sense of open rolling prairie that was present at the time, and they have altered portions of the terrain through cut and fill for the grading of road prisms. Offsite, adjacent development has begun to alter views across the landscape.

The growth of woodland vegetation on the site and in the surrounding area has altered the visual appearance of the battlefield landscape, which was mostly open prairie in 1856. Though the battlefield retains integrity, the extent of the overall battlefield area is presently difficult for visitors to fully appreciate due to the woodland cover and post-battle period property lines. These vegetative conditions are reversible, however, and portions of the property are currently undergoing native prairie restoration which will result in an appearance closer to the period of significance.

The current National Register boundary clearly encompasses only part of the landscape over which the battle events occurred. Adjacent land beyond the current property boundary that was part of the battlefield is currently in pasture and also retains integrity. Conservation initiatives are needed. However, the current property was the center of the battle. Based on historic accounts of the battle, the topography, creeks, and ravines contained within the boundary were central to the battle action, and the location where described events occurred. Their features, relationships, and integrity are intact and identifiable today. On the Ivan Boyd Prairie, native prairie vegetation represents a rare surviving sample of the landscape at the time of the battle, giving a sense of the setting of the battle events. Prairie restoration on the Black Jack Battlefield and Nature Park parcel is in process, and will enhance the integrity of the setting as it becomes established. The extant Santa Fe Trail ruts are valuable remnants that are tangible and inspiring and that help to tie the battlefield landscape together.

While a battlefield ideally might retain some features of all seven aspects of integrity, the essential aspects of integrity for battlefields are location, setting, feeling, and association.[8] Design, materials, and workmanship, while they may relate to features within a battlefield, do not apply to the primary integrity of a battlefield site.

For a battlefield, *location* is the place where the event occurred. This aspect of integrity is present if the area defined as the battlefield is the place where the battle occurred. The location of a property, complemented by its setting, is particularly important in recapturing the sense of historic events. Currently, Black Jack Battlefield's

[8] Patrick W. Andrus, *Guidelines for Identifying, Evaluating, and Registering America's Historic Battlefields, National Register Bulletin*, no. 40 (Washington, DC: U.S. Government Printing Office, 1992, revised 1999), 3.

integrity of location is high despite the fact that the precise detailed locations of specific actions that occurred during the battle are not entirely clear and are still under study.

Setting is the physical environment of a historic property. Whereas location refers to the specific place where the battle occurred, setting refers to the character of the place in which the property played its historic role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space. The physical features of a battlefield that make up its setting can be both natural and manmade. They include topographic features (the physical geography of the battlefield), vegetation (the pattern of fields and woodlands), manmade features (roads or fences), and the relationship between buildings and open space.

Black Jack's integrity of setting is good; the topography, creeks, ravines, and general geography of the battlefield are intact. While vegetation has grown up into woodland, this is considered a reversible condition that does not diminish integrity. The battlefield remains surrounded by a largely rural landscape, with little modern development. The new house adjacent to the Ivan Boyd Prairie may diminish the integrity of the prairie area, and the building of the E2000 road and U.S. 56 has also affected the setting since 1856. The integrity of setting could be threatened in the future by development on adjacent lands that are not currently protected.

Feeling is a battlefield's expression of the character that conveys a particular period of history. Physical features taken together support the feeling of being transported back in time. Black Jack Battlefield has good integrity of feeling to 1856. Although diminished by later grid-aligned features such as the roads and property lines, and the late-nineteenth-century Pearson farm complex, the core area of the battlefield comprises a collection of natural and topographic features—the ravines, the high ground—that allows one to visualize what the landscape looked like during the battle.

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event occurred. Black Jack Battlefield has high integrity of association with the Battle of Black Jack, the larger events associated with Bleeding Kansas, and the nationally significant figures including John Brown and Henry Clay Pate.

Design, *materials*, and *workmanship* refer to qualities associated with properties that have been altered by humans. These qualities do not always apply to battlefields or other historic sites; in the case of Black Jack Battlefield, they are not important aspects as there were no designed features associated with the site in 1856. However, it may be worth noting that these aspects relate to the locally significant Pearson Farm period features, which overall appear to have fair integrity of design, materials, and workmanship, although little is known about their history and their current condition varies.

8. STATEMENT OF SIGNIFICANCE

Certifying official has considered the significance of this property in relation to other properties:

Nationally: X Statewide:__ Locally:__

Applicable National Register Criteria: A X B X C X D__

Criteria Considerations (Exceptions): A__ B__ C__ D__ E__ F__ G__

NHL Criteria: 1 and 2

NHL Criteria Exceptions:

NHL Theme(s): IV. Shaping the Political Landscape
1. Parties, protests, and movements
4. Political ideas, cultures, and theories

Areas of Significance: Politics/Government, Social History

Period(s) of Significance: 1856

Significant Dates: 1856

Significant Person(s): John Brown

Cultural Affiliation:

Architect/Builder:

Historic Contexts: V. Political and Military Affairs, 1783–1860
J. The Rise of Sectionalism, 1840–1859

State Significance of Property, and Justify Criteria, Criteria Considerations, and Areas and Periods of Significance Noted Above.

Summary

As the site of the first armed conflict between pro- and anti-slavery forces in the United States, Black Jack Battlefield, located three miles east of Baldwin City, Kansas, is nationally significant under NHL Criterion 1. Though small in scale, the Battle of Black Jack in 1856 had implications far beyond Kansas Territory. The debate over Kansas vividly reflected growing national friction over slavery and the events at Black Jack clearly marked a turning point in the march toward the Civil War. Events here gripped the imaginations and emotions of the nation and the world; more importantly, they also further divided the nation's already-polarized abolitionist and pro-slavery factions. As politicians, newspapers, and citizens watched the story of "Bleeding Kansas" unfold, hints of a larger and potentially violent conflict to come became increasingly evident. Black Jack Battlefield is also nationally significant under NHL Criterion 2 for its association with the nationally significant abolitionist, John Brown. Both the battle and the coverage of the battle in the nation's newspapers which followed, introduced the nation to John Brown, who called for armed insurrection to end slavery.

The 2004 National Register nomination recognizes Black Jack as "the beginning of a series of armed conflicts between free-state and pro-slavery forces in Kansas that embroiled the Territory in continued violence over the issue of the expansion of slavery into Kansas Territory."[9] Prior to the Battle of Black Jack, debate over popular sovereignty and slavery in the newly established Kansas Territory had dominated conversations in the halls of Congress in Washington, DC. While most Americans favored the concept of using the ballot box to determine whether slavery would be allowed in the newly established territory, strong personal biases for or against slavery caused legislators to intervene in ways unacceptable to many of the territory's residents. More than one thousand miles westward in Kansas Territory, mounting tensions between pro- and anti-slavery groups polarized residents and fueled acts of violence. The violence culminated at Black Jack on June 2, 1856, in the nation's first military conflict between pro- and anti-slavery forces. The battle lasted only three hours and involved no more than a few hundred men, none of whom were killed. Yet its significance as an omen of the nation's impending civil conflict was evident to many at the time.

The Battle of Black Jack took place near a camp along the Santa Fe Trail where a small, abolitionist militia under the command of John Brown confronted a pro-slavery group led by Henry Clay Pate. Black Jack introduced John Brown to the nation; his rhetoric and actions shaped the contemporary debate over slavery and brought him lasting national fame and notoriety.[10] News of the battle spread rapidly as both sides agitated for their version of the story to be reported in the nation's press. These contemporary accounts of the battle glorified or demonized Brown's deeds depending on the sentiments of the reporter. Ultimately, Brown's call for violent resistance to slavery and the actions that began at Black Jack moved the national debate over slavery from one of words to one of violence.[11]

While Brown played a significant role in shaping the conflict over slavery, the causes of the U.S. Civil War dated back several decades. Long before 1861, pro- and anti-slavery factions had divided the nation. Mob violence had erupted as early as the 1830s, with abolitionists and free black communities serving as the most common targets.[12] The most widely-known event occurred in 1837, when a pro-slavery mob in Alton, Illinois

[9] Carolyn Berneking, Karl Gridley, and Ramon Powers, "Black Jack Battlefield," National Register of Historic Places Nomination Form (Washington, DC: U.S Department of the Interior, National Park Service, August 2003), 8:1.

[10] Leverett Wilson Spring, *Kansas: The Prelude to the War for the Union* (Boston: Houghton, Mifflin, 1885), 140.

[11] Ibid., 140.

[12] Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (New York: Oxford University Press, 2007), 432.

took the life of abolitionist and free speech advocate, Elijah Lovejoy--an event that stirred John Brown to publicly pledge his life to the abolitionist cause.[13] During the decade immediately preceding the Civil War, the newly created Kansas Territory became a national staging ground for the clash between the pro- and anti-slavery factions, and events there provided a vivid omen of the impending Civil War. Although the Civil War is typically viewed as a conflict between Northern and Southern states, the events at Bleeding Kansas and the events at Black Jack in particular, underscore the important role that the Midwest, and specifically Kansas, played in this conflict.

The Battle of Black Jack distinguishes itself from previous incidents associated with "Bleeding Kansas" in that, for the first time, the two opposing sides consisted of men enlisted in local militias. Black Jack's commanders also used accepted military practices to conduct and end the battle and the recruitment of participants, staging of troops, troop movements, truce, and surrender mimicked those developed and used by formal fighting forces. The battle concluded an era characterized by "guerrilla" warfare, initiating a period when pro- and anti-slavery forces met in formal battle. As the first such official battle, Black Jack marked a significant turning point in the move toward complete civil war. Prior to Black Jack, personal disputes as much as politics had triggered the violence, with conflicts often being spontaneous one-sided attacks where adversaries were neighbors, family members, or friends whose impulsive actions had led to violence. In contrast, the Battle of Black Jack was fought purely over the issue of slavery and as such, the battlefield is eligible under NHL Theme IV, Creating Political Landscapes.

With no permanent man-made features on the site at the time of the battle, the site's natural features, particularly its topography, continue to tell the story of June 2, 1856. In 1856, open prairie dominated the landscape, interrupted by lines of trees that grew in the many ravines carrying water north to the Kansas River. The broad, meandering Santa Fe Trail stood prominently along the high ground, linking the area to regional transportation networks. Its ruts, surrounded by a rare surviving plot of native prairie grasses, remain clearly visible today in its original location north of the primary battlefield site. Native Americans occupying the area at the time of the battle worked in tandem with the abundant natural resources and made few significant changes to the landscape's appearance. The patchwork grid of roads and property boundaries that dominate the landscape today were not yet intact, and white settlement in the region consisted of small, subsistence farms that only dotted the landscape.

Black Jack also serves as a keystone site within a larger constellation of historic sites that comprise the recently designated Freedom's Frontier National Heritage Area. The Heritage Area Feasibility Study states that "eastern and southern Kansas has a distinctive assemblage of natural, historic, and cultural resources worthy of recognition, conservation, interpretation, and continuing use. These resources reflect traditions that are a valuable part of the national story and retain a degree of integrity capable of supporting interpretation."[14]

Native American Occupation

The varied landscape of eastern Kansas, with its rolling hills and numerous waterways, first provided a home to Kansa and Osage natives. These indigenous tribes took advantage of the warm, wet summers to cultivate corn, squash, beans, and other crops. They established permanent villages in the region, particularly along waterways. Bluestem prairie grasses and hickory forest were the predominant native vegetative features in the region. To supplement regional hunting, groups led expeditions west to the Great Plains where the taller grasses, dryer climate, and flatter topography provided ideal hunting for great herds of American Bison.

[13] John A. Garraty and Mark C. Carnes, *American National Biography*, *vol. 3.* (New York: Oxford University Press, 1999), 691.
[14] "Freedom's Frontier National Heritage Area," "Heritage Area Feasibility Study," https://freedomsfrontier.org/partners/, 64.

To Native Americans, the bounty of the land provided abundant treasure. European explorers, however, sought different natural resources. As they moved across North America looking for mineral wealth, both Spanish and French explorers laid claim to the area now encompassing Kansas. Because the region's rich soils and other abundant natural resources were of secondary interest to their focus on mineral wealth early Europeans never settled this area. In fact, throughout most of the eighteenth century, Native Americans inhabiting the region remained unaware of European claims to the land.

Over time, the opportunity for land acquisition in the frontier region brought white settlers closer to Kansas. Following independence from Britain in 1783, Euro-Americans began to move west and the government indirectly and directly encouraged settlement in the Mississippi and Ohio River valleys. The 1803 Louisiana Purchase that included most of present-day Kansas further increased the opportunity for westward expansion. As Missouri (1821), Arkansas (1836), and Iowa (1846) became states and brought settlers still closer to the region, present-day Kansas remained part of the "Unorganized Territory" under the control of various Native American tribes. Fur trappers, missionaries, army personnel, and explorers entered the region with permission to pass through but they lacked any official ability to settle or own land there. Kansas remained a part of "Indian Country."[15]

During the early nineteenth century, as Native American tribes living east of the Mississippi were forced westward by the migration of Euro-Americans, the numbers and diversity of Native Americans in Kansas expanded. With these emigrant tribes came missionaries, the first permanent white settlers in the region. Douglas County in which Black Jack Battlefield is currently located was located within the Shawnee reservation where Methodists founded a mission around 1830 to "assist Indians in the transformation from their tribal culture to American citizenship."[16] Within a generation, these reservations would be pushed even further west into Oklahoma.

The Santa Fe Trail and Westward Expansion

As greater numbers traveled west, established routes developed throughout the Kansas Territory. In 1821, Captain William Becknell made the first successful trade journey to Santa Fe from Franklin, Missouri, by pack train, thereby establishing the route of the Santa Fe Trail. Four years later, Congress authorized survey and marking of the trail. Traders carried cotton and woolen goods, silks, velvets, and hardware by wagon and pack train to Santa Fe, returning with horses and mules, blankets, furs, robes, and gold and silver. Their wagons deeply scored the Kansas soil, and in some locations, including at Black Jack, the eroded ruts of the Santa Fe Trail remain clearly visible after 150 years.

From Westport, Missouri (now Kansas City), the Santa Fe Trail entered eastern Kansas and followed a southwest course along the long, level ridge known as "The Narrows." This alignment minimized stream crossings and provided a well-drained and level route for trail traffic. The upland route, however, created limited access to potable water sources which lay primarily below the ridgeline. Springs and streams were valuable resources essential to trail travel, and camping sites sprung up around these natural resources. The Black Jack campsite, named for Black Jack oak trees growing there, was located where the Santa Fe Trail crossed Captain Creek.

Campsites along the trail experienced intensive use by travelers. Freighters comprised of forty or more large wagons drawn by oxen carried large volumes of goods between Missouri and Santa Fe. Wagon trains that could stretch for miles passed through Black Jack often, from two a day at the height of travel season, to one every four days during slower times. Ox-drawn wagons could travel about twelve miles per day, but camps were

[15] Homer E. Socolofsky and Huber Self, *Historical Atlas of Kansas*, 2nd ed. (Norman: University of Oklahoma Press, 1988), 16.
[16] Ibid., 15.

developed in two- to five-mile increments along this segment of the trail. Other travelers, including groups of settlers, used the established campsites, such as the Black Jack site, as well.

Westward migration along the Santa Fe Trail, particularly during the Colorado gold rush in 1858, brought many travelers through Kansas Territory. Although it had been regarded as "a great desert," word of the region's natural abundance spread.[17] Recognizing that Euro-American settlement was inevitable, the Federal government had already begun work on legislation to help direct settlement. The Missouri Compromise of 1820 split the Unorganized Territory west of the Mississippi into free and slave areas by drawing a latitudinal line at the thirty-seventh parallel, just below what would become the Kansas Territory's southern border. Slavery was to be abolished in states created north of the line while regions to the south were to allow slavery. The debate over the expansion of slavery into new territories would come to a head in Kansas after passage of another piece of Federal legislation, the Kansas-Nebraska Act of 1854.

As chairman of the Committee on Territories, Illinois Senator Stephen A. Douglas championed the cause of expansionism. Joining neighbors from Missouri and Iowa, Douglas doggedly pushed for legislation to create new states out of the "Unorganized Territories" to spread "Christianity, civilization, and Democracy" westward.[18] A militant believer in popular sovereignty, Douglas strongly supported repeal of Federal laws establishing slave and free territories and he introduced the concept of using the ballot box to resolve each new territory's decision on whether or not to allow slavery. Others endorsed this approach to the question of slavery, although many of these Americans saw this approach as primarily an opportunity to reopen the door for slavery within the frontier.

The Kansas-Nebraska Act of 1854

Passed by the U.S. Congress on May 30, 1854, the Kansas-Nebraska Act created two territories out of the Unorganized Territory. A significantly smaller area to the south was also created and this was designated as the new Indian Territory. Euro-American settlers, approximately half of whom came across the border from neighboring Missouri, flocked into Kansas to stake out their claims. In this early period, the Black Jack area of Douglas County remained Shawnee territory and uninhabited by new settlers.[19]

The Kansas-Nebraska Act also repealed the provision of the Missouri Compromise of 1820 that had delineated free and slave areas west of the Mississippi River. Now residents of the newly established territories, rather than the Federal government, would determine whether their state would become free or slave. While most agreed philosophically with the introduction of popular sovereignty in Kansas and Nebraska, outside intervention in the political process would lead to anarchy in the Kansas Territory as "border ruffians" from Missouri and Federal officials sought to control the territory's fate. Directly west of the slave state of Missouri, Kansas became central to the conflict between pro- and anti-slavery groups nationwide. In trying to protect their right to make local decisions, residents in Kansas irrevocably tied the issues of slavery and states' rights.

Though the battle over slavery defined the territorial period, the vast majority of those migrating to Kansas did not come to the state for political reasons. Rather they arrived with hopes of increasing their fortunes through farming. Some brought slaves while others sought to escape the advantage that slavery gave their more affluent neighbors.[20] Missouri's proximity to the new territory gave its residents a jump start on settlement, but they

[17] Federal Writers' Project of the Works Project Administration for the State of Kansas, *The WPA Guide to 1930s Kansas* (Lawrence: University Press of Kansas, 1939), 46-47.

[18] Nicole Etcheson, *Bleeding Kansas: Contested Liberty in the Civil War Era* (Lawrence: University of Kansas Press, 2004), 1.

[19] "Kansas Memory," Kansas Historical Society, "Eastman's Map of Kansas and Nebraska Territories Showing the Location of the Indian Reserves According to the Treaties of 1854," accessed March 13, 2012, https://www.kansasmemory.org/item/209786.

[20] Etcheson, *Bleeding Kansas*, 31.

were soon joined by others from the South, New England, and particularly the Midwest and Mid-Atlantic. Both abolitionists and pro-slavery groups recruited like-minded citizens to migrate and create a new state that reflected their beliefs on slavery. Eventually all new settlers and their families would become mired in this national struggle.

Wherever they came from and whatever their reasons for moving to Kansas, these settlers now had the authority to vote and determine Kansas's fate as a free or slave state under the Kansas-Nebraska Act. Yet President James Pierce, in a clear attempt to influence the unfolding debate, appointed pro-slavery advocate Andrew H. Reeder as territorial governor on June 29, 1854. Reeder called for elections to establish a legislature and these resulted in a landslide victory for pro-slavery groups. Claims of fraud hindered the authority of what became dubbed the "bogus legislature." In a territory which had 2,905 eligible voters according to the census, 6,307 ballots were cast.[21] This and other irregularities led many of the territory's residents to believe that pro-slavery Federal officials had forced the state to be a slave state.[22] For some Kansans, the debate over slavery now expanded to become a debate over the concept of popular sovereignty, and those frustrated with Federal intervention shifted their allegiance to free-state groups.[23]

Local free-staters refused to accept the election's outcome and held another round to establish their own territorial government. Their newly elected legislature convened in Big Springs on September 5, 1855, and in one of their first acts repudiated a number of laws created by the bogus legislature. They adopted a constitution and elected a governor and two state senators. The Federal government refused to recognize these officials.

Federal leaders realized that outcomes in Kansas could greatly affect national events and trends and continued to debate the situation in Washington, D.C. Abolitionist senators were particularly quick to take advantage of the rhetorical opportunities provided by these events, although both sides began to use the situation in Kansas to fan the flames of discord in the legislature and throughout their districts. U.S. Senator John Clayton of Delaware decried the "laws enacted by the Kansas Legislature, as it is called" as "unjust, iniquitous, oppressive, and infamous" saying:

> What are these laws? One of them sends a man to hard labor for not less than two years for daring to discuss the question whether slavery exists or does not exist in Kansas…I include in this…those acts which prescribe that a man shall not even practice law in the Territory unless he swears to support the Fugitive Slave Law…There are others as bad as those to which I have now referred…[24]

Acts of violence between anti- and pro-slavery settlers in Kansas periodically punctuated this tense political situation. Early victims included both free-staters and pro-slavery men. On November 21, 1855, pro-slavery advocate Franklin Coleman shot and killed free-stater Charles Dow. The murder sparked further unrest involving the burning of homes, the arrest of various participants, and the organization of a pro-slavery march on the town of Lawrence, a predominantly free-state jurisdiction. These and other events, including the Battle of Black Jack on June 2, 1856, gave root to the territory's nickname "Bleeding Kansas."

Bleeding Kansas

The argument between free-stater Dow and the pro-slavery Coleman appeared to have resulted from an ongoing conflict over claim boundaries, not over slavery, but its violent turn opened the door for a wave of anger to

[21] Alice Nichols, *Bleeding Kansas* (New York: Oxford University Press, 1954), 28.
[22] Etcheson, *Bleeding Kansas*, 11.
[23] Ibid., 6.
[24] William Elsey Connelley, *John Brown* (Topeka, KS: Crane, 1900), 75.

surge forward.[25] After turning himself in, Coleman was released on bond, angering a group of Dow's friends who formed a posse to capture Coleman. A member of the posse, Jacob Branson, was arrested on weak charges and subsequently freed by his friends. Angry pro-slavery advocates gathered in the area of Lawrence and threatened to attack the predominantly free-state community. Pro-slavery Governor Wilson Shannon and U.S. troops from Fort Leavenworth intervened to maintain the peace, but not before free-stater Thomas Barber had been murdered. Called the Wakarusa War, these random acts of violence ended with the Treaty of Wakarusa, drafted December 8, 1855. Under the terms of the treaty, free-staters were to recognize the territorial governor's authority and the governor was to guarantee the sovereignty of his constituents:

> We the said citizens of said Territory…pledge ourselves to aid in the execution of the laws when called on by proper authority in the Town or vicinity of Lawrence and…we will use our influence in preserving order therein, and declare that we are now, as we have been, ready at any time to aid the Governor in securing a posse for the execution of such process…provided that…Governor Shannon stated that he has not called upon persons residents of any other state to aid in the execution of the laws, - that such as are here in this territory are here of their own choice and that he does not consider that he has any authority to do so, and that we will not call on any citizen of another state who may be here.[26]

Officials in Washington, D.C., continued to follow events in Kansas. Just weeks before the Battle of Black Jack, Massachusetts Senator Charles Sumner's passionate "Crime Against Kansas" speech in the U.S. Senate pointedly linked the situation in the territory to national events. He began by chastising President Pierce for intervening in the state and for supporting "the wrongs of Kansas, where the very shrines of popular institutions, more sacred than any heathen altar, have been desecrated . . .where the ballot-box, more precious than any work, in ivory or marble, from the cunning hand of art, has been plundered."

Sumner then argued that slavery motivated the encroachment on civil rights. "Not in any common lust for power did this uncommon tragedy have its origin. It is the rape of a virgin Territory, compelling it to the hateful embrace of Slavery; and it may be clearly traced to a depraved longing for a new slave State, the hideous offspring of such a crime, in the hope of adding to the power of slavery in the National Government." He ended the speech with a strong foreboding of national unrest. "The contest, which, beginning in Kansas, has reached us, will soon be transferred from Congress to a broader stage, where every citizen will be not only spectator, but actor…"[27]

The speech included personal attacks against Senator Andrew Butler of South Carolina, co-author of the Kansas-Nebraska Act. Butler's nephew Preston Brooks, a congressman from South Carolina, brutally attacked Sumner with a cane two days following the speech. The Butler-Brooks argument embodied the nation's increasing polarization. Sumner became a hero in the North and was reelected to his seat by the Massachusetts General Court despite his absence since the attack. Southerners viewed Sumner as a villain and Butler as the hero.

Just three days after Senator Sumner's speech on the U.S. Senate floor, on May 21, 1856, the pro-slavery Kansas Territorial Militia gathered near the free-state town of Lawrence. Under the leadership of Douglas County Sheriff Samuel Jones, who had been driven out of town by free-state settlers, a posse of pro-slavery men entered the town, and destroyed businesses and burned buildings. The Sacking of Lawrence, witnessed by Federal troops who chose not to intervene, led to violent retaliation four days later at Pottawatomie Creek, south

[25] WPA, *Guide to Kansas*, 50.
[26] "Kansas Memory," Kansas Historical Society, accessed March 20, 2008, https://www.kansasmemory.org/item/3534.
[27] Charles Sumner, Mass. Senator, speech in the U.S. Senate on May 18, 1856, accessed September, 26, 2007, https://www.senate.gov/artandhistory/history/resources/pdf/CrimeAgainstKSSpeech.pdf.

of Lawrence in Franklin County. It was there on the night of May 24, 1856, that seven or eight men, free-staters led by John Brown, murdered five members of the Doyle family.[28] According to H. H. Williams, a free-stater who declined to participate in the mission, the men were targeted for their pro-slavery sentiments and prolific, boastful talk, though none had initiated any physical aggression toward free-staters.[29] The Pottawatomie Massacre, as it was called thereafter, became a pivotal event that led directly to the Battle of Black Jack.

Two men—John Brown and Henry Clay Pate—would become commanding officers of opposing forces in the Battle of Black Jack. Both had only recently arrived in Kansas; both were motivated to come because of their strong feelings about the institution of slavery. Henry Clay Pate, a passionate pro-slavery man from Virginia, had come to Kansas specifically to advocate for slavery in the new territory. In Westport, Missouri, he had formed a militia known as Shannon's Sharp Shooters, named after Kansas Territorial Governor Wilson Shannon, whose members joined Sheriff Jones's posse during the attack on Lawrence. An appointment as United States Marshall for the Southern District of Kansas gave Pate the authority needed to seek out John Brown and others associated with the Pottawatomie killings.[30]

Black Jack's other, more famous commander, John Brown, "always believed that he was to be an instrument in the hands of Providence," according to his wife Mary. He had dedicated his life to the abolition of slavery. [31] A tanner by trade, personal loss and economic hard times worked against Brown's business ventures as his involvement in the abolitionist movement increased. Abolition became his primary vocation as he worked in Ohio to strengthen the Underground Railroad and helped organize a protection league for free blacks and fugitive slaves. With the opening of the Kansas Territory in 1854, Brown recognized the expansion of the battle over slavery and sent his sons to Kansas to help mobilize efforts to guarantee the future state would be free for all men. Swift political movement in the months preceding his son's arrival in 1855 already had set the stage for turmoil and the outbreak of violence. Settling about ten miles from Osawatomie, Brown's sons quickly surmised the high stakes in Kansas and wrote to request their father procure and ship arms for the defense of free staters. Brown agreed and left New York several months later to personally deliver the materials. He arrived with a wagonload of weapons, "possessed by a fire" to rid the country of slavery.[32] Brown's passionate rhetoric and participation in the May 25th murders at Pottawatomie reinforced his reputation as an avid abolitionist. Some saw him as a saint, others as a fiend.

It was to Brown's Station in Miami County that Henry Clay Pate went to find John Brown, Sr. Unable to locate the elder Brown, Pate took Brown's sons John Jr. and Jason into custody, burned their homes, and delivered the two men to U.S. Dragoons camping in the area along Middle Ottawa Creek. Resuming his hunt for John Brown, Sr., Pate parted from Federal troops and set up camp "on the prairie near the ravines which formed a small stream called Black Jack, from the abundance of scrub-oak of that name which grew about it."[33] In the meantime, Brown, hearing of his sons' capture, called for his supporters and members of local free-state militias to gather in Prairie City and prepare to confront Pates' force.

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[28] The historic record is unclear regarding John Brown's specific role in the Pottawatomie Massacre. An article quoting Stephen B. Oates' *To Purge This Land With Blood* claims that while Brown "did not commit any of the actual murders himself, he was the undisputed leader and made decisions as to who should be spared." The article also maintains that Brown never admitted direct responsibility for the event (http://xroads.virginia.edu/~hyper/hns/kansas/jbrown.html). In contrast, Richard Cavendish's article in *History Today* claims that Brown did in fact kill a twenty-year-old man whose arms had been cut off by cutlasses. The young man "was finished off by Brown with a rifle" (https://www.historytoday.com/archive/pottawatomie-creek-massacre).

[29] Spring, *Kansas: Prelude to War*, 144, 147.

[30] Ibid., 29.

[31] W. E. B. DuBois, *John Brown* (New York: Oxford University Press, 2007), 37.

[32] Spring, *Kansas*, 137.

[33] Connelley, *John Brown*, 257.

On the evening of May 31, Pate's men entered Palmyra, a village of four to five families, to ransack a store for arms and other goods. The following evening Shannon's Sharp Shooters ventured into Prairie City for further plunder. Unbeknownst to Pate's men, Prairie City was hosting a circuit preacher whose audience included a number of free-staters from the surrounding community. Given local unrest, many of those attending had come armed; they captured two of Pate's men who subsequently provided enough information to give Brown a sense of their company's whereabouts and help him plan an ambush. This quick succession of events culminated on June 2 with the Battle of Black Jack.

The Battle of Black Jack

On Saturday evening, May 31, Pate and his Shannon's Sharp Shooters, while on their manhunt for John Brown, set up camp along the Santa Fe Trail near Black Jack. According to William Phillips, a journalist recently arrived in Kansas to cover events in the territory, this first camp was located "on the head of a small ranch or ravine, called Black Jack…not far from the Santa Fe road, but to the north of it."[34] Pate and his men remained there until Monday when their scouts were taken prisoner in Prairie City. Fearing that they would be discovered, they "at once prepared to be attacked, and selected a spot for camp near some ravines which were calculated to yield protection."[35] Pate, who refers to the battlefield as "Black-Jack Point," and Robert Hall Pearson, who later built his home to overlook the battlefield in 1886, both provided later recollections of the battle; these recollections provide a strong indication that the heart of the conflict occurred in the vicinity of the triangle of land formed at the confluence of the two tributaries of Captain Creek. According to Pate, twenty-five men remained under his command at the time, while free-state sources place the number at closer to fifty.[36] Author John Gihon wrote in 1857 that Pate's encampment had been "fortified…by drawing together some heavy wagons."[37]

Several contemporary accounts provide a description of the pro-slavery encampment although none were written by anyone present during the battle. Phillips describes the camp as "three or four wagons…drawn up in a line, as part of a breastwork, several rods out on the prairie from the ravine, and one of the tents was there…It afforded shelter for his men, and, except by a force coming up the ravine or stream from the timber at Hickory Point, had to be approached over open prairie, sloping up from the place where the Missourians were posted."[38] Historian Oswald Garrison Villard offered a similar description: "the covered wagons in front, then the tents, and then, on higher ground to the rear, the picketed horses and mules."[39] These descriptions indicate that the wagons were approximately 50 to 60 feet from the ravine.[40]

The Approach

Rather than traveling the Santa Fe Trail from Prairie City to Black Jack, John Brown and his men probably rode along a more direct route south of and parallel to the trail, using the tall prairie grasses to hide their movements. While Brown was relatively new to the area, he had under his command a number of local residents—including Captain Samuel Shore, Brown's second in command and a local militia leader who resided in Prairie City. These men would have been very familiar with the local landscape, probably more than Pate and his Missouri

[34] William Phillips, *Conquest of Kansas by Missouri and Her Allies* (Boston: Phillips, Sampson, 1856), 334.
[35] H. Clay Pate, *John Brown* (New York: printed by author, 1859), 32.
[36] Pate, *John Brown*, 29; Phillips, *Conquest of Kansas*, 335.
[37] John H. Gihon, *Geary and Kansas. Governor Geary's Administration in Kansas: With a Complete History of the Territory Until July 1857* (Philadelphia: Chas. C. Rhodes, 1857), 87-88.
[38] Phillips, *Conquest*, 337.
[39] Oswald Garrison Villard, *John Brown: 1800-1859* (Boston: Houghton Mifflin, 1910), 202.
[40] Estimate based on "a few rods," one rod being equal to 16.5 feet.

Sharp Shooters. The landscape was also more open at the time, making it easier to visually orient and travel cross-country away from roads and settlements.

Federal surveyors at the time estimated that prairie grasses covered nearly 94 percent of Douglas County, with most trees in forested areas near the Kansas River or in towns and ravines in the other parts of the county.[41] These conditions extended to the Black Jack area, where contemporary surveys described "land principally high rolling prairie, first rate, and fit for cultivation." Based on section line descriptions in the 1856 Public Land Survey of Kansas, the ravines of Captain Creek likely contained a "very few scattering dwarfish black oak or black jacks with an understory of the same, good water in the stream."[42] While the tall prairie grasses may have provided some cover for movement, they offered little protection from gunfire. Once the battle began, topography and the ability to take cover behind the berms or banks edging the ravines would prove critical.

Brown's force arrived within a mile of the enemy camp around 6:00 A.M. on June 2. Though it appears they had not yet identified the exact location of the pro-slavery camp, they chose to dismount and continue on foot, leaving two men, Brown's son Frederick and one of Shore's men, to guard their horses. Soon thereafter, Pate's southern watch discovered their movements and reported immediately to his commander. According to Pate, "a strict watch was kept all night, but no alarm was given. However, the mounted guard on the South rode into camp and gave notice of the enemy's approach. Although every man but the guard was sleeping, in five minutes all were in line but one or two."[43]

The Battle

Nearly thirty free-staters, ten under Brown and eighteen under Shore, approached Pate's encampment, while those named above were left to guard the horses and two others were sent for reinforcements.[44] Aware their movements had been discovered, Brown and Shore implemented a plan for attack. In a flanking motion, the two commanders divided, with Shore moving left, or north, toward the lower ravine, and Brown and his company taking the right, higher ravine. Phillips wrote in 1856 of the justification behind this decision: "As the ravine made a bend, they would thus have got in range of the enemy on both sides, and had them in cross fire, without being in their own fire."[45]

Brown's remaining nine men secured their position southwest of the enemy, in the grassy ravine of Captain Creek. Protected visually by the high grasses, physically by the creek bed, and with the advantage of sitting at a slightly higher elevation than the enemy, the free-staters under Brown found themselves in firing range of Pate's encampment. According to Brown, his forces did not fire until "we gained the rear of a bank, about fifteen or twenty rods [approximately 80 to 110 yards] to the right of the enemy, where we commenced, and soon compelled them to hide in a ravine."[46] Their close proximity to the enemy was necessary because they lacked sharpshooters. Brown's portrayal of Pate's movement into the ravine coincides with other accounts indicating that Shannon's Sharp Shooters at first fired from behind their wagons but moved into the ravine after about ten minutes.

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[41] Kelly Kindscher, *Natural Resource Inventory and Restoration Plan for the Black Jack Battlefield Site*, Open File Report Number 129, Kansas Biological Survey, 2006, 3; C. P. Wiggin, *Map of the Shawnee & Wyandott Lands in the Territory of Kansas Compiled from the U.S. Surveys by Robt. J. Lawrence*, Pittsburgh, PA: Wm Schuchman & Bro Lith, March 1857.

[42] Quoted in Kindscher, 3.

[43] Pate, *John Brown*, 32.

[44] Louis Ruchames, editor, *A John Brown Reader* (New York: Abelard-Schuman, 1959), 95; Phillips, *The Conquest of Kansas by Missouri and Her Allies* (Boston: Phillips, Sampson, 1856), 337.

[45] Phillips, *Conquest,* 337.

[46] Ruchames, *John Brown Reader*, 96.

Shore's remaining seventeen men encountered less success securing their desired position left of the enemy. Approaching over open ground northwest of Pate's encampment and fully exposed, they halted and became engaged in an exchange of fire. Pate described their actions. "At first the enemy squatted down in open prairie and fired at a distance of from three to four hundred yards from us. Their lines were soon broken and they ran hastily to a ravine for shelter."[47]

Though Brown disputed this version of events, stating that his command engaged in no such retreat, Brown's description aptly reinforced Pate's version of Shore's movements. Brown wrote, "when within about sixty rods [approximately 330 yards] of the enemy, Captain Shore's men halted by mistake in a very exposed situation, and continued the fire, both his men and the enemy being armed with Sharpe's [*sic*] rifles."[48]

Realizing their untenable position, Shore's men withdrew and divided into two groups, one positioning themselves to the right of Brown's company and others permanently abandoning the battlefield. Five of those remaining, including Shore, then made their way to Brown's position where they rejoined the fight. Brown convinced four others to "remain in a secure position" where he "busied one of them in shooting the horses and mules of the enemy, which served for a show of fight."[49] Brown' forces suffered some attrition as men fled during the fight. Writing in a letter to his wife, Brown noted that "one of my men (Henry Thompson) was badly wounded...Three others of my company (but not of my family) had gone off."[50]

Pate described his force's initial line as "on a point exposed."[51] While in this location, five men under his command were wounded, and he quickly, "after four volleys" according to Brown,[52] relocated his men into a ravine where they stayed throughout the battle. Pate's forces also dwindled as the battle continued. August Bondi quoted Brown as saying, "It seems the Missourians have suffered from our fire; they are leaving one by one."[53]

Aside from deserters, the opposing forces maintained their positions in the ravines throughout the battle to protect themselves from gunfire. Captain Creek, the main waterway in this area, included two tributaries known as the "west ravine" and the "east ravine." These major drainageways within the battlefield area appear to have functioned as cover during the battle action. In considering the movement of troops and encampment locations, some conclusions can be drawn as to where the forces were located. Coming from the west, Shore and Brown would have occupied the first ravines they came across that provided sufficient cover: the west ravine and possibly a smaller tributary that joins it to the north. Pate's men, situated on the east side of Captain Creek in the campground vicinity, would have occupied the east ravine and possibly the main channel of Captain Creek, providing better cover from enemy fire than the open prairie to the north and east. The Battle of Black Jack occurred in this location because of many factors. The presence of the participants, as well as the course and outcome of the battle, depends to a great degree on the environmental factors that shaped the character of Black Jack long before 1856.

According to Brown, free-staters present at the start of the conflict included eighteen of Captain Shore's men and ten recruited by Brown, including six members of his family.[54] Brown's list of those present and wounded, written the day of the battle, contained forty names and may have included messengers sent for reinforcements,

[47] Pate, *John Brown*, 33.
[48] Ruchames, *John Brown Reader*, 96.
[49] Ibid.
[50] Ibid.
[51] Pate, *John Brown*, 33.
[52] John Brown, "Interesting from Kansas," *New York Daily Tribune*, July 11, 1856, 6.
[53] Joseph Brent and Anne Moore, Survey of the *Battle of Black Jack Battlefield* (Report prepared by the Center for Historic Architecture and Preservation, Lexington, Kentucky), 8.
[54] Ruchames, *John Brown Reader*, 96.

those assigned to watch the horses, and members of Shore's militia who watched but did not participate in most of the battle.[55] According to Pate, Shannon's Sharp Shooters numbered twenty-five the morning of June 2, but had dwindled to fifteen by the truce.[56] Reported numbers vary slightly, as Luke F. Parsons, under Brown's command at Black Jack reported he was "one of 9 who recieved [*sic*] the arms of 27 of H.C. Pates men at Blackjack."[57]

Approximately three hours after the first shots were fired, Pate "saw that reinforcements for the abolitionists were near" and took advantage of a lull in the fighting to send out a flag of truce with his "object to gain time."[58] Brown would later contradict Pate's version of the story, saying that "Capt. Pate, it seems, could see much better than we; for we neither saw nor recived [*sic*] any possible reenforcements [*sic*] until some minutes after the surrender, nor did we understand that any help was near us."[59] An account related by Phillips may explain Pate's mistaken belief that additional free-state forces approached:

> Frederick Brown, one of the captain's sons, a half-witted lad, stood on the brow of the hill midway between the two divisions of the free-state force. He was in full view of the enemy, and had got a sword, which he was brandishing in the air, and shouting, 'Come one!' as if he had a regiment behind him. His manoeuvres and demonstrations had a powerful effect on some of the enemy.[60]

Robert Hall Pearson's obituary stated that he and "four other Coal Creekers" arrived "to re-inforce Brown's men a short time before the fight concluded by Pate's surrender."[61] While both commanders sent for reinforcements at the start of the battle, first-hand accounts from both commanders consistently report that they actually arrived following the truce.

The Truce

Perhaps the most disputed element of the battle occurred at its ending when Pate sent out a flag of truce and ultimately surrendered to Brown. Henry James, deemed a brave soldier by both commanders, carried the flag into the field accompanied by a free-state prisoner.[62] Brown described his position upon seeing the two men enter the field, "When I first saw it [the flag of truce] I had just been to the six discouraged men above named, and started at once to meet it, being at the moment from sixty to eighty rods [350 to 440 yards] from the enemy's camp, and met it about half way, carried by two men."[63]

James communicated the request that the two commanders meet. Brown agreed, the free-state prisoner retrieved Pate, and the two opposing commanders met in the battlefield.[64] According to both commanders, their conversation bore no fruit. Pate offered no proposal, and Brown refused to consider any action other than surrender. Pate claimed that Brown then took him prisoner "under the flag of truce, a barbarity unlooked for in this country, and unheard of in the annals of honorable warfare."[65] Brown, however, described a different scene:

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[55] "Territorial Kansas Online, 1854-1861: A Virtual Repository for Territorial Kansas History," last modified June 15, 2006, accessed March 27, 2008, https://territorialkansasonline.ku.edu/index.php.
[56] Pate, *John Brown*, 29.
[57] "Territorial Kansas Online"
[58] Pate, *John Brown*, 33.
[59] Brown, "Interesting from Kansas," 6.
[60] Phillips, *Conquest of Kansas*, 340.
[61] Pearson Family Papers, copy of R. H. Pearson's obituary in *The Wellsville Grove*, January 27, 1906.
[62] Pate, *John Brown*, 33.
[63] Brown, "Interesting from Kansas," 6.
[64] Ibid.
[65] Pate, *John Brown*, 34.

> I then said to him [Pate] and young James (both well armed,) "You must go down with me to your camp, and there all of you lay down your arms," when the three started, they continuing armed until the full surrender was made. I, an old man of nearly sixty years, and fully exposed to the weapons of two young men at my side, as well as the fire of their men in their camp, so far, and no further, took them prisoners under their flag of truce.[66]

Five men under Brown's command, including Captain Shore, received the surrender of twenty-one of Shannon's Sharp Shooters, ending the first military battle between pro- and anti-slavery forces.[67]

The Legacy of Black Jack

The battle itself was small. Fewer than one hundred men were involved at various stages; the conflict lasted only a few hours; and though men were wounded, there were no deaths related to the battle. However, like a pebble cast into a lake, the ripples spread far, with the story of Black Jack gaining tremendous momentum as a propaganda piece in both Northern and Southern newspapers. "Bleeding Kansas" became front-page news in papers across the country. Reports often described the battle in exaggerated terms, such as the Squatter Sovereign out of Atchison, Kansas, that claimed fifteen pro-slavery men had lost their lives at Black Jack.[68] The number of casualties and heroics of participants seemed to grow as the distance from the battlefield increased.

As violence in the territory continued, Black Jack's role as a turning point in the discussion over slavery became increasingly evident. Brown called Black Jack "the first regular battle fought between Free-State and pro-slavery men in Kansas," and indeed the battle forewarned of the impending war.[69] In its role as the first military engagement between pro- and anti-slavery militias, many later came to consider Black Jack the first battle of the Civil War.

Black Jack was widely reported in the national press soon after its occurrence through communications from correspondents in the region. On June 13, 1856, twelve days after the battle, the *New York Daily Tribune* ran an article written by Henry Clay Pate, the pro-slavery captain, titled "The Battle of Black Jack Point." Pate's account described his version of events with a heavy bias that appears intended to both protect his reputation and propagandize public perception. John Brown responded with an article in the *Tribune* that ran on July 11th. Brown's article corrected Pate's account in tutorial fashion and provided a detailed description of events that appears to be largely substantiated by other available information. These dueling accounts were widely circulated and became a focal point of the public debate, fueling strong opinions on both sides of the pro-slavery/anti-slavery conflict.

Through the reporting of Black Jack, Brown and Pate became subjects of national attention. Brown's reputation as a guerrilla leader and proponent of the radical abolitionist movement grew, enabling him to attract followers and financing. Black Jack was a spark that propelled Brown toward ever-increasing levels of violence. From the Pottawatomie murders, to the Battle of Black Jack, to schemes aimed toward a mass uprising of slaves, Brown was committed to proactive violence as the means to end slavery and purge the sins of the nation. Black Jack provided a national stage for Brown. National exposure encouraged grander and more ambitious planning in service of his cause and ultimately led to his raid on Harpers Ferry in October 1859.

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[66] Brown, "Interesting from Kansas," 6.

[67] Phillips, *Conquest of Kansas*, 341. In the *New York Daily Tribune* article, Brown states that 23 men surrendered. Phillips' numbers may not have included Pate and James. Both accounts tell of an additional two injured pro-slavery men not counted in these figures.

[68] Dale E. Watts, "How Bloody Was Bleeding Kansas?" *Kansas History: A Journal of the Central Plains* 18:2 (Summer 1995): 116.

[69] Ruchames, *John Brown Reader*, 36.

Brown and Pate would meet again in Harper's Ferry, West Virginia, where Pate would interview Brown—imprisoned for treason in the planning of the Harper's Ferry slave insurrection—on the subject of Black Jack. Their disagreements over events of the truce never would be reconciled. Pate claimed that Brown violated the truce as he "kept men near him whom I did not see for the tall prairie grass" and did not allow Pate to return to his camp following the stalemate.[70] Brown would not have it, having fixed the public attention and achieved his righteous glory. Brown asserted that both Pate and James were "well armed" and that he "had not during the time of the above transactions with Capt. Pate and his flag of truce a single man secreted near me who could possibly have pointed a rifle at Capt. Pate, nor a man nearer than forty rods till we came near their camp."[71]

Another association between Black Jack and Harper's Ferry involved a dirk (knife) taken by Brown from Pate as part of the spoils of war and used as the template for the 1,000 pikes made for use by slaves at Harper's Ferry. Produced by a blacksmith in Connecticut, Brown planned to distribute the pikes as a "weapon of defense for the settlers of Kansas to keep in their log cabins to defend themselves against any sudden attack that might be made on them." Brown had moved on to Virginia before they could be manufactured and they were delivered to the Maryland farm that served as a staging area for the raid on Harpers Ferry where he put them to another use.[72] Fifteen hundred pikes were found there following the raid along with guns, flints, axes and blankets, awaiting the slave insurrection that never occurred.

John Brown was executed in Charlestown, West Virginia on December 2, 1859, having become a national martyr in the cause of abolition. Black Jack figured prominently in his rise. Its legacy and the legacy of Bleeding Kansas contributed substantially to his martyrdom and the opposing impacts his actions had on national perception. Brown radicalized the issue of slavery, polarized opinions north and south, and brought the nation closer to the violent purge he advocated.

Henry Pate continued to be active in the border wars and, when the Civil War erupted, he served as Lieutenant Colonel of the 5th Virginia Cavalry under J.E.B. Stuart. Both Pate and Stuart died at the Battle of Yellow Tavern outside Richmond in May 1864. John Brown and Henry Pate, opposing captains at Black Jack, having competed in Kansas and in the national press, both went on to participate in seminal events leading up to the nation's Civil War.

Historians of Bleeding Kansas and of John Brown note the significant role of Black Jack in the events of the time. William Phillips, a newspaper correspondent in Kansas wrote a book, *The Conquest of Kansas by Missouri and Her Allies* (1856), providing a detailed contemporary account of Bleeding Kansas. Though clearly written from a free-state perspective, Phillip's book devotes a chapter to Black Jack and may be the most thorough and accurate information available on both the battle and the surrounding events of Bleeding Kansas. Richard Webb's *The Life and Letters of Captain John Brown who was Executed at Charlestown, Virginia, Dec. 2, 1859, for an Armed Attack Upon American Slavery; with Notices of Some of His Confederates* (1861) also has a chapter on the Battle of Black Jack and its significance. Similarly, Oswald Garrison Villard devotes a chapter of his authoritative 1919 biography of John Brown to the circumstances around Black Jack. Private accounts of the battle written by surviving participants continued to appear over the years as memoirs, with varying degrees of detail and accuracy. These accounts continued to feed the public awareness of the battle as participants aged, the desire for memorialization spread, and the import of the events grew in recognition.

[70] Pate, *John Brown*, 32.
[71] Brown, "Interesting from Kansas," 6.
[72] Villard, *John Brown*, 283-284.

From Black Jack to Civil War

As the Battle of Black Jack's significance became clear, the governor of Kansas ordered the disbursement of all armed bands. Still, violence in the territory escalated. Roaming militias of free-state and pro-slavery forces hunted each other down, periodically meeting in combat at places such as Franklin (June 4–5, 1856), Fort Titus (August 16, 1856), Osawatomie (August 30, 1856), and Hickory Point (September 13, 1856). Political solutions proved equally elusive as the debate over Kansas statehood made little to no headway in Congress. With momentum in the territory moving toward the free-staters, Southerners blocked legislation calling for the creation of a new state. Not until January 29, 1861, with the absence of representatives from Southern states that had seceded, would Kansas gain admission to the Union and become the 34th state.

The Battle of the Spurs, a bloodless conflict that occurred in January 1859, marked John Brown's departure from Kansas. His mission to end slavery led him to stage a slave insurrection at Harper's Ferry, Virginia. His capture, arrest, and trial following this insurrection ended with his hanging in Harper's Ferry on December 2, 1859.

Kansans' support for the Union and subsequent acceptance into its fold led approximately 650 men to answer Abraham Lincoln's call for volunteer soldiers on April 15, 1861. Eventually the state would send 20,097 soldiers to fight on the Union side in the Civil War; there would be 19 regiments from the state altogether, with three regiments made up of Native Americans and two of African-Americans.[73] Three thousand one hundred six of these men would die, giving Kansas the highest casualty rate of any state in the Union.[74]

In addition to battles occurring at the national level, border warfare between Kansans and Missourians continued throughout the war. Kansans called "Jayhawkers," seeking revenge against "bushwackers" who had entered the territory in the 1850s, crossed into Missouri to pillage the countryside, stealing and looting in the name of the Union. Missourians fought back. Douglas County witnessed significant violence including Quantrill's Raid on Lawrence in 1863 that left 150 residents dead and destroyed many of the businesses and homes in the free-state town.

Post-War Kansas

With the end of the Civil War, Kansans could finally focus on the development of their new homeland. Settlers transformed the landscape from its natural state into a quiltwork of farms. In Douglas County, Robert Pearson's Farm on which the Battle of Black Jack occurred followed local trends. A majority of residents turned to farming with crop cultivation the predominant agricultural activity. In 1875, corn dominated the landscape; other crops included wheat, oats, timothy, alfalfa, flax, and potatoes. A rapidly growing population (from 8,637 in 1860 to 20,592 in 1870) supported by increased mechanization led to a steady increase in cultivated fields and a constant decrease in the volume of native prairie grasses.[75] The Santa Fe Trail remained a busy route for travelers heading through the region. Railroads later provided an alternative route, bringing even greater numbers into and through Kansas.

Included in these post-war migrants seeking a new life in Kansas were a number of African Americans who sought out both the fertile land and economic opportunities available in the state. They also "remembered Kansas as the land where men such as John Brown had fought for freedom." The African-American agricultural

[73] WPA, *Guide to 1930s Kansas,* 53. The WPA Guide to Kansas cites 18 regiments, but Kansapedia (see citation 74) and Frederick Dyer, *A Compendium of the War of the Rebellion* (Des Moines: The Dyer Publishing Company, 1908) claims there were 19 regiments.

[74] "Kansapedia, Kansas Historic Society," accessed May 21, 2008, https://www.kshs.org/p/military-records-civil-war/11189.

[75] Dale E. Nimz, *Historic Preservation Survey and Research Report: Baldwin City and Palmyra Township, Douglas County, Kansas* (Kansas Historic Preservation Department Project Number 20-88-30110-002, September 1989), 10-11.

community of Nicodemus was founded in 1877 in the western Kansas frontier and attracted black settlers from Kentucky, Tennessee, Missouri, and Mississippi.[76] The black migration to Kansas continued, peaking in 1879 and 1880 when a large group called "Exodusters" followed the advice and urging of Benjamin Singleton, an ex-slave who promoted the purchase and settlement of African Americans outside the South. Due to Singleton's efforts, a number of black communities were founded in Kansas during this time, including "Tennessee Town" in Topeka, so named because of the number of Tennessee migrants that settled there.[77]

The twentieth century brought further change to this agricultural landscape. Innovations in farming techniques and the use of fossil-fueled equipment diminished the need for horses and mules. Property boundaries changed and farms became smaller as family divisions occurred for inheritance purposes.

The Pearson Farm

Born in England on April 1, 1828, Robert Hall Pearson came to Pennsylvania with his family in 1832 where his father first worked in Allegheny City's cotton factories and later gained employment as a body builder's coach. In 1851, Pearson left home, arriving in Kansas in May 1854 to take advantage of the opening of the new territory. His first claim in the territory was found to lie in Shawnee territory; he then settled on a property north of Baldwin City and lived with a man named Kibbe and his family in the vicinity. According to Pearson family records, Kibbe was the first settler in Douglas County and Pearson the second. In 1859, Pearson sold his initial claim and purchased a farm 1½ miles from Black Jack. In 1886 he purchased another eighty acres adjacent to the farm that included the battlefield.[78]

Pearson was present at Black Jack on the day of the battle, although it is not clear what his role was; he appears to have arrived with the "reinforcements" at the end of the conflict. Whatever his role in the events of June 2, 1856, Black Jack left a strong impression on the young Pearson and, thirty years later, in 1886, he acquired the land that he recalled being the central area of the conflict. In 1889-90, he sited his house on the rise overlooking the convergence of the ravines where the battle took place. Despite the bustling farm activity on the property, the area within the ravines apparently was not cultivated or built upon. Pearson's prescience in placing value on the preservation of the battlefield has protected a site that characterizes a unique stretch of Kansas history, incorporating themes including Native American occupation, westward expansion and trade, the Civil War and "Bloody Kansas," and settlement patterns of the Midwest.

Pearson developed the Evergreen Stock Farm on the site, shaping the farm's appearance with notable horticultural skill. Pearson's farm was known during his lifetime for the many varieties of trees he grew, including the extensive maple grove and fruit orchards.

Pearson died in 1912, leaving the farm to descendants, who lived on the property until it was acquired by the Black Jack Battlefield Trust in 2003. Most of the original plantings, such as orchards, described on the farm in the 1930s and some of the original farm outbuildings appear to have vanished over time. Young forest cover began to colonize areas of the site that had once been pasture and before that, prairie.

Commemoration

Pearson's personal efforts to preserve Black Jack Battlefield were enhanced in the early twentieth century as others began commemorating the battle. On October 1, 1913, a commemoration ceremony attended by honored

[76] Quintard Taylor, *In Search of the Racial Frontier: African Americans in the American West, 1528-1990.* (New York: W.W. Norton & Company, 1998), 138-139.

[77] Nell Irvin Painter, *Exodusters: Black Migration to Kansas After Reconstruction, 1877-79* (New York: W.W. Norton & Company, Inc., 1992); Garraty and Carnes, eds. *American National Biography, vol. 20,* (New York: Oxford University Press, 1999), 41.

[78] Pearson Family Records, "W. F. Pearson Tells of the Days of Seventy Years Ago," January 16, 1930.

guests and local residents featured the placement of a large granite monument dedicated to the Battle of Black Jack and donated by the Grand Army of the Republic Women's Relief Corps #102. More than 200 people attended a picnic dinner celebrating what they considered to be the "first real pitched battle" of the Civil War.[79]

In 1940, the State of Kansas purchased two acres from Russell Hays to establish a roadside park commemorating the Battle of Black Jack. A nearby highway marker, later stolen and replaced with a new one, recognized the battle's significance.[80] In 1969, the Douglas County Board of Commissioners funded construction of a one-room cabin in the park to be used for gatherings in Black Jack. The cabin currently contains display items relevant to the site's history. In 1967, Douglas County purchased an additional eighteen acres adjacent to and south of this roadside park. Named the Ivan Boyd Prairie Preserve, this park preserves rare, untouched acreage of native Kansas prairie grasses through which ruts of the Santa Fe Trail remain clearly visible. Historic markers added over time commemorate the park's various resources including the battlefield, prairie preserve, and Santa Fe trail ruts.

June 2, 2006, marked the sesquicentennial of the Battle of Black Jack. Celebrations included a massive clean-up of the site, historical programs, a "campfire dinner" and "breakfast on the prairie," period music, a display at a local museum, and a motor coach tour of John Brown sites. The event sparked interest in the battle and spurred efforts to clean up the site and raise money for its preservation and interpretation.[81] The Board of the Black Jack Battlefield Trust, formed in 2003, has used this momentum to conduct studies of the site that include restoration (2006), preservation (2006), and interpretive (2008) plans, a site inventory (2006), and archeological investigations (2007). Their efforts to guide this important site's preservation and interpretation will increase its visibility and highlight its unique historical significance for the entire nation.

Comparable Properties

Marais des Cygnes Massacre Site, Kansas (NHL, designated 1974)

On May 18, 1858, nearly two years after the Battle of Black Jack, pro-slavery men killed five free-state men and wounded five others at this site. The shootings here shocked the nation and became, as Black Jack Battle did, a pivotal event in the "Bleeding Kansas" era. The events at Marais des Cygnes are widely considered to be the last violent outbreak associated with "Bleeding Kansas."

During the 1850s, Americans focused on the violence that was unfolding across Kansas as pro- and anti-slavery forces battled for control of the state. Understanding the events associated with "Bleeding Kansas" requires a knowledge of the events, such as the Black Jack Battle, which initiated this violence as well as the events which reflect the climax of violence in Kansas, such as the Marais des Cygnes massacre. This site is a state-owned and interpreted historic site.

Lecompton Constitution Hall, Kansas (NHL, designated 1974)

The Lecompton Constitution Hall was the meeting place for the second Kansas territorial legislature in 1857. It is the only extant building in which opposing drafts of the first Kansas Constitution were approved. Passage of the Kansas-Nebraska Act (1854) precipitated a political struggle for dominance by pro- and anti-slavery factions in Kansas, as well as a fierce constitutional debate. The Lecompton Constitution of 1857, a pro-slavery document drafted in Lecompton (the territorial capital of Kansas and also the headquarters of pro-slavery

[79] Nimz, "Robert Hall Pearson Farm," 8:6.

[80] Joseph Brent and Anne Moore, "Survey of the Black Jack Battlefield" (The Center for Historic Architecture and Preservation. Lexington: The University of Kansas, 2006), 13.

[81] Ramon Powers, President of the Black Jack Battlefield Trust, Memo to Members of the Board and Friends, May 21, 2007.

elements in the territory), was supported by President Buchanan but rejected by Congress and the people of Kansas. The Lecompton Constitution served to inflame the growing sectional dispute which was shortly to burst into Civil War.

While Lecompton Constitution Hall illustrates the political events associated with Bleeding Kansas, Black Jack Battlefield and the Marais des Cygnes massacre site both illustrate the extent to which violence characterized the state during the 1850s. Lecompton Constitution Hall is a state-owned and interpreted historic site.

Kennedy Farm, Maryland (NHL, designated 1973)

John Brown planned the raid on Harpers Ferry, West Virginia here at this Maryland farmhouse. While the events at Harpers Ferry are probably the most well-known events associated with Brown, the events at Harpers Ferry were the culmination of events that had begun in Kansas several years previously.

John Brown Farm and Gravesite, New York (NHL, designated 1998)

It was from this small, plain, unpainted frame farmhouse that John Brown set forth, first to Kansas, then to Harpers Ferry, with his plan to exorcize slavery from America by armed confrontation. At his request, his body was returned here for burial after he was tried for treason and executed in 1859. From the moment he was interred, the farmhouse and gravesite were regarded as a shrine.

Conclusion

Black Jack Battlefield has national significance as the site of the first pitched battle that presaged the Civil War. This violent conflict, though small in scale, had—like Lexington and Concord in the Revolutionary War—implications that spread far beyond Kansas and gripped the imagination and emotions of the nation. Black Jack represented a flash point of violence in the national discourse on slavery and freedom. The conflict polarized abolitionist and pro-slavery factions, who interpreted it in different ways; the conflict meant many things to many people. The Battle of Black Jack, as a symbolic event, called into question the meanings of self-determination; and threw into stark contrast the economic and cultural differences that inexorably divided North and South leading up to the Civil War. While the region surrounding Black Jack changed dramatically following the Civil War and into the twentieth century, the site's identity remains intact one hundred fifty years following the conflict. Thanks to Robert Hall Pearson's foresight in protecting the battlefield and other subsequent efforts to commemorate the site, a unique landscape has been preserved that unites a rare untouched growth of prairie grasses, remnants of the historic Santa Fe Trail, a pre-Civil War battlefield, and a late nineteenth-century Kansas farm.

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Previous documentation on file (NPS):

__ Preliminary Determination of Individual Listing (36 CFR 67) has been requested.
_X_ Previously Listed in the National Register.
__ Previously Determined Eligible by the National Register.
__ Designated a National Historic Landmark.
__ Recorded by Historic American Buildings Survey: #
__ Recorded by Historic American Engineering Record: #

Primary Location of Additional Data:

_X_ State Historic Preservation Office
__ Other State Agency
__ Federal Agency
__ Local Government
__ University
__ Other (Specify Repository):

10. GEOGRAPHICAL DATA

Acreage of Property: 59.51

UTM References:	**Zone**	**Easting**	**Northing**
A	15	314910	4293140
B	15	315130	4293140
C	15	315119	4292737
D	15	314862	4292350
E	15	314462	4292364
F	15	314480	4292760

Verbal Boundary Description:

The nominated property is bounded as follows:

The East ½ of the South ½ of the Northeast ¼ of Section 12, Township 15 South, Range 20 East; and the West ½ of the Northwest ¼ of the Northwest ¼ of Section 7, Township 15 South, Range 20 East, in Palmyra Township, Douglas County, Kansas. The first tract includes the 20.27 acres encompassing the Black Jack Highway Park and Ivan Boyd Prairie Preserve, edged by U.S. Highway 56 to the north and County Road E 2000 to the west. The second represents the 39.24-acre property on the east side of County Road E2000 south of County Road N175, including a parcel owned by the Black Jack Battlefield Trust, also known as the Robert Hall Pearson Farm, and the .27-acre Robert Hall Pearson Memorial Park.

Boundary Justification:

The selected boundary encompasses a portion of the landscape directly associated with central action in the 1856 Battle of Black Jack. Adjacent property may also be associated with the battle and may be incorporated into the boundaries in the future.

11. FORM PREPARED BY

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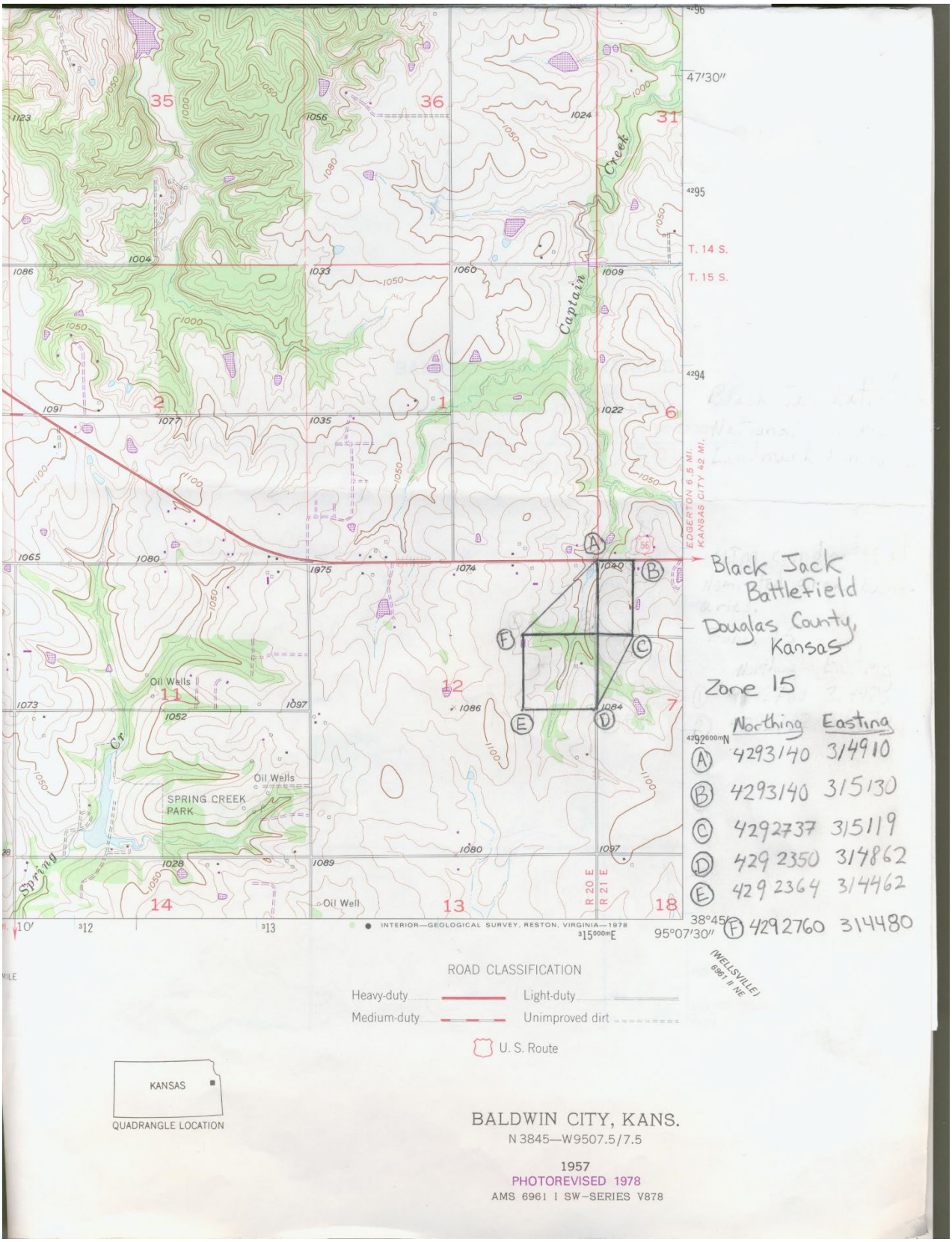
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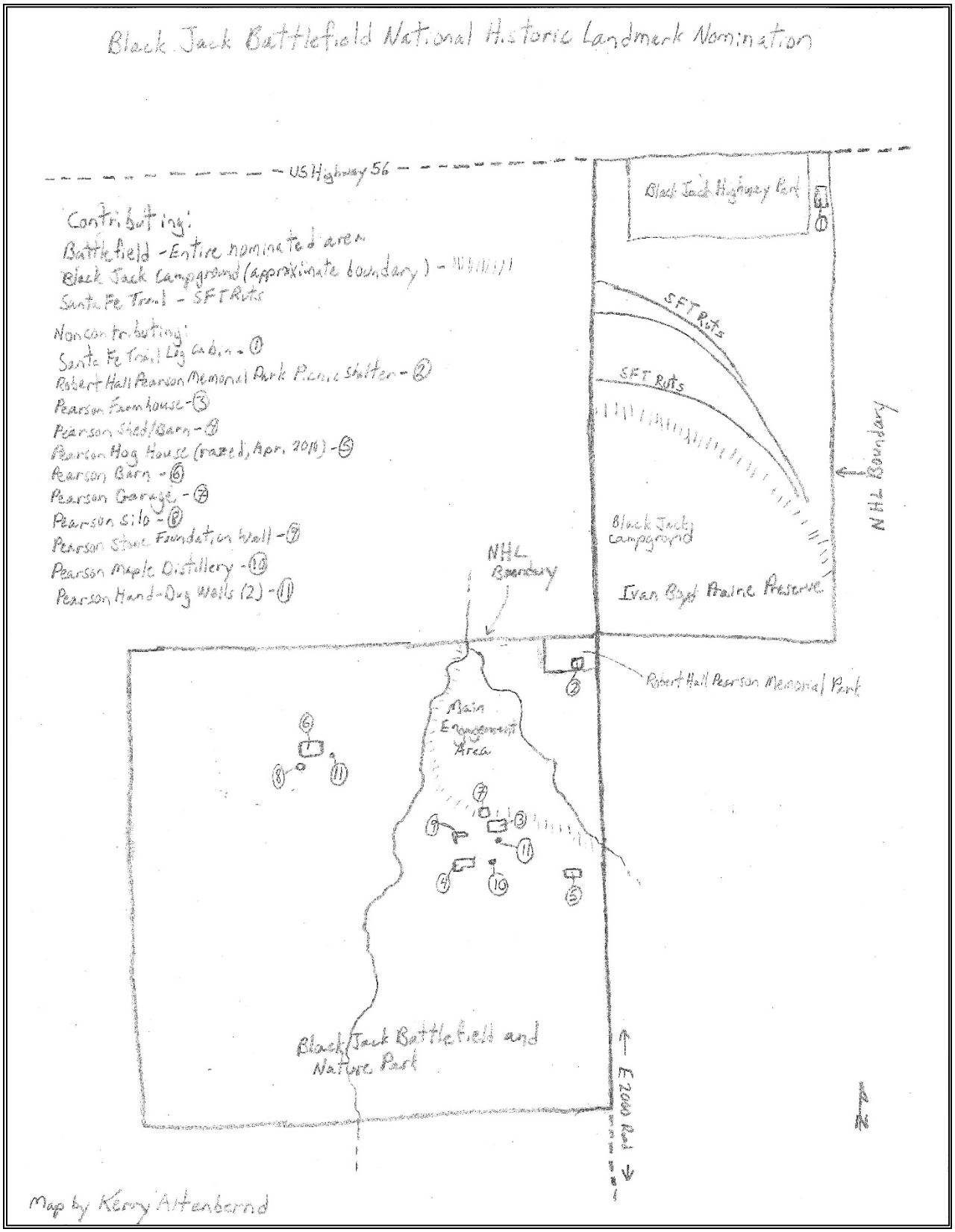
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NATIONAL HISTORIC LANDMARKS PROGRAM



USGS Map of Location



Boundary Map – Black Jack Battlefield NHL



"Pate's Creek," headwaters of Captain Creek, the bend that shaped the battle. Camera facing north. Photograph by John Milner Associates, Inc., July 2007.



Battlefield and "Pate's Creek" looking toward Brown's encampment. Camera facing southwest from Robert Hall Pearson Park. Photograph by John Milner Associates, Inc., July 2007.



Battlefield and “Pate’s Creek” looking toward Pate’s position, camera facing east. Photograph by John Milner Associates, Inc., July 2007.



Santa Fe Trail wagon ruts, camera facing northwest. Photograph by John Milner Associates, Inc., July 2007.



Area of Pate's camp, camera facing southeast. Photograph by John Milner Associates, Inc., July 2007.