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1863

REPORT OF THE COMMISSONERS

APPOINTED TO LOCATE PERMANENTLY

THE STATE UNIVERSITY,

WITH ACCOMPANYING PAPERS.

For the Year 1863.

Op 3-17 1863
Apr. 15, 26 1863

STATE UNIVERSITY

REPORT.

LAWRENCE, KANSAS, April 30th, 1863.

TO HIS EXCELLENCY, THOS. CARNEY,

Governor of the State of Kansas:

We, the undersigned Commissioners, appointed by your Excellency, to select forty acres of land in or adjacent to the city of Lawrence, for the use of the State, as a suitable site on which to permanently locate the university buildings, beg leave to submit the following report:

We, the Commissioners, qualified within the time prescribed by statute, and placed our oaths of office on file with the Secretary of State, and agreed to meet at the Eldridge House, in the city of Lawrence, on the 16th day of March, A. D. 1863.

At such meeting, Prof. I. T. Goodnow and Josiah Miller, (being a majority of the Commissioners,) were present, and proceeded to examine the lands in or adjacent to the city of Lawrence. After spending several days in such examination, we adjourned. In the meantime, preliminary steps were taken by us, in our individual capacity, to get the best practicable site; after which, it was agreed that we meet on Wednesday, the 29th day of April, A. D. 1863.

At said meeting, all of the undersigned Commissioners were present, whereupon we proceeded to select forty acres of land, which we deem a very suitable site, situated in the county of Douglas and State of Kansas, described as follows: Beginning at a point on the north line of the northeast quarter of section one, township thirteen south, of range nineteen east of the sixth principal meridian, twenty rods west of the northeast corner of said quarter-section; running south, forty rods; thence west, seventy-one rods; thence north, one hundred and one rods and fifteen feet; thence south, thirty-nine

rods and nine feet thence east, twenty-one rods and one and a half feet; thence south twenty-two rods and six feet, to the place of beginning; being adjacent to the city of Lawrence, and more particularly described in the two deeds, conveying to the State, without cost, a "good and sufficient title in fee simple, with warrantee thereto," accompanying this report, and made a part thereof, marked "A" and "B," and also more readily understood by the accompanying plat of the ground, marked "C."

All of which is most respectfully submitted.

Your most obedient servants,

ISAAC T. GOODNOW, Ch'n,

JOSIAH MILLER, Secr'y,

S. M. THORP,

Commissioners.

POWER OF ATTORNEY FROM MARTHA ROBINSON TO CHARLES ROBINSON.

Know all men by these presents, that I, Martha Robinson, of Spencer, Commonwealth of Massachusetts, have made, constituted and appointed, and by these presents do make, constitute and appoint, Charles Robinson, of Lawrence, county of Douglas, Territory of Kansas, my true and lawful attorney, for me and in my name, place and stead, to enter into and to take possession of all such messuages, lands, tenements, hereditaments, real and personal estate, whatever, in the Territory of Kansas, whereof I am or may be in any way entitled or interested, and to grant, bargain and sell the same, or any part or parcel thereof, for such sum or price, and on such terms as to him shall seem meet, and for me and in my name to make, execute, acknowledge and deliver good and sufficient deeds and conveyances for the same, either with or without covenants and warranty, and, until the sale thereof, to let and demise the said real or personal estate for the best rent that can be procured for the same, and to ask, demand, recover and receive all sums of money which shall become due and owing to me by means of such bargain, sale or lease, and to take all lawful ways and means for the recovery thereof, to compound and agree for the same, and execute and

deliver sufficient discharges and acquittances therefor, with power of substitution and revocation; giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever, requisite and necessary to be done in and about the premises, as freely, to all intents and purposes, as I might or could do, if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or his substitute shall lawfully do or cause to be done, by virtue thereof.

In witness whereof, I have hereunto set my hand and seal, this fifth day of September, in the year one thousand eight hundred and fifty-nine.

MARTHA ROBINSON. [SEAL.]

Signed [and] sealed in presence of

THOMAS BOND.

GEORGE FORBES.

WORCESTER, ss., September 5th, 1859.

Then personally appeared the above named Martha Robinson, and acknowledged the within instrument to be her free act and deed.

Before me,

GEORGE FORBES,

Justice of the Peace.

COMMONWEALTH OF MASSACHUSETTS.

SECRETARY'S OFFICE, BOSTON, }

August 29th, 1858. }

I hereby certify that George Forbes was, on the 16th day of December, 1852, appointed, for the term of seven years, a Justice of the Peace for the county of Worcester, in the said Commonwealth, duly commissioned and constituted, and that to his acts and attestations, as such, full faith and credit are and ought to be given in and out of court.

In testimony of which, I have hereunto affixed the seal of the Commonwealth, the date above written.

[L.S.]

OLIVER WARNER,

Secretary of the Commonwealth.

Recorded July 21st, 1860, at 6 o'clock, P. M.

JAMES C. HORTON,

Register of Deeds.

OFFICE OF REGISTER OF DEEDS, }
DOUGLAS COUNTY, STATE OF KANSAS. }

I, James C. Horton, Register of Deeds in and for said county, do hereby certify that the foregoing is a true copy of a power of attorney from Martha Robinson to Charles Robinson, recorded in this office, at page 238, &c., of deed book D, July 21st, 1860. I also further certify that said power of attorney is unrevoked at this date.

In witness whereof I have hereunto set my hand and [SEAL.] affixed my official seal this 18th day of May, A. D. 1863.

JAMES C. HORTON,
Register of Deeds.

EXHIBIT A.

This deed, made this thirtieth day of April, A. D. 1863, between Martha Robinson, of Spencer, State of Massachusetts, by Charles Robinson, her attorney in fact, of the first part, and the Governor of the State of Kansas, of the second part, witnesseth, that the said party of the first part, for and in consideration of the sum of one dollar, to her in hand paid, and other good and valuable considerations, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents doth grant and convey unto the said party of the second part, and to his successors in office, in trust for and to the use of the said State, as a site for the University of said State, the following described premises, situate in Douglas county, Kansas, to wit: Commencing at a point on the south line of the southeast quarter of section thirty-six (36), township twelve (12), south, range nineteen, (19), east, twenty rods west of the southeast corner of the said quarter-section; running thence west on said section line seventy-one rods; thence north, parallel to the east line of said quarter-section, sixty-one rods fifteen feet; thence east forty-nine rods fifteen feet, to the west line of Mississippi street, in the Oread addition to the city of Lawrence; thence south thirty-nine rods nine feet, to the south line of Adams street, in said addition; thence west on said line of Adams street, twenty-one rods and one foot six (6) inches; thence south twenty-two rods six feet, to the place of beginning, containing twenty-two and one-fourth (22 $\frac{1}{4}$)

acres, together with, all and singular, the tenements and hereditaments thereunto belonging, or in anywise appertaining. To have and to hold the aforementioned and described premises to the said party of the second part, and his successors in office, to the uses aforesaid, forever.

And the said party of the first part, for herself and her heirs, doth hereby covenant that she is lawfully seized of the premises, and has full right to convey the same. That the said premises are free and clear of all liens and incumbrances, and that she will warrant and defend the title hereby granted to the said party of the second part and his successors, against all persons lawfully claiming said premises, or any part thereof, forever.

In witness whereof, the party of the first part, by her said attorney, has hereunto set her name and seal, the day and year first above written.

MARTHA ROBINSON. [SEAL.]

By her attorney in fact,

C. ROBINSON.

Witness: S. C. SMITH.

STATE OF KANSAS, COUNTY OF DOUGLAS, SS.

I, Sam'l C. Smith, a Notary of the County of Douglas, in said State, do certify that, on this 30th day of April, A. D. 1863, personally appeared before me Charles Robinson, attorney in fact for Martha Robinson, in the above deed named, and who is personally known to me to be the same person whose name is subscribed to the foregoing instrument of writing, as attorney for the said Martha Robinson, a party thereto, and acknowledged the same to be her act and deed, by him, as her said attorney, executed.

[SEAL.]

S. C. SMITH, N. P.

Endorsed: Martha Robinson, to the Governor of the State of Kansas. Deed. State of Kansas, County of Douglas, Office of Register of Deeds. Rec'd for Record April 30, 1863, at 2 o'clock, P. M., and recorded in book of deeds G, page 385.

JAMES C. HORTON,

Register of Deeds.

By PAUL R. BROOKS, *Deputy.*

EXHIBIT B.

This deed, made this thirtieth day of April, 1863, between Sarah T. D. Robinson, and Charles Robinson, her husband, of Lawrence, Douglas county, and State of Kansas, of the first part, and the Governor of the State of Kansas, of the second part, witnesseth, that the said parties of the first part, for and in consideration of the sum of one dollar, to them in hand paid, and other good and valuable considerations, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents doth grant and convey unto the said party of the second part, and to his successors in office, in trust for and to the use of the said State of Kansas, as a site for the university of said State, the following described lands, situated in the county of Douglas and State of Kansas, to wit: Commencing at a point on the north line of the northeast quarter of section number one, of township number thirteen (13) south, of range nineteen (19) east, twenty rods west of the northeast corner of said quarter-section; running thence south, parallel to the east line of said quarter-section, forty rods; thence west, seventy-one rods; thence north, forty rods, to the north line of said quarter-section; thence east, on said line, seventy-one rods, to the place of beginning; containing seventeen and three-fourths ($17\frac{3}{4}$) acres, together with, all and singular, the tenements and hereditaments thereunto belonging, or in any wise appertaining; to have and to hold the aforementioned and described premises to the said party of the second part, and his successors in office, to the use aforesaid, forever. And the said Sarah T. D. Robinson, for herself and her heirs, doth hereby covenant that she is lawfully seized of the said premises, and has full right to convey the same; that the said premises are free and clear of all liens and incumbrances; and that she will warrant and defend the title hereby granted to the said party of the second part, and his successors, against all persons lawfully claiming said premises, or any part thereof, forever.

In witness whereof, the parties of the first part have hereunto set their hands and seals, the day and year first above written.

SARAH T. D. ROBINSON. [SEAL.]

C. ROBINSON. [SEAS.]

Witnesseth: S. C. SMITH.

STATE OF KANSAS, COUNTY OF DOUGLAS, SS.

On this nineteenth day of May, A. D. 1863, before me personally came S. T. D. Robinson and Charles Robinson, to me known to be the identical persons who executed the foregoing deed, and acknowledged that they executed the same for the purposes therein expressed.

[SEAL.]

S. C. SMITH,
Notary Public.

Endorsed: Sarah T. D. Robinson and Charles Robinson, to the Governor of the State of Kansas. Deed. State of Kansas, County of Douglas, office of Register of Deeds. Received for record May 23, 1863, at 2 o'clock, P. M., and recorded in book of deeds G, page 465.

JAMES C. HORTON,
Register of Deeds.

CERTIFICATE OF TREASURER.

For the information of His Excellency the Governor :

This is to certify that there has been deposited in the Treasury of the State of Kansas, the sum of fifteen thousand dollars (\$15,000), as a fund for the State University, at Lawrence, in compliance with an act of the Legislature, approved February 20, 1863.

Witness my hand at office of Treasurer of State, Topeka, Kansas, this 30th day of October, 1863.

W. SPRIGGS,
State Treasurer

PROCLAMATION OF THE GOVERNOR.

STATE OF KANSAS, }
EXECUTIVE DEPARTMENT. }

WHEREAS, The Commissioners appointed to permanently locate the State University, did, on the first day of May, A. D. 1863, file in the office of the Auditor of State their report, locating said institution at an eligible point, adjacent to the City of Lawrence, and

did file therewith a good and sufficient deed in fee simple, with warrantee thereto, to forty acres of land for the site of said institution; and,

WHEREAS, The Treasurer of State has certified that the sum of fifteen thousand dollars has been deposited with him as a fund for said University; and,

WHEREAS, The provisions of law governing the location of said University have been fully complied with;

Now, therefore, I, Thomas Carney, Governor of the State of Kansas, by virtue of the authority in me vested by law, do proclaim and declare the University of the State of Kansas to be permanently located at the city of Lawrence, upon the tract of land selected and deeded to the State of Kansas, as above set forth.

In testimony whereof I have hereunto set my hand and caused

[L. s.] the great seal of State to be affixed. Done at Topeka, Kansas, this 2d day of November, A. D. 1863.

THOS. CARNEY.

By the Governor.

W. W. H. LAWRENCE,

Secretary of State.