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National military park to commemorate the battle of Westport, in the state of Missouri.

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NATIONAL MILITARY PARK TO COMMEMORATE THE BATTLE OF WESTPORT, IN THE STATE OF MISSOURI

FEB 9 1926

HEARINGS

BEFORE THE

COMMITTEE ON MILITARY AFFAIRS
HOUSE OF REPRESENTATIVES

SIXTY-NINTH CONGRESS

FIRST SESSION

ON

H. R. 5585

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H. R. 5585

STATEMENTS OF

HON. EDGAR C. ELLIS
JANUARY 12, 18, 20, AND 21, 1926

HON. EDWARD T. TAYLOR, OF COLORADO
JANUARY 21, 1926

MR. WILLIAM M. LEWIS
JANUARY 20, 1926

MR. MORRISON SHAFROTH
JANUARY 21, 1926

WASHINGTON
GOVERNMENT PRINTING OFFICE
1926

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COMMITTEE ON MILITARY AFFAIRS

HOUSE OF REPRESENTATIVES

SIXTY-NINTH CONGRESS

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NATIONAL MILITARY PARK TO COMMEMORATE THE BATTLE OF WESTPORT, IN THE STATE OF MISSOURI

HOUSE OF REPRESENTATIVES,
COMMITTEE ON MILITARY AFFAIRS,
Tuesday, January 12, 1926.

The committee this day met, Hon. John M. Morin (chairman) presiding.

Mr. WURZBACH. Mr. Chairman, Mr. Ellis, of Missouri, author of H. R. 5585 referred to this committee and assigned to subcommittee of which I have the honor to be chairman, is present this morning and desires to make a brief statement upon his bill to the whole committee. I ask that he be heard.

The CHAIRMAN. Mr. Ellis, we will be pleased to hear you at this time and you may have 10 minutes. I have referred the measure (H. R. 5585) to the Secretary of War, asking him to make a report thereon as soon as possible, and just as soon as the reply is received from the War Department, it will be made a part of the present hearings. In order that the hearing may be complete, we will have the bill printed and follow it with the letter from the Secretary of War.

[H. R. 5585, Sixty-ninth Congress, first session]

A BILL To declare a portion of the battle field of Westport, in the State of Missouri, a national military park, and to authorize the Secretary of War to acquire title to same on behalf of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as was done to memorialize the heroisms of their comrades of the armies of the Civil War at Gettysburg in the East and at Chickamauga and Shiloh in the Central West, so in like manner to perpetuate the memory of the splendid valor of the men of the Southwest at Westport, to foster, in rising generations of Americans, love of the institutions of liberty which there triumphed, the history of that memorable battle—at once the last and supreme effort of southern armies in the trans-Mississippi West and the final clash of bitter border enmities—may be appropriately preserved on the ground where the deeds of fine courage and high devotion were wrought, a portion of that battle field lying within the municipality of Kansas City, in the State of Missouri, is hereby declared to be a national military park, whenever title to same shall have been acquired by the United States; that is to say, that tract of land defined and bounded by streets and avenues of said municipality as follows: On the north by Fifty-first Street, on the east by Wornall Road, on the south by Fifty-fifth Street, and on the west by Belleview Avenue; that the area so defined shall be known as the Westport National Military Park.

SEC. 2. That the Secretary of War, upon the passage of this act, shall proceed to acquire said tract of land by purchase, condemnation, or otherwise, and provide for the proper custody and uses of same conformably with the purposes hereof.

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JANUARY 23, 1926.

Hon. JOHN M. MORIN,
Chairman Committee on Military Affairs,
House of Representatives.

DEAR. MR. MORIN: This report on (H. R. 5585) a bill to declare a portion of the battle field of Westport, in the State of Missouri, a national military park and to authorize the Secretary of War to acquire a title to same on behalf of the United States, is submitted in compliance with your request dated January 9, 1926.

On December 19, 1925, I transmitted to you a report of the commission appointed by me in accordance with the provisions of section 2 of Public Law No. 352, Sixty-eighth Congress. This law authorized and directed the Secretary of War to investigate the feasibility and to ascertain and report the cost of establishing a national military park commemorative of the Battle of Westport, October 23, 1864. In forwarding the report I expressed the opinion that, should Congress so desire, it would be feasible to establish a national military park on the country club site of Kansas City at a cost of $600,000 commemorating the Battle of Westport. The report has been published as House Document No. 184, Sixty-ninth Congress, first session.

The land described on page 2 in lines 10, 11, and 12 of paragraph 1 of H. R. 5585 is that reported on by me under the title "Country club site" of Kansas City, Mo., and includes some 110 acres situated on the old battle field of Westport. As stated in my report of December 19, 1925, this site is, in my opinion, the logical location for any commemorative recognition Congress may care to authorize. The present bill is believed, therefore, to be adequate to accomplish the purpose intended.

In considering the advisability of creating this national military park, I find that my predecessor, the Hon. John W. Weeks, informed your committee in reporting on several similar projects advanced during the Sixty-eighth Congress that he did not favor the creation of any more such parks until after thorough study of the whole question. At the suggestion of the chairman of the Committee on Military Affairs of the Senate, such a study has now been made by the historical section of the Army War College, and the report of that section has been approved and adopted as a War Department policy. Paraphrased, the report is about as follows:

(*a*) National military parks should as a general thing, cover a comparatively large area of ground, probably some thousands of acres, so marked and improved as to constitute real parks available for detailed study by military authorities, the battle lines and operations being clearly indicated on the ground. The expense of maintaining such a park is so great as to indicate that the number should be kept fairly low.

(*b*) Less important and extensive engagements which have nevertheless a definite military and political effect should be commemorated in a less formal and expensive manner. In appropriate cases, limited areas of ground on the site of the battle could be purchased and marked and the whole aggregation of separate areas designated as a national monument; in other cases, a single monument would suffice.

(*c*) Congress has by various acts provided for the commemoration of battles in one of three ways: (1) By establishment of national military parks; (2) by indicating the lines of battle by markers or monuments, or both, without establishing parks; (3) by single monuments without otherwise marking the field.

(*d*) The five national military parks which have been established by Congress are:

1. Chickamauga and Chattanooga Military Park and certain near-by areas.
2. Gettysburg battle field.
3. Shiloh battle field.
4. Vicksburg National Military Park.
5. Guilford Courthouse National Military Park.

(*e*) Congressional action for marking lines of battle without establishing national military parks has been taken in the cases of the Battle of Antietam and the battle field of Chattanooga lying outside the limits of Chickamauga Park.

(*f*) Single monuments have been erected through congressional action to commemorate battles of the Revolutionary War, the War of 1812, and Indian wars. Some monuments have been erected entirely by the Federal Government, such as Yorktown, Guilford Courthouse, and Kings Mountain, battle

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monuments (Revolutionary War); and Point Pleasant, Fort Recovery, Horseshoe battle field, and Fort Phil Kearny mountains (Indian wars). Other signle monuments have been erected by appropriations made by Congress to supplement funds appropriated by States or raised by patriotic associations, such as Saratoga, Princeton, Monmouth Courthouse, Bennington, and Moores Creek, battle field monument of the Revolutionary War, the New Orleans battle field monument of the War of 1912, and the Tippecanoe battle field monument.

(*c*) In recognition of these precedents the following classes have been adopted:

Class I. Battles worthy of commemoration by the establishment of national military parks. These should be battles of exceptional political and military importance and interest, whose effects were far-reaching, whose fields are worthy of preservation for detailed military and historical study, and which are suitable to serve as memorials to the armies engaged.

Class II. Battles of sufficient importance to warrant the designation of their sites as national monuments. The action of Congress and the great difference in the importance of these battles give reason for the subdivision under this class into:

Class IIa. Battles of such great military and historic interest as to warrant locating and indicating the battle lines of the forces engaged by a series of markers or tablets but not necessarily by memorial monuments.

Class IIb. Battles of sufficient historic interest to be worthy of some form of monument, tablet, or marker to indicate the location of the battlefield.

Under this approved classification, three lists of battles were accordingly prepared after exhaustive research and study. In the lists for the Civil War only 3 battles are placed under Class I and 15 under Class IIa. The battle of Westport is not included in either Class I or Class IIa.

The importance of the battle of Westport either as a factor in the final result of the Civil War or as an event in the Nation's history is, of course, a matter of opinion and, in the final issue as to appropriate commemorative importance, presents a question which Congress alone can answer. I do not feel justified, in view of the War Department's approved policy, to recommend that a national military park be established in commemoration of the Battle of Westport, although as a citizen of Missouri I would naturally be glad to have this battlefield appropriately commemorated.

Sincerely yours,

DWIGHT F. DAVIS,
Secretary of War.

STATEMENT OF HON. EDGAR C. ELLIS, A MEMBER OF CONGRESS FROM THE STATE OF MISSOURI

Mr. ELLIS. Mr. Chairman and members of the Committee on Military Affairs, I deeply appreciate the courtesy you have shown me in granting my request to present my bill to the whole committee before it shall go to the subcommittee for consideration in detail.

I am not unmindful of the difficulties in my way. I indulge in no illusions; I clearly see the hurdles in my path. I therefore desire that the bill shall make the right sort of first-blush impression.

We are pursuing a policy of economy, and I am in full sympathy with it. But this is some times interpreted to mean that we must confine ourselves wholly and absolutely to material concerns and material necessities. I submit that we can not quite do that; I do not think you will quite want to do that. Here is the fact I most desire you to get. This thing I am asking, if it is to be done at all, must be done now. It cannot be postponed. Unless the project go forward immediately it will utterly fail. I shall make that plain; I will get to it presently. Let me try to pursue a logical order of consideration.

What was this battle? The Battle of Westport, the issue, the plans, the strategies, the culminations, and the actors considered, was

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a historic event of most unusual significance. It was a historic struggle of highly dramtic qualities. It occurred at a critical time in the Civil War and at a turning point of this Nation. It is frequently characterized as the "Gettysburg of the West." Some months ago the New York Sun, in a column editorial indorsing this proposal, admirably presented the many points in common of the Battle of Westport in the West and the Battle of Gettysburg in the East—that each was the culmination of a campaign deliberately planned and executed to sever Union communications at the point of attack; that in each case the territory chosen for operations embraced places of strategic importance—Washington, Baltimore, and Philadelphia in the East, and St. Louis, Kansas City, and the military post of Fort Leavenworth in the West; that both were battles of three days of hard fighting, distinguished by the brilliancy, valor, and heroism of the attack and the brave unyielding stubbornness of the resistance; that in each case the aim was defeated and the battles were the final attempts to carry the war northward. To the same effect is a recent editorial in the Globe-Democrat of St. Louis, which I shall put in the record.

To my mind, and I am not unfamiliar with the history, the Price invasion was one of the greatest, if indeed not the greatest military exploit of the Civil War. It was deliberately planned at the southern capital. It was approved by the commander in chief of the southern armies. It was executed by a master mind. General Price had in still earlier days in the West demonstrated that he was a military genius of highest order. He knew every mile of the 700 miles over which he proceeded, from his entrance into Missouri at the extreme southeast up along the Mississippi to the Missouri and thence across the State to the Kansas border.

As he swept forward toward Fort Leavenworth, his objective, he, on the one hand, brought terror and consternation to city, town, and country, on the other his forces were augmented from those in all parts of the West who were in sympathy with the cause he was striving to promote. But on this battleground we ask to have commemorated, Sterling Price met his Waterloo; Westport was his Verdun. It was surely an inestimable boon to that western country and a very great blessing to the cause of the Union that he did not pass.

But, you will ask, why the delay—why was the Congress not appealed to 40 years ago when the Congress was awarding like recognition to other battle fields of the Civil War? I will tell you and you will perceive in the cause of the delay a strong reason why the appeal should be granted now. Neither 40 years ago, nor in fact at times much more recent, would the commemoration of this battle in the manner now sought have been welcome. As I stressed in my letter to your chairman, so I repeat. You will also see in the inducement clauses of my bill intimations of the explanation of this. Lapse of time has been required in this case and for sound reasons. The people of Missouri in the Civil War were peculiarly situated and affected. Remaining in the Union, they were nevertheless in their sympathies and support divided into two hostile camps. More than 100,000 of them entered the Union Army; half as many probably, first and last, joined the southern armies. The Battle of Westport, as I have indicated in the bill, was fought almost on the dividing line of communities between whom bitterest enmities had been en-

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gendered that had more than once flamed forth in border warfare. It has taken time for mutual trust and respect to be restored and an era of good feeling to come so far along as to make welcome and inspiring to all the story of this battle and the deeds and valor of the participants in it. The association of Confederate Veterans of the State of Missouri with the United Daughters of the Confederacy on the one hand, unite now with the Grand Army of the Republic and the Sons of Union Veterans of the Civil War on the other hand, in this appeal to Congress to commemorate the battle.

And so, Mr. Chairman, though perhaps the West comes late, the West now comes in its turn, asking in the name of equity and fair play, that as it has cheerfully recognized and contributed to like commendable projects elsewhere, so it may have recognition and consideration of its own. And need I remind you that there still remain to justify the expenditure and fine accomplishment for which we here appeal, all and singular, the manifold and sound reasons that have availed in other instances? It has not been alone to honor the dead, who wrought gloriously or achieved mightily in the past, that these memorials have been set up. It has been recognized that they greatly serve the living of the present and the future; that whatever betokens the controversies, struggles, dramatic episodes along the path we have come as a people, is inspirational—stimulates taste and eagerness for American history and cultivates appreciation of American institutions. Not only is this highly essential to rising generations of native born, it is of utmost value in the preparation and assimilation of those coming to us, affected by alien ideas and traditions.

I shall put in the hearings before the subcommittee a list of patriotic organizations that indorse this bill and you will see that whatever special aims have prompted their organization, they are all unitedly backing this appeal for this memorial. In connection with this, I shall quote from editorials which reflects the public view of the subject I am discussing.

I want now to call your attention to a fact that will render this memorial peculiarly valuable for the inspirational purposes to which I have adverted. Every man who fought in the battle on either side was from one of the eight States of the West; was either a pioneer or the son of a pioneer of the West. There are organizations which would, if given an opportunity, perpetuate the memory of those who fell. Of those who survived, I believe it may safely be said that of no one battle in the country's history have gone forth so many participants who, having distinguished themselves on the battlefield, afterward won equally high places of honor and esteem in civil life. Here is the roll, as presented by the members of the commission who wrote the supplementary report to which your attention is particularly invited:

Four of the officers in the Westport battle attained national prominence as United States Senators from Kansas; opportunity knocked at John J. Ingall's door, Edmund G. Ross, Preston B. Plumb, and James Lane, all Senators. Another officer became Governor of Kansas. Samuel J. Crawford, the father of the wife of Senator Arthur Capper, of Kansas. Missouri claimed four of the officers in that fight as governors, Sterling Price (Confederate commander in the Battle of Westport), Thomas C. Reynolds, Thomas T. Crittenden, and John S. Marmaduke; another officer became United States judge, serving 27

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years, John F. Philips; and the dashing Cavalry general, Jo. O. Shelby, became United States marshal for the western district of Missouri; Gen. John B. Clark served in Congress several terms from Missouri, and thousands of others obtained prominence in useful lives.

To these names should have been added others—surely from it should not have been omitted two of my own acquaintance, Colonel Moonlight, of Kansas, and General Sherry, of Missouri.

And so, Mr. Chairman and gentlemen, finally I now point to the happy circumstance that out there, where but little before the time of that battle the West ended, where now the West begins; out there at the center of a populous, typical western city, in the midst of an abounding western life, where in American homes are rising generations of American youth; out there where the urge of material gain is strong and the whir of industry, the din of the mart, would dull men's ears to finer appeals—out there in what we proudly conceive to be the heart of America—has, as if by Providence, been spared, unmarred and unappropriated, this battle ground. Those beautiful acres make mute but unmistakable appeal to be endowed, fitted, and consecrated to the task, where the need of the task is greatest and most keenly felt, of perpetual inspiration to patriotic regard and devotion to high ideals, ennobling memorials and cherished traditions. To the subcommittee I shall convincingly show that it is now or never. And so at the instance of the Missouri Valley Historical Society, backed by these patriotic societies and a hopeful expectant constituency, I bring this bill for your favorable consideration and favorable action.

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON MILITARY AFFAIRS,
Monday, January 18, 1926.

The subcommittee met at 10 o'clock a. m., Hon. Harry M. Wurzbach presiding.

Mr. WURZBACH. The committee has met this morning to consider H. R. 5585.

Mr. Ellis, of Missouri, who introduced the bill, is here, and we shall be glad to hear whatever statement he desires to make.

STATEMENT OF HON. EDGAR C. ELLIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSOURI

Mr. ELLIS. Chairman Wurzbach and members of the subcommittee, some, perhaps all, of you recall my remarks to the whole Committee on Military Affairs on the general proposals of this bill. You now approach a detail consideration. I want to address myself to specific matters.

First the situation. The situation is this: In the last Congress my predecessor, Mr. Jost, introduced a bill which went to this committee, was reported favorably and was subsequently passed, directing the Secretary of War, by aid of a commission of his choosing, to investigate and report upon the feasibility and cost of converting the battlefield of Westport into a military park. The Secretary proceeded as in the law directed. The commission was composed of

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a major of the Army and two civilians. One civilian, formerly a Confederate soldier, is now commander of the Confederate Veterans of Missouri; the other, formerly a Union soldier, either now holds or has held a place of equal rank in the Grand Army of the Republic. All splendid selections—high class, conscientious men.

The commission returned to the Secretary of War a unanimous report that the proposal was feasible; that the cost would be $600,000; that the price was reasonable; and that the land I have defined in my bill was the battle ground that should be devoted to the purpose. The report has been transmitted. The letter of transmittal, the report, a supplemental report by the two civilians and some supplemental suggestions by the officer member, have all been printed for your use. With the printed matter have doubtless come to you maps and other exhibits you will find helpful. So the matter is before you. These reports and exhibits I submit, make a good case for the bill. I want now to show you that this bill responds to wide public interest and to a popular demand. I spoke the other day of what the New York Sun had to say for it, after it had taken pains to study the battle and the importance of it from every angle. I now quote from an editorial of the Globe-Democrat of St. Louis:

The plan to convert this 110-acre tract into a national memorial is one of strong patriotic appeal. It is so for the primary reason that the Battle of Westport, in which the army of Maj. Gen. Sterling Price met defeat before the Union forces under Major General Pleasanton and Curtis was one of the crucial battles of the Civil War in the West. With this battle, known as the "Gettysburg of the West," in which 29,000 troops were engaged, warfare in western territory was brought to an end.

But what makes the plan still more attractive is that the ground intended for the memorial park has been happily preserved from commercial despoliation, is even now a beautiful part coated with blue grass and adorned with stately trees, that might quite easily be consecrated as a memorial to the soldier dead, both Confederate and Union, whose blood was shed on this field. Moreover, it is pointed out that there is no national military park west of the Mississippi, while the East and the South have a number of such parks of thousands of acres. The movement has been indorsed by the United Confederate Veterans of America and by the G. A. R.

Its consummation would give to Missouri a park commemorating a great event in the Nation's history and one where memorials might be raised to those who gave their lives in that part of the great internal conflict that was fought in this State. Here patriotism would be evoked by a realization of the struggle through which our national destinies were shaped. The movement should have popular support, and the request for a Government appropriation to purchase the park is worthy of special consideration.

In this connection I also quote a very recent editorial of the Kansas City Star:

A nation is built on its past. The industry, the courage, the integrity, the devotion of its dead are at the foundation of its national life. Without the consciousness of the past, the present falls to pieces. A nation without a past is not a nation. It is simply a collection of individuals.

That is why historic memorials of every sort are important. They help to keep the past alive. They are binding forces in the national life.

These reflections come in connection with the bill introduced in Congress to provide for establishing a national park in commemoration of the Battle of Westport. This was the most important land battle fought west of the Mississippi River. It ended the war in the West. It was the clash of men of high ideals. Victors and vanquished alike were standing for the best that human nature affords.

The inevitable bitterness of such a struggle has faded. A united people is now ready to do honor to the great qualities that inspired former foes.

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The West has done its share in establishing similar memorial parks in other parts of the country. Now it invites the Nation to join with it in providing a suitable memorial on the site of the old battlefield. The cost would be inconsequential. The benefit would lie in the quickened impulse to patriotic idealism that would stream out from such a national park through the whole western country.

The following is a list of patriotic organizations that have indorsed the proposal upon a full understanding of it—the precise ground in contemplation, the nature of the battle, the issue involved, and the significance of the victory for Union arms that resulted. The names imply a great deal and support my observation of the other day, also referred to in this editorial, that our people are now ready to welcome what only a few years ago would not have been tolerated. Now it is recognized that cooperation in this fine endeavor will cement the once estranged elements and help to realize the new Union for which Lincoln appealed.

Major William Warner Post, No. 36, Sons of Union Veterans of the Civil War.
Farragut-Thomas Post, Grand Army of the Republic.
McPherson Post, Grand Army of the Republic.
Auxiliaries, Grand Army of the Republic.
Kansas City Chapter, Daughters of the American Revolution.
Elizabeth Benton Chapter, Daughters of the American Revolution.
Athenaeum of Kansas City.
The Council of Women's Clubs.
The Missouri Valley Historical Society.
City Klub of Kansas City.
Missouri Division, United Daughters of the Confederacy.
Missouri Division, Confederate Veterans.
Missouri Commandery, Loyal Legion.
Gold Star Mothers of Missouri.
Missouri Division, Grand Army of the Republic.
American Legion, Missouri Division.
United Daughters of the Confederacy of America.
National encampment, Grand Army of the Republic.
Sons of Union Veterans of the Civil War (national encampment).
Sons of Union Veterans of Civil War, auxiliary.
Sons of Confederate Veterans of America.
Daughters of 1812.

We could not have come earlier. We have come now. That is not all. We must win at once or lose forever. What do I mean? Just this. All that is left of that battle field—and it happens to be the very part we would choose if all were open to us—all that has not passed utterly beyond our reach can be had now, and it is in precisely the condition to be desired. But if not taken over now and devoted at once to this purpose it will pass the way of all the rest. This tract strongly commended by the commission has been preserved in the use of a golf club almost exactly as it was when it was a battle field.

It has been so held and used under a long lease that expires about this time. They have to give possession next winter, in December of 1926.

Around that ground is built up the finest residence district in Kansas City, and I think I can say without boasting, the finest residence district to be found anywhere in this country.

It has been developed by a master in landscape exploitation. It has a national reputation. It is the country club district of Greater Kansas City, of Kansas City in Missouri and Kansas City in Kansas.

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The moment this land is vacated by that golf club there will be the greatest temptation in the world, of course, to sell it immediately for that exploitation. It happens that the people who own this land [indicating on map] also own lands all around and about it. They are, moreover—a happy circumstance—greatly interested in this proposal.

They have made an offer to let the Government buy this land for a price greatly less than what it would be worth to exploit it right now, in the midst of that great development. Of course, they must do something with it; naturally they are anxious to do something with it.

The offers that have been made to the Government have been accompanied each time with the condition that it be accepted within a reasonable period.

Mr. WURZBACH. I think the proposition would appeal to the committee and also appeal to Congress, except, perhaps, for the amount of money that would be necessary to put this into operation. What is the smallest acreage that could be purchased by the Government to carry out this idea you have in mind?

Mr. ELLIS. I am going to be entirely frank with the committee upon that proposition; I am bound to be so.

I want you to look at this picture and see the ground [indicating]. Here on the north is Fifty-first Street, and there on the south is Fifty-fifth Street, and here on the west is Bellevue Avenue [indicating]. Here on the east is the road which was known at the time of the battle as the Fort Scott Road [indicating]. That is one of the main thoroughfares to the South through our city. It is an integral part of the Santa Fe Trail. This part of the ground is a beautiful park [indicating the north and the east]. There stand the trees that stood at the time of the battle. In the report of the battle you will find that those trees are referred to as mute witnesses of the struggle. On this side of the ground [indicating the west] is a polo field, also a part of the golf course. It is an open area without trees.

Mr. SPEAKS. How long has this been under lease?

Mr. ELLIS. Thirty years.

Mr. SPEAKS. By this club?

Mr. ELLIS. Yes; by this club. Along this side [indicating south] is an open field, with no trees—part of the golf course.

Mr. SPEAKS. Did they have a purchase clause in the lease?

Mr. ELLIS. I do not think they did. They have procured another site a little farther out of town.

Mr. SPEAKS. What do you suppose the values of building sites along there are?

Mr. ELLIS. They are very, very valuable. You will find that this offer of the Ward Estate of this whole ground, 110 acres, is $600,000. They, voluntarily I think, made the suggestion—the chairman has perhaps already discovered it in one of the exhibits that they would take some off of this side [indicating west] and off of this side [indicating south]—ground amounting to about 25 or 30 acres—leaving all this park as it is now.

Mr. REECE. That was where the heart of the battle was fought?

Mr. ELLIS. Yes. They will take this part and reduce the price one-third, or down to $400,000.

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Of course, there is a very great desire that this be kept intact; but if you ask me about it I will for I must say frankly that I think if 80 acres of this land were preserved, that would be sufficient. They, the present holders, could put a street on this side [indicating west] and on this [indicating south] and doubtless would, so that, as now the tract would have a street on every side.

Mr. WURZBACH. That would make the property taken off very valuable?

Mr. SPEAKS. It would double the price of that property immediately.

Mr. ELLIS. If they would put streets through here [indicating], taking off 25 or 30 acres, and leaving us 80 acres. That would respond nicely to our needs and to our purposes.

Mr. WURZBACH. If the Government were to purchase that property for the purposes suggested, what would be the future obligation upon the part of the Government in the way of marking it and improving it, etc.?

Mr. ELLIS. I am very glad you asked me that question. That leads me to exactly what I wanted to say. We do not want to use this as a cemetery; we want to use it as a park.

Of course we want it to be a military park; to be given that distinctive character and atmosphere. The Government will be able to supply quite inexpensively the proper accouterments.

As I pointed out in my remarks to the whole committee, this battle was fought by western men. As said in the St. Louis editorial, "Memorials will be raised for those who gave their lives." Organizations in the various States will want to do this. Moreover, Kansas and Missouri will delight to honor there those who, having gained distinction in the battle, afterward won even greater distinction in the civil life of the West. Their names can not be too often repeated—Lane, Plumb, Ingalls, Phillips, Marmaduke, Crittenden. Our local patriotic societies may be depended upon to do their full part. For this park shall be a meeting place, a rallying center in those communities, for patriotic inspirations and endeavors—to stimulate conciliations of elements once estranged, to cultivate love of American history and devotion to American institutions.

Mr. SPEAKS. A sort of Boston Common?

Mr. ELLIS. Yes; a Boston Common plus—plus adaptation to western need and conditions.

Last year, by consent of the golf club, a meeting was held under those historic trees. The speaker, Mr. W. A. Hill, was one of three brothers. The speaker wore the blue in the Union Army; the others wore the gray in the Confederate Army. That you may know what this endeavor will do for these communities, yea, is doing even now, let me read just a few sentences from that address:

It is with mingled feelings of joy and sadness that I stand before you this October afternoon 61 years after the battle that swept over these hills. * * * Of joy, because I see gathered here a goodly number of the boys who wore the blue and those who wore the gray. * * * Of sadness, because * * * brave boys, in the very prime of life surrendered up their lives in defense of the right as God gave them to see the right. * * * But to-day, thank God, we meet as friends and comrades, the generous offices of time with healing in its wings has removed that enmity from your heart and mine.

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Mr. WURZBACH. Then you say that expense will be undertaken by the organizations?

Mr. ELLIS. When the accouterments shall have been supplied and like proper designations shall have been made, I do not think the Government will be called upon to spend another dollar upon that property.

I want to say to you that the location of this park is in the show spot of the West. Everybody who comes to Kansas City goes to see it. If any of you have visited Kansas City in the last 10 years you have been taken out there and shown this district. Every man in Congress who has been there in the last 10 years as the guest of the city or in attendance upon any convention there has been taken out there to see this whole area.

Mr. MCSWAIN. Have you any showing in the way of resolutions adopted by the Daughters of the Confederacy or by the Sons of Veterans or by the veterans themselves showing that they will establish these markers on something like a uniform plan? If you have, I wish you would put them in the record so that we shall not be met with the objection, which I can hear right now, that this is only an entering wedge to the spending of more money by the Federal Government.

Mr. ELLIS. I think that suggestion is a good one, and I shall ascertain what assurances may be had in support of the views of the matter I have expressed. But, gentlemen, do not overlook the fact that the value of what is proposed may not be admeasured in dollars. Better investment may not be made than those of like character that have been made elsewhere.

Mr. MCSWAIN. You can get something in the way of assurances like that by the time this bill gets to the floor of the House, can you not?

Mr. ELLIS. We can undoubtedly get something of that nature.

Mr. REECE. The Federal Government would want to maintain a superintendent there?

Mr. ELLIS. We would surely want that done. Now a word on the time that has elapsed. I want to return to that for a moment. Thirty or forty years ago the battle field of Shiloh was commemorated. The bill for that purpose was introduced in 1894. I realize that this ground could have been purchased at a small percentage of the price which will have to be paid for it now.

But, gentlemen, here is the case: Our situation out there, as I tried to make it appear in my first remarks, was such that it was absolutely impracticable and impossible.

Mr. MCSWAIN. It was right on the border line; but it was not the twilight zone—it was the holocaust?

Mr. ELLIS. Yes, sir. I am making the point that the very reason why we have been required to delay is one of the great reasons why this battle field will be more serviceable, have greater inspirational value than any battle field anywhere else in the United States. Not that I would single this out for accomplishment to the exclusion of any others, because I am in favor of memoralizing battle fields. I think the Government is doing nothing else that will so lastingly conduce to patriotism in the broadest and best significance of that term. But I say in all seriousness that I know of no place where

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a memorial of the sort we are asking here will serve these great purposes of education and inspiration like this. We now have nothing of the kind. Mrs. Ellis is sitting here. She has been very active in the Daughters of the American Revolution. The chapters of that organization have been trying to do something along these high lines. Well, they cooperate in naturalizations very helpfully; they have placed some markers on the old trails; they are studying what they can do. There is out there a felt want for something they simply are without. And, gentlemen, it is our turn now. We feel that and I stress that.

As a final word, I am advised a hearing has been asked by owners of land back on the trail of the Price invasion some 5 or 6 miles. I shall say nothing in disparagement of the engagement there. You will not be disturbed. The fighting out there at the ford of the Blue, though hot and marked by valor, covered comparatively little ground. It was related to the battle, it is true. The fact is simply this: This proposal is to commemorate a battle on the battle field where it took place. This can not be done by using some ground where a struggle took place and was successfully wrought to keep a command from getting to the battle field and participating in the battle.

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON MILITARY AFFAIRS,
Wednesday, January 20, 1926.

The subcommittee this day met, Hon. Harry Wurzbach, chairman, presiding.

Mr. WURZBACH. Mr. Ellis, we will hear you further this morning, briefly, in reference to the bill to establish a military park in commemoration of the Battle of Westport. I understand there is a gentleman whom you desire to have address the committee this morning.

Mr. ELLIS. Mr. Chairman, let me say just a word on behalf of Mr. Lewis, who will address the committee this morning. I want the record to show who he is.

Mr. Lewis, whom I have asked to make a statement this morning, was reared in Platt County, Mo. He has lived nearly all his adult life in Kansas City. He came from a family of southern extraction and of southern sympathies. His kin folk were on the side of the defeated cause and were actually in this battle.

He is a civil engineer of reputation and a citizen of Kansas City of very high standing. Some years ago he approached the study of this Battle of Westport from the angle of his sympathies and predilections. I have no doubt he knows more about this battle than any other living man.

He has been sent here by the Historical Society of the Missouri Valley, to stay my arm and support me with his knowledge in this proposal to commemorate this battle field. I want you to hear what he has to say.

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STATEMENT OF WILLIAM M. LEWIS, OF KANSAS CITY, MO., REPRESENTING THE HISTORICAL SOCIETY OF THE MISSOURI VALLEY

Mr. LEWIS. Mr. Chairman and gentlemen, to undertake to present a matter of this magnitude is a difficult thing in insufficient time to enable one to present it consecutively. One must pass over certain parts and leave out important considerations.

This battle has been called Price's Raid. The proportions of a raid, what a raid naturally signifies, is utterly inconsistent with the importance of this battle. Let me say this to start with: This was an invasion. It was conceived by a great general, a man who had lived among us of the West from his early boyhood, though a Virginian by birth. That is General Price.

General Price had made up his mind that one tremendous effort should be made to subject all that part of the country around the great military center at Fort Leavenworth. He made a tremendous effort for the final execution of that idea. So about the 6th of September, history shows, he started out of Arkansas and crossed into the State of Missouri at Dardanelle and Pocahontas, Ark., and went forward by rapid marches, fighting from the very beginning, in the direction of St. Louis. It was thought, of course, by the whole western country that St. Louis was his objective, but the facts later on proved to the contrary.

I will not undertake to speak of the engagements that he had between the Arkansas line and the city of St. Louis, but they were numerous. None of the forces he engaged were able to stop him as he proceeded to the north and northwest.

Later he appeared outside of Jefferson City, on the Missouri River. From that point on he went northwest to the final culmination of all this great effort. It was one tremendous drive, which the opposing forces were not able at any time to stop or hardly delay even for a short time.

It was thought, of course, by the Union forces that he wanted to engage for a final battle at some place nearer his starting point. But the facts show, as I hope to set forth later on, that was utterly inconsistent with his desire and intention.

Of course, the news went abroad that the State of Kansas was being invaded by these hated Missourians, and the Union forces began a tremendous effort to be in readiness to meet it. They said Price is coming. The feeling was high out there in those days. And the people were disturbed from a political standpoint.

General Price was met by the forces on the Union side led by General Blunt and General Curtis. Their strength was made up of the forces of eight States, gathered to hold back this invasion.

They met General Price first at Jefferson City, and then at Lexington, and up along the Missouri River at different points. In the meantime Price was gathering strength from those who were swimming their horses across the Missouri River to join him. All this northwestern country [indicating on map] was largely rebel country. Their devotion was strong for the Union, but not sufficiently strong to keep them from following their sympathies and making an effort to support General Price. Border enmities had much to do with this.

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Now, we will ask ourselves, where was General Price going—what was his objective? I just want to call your attention to a few of the outstanding facts, as I see them, as they have become more apparent as time has passed and one studies this battle.

You will remember that only a few years before General Price had marched away from Fort Leavenworth, which is situated just 27 miles north and west of the battle field of Westport, in the midst of the present city of Kansas City, Mo. He had marched away with three great divisions—one under General Harney, another under General Doniphan, and the third under Price himself—away to Mexico and to the Mexican War. That is history.

Nobody was better posted as to the value from a strategic standpoint of this locality than General Price. If he could only get into possession of Fort Leavenworth, he would dominate the whole western country. That, doubtless, was his purpose. So he kept his foes in the dark as to what his real purpose was. But it was not to have a general battle until the favorable time. He says himself that he fought 43 battles in this invasion up to Westport and back South again into Texas.

We now come to the study of the battle itself—this battle of Westport. This map [displaying] was drawn for the purpose of reflecting only the roads as they appeared in 1864. All this country now is one splendid, compact residence district of Kansas City, unsurpassed anywhere. We must approach this proposition, as I see it, by a study of the ground as General Price and those men fought over it. Independence, Kans., lies [indicating] out here to the east about 8 miles.

After numerous skirmishes around Independence and also at Lexington and these places down on the Missouri River he proceeded over here and came out in what is known as the Rock Creek district. Of course, the Union forces had made an effort to fortify this so-called Blue River.

Mr. WURZBACH. Let me ask you this question: I do not think it will divert you from your line of thought, but I want to make this statement at this time.

I have recently had some correspondence with gentlemen living in Colorado, who have requested the privilge of appearing before this subcommittee, advocating the procuring of another piece of land to be used for this purpose, claiming it would cost less than $200,000. In their correspondence they claim that the property they would be willing to turn over to the Government for the same purpose for which this property is being offered was the scene of some of the important parts of the engagement. As you probably will not be here when these gentlemen come before the committee, because I do not know when they will be here, I think it would be a good idea for you to anticipate the statements that they will make with reference to the property proposed. Do you know what site that is?

Mr. LEWIS. Oh, yes; thoroughly.

Mr. WURZBACH. What is the name of it?

Mr. LEWIS. It is known as the Hagerman tract. I understand the Shofroth family of Colorado are related to the Hagermans and are interested in the ownership of it. I am glad you called attention

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to that matter. We will get to that among the very first things to be considered.

Here is this army of invasion here [indicating on map], and this stream, the Blue, is deep, with very precipitous banks—a stream very hard to cross. It runs north and south. The Union forces were stationed from General Hogan's headquarters at the Missouri River up for 16 miles along the river. They had quite a large battery at Rock Creek. This is what was known as the Big Blue [indicating on map]. Some have called that the Big Blue fight. But that took place at a different time, and we do not want to get this matter jumbled up, so that it will detract in any way from the final, ultimate battle of Westport

Mr. ELLIS. At about what street of present Kansas City would Rock Creek be?

Mr. LEWIS. That would be about Twenty-third Street. That is the old Santa Fe Trail crossing. In the skirmishing on the day preceding the battle Price made quite a showing that he was going to cross here [indicating on map], and General Curtis supposed that he would. He also had men stationed here [indicating] farther south on the Blue, and this would be about Sixty-third or Sixty-fourth Street. That is Byram's Ford, as it was known?

Mr. WURZBACH. Where is the Hagerman tract?

Mr. LEWIS. That is right here at this point [indicating on map], directly west of Byrams Ford and extending slightly south of it.

Mr. WURZBACH. Can you show it on the map by outlines?

Mr. LEWIS. It is at Sixty-third Street, in section 2 of this map. Now, then, everybody was looking out for the ultimate dash, and unexpectedly General Price, having withdrawn his men slowly, from points north and south, but keeping enough to make feints, on the morning of the 22d he forced a crossing very quickly at this the most unlikely place you could have picked out in that locality.

Mr. WURZBACH. That is Byrams Ford?

Mr. LEWIS. Yes, at Sixty-third Street as it is now. Then he sent his couriers to make a survey to find out what he was going to encounter. It was too late for further action that day and General Price took his whole army and moved on to that high plateau [indicating the country club district]. You talk about the Battle of Westport and about the strategic side of things——

Mr. WURZBACH (interposing). Was Westport where Kansas City is now?

Mr. LEWIS. That was just a little village 4 miles from Kansas City, what there was of it then. Here is a map which reflects the conditions exactly. Here, near the river is Kansas City, Mo., which had at that time less than 3,800 people.

Mr. ELLIS. What was the southern limit at that time?

Mr. LEWIS. At Twentieth Street. Here 4 miles to the south is the town of Westport [indicating on map], and this, the area from Westport still south about 2½ miles, is where the Battle of Westport was fought.

Mr. ELLIS. The town of Westport would be between what present streets in Kansas City?

Mr. LEWIS. It would be between Fortieth and Forty-fifth Streets at the present time.

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Mr. WURZBACH. How far is it from Westport to this crossing at Byrams Ford?

Mr. LEWIS. Byram's Ford is about 4¾ miles from the south end of the battle field—6½ miles from the village of Westport. You will notice this. A military map has nothing on it but the townships, the range, and the section. It does not show just how the ground lay at that time. These people of the historical society wanted to know how the ground stood, so I laid down the sections, and that will give you a guide and will show you just how this ground lay.

This is the present limit of Kansas City [indicating on map].

Mr. ELLIS. What is the southern limit?

Mr. LEWIS. That is Seventy-ninth Street. General Price then was on the night of the 22d and the morning of October 23d, the day of the battle, on this high ground [indicating], dominating all the plateau from Forty-ninth south and from what is now Wornall Road to the State line.

Mr. WURZBACH. How did the engagement at that other place compare in the number of men engaged and the fierceness of the battle with the Battle of Westport?

Mr. LEWIS. I will come to that in a moment. It is about as 1 to 10; that is about the ratio. That was just an incident, a skirmish leading up to the main fight.

Mr. WURZBACH. You are speaking of this place I mean, right here?

Mr. LEWIS. This is Sixty-third Street, Byrams Ford. For 48 days General Price was constantly fighting on this invasion. He says he fought 43 engagements in 48 days while moving 700 miles from the time he entered Missouri, including the final day. But let me make it clear, as I have tried to do. General Price had one object in view—to reach Fort Leavenworth. To do that he must cross the bridge over the Kaw River. On this crucial day he must get across this great ravine known as Brush Creek, about 600 feet wide and 250 feet deep, with only two lines of road leading down from one side, across, and up the other side. The only way he could get to his objective—to reach and cross that bridge and then on to Leavenworth was to gain that ground. Curtis understood that morning what was in Price's mind. So the lines were drawn up, the final stand was made, and the "Gettysburg of the West" was fought on this ground we want commemorated.

Mr. WURZBACH. Where is Leavenworth?

Mr. LEWIS. It is in this direction [indicating northwest on map]. It is about 27 miles.

Mr. ELLIS. It is about 27 miles northwest?

Mr. LEWIS. Yes; about 27 miles northwest. Price did not desire to cross the Missouri River. The Kaw comes in here from the west [indicating]. He could not have made that in any other way except on this bridge. History shows that Price on the evening of the 22d rode out on this high plateau and surveyed all the ground, knowing that to-morrow would be his one great final chance. There, in contesting this Brush Creek ravine [indicating], is where the battle began at daylight on the morning of the 23d. Soon the line was forced back to this plateau of which this country club golf field is the very center. One of the generals said he was pushed off of this plateau

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[pointing to the golf field]. General Jenison said, "I was pushed back over this plateau," this very ground, gentlemen, we ask to have dedicated. This is the ground on which the Battle of Westport was fought.

Mr. WURZBACH. That is what I wanted to know.

Mr. ELLIS. And it is 5 five miles from Byrams Ford?

Mr. LEWIS. Yes, it is fully 5 miles from Byrams Ford. Less than a year ago I had an old grizzled soldier of Price's old guard point out to me this very ground and say to me "that was where we were pushed back, on that high ridge. That is where we had to turn back." I want to make that very specific. That old veteran was of Joe Shelby's division.

Mr. ELLIS. He was in Joe Shelby's dashing cavalry?

Mr. LEWIS. Yes, gentlemen; they used small arms and artillery in that battle, and the last clash was a clash of cavalry.

Now, they made a tremendous effort to get down this road [indicating] but they could not do it. A little north of this golf ground, leading down into the ravine, was an easier slope, and the earlier efforts were to force a way over this. The efforts failed and the lines were forced back to this very ground where the issue was fought out—on the ground in this bill. Here on the side of this ravine [indicating] is the closest point that Price ever got to Fort Leavenworth. He was driven back, and it was the fighting men of the Second Colorado Battery who bore the brunt of that and pushed him back. Then Price's men were pushed back and came on again, were pushed back and came on again—three times back and forth in the six hours of that blood battle. In the last hours the fighting was carried to Sixty-third Street. I was a schoolboy in 1871, and there were then, for I saw them, some of those old trees which had been cut off by cannon shot in the grove that still remains at Sixty-third Street. There can be no question as to where the battle was fought. The crossing at Byrams Ford was one of the incidents. It was purely an incident.

Mr. ELLIS. A preliminary skirmish?

Mr. LEWIS. Yes; as scores of others, simply leading up to the main fight. That is where the battle was fought on this plateau; and nowhere else except on this ground. The hot fighting west of the ford on the morning of the battle was to keep forces from getting into the main engagement.

I want to make this statement here: The selection of this plateau is evidence of the superb generalship and military prowess of Gen. Sterling Price. This high bluff extending all round here made it impossible for any force to disturb his flank. He could make his drive straight across toward the bridge, and, as I have said, he knew he could get across in no other way.

Mr. WURZBACH. If you have anything further you desire to put in the record in regard to this matter, when the transcript of the hearing is given to you, you might add whatever you think is necessary.

SUPPLEMENT STATEMENT OF MR. LEWIS

Since I made my statement on yesterday Mr. Shafroth has made his, to which I have listened with great interest. Upon many points I agree with him. I strongly disagree as to the practicability or even possibility, under any circumstance, of using his ground to commemorate the Battle of Westport.

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I will gladly grant that while the real battle was fiercely raging on the ground chosen by the commanders on the two sides for the final stand, a real struggle, valiant fighting, was going on out there 5 miles away. That fighting was on a part not to exceed 20 acres of this Hagerman-Shofroth tract. I will agree that the action there may with propriety be considered incidental to the real battle. It is contemplated that to those men who bravely fought to force their way into the battle under command of Phillips, of Crittenden, of Sandborn, and of Brown—that to those brave men and to those gallant officers tribute should be paid by this commemoration.

So far as the men are concerned they deserve just as truly and richly as if they had played the same valiant part on the real battlefield. But Mr. Shofroth himself, in referring to the ground we stand for, speaks of it in his statement as the "battle proper." It was the "battle proper" we propose to celebrate.

Now as to this ground, the character of it and the place where it is located. Keep in mind, please, what Mr. Ellis has so strongly emphasized in the bill itself and in his explanation of it. The desire and purpose, as he puts it, is to have a "rallying ground" to which people of these western communities may easily come and where the story of this historic battle, fought by western men, may be told in all appropriate ways—by speakers, by tablets, by statues, and perhaps by monuments, erected by interested organizations; where gatherings may be held and where as in the supplemental report of Commissioners Pierson and Zartman, it is said the old trees now stand that were mute witnesses to brave deeds.

Let me say right here that if ever ground was consecrated it was this ground where these trees stood and now stand. The purpose is to have this ground, already consecrated by memories that must not fade, ground that is accessible to everybody now and always will be. The small part of the Hagerman tract that could possibly be considered battle ground or appropriate at all is rough and rocky, so little of it is even rolling that none has been appropriated to residential uses and no effort, therefore, has been made to afford transportation to it. It is out of the way, inaccessible, and will likely be so for many, many years to come.

Read please, what the commission says of it—what the two say in their supplemental report which has been printed and what Major Gee says in his separate views also printed. Moreover every patriotic organization of the dozen and more Mr. Ellis has listed in his statement—every one of them petition for the ground of the battlefield itself.

The organization I represent will withhold any sort of approval of this Hagerman suggestion. I have been sent here in large part because this is so. For many months I have been interested in this matter. I have talked with hundreds of people. I have read what has been said in the papers and much has been written about this proposition. I know of not one person, have heard of not one person, who desires this Hagerman tract to be considered except those who own it. The people of Kansas City will stand for no sort of land exploitation whatever in this thing. But the people of Kansas City and all the communities round about want this memorial and appeal to Congress for it as they never before wanted or appealed for anything. They want this ground in the bill of Mr. Jost last Congress and of Mr. Ellis this Congress. They will perhaps stand cutting this down some, as Mr. Ellis, when questioned by your chairman the other day, has indicated, if Congress insists as I hope Congress will not; but they will not stand for this substitution.

These owners are including a lot of acreage, 60 or 70 acres, that was not touched by any fighting. This is something of big importance to our people. It will cost money but it's worth to coming generations to come in ways Congressman Ellis has told you, can not be measured in dollars and cents. The Government owes this to us and will not deny us.

Now, I have just this more to say. Major Gee, an officer of our American Army, a graduate of West Point, a man of unusual intelligence and finest training, went carefully over both these tracts of ground. I went over them with him. Days were spent in studying the battlefield, the whole range of operations. Again I ask you to read carefully what he has said. And this that he said to me I feel sure I may say here. When we had finished the survey of the plateau, the abrupt slopes from it to which I have referred, the defiles into the ravine, and had reviewed the battle as it was planned and fought, he said, "Mr. Lewis, this battle has been lost sight of. It has not

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been properly appraised or studied. It should have been taught in the schools. We should have had the benefit of it. While not in point of numbers engaged and other like considerations of the rank of some major battles of the Civil War, it was indeed a great battle and in the significance of the culminations and the outcome is entitled to so rank and to be so memorialized."

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON MILITARY AFFAIRS,
Thursday, January 21, 1926.

The subcommittee met at 10 o'clock a. m., Hon. Harry M. Wurzbach (chairman) presiding.

Mr. WURZBACH. Gentlemen of the committee, we will continue our hearings this morning on H. R. 5585, for the development of a national military park to commemorate the Battle of Westport.

STATEMENT OF HON. EDWARD T. TAYLOR, REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. TAYLOR. Mr. Chairman and gentlemen, let me present to you this morning Mr. Morrison Shafroth, of Denver, Col., who appears before you in connection with this bill. He is one of our products of Colorado, the son of the former United States Senator Shafroth, who was also a former Governor of our State and was himself nominated for the United States Senate in 1924. I bespeak for Mr. Shafroth a careful hearing in connection with this measure which is before your committee. He is a young fellow of whom we are very proud.

Mr. WURZBACH. We shall be very glad to hear Mr. Shafroth.

STATEMENT OF MORRISON SHAFROTH, OF DENVER, COLO.

Mr. SHAFROTH. Mr. Chairman and gentlement of the committee, you will recall that at the last session of Congress a resolution was adopted looking toward the creation of a national memorial park at Kansas City, Mo., in commemoration of the Battle of Westport. It was this battle that marked the end of the great Confederate raid under General Price up the Mississippi and Missouri Rivers and it was in this battle that the territorial troops from the West—Colorado, Kansas, and Arkansas—joined with Missouri's forces in terrific struggle against the gallant invaders from the South.

The location, however, of the proposed park and the amount to be expended therefor were left indeterminate. These two matters, therefore, remain for your committee and for Congress to decide.

The committee appointed under the original resolution to examine into the question of a site selected the country club location which you have already had under consideration.

In presenting for your consideration, on behalf of the owners, another tract of land known as the Hagerman tract, I have no intention of criticizing or disparaging in any way that committee nor its report. Without any instructions whatsoever relative to price, it naturally selected the very beautiful country club golf course in the heart of the finest residential section of Kansas City. And while I am not especially familiar with Kansas City property values, the price of $600,000 asked for that tract of 110 acres would seem to be quite reasonable.

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It is not, therefore, in opposition to that committee's report, but rather as supplementary thereto, that I desire to present for your consideration a tract of between 80 and 90 acres, costing less than one-third of the amount asked for the country club tract. You will thus have before you two tracts of utterly variant cost. If your committee were considering automobiles, you would want not only to hear about the Pierce Arrows but about the Hudsons and Buicks as well. And so I feel justified in calling this tract to your attention in addition to the one recommended by the committee.

In the selection of a site for a park of the type of Gettysburg or Shiloh there are, it seems to me, three primary factors that should be considered.

First and most important, the historical significance of the ground chosen for the park; second, the availability of the site to public use; and, third, the cost.

I will, therefore, briefly call your attention to the Hagerman tract in respect to these factors.

First. From the historical standpoint, it will be necessary to describe briefly the Battle of Westport, and I ask you to keep in mind that the State of Missouri was almost as much southern as northern in its sympathies during and since the Civil War.

General Price, of the Confederate Army, was conducting his great raid along the Mississippi and Missouri in an attempt to reach Fort Leavenworth. He had with him about 15,000 men. Arriving at Independence, just east of Kansas City, he found in front of him, across the Big Blue River and on this Hagerman tract, General Curtis and his forces of territorial troops, while close behind was General Pleasonton and his powerful Federal forces. Price thus found himself in an extremely difficult position on that 22d day of October, 1864.

Mr. FURLOW. Yesterday Mr. Lewis had a map which he presented to the committee and he was pointing out on that map a certain tract of land. Was that tract of land the Ward Estate?

Mr. LEWIS. Yes.

Mr. FURLOW. You are telling us about another piece of property?

Mr. SHAFROTH. Yes; over by the Big Blue—the Hagerman tract.

Mr. SPEAKS. How far removed from the Ward Estate?

Mr. SHAFROTH. Close to Byrams Ford, just about 60 blocks away.

Mr. WURZBACH. How far would that be in mileage?

Mr. SHAFROTH. I should say it would be about 4 or 5 miles.

Mr. LEWIS. It is about 6 miles.

Mr. SHAFROTH. Here is the Hagerman tract adjoining Swope Park. There is a country club or Ward Estate tract which Mr. Lewis spoke of yesterday [indicating on map] about 5 miles east.

To get back to the battle. Price found himself penned in west of Independence, with Curtis in front of him on the Big Blue and Pleasonton behind him on the other side of Independence.

Pushing forward, he savagely attacked Curtis' force on the Blue, forced a crossing at Byrams Ford (adjoining the Hagerman tract) and pushed Curtis back on Kansas City and Brush Creek (near the country club site). In the meantime Pleasonton was rushing on, hoping to attack Price in the rear before he could drive Curtis from his position on the Blue.

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So on the 23d, what is known as the Battle of Westport proper started. The Hagerman tract is close by Byrams Ford. It is a tract of land that runs down to the Blue River with Swope Park (Kansas City's great playground) to the south, Elmwood Avenue to the west, Sixtieth Street to the north, and the Big Blue on the east.

Mr. WURZBACH. Comprising how much?

Mr. SHAFROTH. Between 80 and 90 acres.

Mr. MCSWAIN. Is it for sale?

Mr. SHAFROTH. Yes. They are asking $174,000 for that tract.

Mr. SPEAKS. In other words, you are proposing now that in addition to the site where the battle was fought at Westport, another site?

Mr. SHAFROTH. It could of course be taken either in addition to or in substitution for it.

Mr. SPEAKS. You realize that the Government is not going to purchase both of those to commemorate that event?

Mr. SHAFROTH. Absolutely; I am offering this as an alternate site.

Mr. SPEAKS. Which, in your judgment, keeping in mind the purpose of expending any money to commemorate this event, which is a historical event worthy of some special marking——

Mr. SHAFROTH (interposing). Yes.

Mr. SPEAKS. Which would be most appropriate, considering the events upon which it is based.

Mr. SHAFROTH. I think, as far as the historical significance is concerned, the Hagerman tract is much more significant than the country club site, and I want to call your attention to my reasons for that opinion.

You will find in any historical discussion of the Battle of Westport that the prominent figures involved, the people who became prominent in Missouri afterwards, such men as Judge Phillips, who was a Federal judge in Missouri for 27 years; Governor Marmaduke, then a Confederate leader; Colonel Crittenden and many others of the prominent men of the West who were engaged in that fight, did most if not all of their fighting in that battle close by Byrams Ford on the Big Blue, and on and immediately adjoining the Hagerman tract. It was there that Colonel (afterwards Governor) Crittenden was wounded. It was there that Colonel (afterwards Judge) Phillips carried his brigade through its fiercest fighting. It was there that the gallant Confederate leader Marmaduke (subsequently Governor of Missouri) made his last desperate stand. A dozen spots on the Hagerman tract are mute witnesses to the heroic exploits of Missouri's greatest sons, both southern and northern.

On the 23d of October, 1864, the Battle of Westport occurred——

Mr. WURZBACH. That was the day of the beginning of the battle?

Mr. SHAFROTH. It lasted only one day, and it really covered a territory of 5 or 6 square miles in here [indicating on map], from the Big Blue north to Brush Creek and several miles south of Brush Creek. At the Big Blue the attack was led by Pleasonton's forces under Colonel Phillips, who was later Judge Phillips. He was following close on the heels of Price's army.

General Price after driving Curtis from the river had stationed his right wing along the west bank in part right on the Hagerman tract to resist the pursuing Federals. He was being crushed be-

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tween the arms of the Federal forces. He had Curtis on the north and Pleasonton, Phillips, and Crittenden on the east. They were attempting to cross the Blue and attack his flank. His problem was to hold Curtis on the north and Pleasonton on the east until he could extricate himself. So the battle covered an area of 5 or 6 square miles.

I want to read you Judge Phillips's account of this battle, because Judge Phillips was in command on the Blue and is one of the best known characters who was involved in that fight. He was known and loved throughout the West—Federal judge in Missouri for 27 years. This is an extract from his report—the report of Col. John F. Phillips, of the Seventh Missouri State Militia Cavalry, commanding the First Brigade of the Cavalry Division, as contained in the official records of the Union and Confederate armies, Series I, Volume XLI, Part I, at page 350. The report says:

I have the honor to report that in obedience to General Orders, No. 5, from headquarters, Cavalry Division, dated October 23, 1864, I assumed command of the First Brigade on the morning of that day near the Big Blue, Jackson County, Mo. We were then in front of the enemy, who was strongly posted in force on west bank of Big Blue. I was ordered by the major general commanding to press vigorously forward, take the advance, relieving Colonel Winslow's brigade, then skirmishing with the enemy. The Seventh Cavalry Missouri State Militia, Lieut. Col. T. T. Crittenden, commanding, was immediately thrown into action, dismounted on the left of the road, while the Fourth Cavalry Missouri State Militia, Maj. G. W. Kelly, commanding, closely followed by the First Cavalry Missouri State Militia, Lieut. Col. B. F. Lazear, commanding, were carried rapidly toward the ford with orders to cross and charge the enemy.

That was at Byrams Ford.

This order was executed with great difficulty and attended with some delay, in consequence of the egress from the creek having been obstructed by General Blunt's command by felling heavy timber, forming a kind of abatis. The enemy had so planted a heavy gun as to sweep this ford, and shelled us furiously, killing a number of horses and men in the stream. Nothing daunted, the Cavalry resolutely forced its way through. Lieutenant Colonel Crittenden had in the meantime effected a crossing, bore to the right, engaging the enemy fiercely. Kelly's cavalry gained the western bank and formed in Crittenden's rear, when the latter swung quickly to the left of the road, pressing hard upon the enemy in his front, Major Kelly making a similar move on the right. The enemy was driven back about 200 yards, where he occupied a range of hills, extending through an open field on our left, and along a craggy bluff, covered with dense woods on our right.

That is right on this Hagerman tract, where the hills were defended at that time.

The enemy's position was strengthened by a string of fencing and two or three log houses, behind which he took shelter.

One of those houses is still standing on the Hagerman tract.

The Fourth Cavalry then dismounted and advanced on the right of the Seventh, and I was ordered to charge with the First Cavalry.

The situation of the ground was such as to confine the movements of the Cavalry to the road, which rendered the immediate execution of this order, in any other formation than that of column of fours an impossibility. The effort in columns was twice made but failed, because the storm of bullets and shell sweeping from that hill down the road insured utter destruction to every horse and its rider that ascended its crest. The dislodgment of the enemy from this formidable position necessitated the hurling against him the entire brigade dismounted, which was at once resolved on and done. Here the fighting was terrific. The enemy soon began to fall back, contesting every inch of ground, across the open field, about 150 yards to the woods, where their main force was in position. My command, then occupying the position

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from which the enemy had just been driven, began to advance across this field, where ensued one of the fiercest and most sanguinary conflicts of the engagement. The enemy occupied not only the ground but the very tree-tops, their sharpshooters having climed into these, singling out and shooting our officers and men with fearful success, not less than one field officer and seven line officers falling on this ground. The persistent bravery of officers and men was here most admirable.

Notwithstanding the ammunition of my command began to fail, the position gained was held and the advance prosecuted. Reinforcements were sent from Colonel Winslow's brigade, when the charge was pressed with increased vigor. The timber was gained and the enemy driven in confusion, leaving his dead and wounded and a large number of prisoners in our hands, the large number of these showing the stubborness with which the enemy resisted and the desperation with which our men fought. My ammunition train was ordered up, and as soon as the boxes were replenished I moved rapidly forward.

That is his description of that phase of the Battle of Westport, the phase that made inevitable the retreat of General Price and the only phase in which Colonel Crittenden, Colonel Phillips, and General Marmaduke played a leading part.

Mr. SPEAKS. From that position he moved to Westport for the final engagement.

Mr. SHAFROTH. He goes on to describe it. He says:

One mile brought us in view of the enemy formed on the prairie. After some maneuvering we advanced on a line at right angles with the old military road, leading from Westport to Fort Scott.

Mr. ELLIS. That is the road that goes by our tract.

Mr. SHAFROTH. The report continues:

It was discovered that that portion of the enemy's force which had been engaged with General Curtis at Westport in the forenoon were falling back, making a connection with the force in our front; Sanborn's brigade coming up on our left, a charge was ordered by the major general commanding, and our entire force was hurled upon the enemy in open prairie, routing and scattering him in indescribable disorder, killing and wounding many and taking many prisoners. The brigade encamped for the night near Little Santa Fe.

Please observe that nearly all of Phillips's and Crittenden's fighting was at the Blue.

I would also call your attention to Colonel Phillips's diary for that day.

Sunday, October 23: We were up all night, dragging and sleeping along on our horses and by fires; no feed. Crackers for men; worn out. General Brown ordered to take the advance and attack enemy at daylight. Posted at crossing of Big Blue. I took the advance and moved forward at daylight. Trotted up 3 or 4 miles. Halted a few moments on account of Winslow's brigade blockading the road. On again. Came up to the front about 7.30 a. m. Dismounted to fight on foot. Was forming line. General Pleasonton came up; was terribly fierce. Had arrested Colonel McFerrand for allowing his right to straggle and not being closed up. Pleasonton reprimanded Brown severely for not attacking sooner. Arrested him and sent him to rear of brigade. Put me in command of brigade. Ordered me to press vigorously forward, charge enemy, and drive him from the river. The Seventh thrown into action. Fourth urged to ford mounted. Cannonading heavy. Shells falling all around me. Lieut. Combs, C Company, shot in bowels, dying. Pressed Fourth across, brught up First. Fighting fierce. Tried to charge hill with First; couldn't make it. Pleasonton, it seemed, wanted to get me killed and the M. S. M. (Missouri State Militia) destroyed. Dismounted all my men. Fought desperately. Under a most frightful fire for one hour. Wounded passing by me. Captain Blair, of Fourth, killed, and Lieutenant Christian mortally wounded. Captains Vansickle and Hamilton, of Fourth, severely wounded. Lieutenant Dale mortally wounded. Lieutenants Brison and Barclay wounded. Brown struck on pistol handle. Colonel Crittenden knocked down with spent ball. One regiment of Winslow's brigade reenforced me. Winslow wounded. Finally drove

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out enemy. This was a terrific fight and a splendid victory won by bravery over numbers. Followed up on open prairie. Rebel army in view. Magnificent artillery firing. Cavalry charge on prairie. Pleasonton among Thurber's artillerymen, wild with excitement. "Rebels, Rebels, fire, fire, you damned asses!" Rebels scattered. Here Curtis's Kansas army joined us, just south of Westport and Kansas City. Negro artillerymen and cavalrymen. Lane, Jennison, "et sui generis." Camped near Little Santa Fe on Kansas line. Had bed made down by fire. Sweet sleep. Kansas stragglers passing nearly all night, to my great annoyance. Pleasonton thinks better of myself and the M. S. M. since the fight.

Mr. WURZBACH. I think you said the commission that went over this ground recommended the Westport tract?

Mr. SHAFROTH. Yes, they did.

Mr. WURZBACH. Do you know whether what is known as the Hagerman tract was shown to them?

Mr. SHAFROTH. Yes, it was shown.

Mr. WURZBACH. How many men were on that commission?

Mr. SHAFROTH. There were three, I believe.

Mr. WURZBACH. Do you know whether they made a unanimous report or not?

Mr. SHAFROTH. Yes, it was unanimous. The reason I consider the Hagerman tract more historical and more interesting is really twofold. In the first place, Missouri's greatest sons did their chief fighting there, and in the second place it was there the Confederates under General Price achieved their last victory of the raid when on the 22d they drove Curtis across the Big Blue at Byrams Ford. So if this memorial is located where we suggest, it will be commemorative of a southern as well as a northern victory, and it will truly show that the spirit of America knows no North nor South but only remembers the gallantry of her sons both North and South. General Price's raid was one of the most notable in Confederate history. His victory and defeat on those successive days in October marked its end and left Missouri in the Union. Missourians of southern and northern sympathies alike could visit a memorial park on the Blue with a feeling of pride in the achievements of the brave men on both sides in that conflict.

Mr. WURZBACH. Was the movement which Price made from Byrams Ford to Westport a retreat or a successful advance?

Mr. SHAFROTH. It was a successful advance in this, he had to fight his way through at Byrams Ford because he was being pressed between the two arms of the Federal forces. He resorted to Napoleonic tactics, attacked Curtis, drove him across the Blue, and turned to meet Pleasonton. So it seems to me that the Hagerman tract has a double commemorative aspect. It marks a place of both Confederate and northern victory—the ground over which for two days the tide of battle swayed now this way and now that.

Of course, the country club site was a place where much fighting was done but it is identical with the other 5 or 6 square miles of prairie over which the fight raged.

It differs in this aspect too—the country club site is improved—it is a wonderful golf course. This site remains exactly as it was. There is the same old log cabin, the wooded ravine, the winding Blue, the places where Colonel Crittenden was wounded, the hill up with Phillips led his attack, the heights where Marmaduke waited with his men—everything that goes to fire the imagination and arouse the patriotism of the descendants of those brave men.

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Mr. FURLOW. General Price made his last stand at Westport.

Mr. SHAFROTH. Yes. He probably made his last stand at Westport.

Mr. FURLOW. And if he had not been defeated there he would have gone on to Fort Leavenworth?

Mr. SHAFROTH. If he had not been defeated.

Mr. FURLOW. So that was really the turning point in the engagement?

Mr. SHAFROTH. He was held, undoubtedly, by Curtis's forces north of Brush Creek. A battle is not limited to one particular area. One phase is fought at one place and another phase is fought at another place. But here on the Blue is the place where Pleasonton came up in the rear and absolutely insured Price's defeat.

Mr. FURLOW. How do the old soldiers feel about it?

Mr. SHAFROTH. I do not know; I never have talked to them.

Mr. ELLIS. I may say, Mr. Chairman, in response to a question asked awhile ago as to the composition of this commission, that on this commission was a veteran of the Confederate Army, who is now president of the Missouri Association of Confederates, and on the other side was a man of equal rank in the Union Army, a man who is a member of the Grand Army of the Republic. Those were two of the members on this commission. The third member was Major Gee, in charge of our engineering work out there at Kansas City, a graduate of West Point. The two civil members both agreed not only on the Westport site but they put in for the use of the committee a supplemental report, which I hope the committee will read, because it covers this particular matter.

Mr. SPEAKS. Who selected the commission?

Mr. ELLIS. Secretary Weeks.

Mr. WURZBACH. This was done in response to a resolution passed in the last Congress introduced by Mr. Jost.

Mr. SHAFROTH. As I said before, this Hagerman tract of land from the purely historical point of view I consider preferable, because it is commemorative of both sides of the fight and is the point at which Phillips, Crittenden, and Marmeduke participated in their most desperate fighting.

Now, from the point of view of availability, it adjoins the greatest park in Kansas City, Swope Park. It will be seen by thousands of visitors who go to visit that park in the years to come.

There is also a great boulevard development projected along the valley of the Big Blue and adjoining the Hagerman tract. They are going to make the Big Blue the waterway playground of Kansas City, and if they do this park would be available to other thousands who would go there.

At the present time it is not as available from the point of view of street-car service as the other tract. There are two car lines closer to the other tract than is the one to this, but in the future, with the development of Swope Park and the Blue River project, it will undoubtedly be more available to the public and more visited than would any other site.

Finally, this Hagerman site can be obtained at a cost of less than a third of the cost of the country club site. The cost of parking this site would not amount to very much. I think $25,000 would be

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ample to cover that. My theory is that as far as possible this battleground ought to be kept in the same condition it was in at the time the fight occurred. The old log cabin to which I have referred ought to be preserved and the woods and ravines ought to be kept intact. If the ground is simply sowed in grass and parked, the tract so improved will cost less than one-third of the amount asked for the other tract.

Mr SPEAKS. Do you know whether previous efforts have been made to have the Government establish a park there?

Mr. SHAFROTH. I do not know.

Mr. SPEAKS. You do not know whether during the past 50 or 60 years this has been suggested as the proper thing to do?

Mr. SHAFROTH. I do not believe it was ever suggested before.

Mr. ELLIS. For reasons which will readily occur to you.

Mr. SPEAKS. Immediately the question arises, and will arise in the minds of Members when they are called upon to consider this proposition, whether or not this is a real estate scheme. And when I say that I do not mean to say it offensively.

Mr. SHAFROTH. The fact that Mr. Jost's bill did not attempt to name a site and that there are competing sites being offered to the committee ought to be a sufficient answer to such a query.

Mr. SPEAKS. When this bill is thrown on the floor of the House to be considered, Members will want to know what the facts are.

Mr. SHAFROTH. I realize that.

Mr. SPEAKS. And one question that would immediately arise would be why, if this is such an important matter, it has not received attention before.

Mr. SHAFROTH. I would remind you in that connection that Missouri was on the border, that her sympathies were about as much southern as northern, and that until the war was a few generations away and her people had been reunited by the great events of recent years, the time was not ripe for such a memorial.

In closing let me call your attention to a statement relative to the tract by Mr. B. Howard Hagerman, of Kansas City, Mo.

The Hagerman tract adjoins Swope Park, the largest and finest park in Kansas City—the community playground that is thronged on all holidays with thousands of people. With a half-mile frontage on Swope Park, it is evident that far more people will be apt to visit the national park and become conversant with the historical facts it celebrates than if the park were located in a less accessible and popular place. Kansas City has spent hundreds of thousands of dollars on Swope Park and the new national park will have the advantage of being set off and enhanced by surroundings that have been the prideful concern of Kansas City.

The Sixty-third Street Boulevard passing through the south end provides an immense stream of automobile traffic, while the Swope Park car line provides adequate and popular transportation.

The Blue River, which has a quarter mile frontage on this tract, is destined according to park board plans to be the waterways playground of the city. A new boulevard, the Blue River Boulevard, is projected, which will face the national park. Thus the national park will be intimately linked up with the choicest part of the community's recreational development.

The main lines of the Missouri Pacific and Frisco Railways are adjacent to this property, so in case of any future construction or building the expense of material transportation will be greatly lessened. Furthermore, the park at this point will afford to the incoming traveler a significant and beautiful gateway to the city.

(Thereupon the subcommittee adjourned.)

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