

NEBRASKA STATE HISTORICAL SOCIETY COLLECTION RECORD

RG2839.AM: Hall-Kinney Collection

Correspondence and papers, 1821-1902
Nebraska and Iowa: attorneys
Size: 1.75 cu.ft.

BIOGRAPHICAL NOTE

This collection consists primarily of the papers of two men, Augustus Hall and John Fitch Kinney, whose careers and personal lives were closely related.

Augustus Caesar Hall was born on April 29, 1814, at Batavia, New York. His early education came in the common schools, and in 1834 he graduated from the Middlebury Academy (then called Mexico Academy) at Mexico, New York. He began the study of law shortly before his family relocated to Mount Vernon, Ohio, where he continued his studies and was admitted in 1836 to the Ohio bar. He practiced at Mt. Vernon for a year, and then moved to Marysville, Ohio, where he practiced for about seven years. There he was appointed Assistant United States Marshal, and was elected in 1840 and 1842 to the office of Prosecuting Attorney. In 1844 he moved with his family to Keosauqua, Van Buren County, Iowa. There he practiced independently and, at different times, with partners named Humphreys, Knapp and Shelby. Much of his practice was in the collection of debts and settling land dealings for distant clients. However, he also built an excellent reputation in criminal law while following the circuit trial court.

Hall was a life-long Democrat and ran unsuccessfully for offices, but mainly he campaigned for the party and its candidates. In 1852 he was named to be a Democratic Presidential Elector, and in 1854 was elected to Congress from Iowa's 1st Congressional District for the first of his two terms. Augustus Hall was influential in pushing through the railroads' land grants, and as Indian Agents. In December of 1857, he was appointed to serve as an Associate Justice of the Supreme Court of the United States, and the next year he was named Chief Justice of the Supreme Court of Nebraska. He was a member of the Nebraska Constitutional Convention which met in 1860, and Hall County, Nebraska, is named for him. Judge Hall died in office in February, 1861, leaving his wife, whom he had married at Batavia, New York, in 1853.

John Fitch Kinney was born in April, 1816, at New Haven, Oswego County, New York. He received irregular schooling in the area until about the age of sixteen, when he began teaching and started law studies. In 1836 he moved to Marysville, Ohio, where he continued to teach, and studied law with Augustus Hall. In 1837 he was admitted to the Ohio bar, and opened practice. Two years later he married Hannah Dorothy Hall, sister of Augustus Hall. In 1840 he moved his practice to Mt. Vernon, Ohio, but in 1844 he moved again, this time to join his wife's father, Col. Samuel Hall, and brothers, Augustus Hall and Jonathan Chapin Hall, in Iowa. He settled at West Point, Iowa, where he quickly rose as an influential figure in the Democratic Party. In 1845 and 1846 he was elected Secretary of the Iowa Legislature Council, and in 1846 became Lee County Prosecuting Attorney. In 1847 he was narrowly defeated in a bid for Congress, but was named

president of the party's State Nominating Convention. In June 1847 he was appointed an Associate Justice to the Iowa Supreme Court for a two year term, and in 1849 was elected to the same position by the State's legislature for what was then a six-year term. This term was never completed.

In 1850 he was appointed by the President to serve on a special commission to investigate the legality of the votes cast in the previous election by a group of Mormons who had been residing in the state. In 1853, President Pierce named Judge Kinney to the post of Chief Justice of the Utah Supreme Court. Kinney was at first reluctant about accepting, but his wife was in poor health and he thought the climate might help her, so in the Spring of 1854 he set out. While en route through Nebraska his wife gave birth to a boy, whom the Judge was to claim to be the first white child born in Nebraska Territory. The child was called "Bill Nebraska," honoring the Nebraska-Kansas Bill which had been passed only days before, but was later christened Steptoe, after Col. William Steptoe, a friend of Judge Kinney. J. F. Kinney was apparently one of the few federal appointees of that period who had really close relations with the Mormon inhabitants of Utah. He had known many of the members of the Mormon community in Illinois in the years preceding the Mormon exodus. Judge Kinney was one of the few who recognized the validity of the laws passed by the Mormon legislature, and enforced those laws accordingly.

The Kinneys returned to West Point in 1856, but in the Spring of 1857 they sold the farm and went to Nebraska to settle. On the boat from St. Louis he joined and was made president of a colonization company, the "Nebraska Association," and went with a group of men to select a town site. A location was chosen, and the village was named "Beatrice" after Kinney's daughter, Julia Beatrice Kinney. He never lived in that town, but instead took his family on to the established community at Nebraska City, where he set up practice and engaged in land speculation. To boost the town he went to Leavenworth, Kansas, and persuaded the government freight contractors, Russlee, Majors, and Waddell, to make Nebraska City the starting point for the western route. He again became a major political figure, and in 1860 was a candidate for the nomination by his party for Congress. However, he received word that he had been again appointed Chief Justice of Utah Territory, and he withdrew his name from the running and gave his support to J. Sterling Morton. During the summer vacation in 1862, he had rejoined his family at Nebraska City, and became the Democratic candidate for Congress. He ran against Samuel G. Daily on a strong pro-Union platform, but was defeated on the grounds that as Chief Justice of Utah he was not a resident of Nebraska and therefore ineligible to hold office from the state. In 1863, Kinney was removed from office by President Lincoln, in part to clear the position for a Republican appointee, and in part over a tragic affair called the "Morris incident," in which several men were killed by a Federal Marshal's posse. His popularity among the Mormons was demonstrated later that year when he was given every vote cast for the seat in Congress. He gave strong support to the prosecution of the war, fought for admission of Utah to the Union, tried to secure reservation lands for the peaceful Indians, and worked to improve postal service.

In 1865 he returned to Nebraska and occupied himself mainly with a real estate office in

Nebraska City. In 1867 he was named to a special commission ordered to investigate the Fetterman disaster at Fort Phil Kearney. Of the number named, only he made the trip to the site, and there he conferred with the Indians and with people at the fort, and after several months submitted a report urging the relocation of the peaceful Crow Indians on a separate reservation, and a strong campaign against the hostile tribes. In 1871 he was engaged by the state legislature to draw up the articles of impeachment against Mr. Gillespie. In that year he also became general manager of Union Mutual Life Insurance Company, making farm loans, and stayed there until 1876. In 1884 he was made agent to the Yankton Indian Agency in Dakota, and remained there until January of 1889. J. F. Kinney and his wife moved to San Diego, California in 1889, and there Hannah died in 1895. He remarried in 1899, to a Mormon woman named Mrs. Thurston, and the couple moved to Salt Lake City, Utah, where J. F. Kinney died in 1902.

Also prominent in this collection are a brother of Augustus Hall, Cyrus Hall, and Stephen D. Bangs, an attorney who married the widow of Augustus Hall. Cyrus Hall was born in New York, and in 1838 was appointed to the United States Military Academy at West Point, New York. After graduation in 1842 he saw service in Florida, Louisiana, Iowa, Missouri, and Texas. He resigned in 1849 to conduct a gold seeking expedition to California, but seems to have contracted a fever and died before he could leave Texas.

Stephen Duncan Bangs was born in London, England in 1829. At the age of seventeen he made his way to the United States. He delivered newspapers in New York for a year before moving to Chicago where he clerked in a copper manufacturing firm. In 1855 he moved to the West, settling in Bellevue, Nebraska Territory. In 1857, when Sarpy County was organized, he was appointed County Clerk, to which office he was later elected and served in that position for ten years. In 1858 he moved to Omaha, continuing in the realty business. He was a member of the Omaha Board of Trade, and acted as Assistant Clerk of the 7th Territorial Assembly. He retired in 1891.

SCOPE AND CONTENT NOTE

This collection consists of four manuscript boxes of material arranged in for subgroups: (1) Correspondence, 1838-1902; (2) Printed matter, 1821-1889; (3) Manuscripts; (4) Miscellany.

The bulk of this collection relates to land dealings and political affairs in Nebraska and Iowa between 1845-1870. There are also a number of other areas which this collection touches upon in greater or lesser depth, such as: preparing an expedition to the California gold fields, 1848-1849; railroad lands, railroad construction; dispensation of political patronage; William Walker filibustering expedition in Nicaragua, 1855; settlement and territorial problems of Utah; overland journeys; the United States' Military Academy at West Point, New York, 1838-1842, 1860-1864; the "Fetterman Massacre," 1867; the Mormon migrations; and the Kansas-Nebraska Bill and the Missouri Compromise.

The correspondence has been calendared for reference use (see lists at end of Manuscript Record). Correspondents include: Mary Hall Burr, 1854; John A. Bartruff, 1857; George W. Bean, 1863, 1864; Stephen D. Bangs, 1863-1865. 1867-1870, 1872-1875, 1877; Royal Buck, 1863; Henry Chouteau, 1851; B. B. Chapman, 1856; W. R. W. Cobb, 1857; H. Dunlavy, 1852; Augustus Caesar Dodgem 1854; J. M. Dews, 1856; S. A. Evans, 1856; Isaac Lewis Gibbs, 1857, 1864-1866; Augustus Hall, 1852; Cyrus Hall, 1838-1846, n.d.; Jonathan Chapin hall, 1848, 1849; Joseph Hollman, 1857; Charles F. Holly, 1862; Orsamus H. Irish, 1863, 1864; George W. Jones, 1855-1857; Hannah D. Hall Kinney, 1859, 1861; John Fitch Kinney, 1842, 1849, 1850, 1854, 1856, 1860, 1862, 1864, 1867, 1887, 1895, 1896, 1902, n.d.; Julia Beatrice Kinney, 1887; Lathrop B. Kinney, 1855, 1864; Samuel Hall Kinney, 1860, 1862, 1864, 1865; Israel Kister, 1851; Kountze Brothers, 1863-1873; D.S. McGugin, 1856; P.J. McMahan, 1856; William L. Marcy, 1856; L.G. Palmer, 1851, 1857; B.P. Rankin, 1856; Amos Reed, 1863, 1864; Byron Reed, 1868-1870; 1875; Joseph S. Sharp, 1855, 1856; D.H. Solomon, 1854; Eli Shorter, 1857; R. W. Steele, 1855; George Snow, 1865; William Thompson, 1843, 1850, 1851, 1857; James D. Test, 1854-1856; Jesse William, 1857; D. H. Wheeler, 1864.

DESCRIPTION

SUBGROUP ONE: CORRESPONDENCE (on microfilm)

SERIES 1: LETTERS TO AUGUSTUS HALL, 1843-1857

Box 1

F1

SERIES 2: LETTERS TO JOHN FITCH KINNEY, 1854-1868

(Unfilmed letter, 1884, Kinney to Robt. Furnas--shelved separately)

Box 1

F2

SERIES 3: LETTERS FROM JOHN FITCH KINNEY, 1842-1902

Box 1

F3

SERIES 4: LETTERS FROM CYRUS HALL, 1838-1877

Box 1

F4

SERIES 5: LETTERS TO STEPHEN D. BANGS, 1863-1877

Box 1

- F5 1863-1877
- F5A 1863-1875 (unfilmed)

SERIES 6: MISCELLANEOUS LETTERS, 1854-1862, AND N.D.--INCLUDES ALL LETTERS NOT COVERED IN THE PRECEEDING SERIES

Box 1

- F6 Misc. Letters, 1852-1864
- F7 Misc. Letters, 1869-1912 (unfilmed)

SUBGROUP TWO: PRINTED MATTER

SERIES 1: PUBLICATIONS

Box 2

"The Churchman," M. H. Mallory & Co., Hartford, Conn.--includes incomplete series of 43 numbers dating between Whole Number 1563, 1/2/1875, and Whole Number 2289, 12/1/1888

"The Spirit of Missions," Sanford, Harroun & Co., New York, N.Y., edited for the Board of Missions of the Protestant Episcopal Church in the United States of America by the Secretaries and General Agents of the Two Committees, and of the Freedman's Commission (later called the Home Missions to Colored People) -- includes incomplete series of 27 numbers dating between January 1867 and January 1889

Box 3

- F1 "Congressional Directory" (Includes directories for first and second sessions of the Thirty-fifth Congress of the United States of America--two copies of the Directory for the 2nd session.)
- F2 "Iowa Legal Inquisitor," Morgan & McKenny, Burlington, Iowa (Includes Vol. 1, No. 1, August, 1851, and no. 2, September, 1851)
- F3 "Kinne's Quarterly Law Compendium," Asa Kinne, New York, N.Y.
 - No. 1, January, 1850
 - No. 2, April, 1850
 - No. 2, July 1850
 - No. 4, October, 1850
 - Vol. XI, 1851
- F4 "Western Law Journal," ed. by T. Walker, C.D. Coffin, and C. Gilman, pub. by J. F. Desilver, printed by Wright, Fisher & Co., Cincinnati, Ohio, Vol. V, No. 3, December 1847--pamphlets and booklets, etc.
- F5 "A Few Reasons in Favor of the Restoration of the Original Policy of the General

RG2839.AM: Hall-Kinney Collection

- Government in Relation to Railroads," not identified, 1856
- F6 "Speech of Hon. Augustus Hall, of Iowa, on the resolution reported by the committee of elections in the contested-election case from Kansas Territory," printed at Washington, D.C., in the Congressional Globe Office, 1856, 2 copies
- F7 "Pension Laws Now in Force," extract from the Congressional record, 30th Congress, 2nd Session, dated 2/9/49
- F8 "Proceedings of the Board of Supervisors," Genessee County, New York, session of 1856
- F9 "Mr. Butler's Address at Westpoint," an unidentified, undated copy of an address delivered before the Dialectic Society of the U.S. Military Academy at West Point, New York
- F10 "Circular Letter to the Electors of the First Congressional District of Iowa, Augustus Hall, from the Congressional Globe, 5/5/56, 31 copies
- F11 Miscellaneous booklets: Constitution & By-Laws of Keosaugua Lodge No. 3, I.O.O.F., 1845; brief of the case of Reid vs. Wright and Young vs. Reid, Iowa Supreme Court, 1850; anniversary book of the Mexico Academy, 1876

SERIES 2: CIRCULARS

Box 3

- F12 "History of Slavery Compromises and Restrictions by Congress to 1821," identified only by initials D.R.
Untitled Whig sheet put out by the Genessee County, N.Y. Central Committee, 11/1/1839

SERIES 3: NEWSPAPERS CLIPPINGS (on microfilm)

Box 3

- F13 Information about the life and career of John Fitch Kinney
- F14 Information about Julia and Ellen Kinney
- F15 Information about the town of Beatrice, Nebraska; early banks in Nebraska City; list of settlers in Nebraska City from 1850-1856; Episcopal Church in Nebraska City

SERIES 4: MEMORIALS AND BIOGRAPHY (on microfilm)

Box 3

- F16 Golden Wedding book of John Fitch Kinney and Hannah Kinney, 1889
Memorial on the death of Hannah Hall Kinney, 1895
eight Xerox sheets, biographical sketches of J. F. Kinney

SUBGROUP THREE: MANUSCRIPTS (on microfilm)

Box 4

- F1 Biographical sketches of John Fitch Kinney
- F2 Biographical sketches of Augustus Hall

RG2839.AM: Hall-Kinney Collection

- F3 "Crossing the Plains in 1854," reminiscences of Ellen Kinney Ware, 119 pages, typewritten
- F4 "Nebraska City in 1858," 7 pages typewritten, by either Julia or Ellen Kinney
- F5 Untitled early history of Nebraska by Stephen D. Bangs, 11 page manuscript
- F6 45 miscellaneous sheets, apparently by Stephen D. Bangs, all on early history of Bellevue, Sarpy County, and Peter A. Sarpy (not on microfilm)
- F7 "History of the Parish of the Church of the Holy Trinity, Bellevue, Nebraska," Stephen D. Bangs, dated approximately 1869, accompanied by a copy of the resolution to form the original church

SUBGROUP FOUR: MISCELLANY (on microfilm)

Box 4

- F1 Includes: certificates (copies) of appointment of Augustus Hall; grade reports of Cadet Cyrus Hall, U.S.M.A., 1839-1841; account sheet of Augustus Hall, 1846; list of Land Office appointees and dates of commissioning, 1853-1857
- F2 Includes: advertising, bills, notes, etc.
- F3 Includes 1895 Menu, 1890 Map of Omaha, Biographical material on the Hall family, & Levee Bond, Nebraska Territory (unfilmed)

nd 07-17-1997
DAB/HEK/ab 07-24-1967

RG2839.AM: Hall-Kinney Collection

Added entries:

NEBRASKA--POLITICS AND GOVERNMENT, 1850'S
IOWA--POLITICS AND GOVERNMENT, 1840'S-1850'S
UTAH--DESCRIPTION AND TRAVEL--territorial period
UTAH--HISTORY--territorial period
UTAH--POLITICS AND GOVERNMENT-- territorial period
OVERLAND JOURNEYS
U. S. --MILITARY ACADEMY, WEST POINT-- letters, 1830's, 1840's, 1860's
RAILROAD--NEBRASKA
RAILROAD--IOWA
MORMONS AND MORMONISM--IOWA
MILITARY POSTS
FETTERMAN MASSACRE, 1866 - investigation of, 1867
MORMON BATTALION-- bounty claim by a member
LAND SPECULATION
BELLEVUE, NEBRASKA
SARPY, PETER ABADIE
Bangs, Stephen D. 1829-?
Hall, Augustus Caesar 1814-1861
Kinney, John Fitch 1816-1902
Hall, Cyrus ?-1849
RAILROADS
'FETTERMAN MASSACRE," 1867
KANSAS-NEBRASKA BILL
MISSOURI COMPROMISE
OVERLAND JOURNEYS
GOLD MINES AND MINING
LAWYERS. NEBRASKA AND IOWA
JURISPRUDENCE