

The Davis Bottom History Preservation Project

William Willard Davis (1837 – 1885)

Davis Bottom is named after William “Willard” Davis, an attorney who purchased over 43 lots in Davis Bottom in 1865. Little was known about Willard Davis before the Davis Bottom project, but a team of scholars discovered that this young attorney was much more than a land speculator. He was an outspoken civil rights advocate, ambitious Republican politician and admired legal scholar who would rise to the position of Attorney General for the State of Kansas. The starting point for our research into Willard Davis is a biography written in 1880 by C. J. Ewing for the *Leavenworth Daily Times*, which was reprinted in William G. Cutler's *History of the State of Kansas* (1883). Ewing wrote about Davis with great admiration, making it sometimes difficult to separate the author's opinions from facts. Some information from Ewing's biography has been verified by other sources. Other details have not. From this research, it's clear Willard Davis was an extraordinary man who defied the social and political norms of his era.

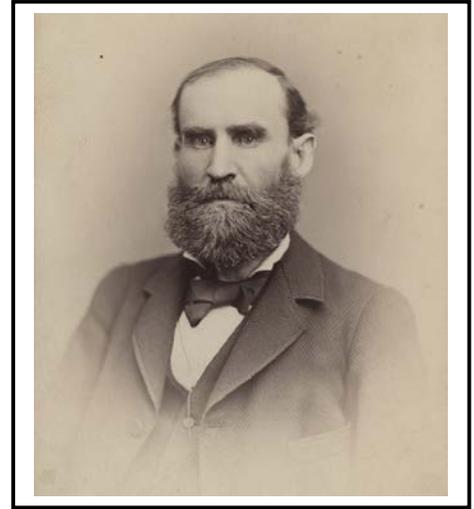


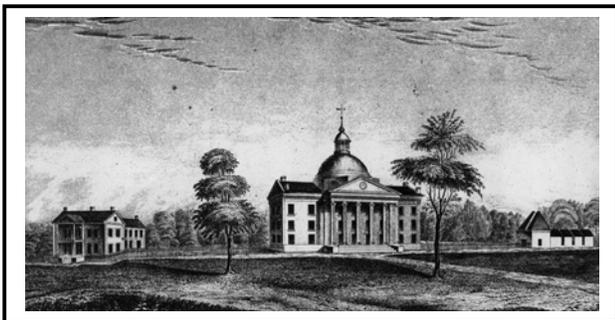
Figure 1: Willard Davis, ca 1870s.
Courtesy, Kansas Historical Society.

Madison County, KY

William Willard Davis was born on January 26, 1837 in Madison County, Kentucky, according to family records and obituaries. However, archival records uncovered by researcher Kathy Vockery from the Madison County Historical Society show his birth year as 1833. Willard, as he preferred to be known, was the eighth child of James and Nancy Davis who had a large farm along Paint Lick Creek on the border of Madison and Garrard Counties. His father, James, died within a few weeks of his birth. Davis said he was “orphaned” as an infant. The archival records from Madison County suggest he was sent to live with relatives who served as his legal guardian. Willard Davis suffered poor health throughout his life, but he was an excellent student. By age 16, Davis was working as a teacher “in the schools of his native district.” (Ewing 1880)

Missouri University

Davis enrolled at Missouri University in the early 1850s. Why Missouri? Davis was a member of the Disciples of Christ (Campbellite). He may have known James Shannon, a Disciples of Christ preacher, who served as president of Bacon College in nearby Harrodsburg, Kentucky. When Bacon College closed, Shannon became the second president of Missouri University (1850 to 1856), which is about the same time Davis attended the school for a period of three years.



The official enrollment records at the University of Missouri from this period were lost to fire (Cox 2012). University catalogues show that a William Davis (with several different middle initials) from Lincoln County, Kentucky attended the school from 1851 to 1854. Willard Davis lived near Lincoln County, but it's unclear if this is William Willard Davis or another student with a similar name.

Figure 2: Missouri University campus, ca 1850s.
Courtesy, University Archives, University of Missouri.

Lexington, KY

Davis returned to Kentucky for graduate studies at the Lexington Law School, which was then a department within Transylvania University. After graduation and admission to the bar, Davis began practicing law out of an office on Short Street. He became active in the local Republican Party, which was being led nationally by another man with roots in Kentucky - President Abraham Lincoln. In his first political campaign, Davis beat an older, Democratic candidate for the position of Fayette County Attorney.



Figure 3: "View of Lexington," 1851. Courtesy, The Filson Historical Society.

Civil War

Davis' work for Fayette County was interrupted by the outbreak of the Civil War in the spring of 1861. In Ewing's biography, Davis says he strongly "opposed secession of Kentucky from the Union." Davis says he entered service in the Union Army with a Lieutenant's commission in the 31st Regiment Kentucky Volunteer Infantry. However, the 31st Kentucky Regiment never completely organized. We have not yet been able to find any official Union Army service records for Willard Davis, but in Ewing's biography Davis is quoted as saying he "made his escape through the rebel lines to Louisville" after Confederate troops routed Union General Bull Nelson's forces at the Battle of Richmond in August of 1862. Davis goes on to say he helped in the preparation of Louisville's defenses under the command of General Jefferson C. Davis who is best known for shooting General Bull Nelson. Willard Davis says "failing health" compelled him to retire from army service after the Battle of Perryville in October of 1862. He soon found employment in civil departments, but still seemed ready to fight based on a letter he wrote to Captain Robert Hayes, Provost Marshal Eighth District, Kentucky on December 17, 1863 (Dorris 1937). The letter reveals that Davis was living in Richmond, Kentucky. He was married to Annie Coleman Davis, but was uncertain about his exact age. Using satiric prose, Davis offered to enlist while chastising those who sought exemption from service in the Union Army (Truman 1937).

If you have a musket marked 'U.S.', send it down here, and I am ready to bear it in defence [sic] of the Union."

Politics

During the Civil War, Davis served as a tax collector in Kentucky for the new Commissioner of Internal Revenue; a "temporary" federal office formed to pay for war expenses through income tax. President Abraham Lincoln appointed Davis as a Collector of Internal Revenues in the Second Collection District of Kentucky on March 14, 1863. The second district covered the southern half of Kentucky, which was most often controlled by Confederate forces, militias and southern sympathizers. It was dangerous work, as Davis related in one passage from the Ewing biography.

On one occasion, being surrounded by the forces of the notorious guerilla, Champ Ferguson, he was compelled, in order to escape capture, to swim the Cumberland river.

In September of 1866, Davis was dismissed from his job for refusing to sign a circular letter from Hugh McCulloch, U.S. Treasury Secretary. The letter demanded a pledge of support from tax collectors for the "policy" of President Andrew Johnson. Davis does not define the "policy" that made him resign, but President Johnson, a Democrat from Tennessee, was in the middle of a fierce political battle with the "Radical" Republicans in Congress. Johnson vetoed nearly all of the Congressional legislation dealing with the Freedman's Bureau, civil rights acts and reconstruction

measures. Less than one year after his dismissal, Davis would give a speech that would play a role in the federal reconstruction debate.

Davis Bottom Establishment

After resigning as a tax collector, Davis resumed his legal career. He worked as the Kentucky attorney for the Cincinnati & Chattanooga Railway Company. Davis also represented several newly formed black organizations, including the First Convention of Colored Men of Kentucky that met in Lexington in March of 1866. The First Convention members appointed Davis as one of their legal representatives to the General Assembly of Kentucky and the U.S. Congress (Proceedings 1867; Green 1888). The First Convention also established the Kentucky State Benevolent Association to continue some of the social and political proposals that emerged from the meeting. The Kentucky State Benevolent Association named forty-seven initial members, including Robert Elijah Hathaway who would be one of the first residents of Davis Bottom.

During this time, Willard Davis also became a land speculator. After the Civil War, thousands of African Americans migrated to Lexington from rural areas. Federal census records show Lexington's black population rose from 3,080 in 1860 to 7,171 in 1870 (Klotter 1977; Kellogg 1982; Lucas 1992). Housing was scarce for African Americans who moved to Lexington in search of work, greater security and educational opportunities. A few wealthy, white developers began to buy vacant property near factories, stockyards, railroads and in swampy areas known as "bottom" land. One of these land speculators was Willard Davis. In 1865, Davis purchased and subdivided 43 narrow lots along Brisbin Street in the low-lying valley that would become known as Davis Bottom. By 1867, Davis sold most of his lots to individual families, and other land speculators. Rudolph De Roode, a music professor from Holland, purchased 25 parcels from Davis in 1867 (Dollins 2012). De Roode built at least twelve "cottages" for private sale to "colored people" along Brisbin Street, which runs the length of the Davis Bottom valley. Brisbin was eventually renamed DeRoode Street.

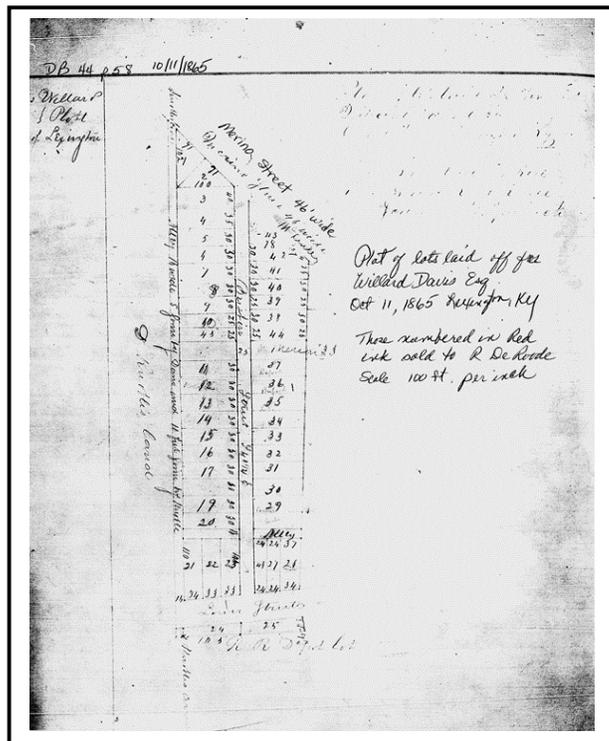


Figure 4: 1865 "Plat of Willard Davis Subdivision," Fayette County Clerk's Office.

Lexington's Ethnic Enclaves

About a dozen "ethnic" enclaves or "portal" communities were established in Lexington from the 1860s to the 1890s (Leader 1914). The motivations of the white men who initially developed these communities varied. Some were merely land speculators who foresaw the opportunity to turn a quick profit by subdividing lands into small lots. Others, such as hemp factory owner William W. Bruce (Brucetown), needed to house African American workers. A few land developers may have been motivated by their politics. Republicans Willard Davis (Davis Bottom), John A. Prall (Pralltown) and Judge William C. Goodloe (Goodloetown) had the wealth and social status to withstand the backlash that often accompanied selling land to blacks in Lexington. Without personal diaries, it's impossible to know if Willard Davis was motivated to develop land in Davis Bottom by economic opportunity, political altruism or a combination of factors. But, he was a fearless voice for civil rights during an era of "Black Codes" in Kentucky.

Map of Ethnic Enclaves, Lexington, KY, ca 1865-1895



Figure 4: "Map of Ethnic Enclaves, Lexington, KY, ca 1865-1895," This map was created for the Davis Bottom History Preservation Project based on an archival map, "Part of Lexington," 1877 (Courtesy, Special Collections, UK), and date from the research of John Kellogg 1982, Heather Dollins 2011, and a newspaper article from the *Lexington Leader*, 1914. © 2013, The Kentucky Archaeological Survey and The Kentucky Heritage Council.

The Fourth of July, 1867

In the summer of 1867, Willard Davis was “called upon by a committee of colored soldiers to deliver their Fourth of July oration” (Ewing 1880). Davis accepted immediately, despite concerns from friends “who were apprehensive of his personal safety.” His speech, entitled “Colored Suffrage,” was to be presented at a massive Fourth of July celebration organized by African American leaders and Union Army. While largely ignored by Lexington’s newspapers, the 1867 Fourth of July gathering was an extraordinary event by any measure. An “immense” crowd estimated from eight to ten thousand people, largely African Americans, attended a day of picnics, music and speeches held at Gibson’s woods south of Lexington. J.B. McCullough, a correspondent for *The Cincinnati Commercial*, provided a detailed account of the event, including the text of all the speeches, in an article printed in the *Cincinnati Commercial* on July 8, 1867.



Figure 5: “Fourth of July, 1867, Lexington, KY.” was created by Susan Walton, SA Walton Studio, for The Davis Bottom History Preservation Project. Willard Davis is depicted standing on the stage while delivering his speech. © 2012, The Kentucky Archaeological Survey and The Kentucky Heritage Council.

“Colored Suffrage”

Willard Davis was the first to speak after dinner. His address, “Colored Suffrage,” was briefly interrupted when part of the speaker’s platform collapsed sending forty or fifty people to the ground. “A few were scratched, but no one was seriously hurt,” according to the *Cincinnati Commercial*. The speech by Davis is compelling prose, blending history and personal experiences with stark commentary on the state of civil rights for black men in Kentucky. Davis does not mention the rights of black and white American women who would be denied the right to vote until 1920. Davis began by citing the self-evident truths (all men are created equal), and inalienable rights (Life, Liberty and the pursuit of Happiness) affirmed by “our revolutionary fathers” in the Declaration of Independence, which he described as, “momentous truths boldly asserted.” After summarizing his views on Constitutional history, Davis recounts the impact of the Civil War and the abolition of slavery on Kentucky. He then decries state laws in Kentucky denying basic liberties for

freemen, saying, "The present Law of Kentucky regarding testimony, in your case, is mere mockery of justice."

You are also denied what I consider the greatest right a freeman can possess – the right of suffrage. When you were slaves, your masters voted for you: now you are freemen, and no one votes for you. You have no voice in selecting those who are to rule over you, and make the laws under which you live. You are taxed without being represented. This principle is wrong, and cannot long endure in a free Republic.

Davis also reveals to the crowd that he was a former slave owner, stating, "I was all my life the owner of a few slaves inherited, and I know that no man rejoiced more over their emancipation than I did." We have not yet been able to identify the names of the slaves, or the manner of their emancipation. The speech suggests one slave was old enough to serve in the U.S. Colored Troops.

I would trust that boy who was once my slave; but who, when country called for the brawny arm of the colored man to uphold her flag, put on his uniform, and bidding me a kind farewell, said that in the day of battle he would remember me and mine, and that when his time was out he would come home and serve me again. I would trust that boy, who, after four years of hard service, lately returned with honorable scars received in battles around Richmond [Virginia], and immediately seeking my office, stood before me in his improved manhood and said, "I have kept the faith. I have come to fulfill my promise." I know he would vote right.

From the 1870 Census, we know Francis Lee (age 26) lived as a servant in the household of Willard Davis in Lexington. But, there are no corresponding service records for Francis Lee in any U.S.C.T. Regiment from Kentucky in the comprehensive Soldiers and Sailors Database of The National Park Service.

National Reverberations

The *Cincinnati Commercial's* article on the Fourth of July celebration in Lexington found its way into the hands of U.S. Senator Charles Sumner, a leader of the Radical Republicans in Congress. Sumner brought the article to the Senate floor on July 13th for a debate on funding for the Third Reconstruction Act. The 40th Congress was dominated by Republicans since representatives from Confederate states had yet to be seated with the exception of Tennessee. There were relatively few Democrats. One was U.S. Senator Garrett Davis, a Unionist and former slave holder representing Kentucky. According to *The Congressional Globe*, (*Globe* 1867: 631) the Senate debate soon turned into a heated argument between Garrett Davis and Charles Sumner.

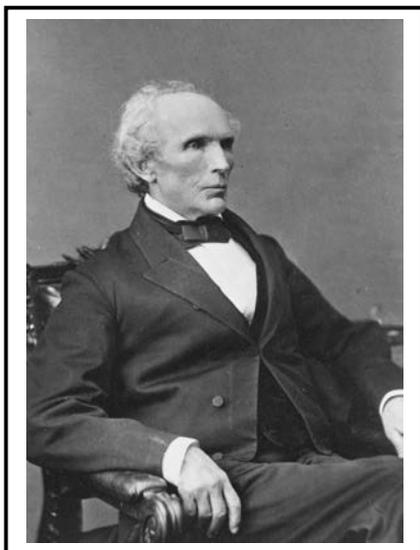


Figure 6:
(left) "U.S. Senator Garrett Davis, KY, 1869,"
Courtesy, Library of Congress.

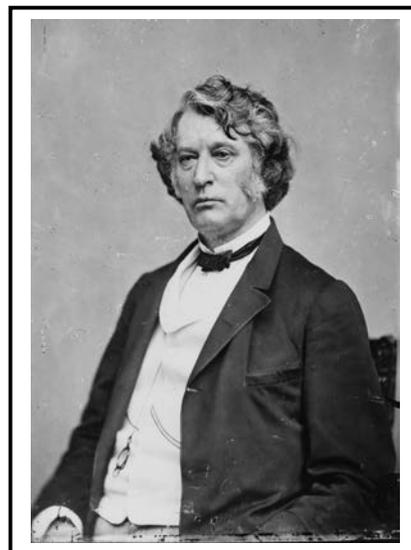


Figure 7:
(right) "U.S. Senator Charles Sumner, MA, 1860s,"
Courtesy, Library of Congress.

Senator Garrett Davis accused Sumner of secretly lobbying for the expansion of reconstruction measures to include Kentucky, a slave state that remained with the Union. The argument centered on the legal and social conditions for blacks in southern states. Garrett Davis contended that the reports from Congressmen of “wrongs and crimes” committed on blacks and union men in southern states were “the greatest fictions of the day.”

The whole black population of Kentucky are better protected and more secure in their rights than are the white people of Massachusetts.

– U.S. Senator Garrett Davis, (D) KY, 1867.

Sumner countered by citing the speeches made in Lexington on July 4th. Quoting from the *Cincinnati Commercial*, Sumner described the speech of Willard Davis, which decried discriminatory state laws against blacks in Kentucky.

Then came another speaker, Willard Davis, who makes an elaborate, able, compact, forcible address, and any Senator on this floor might covet the ability to make such an address as is made by Mr. Willard Davis, of Kentucky.

- U.S. Senator Charles Sumner, (R) MA, 1867.

Sumner read four passages from the speech of Willard Davis on the U.S. Senate floor, including descriptions about the conditions of blacks in Kentucky. Speaking to the charges of Senator Garrett, Sumner concluded, “Surely a state which has such laws needs a little reconstruction.” Congress easily passed The Third Reconstruction Act on July 19th, overriding the vetoes of President Andrew Johnson. Garrett Davis was one of four Senators who voted against the legislation, which gave supreme power to the Union generals overseeing reconstruction in the five military districts in the South. Kentucky remained exempt, but the words of Willard Davis brought national attention to the untenable conditions for blacks in the Commonwealth.

West to Kansas

Willard Davis continued to serve in Kentucky as a member of the State Republican Committee, and chair of the Seventh Congressional District. He and his wife Annie started a family of three: a daughter Clyde, and two sons, Levi Prewitt, and Willard, Jr.

In 1870, Davis moved his family to Neosho Falls, Kansas where he worked as an attorney for the Missouri, Kansas & Texas Railway Company. He reentered politics becoming the first mayor of Parsons and an attorney for Labette County. His career culminated with service as the Attorney General for the State of Kansas from 1877 to 1881. Davis was noted for his hard work, marked ability, distinguished integrity and “profound knowledge of human nature, drawn from the deep wells of ancient and modern literature and learning,” according to an 1880 article in the *Weekly Times*, Kansas City. “Fully determined and convinced of the right, his will is of iron mould.” (*Weekly Times*: August 19, 1880) After his second term, some political cronies encouraged Davis to campaign for the office of governor. But, Davis returned to his private law practice and mining operations in Colorado.

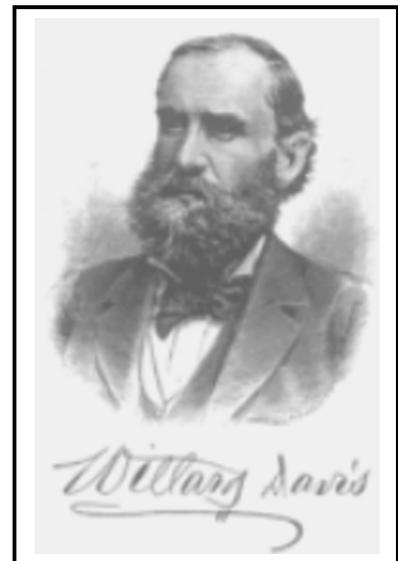


Figure 8: Sketch and signature of Willard Davis, ca 1880s. Courtesy, Kansas Historical Society.

Death and Burial



Figure 9: Burial plots of Davis family, Lexington Cemetery, 2012. The tombstone of William Willard Davis is second from right. Courtesy, KAS/KHC.

William Willard Davis died at the age of forty-seven in Topeka, Kansas on December 7, 1885. (*Capital* 1885; *Lexington Morning Transcript* 1885) The *Topeka Capital* published an extensive obituary on December 8 recounting how Davis died, "acute congestion of the brain," his contributions to Kansas and excerpts from the biography of Davis written by C. J. Ewing in 1880. The body of Willard Davis was returned to Lexington for funeral services at the Broadway Christian Church. He is buried in a family plot at The Lexington Cemetery, less than a mile from Davis Bottom - the community that bears his name.

Contributing scholars:

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Kathy Vockery, Researcher, Madison County Historical Society.

Heather Dollins, Intern, Kentucky Transportation Cabinet.

Gary Cox, Public Service Archivist, University Archives, University of Missouri.

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