

Kansas Magazine, June, 1909: pp. 52-53 by I.T. Martin

Lyda Conley Interview, 1909

Editor's Note: In 1906 some individuals decided to sell the Huron Cemetery, the burial ground for the Wyandots, located in downtown Kansas City, Kansas. They wanted to build businesses on the land or make it into a park. The U.S. Congress passed a law authorizing the Secretary of the Interior to sale the cemetery property. Three sisters, Lyda, Helena, and Ida Conley, who had ancestors buried in the cemetery vowed that the graves would not be desecrated and the cemetery not sold. They made signs, stating, "Trespassers Beware!" and placed them over the graves of their ancestors. They built a shed in the cemetery which became known as "Fort Conley." They armed themselves and took turns guarding the cemetery during the day and the night.

Lyda Conley, an attorney of Native American ancestry, brought a lawsuit before the U.S. District Court at Topeka, Kansas. Upon losing her case before that court she appealed the case to the U.S. Supreme Court where she argued her case before it.

LYDA CONLEY INTERVIEW

Miss Conley is now teaching telegraphy at a business college in Kansas City, Missouri, and is daily expecting word with regard to the case.¹

"I will go to Washington and personally defend it," she told me and when I, in my ignorance, asked her whether she was admitted to practice in the supreme court, this brave woman replied:

"No, but I am willing to take the examination, if I can find any one at the capital who will stand sponsor for me."²

"But," she continued, "you know one can plead his own case in any court, and this I intend to do. No lawyer could plead for the grave of my mother as I could, no lawyer could have the heart interest in the case that I have."

"Shall I win?" she asked, as a smile played over her features. "If I do not, then there is no cemetery in this land safe from sale, at the will of the government. The land was once deeded in perpetuity, by the government, as a burial place for the Wyandotte tribe; by common consent it has been used as such all these years, and congress overstepped its authority when it dared to pass a law to disturb those graves. If I lose, then I will admit that the constitution of the United States is as Greek to me."

Miss Conley has the pronounced features of her Indian ancestors, but her voice is low and well modulated and she could not, by any stretch of the imagination, be called a forward woman. Her eyes droop under the gaze of the questioner, her cheeks flush as the questions become too pointed, and an innate modesty asserts itself so eloquently, that one wonders how so timid a woman could stand the hardships of life in the cemetery, or bear up under the nervous strain that must accompany the thought of defying the national government. There are no nerves about Miss Conley, however. She is too complacent for that and is every inch the stoic; ready to die if need be, but not giving any time to needless worry on the subject.

"Was I afraid in that cemetery? Afraid of the dead? you ask," and her eyes and lips combined in an incredulous smile.

"Afraid of what? Afraid of my mother - or of my grandmother - that their spirits would harm me, when I was enduring those hardships for the security of their last resting place? Why should I be afraid - of the dead? I builded the hut close to the grave of my mother and I felt secure every moment of my stay in the grounds that may appear to you, gloomy, but sacred to me for their memories."

"Were you afraid of the troops³ from Leavenworth," I asked. "Did you tremble when you thought that they might, perchance, march down upon you, and in the name of the government, demand that you surrender."

"No, I was not afraid of the troops; I knew that was only a plan to scare me away from the place; I knew the constitution too well to be afraid of them." And again Miss Conley smiled and seemed to pity the nervous temperament suggested by the questions.

"But if the troops had come," she added, "it would not have made one bit of difference; they would never turn over one of those graves, until they had first taken life from me."

But just suppose, as they do in fairy tales," I urged, "just suppose that the troops had marched upon the cemetery and had drawn their guns upon you. What would you have done?"

"We had two large American flags in the shack," Miss Conley answered, while her features showed not the slightest trace of emotion, "and in the event of the troops putting in an appearance, we had decided to wrap the folds of the flag around us, and tell the boys in blue to shoot - for they would have to do that before they could disturb those graves.

"Why," said Miss Conley, "we were fighting for the grave of our mother," as she showed the first sign of excitement; "and what could any one do, in a case like that, but die rather than surrender?"

I studied the features of the Indian woman, but looked in vain for a sign. The stoic still held sway and grim determination was written upon every feature. Her fingers tapped the

keys of the telegraph instrument at her side, and every touch was clear, distinct, decided. I marveled at the nerve of the woman and wondered if the fate of the Wyandotte Cemetery would end in a tragedy and if so, whether the woman who so coolly touched the keys while she discussed the subject nearest her heart, would with equal coolness fire a volley into the luckless mortal who heeded not those rude signs over the graves of her ancestors: "Trespassers, Beware!"

"Greater love hath no man than this, that a man lay down his life for his friends."

The Conley sisters have sworn to defend those graves in the heart of Kansas City, with their lives, if need be; they have sworn to do murder if need be, to protect the sanctity of the last resting place of the tribe of their forefathers. That they will not be swerved from their path, is the verdict of all who know them; and thus it is that, as the spring time grows apace, residents of Kansas City are feverish with excitement in anticipation of the decision of the Supreme Court⁴ fearful that its full import will cause to be dyed crimson, the grass plots on the hill of Huron Place...⁵

Whether they win or lose the fight their courage cannot but be admired and the sentiment for which they are fighting will, at least, be reechoed in the heart of every woman in the land...

Meantime, "while we live," say the Conley sisters, "those bodies shall not be disturbed. After our death? Well then, what matter?"

NOTES

¹ Martin, I.T. "Living in a City of the Dead," *Kansas Magazine*, June 1909. Wichita, Ks. pp 52-53.

The Lyda Conley interview was part of this magazine article. The article gave brief background information on the proposed sale of the cemetery, the Conley sister's efforts to prohibit the sale, and the feelings of the community at this time.

Ms. Conley was interviewed in 1909 while her lawsuit was pending before the U.S. Supreme Court. The interview took place at a business college in Kansas City, Missouri where Ms. Conley was employed as an instructor.

² *Conley v. Ballinger*.

Ms. Conley did argue her case before the Supreme Court on January 14, 1910. The case name was *Conley v. Ballinger*.

³ Martin, I.T. "Living in a City of the Dead," *Kansas Magazine*, June 1909. Wichita, Ks. p 51.

Threats were made to bring federal troops from Fort Leavenworth, Kansas to remove the sisters from the cemetery.

⁴ *Conley v. Ballinger Decision*, January 31, 1910.

Chief Justice Oliver Wendell Holmes, delivered the Supreme Court's opinion for *Conley v. Ballinger*.

⁵ Connelley, William E. *Huron Place*, 1896. Reprinted by City of Kansas City, Kansas, 1991. p 3.

In the Foreward to the revision of this book, Larry Hancks described the area known as Huron Place: "When the town of Wyandott was platted in May, 1857 the plat included the cemetery with the boundaries established by the allotment survey, and further made the cemetery one part of a larger block or town square called Huron Place. The northwest corner of Huron Place, cut off from the remainder of the square by the cemetery, was already occupied by the Wyandots' Methodist Episcopal Church, South."
