



A Bur Oak tree Sprout EPA 7830

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Topeka, Kansas, August 2010

The Kansas Wildlife and Parks Department has received a gift of 93 Acres of farm land from James E. and Carolyn J. Fitzgerald, Elizabeth Ann Fitzgerald Petersen, and Eleanor Sue Fitzgerald Vance. This was part of the land of the late Taylor L. Fitzgerald farm. The gift of the land is to be used as a memorial to their parents, Leslie T. and Lydia B. Fitzgerald. The name of the area is to be called "Leslie T. and Lydia B. Fitzgerald Wildlife Area". This will be a wildlife area with controlled hunting and fishing for Youth, visits by the general public, and hiking. There will be foot traffic only, no horses, Bikes, ATV's or other vehicles allowed off maintained roads and parking areas. There will be limited development.

This land before 1848 was part of the Kanza Indian Reservation. What was left of the Kanza Indians in this area was moved before 1848 to a small Reservation near Council Grove. Part of this land was then given to the Pottawatomie Indians as their new Reservation in early 1848. This farm land was part of their Reservation land located south of the Kansas River with an east line along McAlister Street in west Topeka and north of SW 45th Street on west in Wabaunsee County. This Fitzgerald land was given to a Pottawatomie Indian, Frank Darling, by Patent authorized by a Treaty in 1861 between the Commissioner on the part of the United States and the Chiefs, Braves and Headmen of the Pottawatomie Nation of Indians. He took possession on February 13, 1867. He lived at Plowboy and received two other pieces of property, all by Patent. Included was the land at Plowboy and the Capital City Gun Club land. He sold all of his land by the last of 1870, 280 acres. The land left, after all the Indians on record received their allotments, was sold to the A T & S F R R by Patent at one dollar an acre.

The first interest in this farm was in 1870 & 1871 when Z. T. Fitzgerald's older half brother worked on this farm. Part of his job was setting out Osage Orange sprouts on all the property lines and a few cross fences. This work led to his brother's marriage to the owner's oldest daughter, Mary, in 1871. The farmer, Margaret Linville, was a widow with a son and four daughters. Z. T. Fitzgerald purchased this farm in 1882 and 1883. He purchased an adjoining 80 acres of railroad land from what was believed to be a land speculator, that lived in New York, in 1884. The final purchase was made in 1911 when he purchased 160 acres across the road to the north, including Plowboy, bringing the farm up to approximately 398 acres.

This Wildlife Area is located on the north side of I-70 approximately 3\8 mile east of NW West Union Road in Western Shawnee County and is approximately 13 miles west of 6th & Kansas in Topeka as the crow flies. Access to this site is to go north from I-70 on NW West Union Road 1\2 mile, turn east on NW 4th Street and go about 3\4 mile to the east line of the Wildlife Area opposite the entrance to the Capital City Gun Club. The Wildlife Area is on the south side of NW 4th Street. There is no place to stop and ask for directions along NW 4th street. No trespassing without permission is allowed on the land north of NW 4th Street between NW West Union Road and the entrance to the Capital City Gun Club entrance road, a distance of 3\4



mile.

The Oregon-California Trail crossed this farm from east to west in the middle 1800's. There are two sections of the trail ruts available to walk on. One is in the timber south of the proposed new parking area east of Vassar Creek and the other is at the west edge of the plowed bottom field west of Vassar Creek and in line with the other section. This last section has trees on both sides like a lane. There was believed to be three O-C Trail crossings of Vassar Creek on this section of the trail that went west on the south side of the Kansas River west of Topeka. The creek was the choke point on the trail and as soon as the traveler left the choke point the trail spread out again to a width of about 1\4 mile in this area as shown by the ruts left in the pastures. The south and main trail crossed Vassar Creek about 700 feet south of NW 4th Street. The next crossing was about 1\4 mile farther north and was at Plowboy. The third crossing of Vassar Creek was downstream, location unknown, and was made by a few travelers that were in a hurry or were afraid they would miss the ferry crossing on the Kansas River. They followed close to the Kansas River. This was a more difficult route to travel due to high hills and deep valleys and with more water in the creeks and draws they had to cross. Vassar Creek at the time of the Oregon-California Trail was very crooked and probably flooded quite often. The straightening process started in 1913 and by 1932 it was just about three feet wide in the new channel. The bulldozer was used in 1946 to remove more crooks in the channel and now the water travels downstream freely and it does not flood so often in the bottom fields. There are quite a few O-C Trail ruts in the pastures and hay meadows in the area of the O-C Trail. Some are prominent and many others are rather dim. The best time to see the dim ones is in the month of December. The Sun needs to be shining and the time to look is from about one and one half hours before sunset to no later than one half hour before sunset. The ruts will show up and disappear in a short time.

There is a beautiful old Bur Oak tree located just south of the O-C Trail ruts on the east edge of the plowed field west of Vassar Creek. It appears to be in good health and is estimated to have been sprouted in ERA 1830. It is located about 150 feet south of the O-C Trail ruts and would have been near all of the O-C Trail traffic that used this creek crossing. Here is a wonderful place to take pictures in the afternoon as the sun would be just right for this tree. We believe it would be appropriate to give this tree a name after an important Kanza Indian. This tree is now called O-C Trail Tree No. 1, and can be seen from I-70 during the dormant season. The Fitzgerald farm had four of these old Bur Oak trees all about the same age. Bur Oak Tree No. 2 is located on the north side of NW 4th Street. It is located a good block west of the west edge of this Wildlife Area. Just remember it is located about a hundred feet west of a mailbox placed on the south side of the road. There were guided trips to this tree in the past. Since Bur Oak Tree No. 1 is included in the land given to the Kansas Wildlife & Parks Department for Public visits we have stopped tours to Bur Oak Tree No. 2. John C. Fremont is believed to have passed by in sight of Bur Oak Trees No. 1 & No. 2 during his fourth West Exploring Expedition in October, 1848. We believe it would be appropriate to give his name to Bur Oak Tree No. 2. It is



hard to get a good picture of this tree as room is not available and there is too much clutter of other trees. There is a good view rather close of this tree from the road. Bur Oak Tree No. 2 has a large odd looking knot on a limb going NW about 25 feet up. Bur Oak Trees No. 3 & 4 are located near 1200 feet to the north and are not O-C Trail trees. Bur Oak Tree No. 4 has had wind damage while Bur Oak Tree No. 1 escaped damage from a tornado in 1917.

There is an old Kanza Indian Campground just across Vassar Creek to the east on a high ridge from Bur Oak Tree No 1. In about 1960, a three foot firepot was found on this site. This Campground was apparently used as a place to manufacture flint objects as we found many small pieces of pink and other colors of flint when we were youth in the 1930's. We do have a few Indian Artifacts found on the Fitzgerald Farm. To the north of this Campground is found a Paw Paw patch. A person will find a few Buckeye trees close by. Vassar Creek was named after Peter Vassar, who lived in a dugout at Plowboy in early days. Vassar Creek has a loose rock bottom in the area of the Bur Oak tree and at a few other places on the Wildlife Area. In the rock area the water is normally 3 to 6 inches deep. I try to walk across the creek on the rocks.

My wife and I belong to the Oregon-California Trails Association, P. O. Box 1019, 524 S. Osage St., Independence, Mo 64051-0519. We have an interest in the promotion of the O-C Trails Association and believe the Fitzgerald Wildlife Area will help preserve some of the old O-C Trail ruts, the old Bur Oak Tree No. 1, and the Kanza Indian Campground, for people to see as they desire. The Kansas Wildlife and Parks Department will manage this Wildlife Area using their own professional help with an interest in wildlife and the natural environment of the area.

The Fitzgerald Wildlife Area is a wonderful place to hike. The wooded area is old growth timber and a person will see quite a number Redbud and Black Walnut trees. A walk through the timber is worth the trip. A hiker should have a camera and don't forget the two concrete bridges, one at each end of the Area. Vassar Creek drains water from quite a few pastures and the bottom has very few muddy places. The hike should be classified as Class III, and boots should be worn as the creek would need to be crossed two times unless a person just wanted to visit the Bur Oak tree on the west side of Vassar Creek. There was a large family, John Miller, that lived in the first house to the east of this Wildlife Area during the late 1880's to about 1910. The Miller children walked back and forth to the West Union Schoolhouse on West Union Road by following these O-C Trail ruts across the valley. A person walking in this Wildlife Area, if they walk in they will have to walk out. There is no outlet next to I-70. The distance traveled would be a half mile one way in and another half mile out. To see every site they would have to go all the way in. I recommend this. There are no large fish in Vassar Creek. I have used it every year to catch my Kansas River bait so I know what it contains. The only channel catfish found here are fish about 5 inches long found during the ripe Mulberry season when they love to eat mulberries. There are many small bluegill, a few bullheads, and many suckers. There are a few water holes about three feet deep generally at a bend in the creek. The fish are easy to catch most of the time, sometimes on top of the water, sometimes on the bottom, and at other times



there needs to be a disturbance in the water. There also are times when the fish will not bite at all. To make it simple I fished most of the time just south of the north bridge a few feet by some rocks.

There was for many years a West Union Neighborhood Picnic in August near the south end of this Wildlife Area by Vassar Creek just north of the I-70 bridge. The Kansas Highway Department rebuilt Highway 10 in 1935 and purchased 10 Acres including the area where the picnic was held. This was a beautiful place and they intended to build a roadside park on this land. The park was never built and the Kansas Wildlife and Parks Department should be able to obtain this 10 acres and include it in this Wildlife Area.

During the last few years I have guided tours to show the O-C Trail ruts, Bur Oak Tree No. 2, and sometimes Plowboy to school children. I believe the main use for the Fitzgerald Wildlife Area will be by school children on an organized trip. I know the children enjoy to get out in the country even if it is just walking in a pasture. I recommend the interested schools have their own trained voluntary tour guides. These guides can save a lot of time during the trip and will know when and where to go and where to take the pictures.

It will take the Kansas Wildlife and Parks Department a while to get this Wildlife Area ready for visitors. They will have trained specialists check the Area over and they will probably find more points of interest. They will also lay out marked trails. The best time to visit is during the dormant season, late November, depending on when the tree leaves fall off, to about the middle of April.

James E. Fitzgerald