

## Chapter 219 - The Free State Party Wins Official Control Over The Kansas Legislature

Time: Fall 1857

### Another Legislature Election Approaches In Kansas

By the Summer of 1857, James Buchanan is already finding that his first year in office is not proceeding as he expected.

His confidence that the March 1857 *Dred Scott* ruling would end the turmoil over slavery soon erodes in the face of criticism that rages across the North and West. At the end of June he declares that the Mormons who control Utah Territory are operating in rebellion against the federal government. Then, only two months later, on August 24, the default by the Ohio Life Insurance Company triggers a nationwide financial panic.

Finally there is the ongoing struggle over slavery in what the public and the newspapers are already referring to as “Bloody Kansas.”

One week after he is inaugurated, the President loses the stabilizing influence of Kansas Governor John Geary, who resigns on March 12, 1857.

This prompts the renegade Free State legislature at Topeka to convene again, after being shut down eight months ago by Colonel Edwin Sumner.

Buchanan now pins his hopes on his new Governor, Robert Walker, to insure that the pro-slavery forces come out on top in the territory.

Two tests of this are on the horizon.

The first involves selection of delegates to write a state constitution.

The second, when Kansans go to the polls to elect members of their official Territorial legislature.

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Time: October 5, 1857

## **Governor Walker Voids A Fraudulent Vote And Declares The Free Start Party The Winner**

Robert Walker wants to do Buchanan’s bidding, but the longer he is in Kansas, the more uncomfortable he becomes with the tactics used by the pro-slavery forces in tampering with elections. Although he is an ex-Senator from Mississippi and a slave owner himself, he is also a former U.S. District Court judge and one dedicated to the rule of law. (He will even stay with the Union when the war comes.)



From the beginning, Walker promises to hold fair elections, both for the “official” legislature and for the state constitution. He asks the Free-Staters to shut down their rump government in Topeka and stop boycotting all future elections, for their own good and for Kansas and the nation as a whole.

At first the Free State Party ignores Walker. It boycotts mid-June elections to select delegates to the Constitutional Convention to be held at Lecompton in September – thus guaranteeing a pro-slavery document. It also continues to hold its own legislative sessions, which leads Walker to declare the city of Lawrence “in rebellion” on July 15, 1857.

A Kansas Couple, From Manhattanville

But then, suddenly, the Free-Staters adjust their strategy!

Instead of focusing on their separate government in Topeka, they decide to compete for seats in the election for the “official” Kansas Legislature. This catches the Pro-Slavers by surprise, and when the polls open on October 5, 1857 they are left without their strong-arm bands in place to control the outcome. All that’s left to them is a last second and obvious attempt to steal the election by stuffing the ballot boxes in several districts they control.

The blatancy of their actions pushes Walker over the edge.

When he reviews the initial vote counts it is obvious that in two Districts the number of ballots reportedly cast for the Democratic Party bears no resemblance to the number of actual residents. Walker’s reaction is courageous: in Johnson County he throws out some 1400 Democratic votes and in McGhee County he invalidates 1200 more.

The result is a solid 2:1 vote victory for the Free-State Party – which will put them in control of the next “official” Kansas Legislature and greatly diminish the power of the Pro-Slavery Democrats.

**Kansas Legislature Voting Before & After Walker’s Revisions (October 5, 1857)**

<b>Territorial Districts</b>	<b>Democrats - Original</b>	<b>Democrats – Adjusted</b>	<b>Free Party – Original</b>	<b>Free Party – Adjusted</b>
<b>Johnson County</b>	1,604	212	33	96
<b>McGhee City</b>	1,202	----	24	----
<b>Leavenworth</b>	1,370	1,297	1,038	1,046
<b>Douglas</b>	187	187	1,638	1,638
<b>Shawnee</b>	61	61	749	749
<b>Doniphan</b>	497	497	574	574
<b>Lykins</b>	59	59	348	348
<b>Franklin</b>	10	10	345	345
<b>Anderson</b>	2	2	261	261
<b>All Others</b>	1,474	1,465	2,871	2,831
<b>Total (30)</b>	6,466	3,790	7,887	7,888