


Chapter 256 – Kansas Voters Reject The Lecompton Constitution

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Date: December 21, 1857 – January 4, 1858

The Voting Doods The Pro-Slavery Cause



James Denver (1817-1892)

The time has now arrived for the people of Kansas to vote on the Lecompton Constitution.

Three such votes will be taken on the measure, the first on December 21, 1857, the other two on January 4, 1858.

On the day of the first vote, Robert Walker’s replacement takes over as Governor. He is James Denver, a Virginian by birth, who moves to Ohio, graduates from the University of Cincinnati law school and opens a practice in Platt City, Missouri. After serving under Winfield Scott in Mexico, he settles in California, kills a man in a duel, and enters politics. He serves one term in the U.S. House before Buchanan appoints him Commissioner of Indian Affairs on April 17, 1857.

Denver knows the territory well from his prior residence in Missouri. Upon his arrival, he encourages all Kansans to turn out on December 21 to vote on the Pro-Slavers carefully contrived proposition – “to support the Constitution with Slavery or without it.”

When the Free Staters refuse to take this bait, the Pro-Slavery forces prevail again by stuffing the ballot boxes.

1st Vote On Kansas Constitution: December 21, 1857*

	With Slavery	Without Slavery
Lecompton Constitution	6,134	569

* Fraudulent Counts

But their victory is short-lived.

Two weeks later, on January 4, 1858, a second election is held to choose the top state officers who would serve under the Lecompton Constitution.

This time the Free Staters show up at the polls in overwhelming numbers, catching the Pro-Slavers off guard and leading to the president of the Lecompton Convention, John Calhoun, fleeing the state with the ballots in hand. An official election count is never issued, but Governor Denver informs Buchanan sometime in February 1858 that the Free State candidates certainly won by a large margin.

The other vote on January 4, 1858 is even more fatal to the Pro-Slavery forces and to the President.

For the first time it follows the letter of the law on popular sovereignty by placing the full Lecompton Constitution in front of the legal residents of the state. The result is an overwhelming rejection of the document and of slavery.

2nd Vote On Kansas Constitution: January 4, 1858

	Reject	Accept
Lecompton Constitution In Full	10,266	162

Frequent “acting governor” Frederick Stanton, dismissed along with Robert Walker, expresses his satisfaction with the outcomes.

My head will not have fallen in vain and your quondam friend, Old Buck, is welcome to all the glory he may have acquired by sacrificing me to appease the Southern nullifiers.

Meanwhile Governor Denver’s comments already mirror the frustrations of his predecessors when it comes to peacefully resolving the conflicts.

Confound the place, it seems to have been cursed of God and man. Providence gave them no crops last year, scarcely, and now it requires all the powers conferred on me by the President to prevent them from cutting each others throats.

The Free State Party has now solidified its position in Kansas. Its victory back on October 5, 1857 has given it control over the “official” legislature in the state. On January 4, 1858 it elects its own “official” ticket of state officers, and also demonstrates that the majority of Kansans reject the proposed Lecompton Constitution when a fair vote is held.

These successes convince the leaders to abandon their “separate legislative operation” in Topeka, thus depriving Buchanan of his charge that they are trying to impose a “revolutionary and illegitimate” government on the state.

In effect this sounds the death knell for the President’s pro-slavery agenda in Kansas, even though he will doggedly pursue it in Washington over the next year.