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# Bleeding Kansas

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Bleeding Kansas was a violent clash over slavery in a place that had few slaves. From the passage of the Kansas-Nebraska Act, the settlement of Kansas Territory had less to do with whether slavery was viable economically in that locale than with the balance of political power between the North and the South, between free labor and slave labor systems. People in both sections convinced themselves that far more was at stake than mere power. They believed that the fate of liberty for the nation and of the honor of their section was under attack. These convictions made resolution of the conflict more difficult and raised the importance of Bleeding Kansas until it became a national crisis.

Until 1854, the region that became Kansas Territory was off limits to slavery. The prohibition had been put in place as part of the Missouri compromise in 1820. As western settlement pressed against the boundary of the region, however, both Iowans and Missourians wished to see the territory opened to their people. A number of territorial bills had failed in Congress, however, and the northern part of the Louisiana Purchase remained unorganized.

Senator Stephen A. Douglas of Illinois, chairman of the Senate's committee on territories, took up the matter in the winter of 1853-54. Without the support of Southerners in Congress, however, an organization bill would likely fail. Southerners had no interest in organizing free territory that would enter the Union as free states, shifting the political balance of Congress and the Union further against their section.

In early 1854, Douglas re-crafted his bill to organize the region west of Missouri and Iowa. Now called the Nebraska-Kansas Act,[1] the legislation created two territories and removed the Missouri Compromise prohibition on slavery. Instead, the territories were organized under the principle of popular sovereignty, the right of the settlers to determine whether to have slavery. Douglas claimed that popular sovereignty had been used with the Mexican Cession in the Compromise of 1850 and was thus not an innovation. This was disingenuous. The Kansas-Nebraska bill repealed the congressional prohibition that had existed since 1820 and thus opened new territory to slavery. It was generally believed that the territory was divided in the expectation that Kansas, across the

[1] Nebraskans know that this is the legislation's correct name. But the prominence of Kansas in the years that followed caused the law to become popularly known as the Kansas-Nebraska Act, the usage historians follow.

river from slave-state Missouri, would become slave while Nebraska, bordering free-state Iowa, would be free. Most southerners embraced the legislation. Georgia congressman Alexander H. Stephens was uncertain as to whether opening Kansas to slavery would result in any practical gain for the South but he felt the legislation's passage was a "moral victory" for his section. Many Northerners were horrified. Some compared Douglas to Judas, arguing that he had made this bargain with the South in return for support for his presidential ambitions. A group of so-called Independent Democrats issued an "Appeal" in which they elevated the Missouri Compromise to a sacred pledge to keep Kansas free and condemned the bill for threatening to make the territory into "a dreary region of despotism, inhabited by masters and slaves." Senator William Henry Seward of New York, as efforts to block the bill's passage failed, called on Northerners "to engage in competition for the virgin soil of Kansas, and God give the victory to the side which is stronger in numbers as it is in right."[2]

Missourians certainly expected that they had the numbers to populate Kansas. They were horrified, however, by an organized movement that took the name of the New England Emigration Aid Company. Organized in Massachusetts, NEEAC provided help to New Englanders with arranging their journeys west. Antislavery New Englanders composed songs celebrating this emigration, which asserted that these modern pilgrims crossed the prairie "To make the West as they the East, The homestead of the free!" But emigrants from the New England states never totaled more than four percent of Kansas Territory's population. Instead, a large migration came from the Midwest. These Midwesterners, like many of the New Englanders, sought a good farm in the territory - and they did not care to compete with slave labor or have African Americans as neighbors.[3]

The territorial election in March 1855 forced the New Englanders and Midwesterners into an uneasy alliance. A census of Kansas Territory the previous month had shown there were 2,905 eligible voters. But proslavery candidates for the territorial legislature won seats with majorities of five or six thousand votes. Missourians had crossed the river in large numbers and voted throughout the territories. More than that, they had intimidated free-soil emigrants into staying away from the polls. The Missourians probably engaged in the kind of election fraud - rowdyism, drunkenness, intimidation of other voters, lack of proper residency qualifications - common on the nineteenth-century frontier. But the scale on which they did it, and the fact that the nation's attention was fixed on popular sovereignty's performance, outraged the North.

Midwesterners, who shared Missourians' dislike of New Englanders, now joined with the easterners in a political movement called the Free State party. The Free Staters wrote a constitution for a state of Kansas (called the Topeka constitution after the city where the Free Staters met), elected officials for their "state," and applied for admission

[2] New York *Times*, May 27, 1854

[3] John Greenleaf Whittier, *The Complete Poetical works of John Greenleaf Whittier* Boston & New York, Houghton, Mifflin & Company, 1894), 391-92.

to the Union. Charles Robinson, a former NEEAC agent whom the Free Staters elected "governor" under the Topeka constitution, summarized the Free Staters' grievances in a July Fourth oration in 1855. Praising the superiority of the free labor system that had made the North prosperous, Robinson protested that the fraudulent voting at territorial elections forced northern migrants not only to have "black slavery . . . planted in our midst, and against our wishes, but we must become slaves *ourselves.*"[4]

Robinson articulated beliefs becoming common in the North. The new Republican Party, which had formed out of reaction to the Kansas-Nebraska Act, argued the superiority of a free labor economy and the threat of a Slave Power that strove to secure the territories for slavery's expansion. In its efforts, as Robinson emphasized, the Slave Power not only spread slavery but suppressed the rights of its opponents, free white men. While Republicans championed Kansas's admission under the Topeka constitution, Democrats repudiated the free-state movement as revolutionary. Kansas had, after 1855, two governments: a proslavery, territorial government recognized by the federal government, and an extra-legal free-state government that nonetheless had the popular support of a growing number of Northerners.

This was a recipe for conflict and the first clash came in the winter of 1855. A settler from Missouri murdered a settler from Ohio in a land dispute. The killer fled back to Missouri, but the murdered man's friends burned houses and threatened southern settlers. Sheriff Samuel Jones, a Missourian, arrested Jacob Branson who had lived with the murder victim. A party of men from the nearby New England settlement of Lawrence intercepted the sheriff's posse, rescued Branson, and took him into Lawrence. Sheriff Jones called for help and soon territorial militia, consisting of an influx of Missourians, surrounded the town. The standoff came to be called the Wakarusa War after the river where the militia camped. Over the next couple of weeks, Missouri forces blockaded Lawrence. Settlers inside town formed their own military units, built defenses, and drilled. Two Lawrence women, Lois Brown and Margaret Wood, smuggled munitions into the town by concealing them under their petticoats. Free-state settler Thomas Barber, however, was fired on by Missourians when trying to leave the town to return to his farm. Barber died, becoming a martyr to the free-state cause. Territorial governor Wilson Shannon had already been growing alarmed by the militia's growing unruliness. He now arranged a settlement whereby the Free Staters in Lawrence acknowledged obedience to the law. Shannon ordered the militia to disband, and freezing in a December cold snap, the Missourians were glad to obey.

The conflict returned with the spring thaw. In May 1856, Sheriff Jones came back to Lawrence determined to arrest the men who had liberated Jacob Branson. He did not find them and he was shot while in his camp outside town. When he dismissed his posse, they turned into a mob, destroying the town's hotel and newspaper (deemed an abolition rag by Missourians). Although no one was killed except one of the Missourians who was struck by a falling piece of masonry, the Republican press dubbed the event "The Sack of

[4] Lawrence *Herald of Freedom*, July 7, 1855.

Lawrence" and used it to demonstrate the disorder into which the territory was falling under the Democratic Party's policy of popular sovereignty.

In southeastern Kansas, near Pottawatomie Creek, a New England settler named John Brown was en route to defend Lawrence. When his party heard of the attack, Brown took some of his sons, his son-in-law and another man out along the creek. They went to the cabins of proslavery men, killing five men in the middle of the night. The Sack of Lawrence and the Pottawatomie Massacre spurred the guerrilla warfare of Bleeding Kansas. Wilson Shannon had left the territory, leaving it in the hands of a proslavery territorial secretary who had Charles Robinson and other free-state leaders arrested. Guerrilla bands, proslavery and free-state, roamed the territory, burning out settlers and fighting small skirmishes at Black Jack, Titus's Fort, and Osawatomie (where one of John Brown's sons was killed).

The number killed in the fighting was small, but Republican newspapers in the east highlighted the conflict in the territory. 1856 was also a presidential election year. By September, the administration appointed a new governor, John Geary, a loyal Democrat, veteran of the war with Mexico, and Gold Rush mayor of San Francisco. Rather than simply rewarding a party hack, as had been the case in the appointment of the incompetent Shannon, Pierce selected a tough man who knew his mission was to suppress the fighting so that a Democrat could win the presidency. Geary did what was asked. He reassured army officers of his impartiality and ordered them to disband or arrest any armed parties in the territory. At Hickory Point, Free Staters under James H. Lane had besieged a party of Missourians. Lane and some of his forces dispersed after receiving the territorial governor's order; those who did not disperse were arrested. Geary's tough actions drove many guerrillas out of Kansas. John Brown left to begin preparing a slave insurrection in Virginia; proslavery guerrilla Henry Titus joined filibusterers in Nicaragua. Charles Robinson was brought to trial for usurping office and acquitted because the jury could not see how he could be usurping an office, governor of the *state* of Kansas, which did not exist.

Geary brought order to Kansas in time for the Democrats to win the presidential election. James Buchanan, a career diplomat, defeated the first Republican presidential nominee John C. Frémont. Buchanan won by taking the South and certain crucial northern states such as Pennsylvania (his home state), Indiana, and Illinois. Astute Republicans would target those states in 1860, including nominating Abraham Lincoln, a resident of Illinois who had lived in Indiana as a boy. Buchanan's chief claim to office was having been absent as U.S. minister to Great Britain during the passage of the Kansas-Nebraska Act. Ominously, although the Democratic Party remained pledged to popular sovereignty, their most viable candidate was someone who had had nothing to do with a policy that, as president, he would have to see implemented in Kansas Territory. Governor Geary himself realized that he had not resolved the underlying tension in Kansas: the existence of two competing governments that did not recognize the other's legitimacy.

The new president appointed a new territorial governor, his old friend Robert Walker of Mississippi. By that time, the proslavery territorial legislature had begun the process of applying for statehood. They had held elections for delegates to a constitutional convention at the territorial capital of Lecompton. Free Staters boycotted this election on the grounds that the apportionment of delegates was unfair to them. The convention that met at Lecompton in the summer of 1857 was decidedly proslavery. Walker nonetheless insisted that the free-state men would have a say in the constitution by being able to ratify it. He claimed to have the president's backing for submitting the constitution to territorial voters. Meanwhile there were elections for a new territorial legislature. This time the Free Staters participated and, after territorial officials threw out egregiously fraudulent ballots, gained control of the legislature. Faced with the threat that the Free Staters would take control of the territory but under pressure from Buchanan administration officials to submit their constitution for popular ratification, the delegates at Lecompton designed a controversial ratification formula. Voters would not be allowed to entirely reject the Lecompton constitution. Instead they would vote on Lecompton "with" or "without" slavery. The former meant Lecompton would be a slave state. The latter meant that there could be no future slave importations into the territory.

Free Staters and their northern supporters rejected the ratification formula as offering no real choice. They boycotted the ratification election and Lecompton "with" slavery overwhelmingly prevailed. The territorial legislature then submitted the Lecompton constitution to Congress and asked that Kansas be admitted as a slave state. Governor Walker agreed with the Free Staters that Lecompton was illegitimate. Senator Douglas, the author of the Kansas-Nebraska bill, pronounced that Lecompton was not popular sovereignty. Both pled with the president to reject it. But Southerners also pled with Buchanan, or rather threatened him with secession. Proslavery men argued that Kansas had followed legal processes in producing the Lecompton constitution and that for Congress to reject it would indicate an intolerable "subserviency" of the South to the North. Buchanan chose to side with the South. He pronounced that Lecompton was "lawful" and lobbied hard for the constitution's passage, using threats, pleading, and bribery to pressure congressmen for their votes.

Despite the president's efforts, enough northern Democrats followed Douglas and refused to support Lecompton that the constitution was in danger of failing. To spare the president such an embarrassment, House Democrats crafted a compromise named after Indiana congressman William English. The English compromise was based on a discrepancy in the allotment of land the new state would receive if admitted under the Lecompton constitution. Supposedly this discrepancy required returning the constitution to the territory for another vote. Basing this vote on the land allotment allowed a face-saving way to provide the Free Staters with another chance to defeat Lecompton while appeasing Southerners by denying that it had anything to do with slavery. In August 1858, Kansas voters rejected Lecompton with only fourteen percent voting in favor of the constitution.

With Lecompton defeated and the territorial legislature in the hands of Free Staters, Kansas's future seemed assured. Nonetheless, violence had not disappeared. In southern Kansas, Bleeding Kansas had left deep animosities. A free-state guerrilla, James Montgomery, continued to operate, occasionally raiding the proslavery settlement of Fort Scott. In May 1858, Charles Hamilton, an emigrant from Georgia, and his men rounded up a group of free-state men and shot them down on the Marais des Cygnes River. Five died. John Brown had been raising men and money, ostensibly for the free-state cause, but as he eventually revealed to his most important supporters, to start a slave insurrection in the South. In October 1859, Brown and his band attacked the arsenal at Harpers Ferry, Virginia. Surrounded by militia and then federal marines, with most of his men dead, wounded or fled, Brown was taken prisoner and tried in Virginia for treason. Convicted, he was hanged within six weeks. Nonetheless, he became a hero to many Northerners, further alienating white Southerners who considered him not only a murderer but the incarnation of their long feared abolitionist conspiracy. Just as Northerners envisioned a Slave Power, Southerners feared that abolitionists hoped to turn their slaves against them and strip the South of its constitutional rights to slavery. Free-state resistance to the territorial government had strengthened white Southerners' belief in such an abolitionist conspiracy and the former free-state guerrilla Brown's raid in Virginia confirmed their fears that such a conspiracy had widespread northern support.

Kansas no longer bled, but the after effect of its civil war still troubled the nation. The Republican Party had grown because of the failures of Democrats' territorial policy. Abraham Lincoln, an Illinois lawyer, returned to politics because he disagreed so vehemently with popular sovereignty. Lincoln became the Republican presidential nominee in 1860. White Southerners, feeling cheated by the defeat of Lecompton and horrified at the prospect of bloody insurrection raised by the Harpers Ferry raid, heard only that Lincoln agreed with Brown in thinking slavery wrong, not that Lincoln rejected Brown's use of violence. Lincoln's election in 1860 led to the lower South seceding from the Union. Meanwhile, Free Staters in Kansas had submitted yet another constitution to Congress, the Wyandotte Constitution. While southern senators and congressmen were resigning their seats, Congress finally admitted Kansas as a free state in January 1861.

Bleeding Kansas was over, but the national Civil War was just about to begin.

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