

(Written for the Rockford Gazette)  
REMINISCENCES OF

GOV. ROBERT J. WALKER,

With an Outline History of the  
LECOMPTON CONSTITUTION.

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Chapter XIII.

THE ELECTION AND FICTITIOUS RETURNS.

We have now reached the most important epoch in Kansas history, and one the future historian will find full of thrilling incidents, for on it hinges the destiny of an institution whose beginning antedates the oldest human records—whose end in Republican America, and, by reflex action, throughout the civilized world—though effaced with an ocean of blood, is clearly tracable to that period when the Free State party triumphed at the polls at the October election of 1857, obtained control of the law-making power, and wielded it for freedom against their oppressors. Not that our victory was complete, for we shall observe, before closing these chapters, as soon as one danger was removed, we were beset by another, and still another, until the hopes of many failed them.

The Grasshopper Falls convention united the antagonistic elements of the Free State party, the conservative element of it very generally subordinating their claims to the public offices to the more radical wing, to the end that there should be no cause for further division.

The pro-slavery party seemed inactive. No fears were entertained of a general invasion from Missouri; that if attempted at all, it would be limited to the polling precincts on the border, through which they would secure further control of the legislative power. It was believed that they were so confident of being admitted into the Union under the constitution, then in the progress of formation, that they would not care to incur the trouble and expense of electing a Territorial Legislature. Each party, however, entered the canvass with a full ticket.

Gov. Walker, on the 16th of September, published a letter, in the nature of a proclamation to the people, occupying seven full columns closely set, in the *Herald of Freedom*, in which he reviewed the law governing the election. In closing he declared, in substance, which we somewhat abridge:

"However solicitous I may be about the result of the pending election, or anxious, those views of public policy which I have entertained and expressed from my youth up, especially as regards the EQUILIBRIUM of our government, should triumph in October, yet I cannot and will not do any act, or countenance or sustain any, the effect of which would deprive the people of Kansas of any rights secured to them by the federal compact, the organic act, or the laws of the Territory."

The Governor stated in this letter that the troops at his command would be placed in the neighborhoods of election precincts where violence or outrage on the ballot-box was apprehended, on the request of either party, "not for the purpose of overawing the people, or of interfering in any way with the elections, but, by their mere presence, guarding the polls against attempts at insurrection or violence."

The election was held on Monday, October 5th. The day was wet and cheerless, while previous protracted rains had made the mud deep and the traveling difficult. The polls were few, and the people, other than residents of towns, had to make long journeys to exercise the right of suffrage. Besides, it was at the season of the year when there was much sickness in the Territory. From these and other causes, it was estimated that one-fourth of the Free State vote was lost; nevertheless, as the returns arrived from distant points, it was evident the Free State candidates were elected by handsome majorities.

While we were triumphing over the result news arrived, first, that 500 votes were polled at the pro-slavery town of Klekapoo, on the Missouri river, opposite Weston, Mo., by which the Leavenworth district, with its eight members in the House and three in the Council were given to the pro-slavery party. It was well known that this vote was almost wholly fraudulent or simulated; but the next question was how to controvert it.

Then came a report that Oxford, an insignificant point, directly across the Territorial line from Little Santa Fe, Mo., without half a dozen legal voters, had returned 1,020 votes. This precinct was attached to the Lawrence district, and these simulated votes, if counted, would overcome the heavy Free State vote, and give eight more pro-slavery members to the House and three to the Council, united with the Leavenworth district and the Legislature would be again in the hands of the enemies of freedom.

And then from McCle county there were returns of some 1,200 votes, while there was not a legal voter in the county, it being Indian territory, and not open to settlement, "exempted out of and forming no part of the Territory of Kansas," by express provision of the organic act. If these simulated returns were counted by the Governor and Secretary, not only would the Legislative Assembly remain in pro-slavery hands, but so would the delegate to Congress, and most of the county officers.

The excitement of the people became almost violent. To add to its intensity—as it was well known Gov. Walker was

at Fort Leavenworth at the time of the election—it was reported he was appealed to on the day of election, and decided that soldiers stationed at the Fort had a legal right to vote, and, in consequence they had exercised the franchise and swelled the opposition.

The Free State military organizations were aroused into activity; a small party of armed men set out for Oxford to make observations, and learn the facts which transpired at that precinct, and the names of the scoundrels who were the perpetrators of the fraud. Threats of assassination of the Territorial officers were rife, and those who had been the most earnest in supporting the voting policy were the most earnest in their determination to thwart the outrage by fair means or foul.

The writer was waited upon by a committee of three prominent gentlemen of Lawrence, and requested to visit Lecompton, see the Governor, present the condition of affairs to him, and induce him, if possible, to reject those fictitious returns. It was urged that it was through the instrumentality of the *Herald of Freedom* the people had participated in the election; that reposing confidence in Gov. Walker's pledges, guaranteeing a fair and honest election, the result had been brought about; they tendered a span of horses and carriage, with D. W. Wier, Esq., a young lawyer then resident of Lawrence, for company on condition I would go.

A paper was drawn up, reciting the facts at length in regard to the frauds, signed by thirty well known citizens, who made oath before a Notary to the truth of the statements. They solemnly protested against these returns being counted.

It was reported the Governor returned to Lecompton the day before, and immediate action was necessary. It was near sundown when we set out on our mission, probably on the 14th of October, for that was the date of the protest.

Lecompton had no particular claims for us. We had first visited it on the 10th of May, 1855, under duress, guarded by a body of horsemen, commanded by Col. Titus, now an incurable paralytic of Titusville, Florida, the redoubtable pro-slavery ruffian, who was afterwards connected with the Niagara expedition, commanded by "Fillbuster Walker." For nearly four months we had been held a prisoner, with others, in that vicinity. Whenever the name was mentioned the bitter sarcasm of Judge Smith, a fellow prisoner, semi-delirious with chills and fevers, would come to mind: "Hell is just over the hill yonder. I get its sulphurous odor every time I turn my head that way. Don't you smell it?" When we first came to the town, it was filled with Southern desperadoes, hundreds of whom had gathered there preparatory to a descent on Lawrence on the following day, to destroy our printing office, with that of Messrs. Miller & Elliott's and the Free State Hotel. On entering, Lecompton on that occasion the streets were filled with the cowardly desperadoes, who, as we passed, cried out: "There is that G—d d—d Abolitionist Brown, of the *Herald of Freedom*. Shoot him! Shoot him! Why don't you shoot the d—d nigger thief? Loan me a gun, and I'll shoot him." Those and kindred expressions, always well mixed with oaths, were heard continually until we reached the quarters assigned us. Reader, do you wonder we call those bravos "cowardly," who treated a prisoner, unarmed and wholly in their power, in this shameful manner? Or that we never had any love for Lecompton or its pro-slavery inhabitants thereafter? And is it strange that the incidents of our first visit there was recalled on the occasion of our second, some thirteen months after our release without trial? Wm. H. Seward, in a speech at Lawrence, a couple of years later, emphasized Lecompton as "A forlorn widow, sitting there alone in her desolation." Even her "Lane University" will hardly save her from oblivion.

A part of the traveled road to Lecompton was unknown to us; and as it was only starlight, we lost our way, and brought up at Big Springs. Returning to Judge Wakefield's, and the night being so far spent, we tarried until morning. Renewing our journey at dawn, the incidents of our former reception at Lecompton, as just narrated, were vividly recalled.

It seemed as if our detention en route was providential, for the Governor only arrived at Lecompton about two o'clock in the morning from Ft. Leavenworth. It is probable, had we met with no delay, we should have missed an interview with him.

After breakfast, I sent my card to the Governor's room, who boarded at the same hotel where we stopped. No attention was paid to it. Waiting an hour or two, a second card was sent up requesting an interview; a third; dinner; and no attention to my cards. About two o'clock, Lieut. Carr, the Governor's Aid, presented himself, and said the Governor was very busy; that he was having an interview in his room with several gentlemen, and that it would be impossible for him to see me before three o'clock.

At three o'clock, I presented myself at his door, and was invited to his room, where, I should suppose, were from eight to a dozen well known pro-slavery men, who seemed in earnest conversation as I entered.

The Governor invited me to a seat. I stated that I wished to see him alone, on important matters. He replied that he was busy, but would give me his first leisure moment. A short time passed, when Lieut. Carr announced the Governor was alone, and would give me a hearing. I went to his room again, when, casting about me, I said:

"Governor, my mission to you to-day is of a very important character, and it is with you alone. These walls, I observe, are of a kind that ours may be all around us. I wish to see you where we shall not be interrupted, and where there will be no reporters for either of us."

"We can go to the Executive Office," was his reply.

"Anywhere so we can be wholly alone, and where neither of us can be reported by others to our prejudice."

Together we went to the second story of a building a little distance away, which, though I had never entered before, from its surroundings it was evidently his office. Giving me a chair, and taking one himself near me, he said:

"Here there are no ears to hear, and I have bolted the door so there will be no intrusion. Proceed with what you would say."