

“WHAT’S THE MATTER WITH KANSAS?”

JACKSON COUNTY INTERPRETS BLEEDING KANSAS

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The following paper is a result of research I did as part of an NEH Workshop at the University of Missouri – Kansas City in July of 2010. The title of the seminar was “Crossroads of Conflict: Contested Visions of Freedom and the Missouri-Kansas Border Wars.”

“The Civil War is our felt history – history lived in the national imagination.”

■ Robert Penn Warren

INTRODUCTION

The Civil War still fascinates even the most casual observers of American history nearly a century and a half beyond its formal ending in April of 1865. How the War intersected with communities throughout the country, how average people perceived the underlying issues of the conflict, and the lingering and complex memories of the War provide a rich and seemingly endless field of study for historians. Since 2008 I have had the opportunity to more deliberately study the War by participating in a series of seminars focusing on a range of topics including the Underground Railroad, the story of Lincoln at Gettysburg, and the Kansas-Missouri Border Wars of the 1850s.² These seminars and the various document studies and readings that accompanied them have prompted a more complete understanding of the causes and consequences of the War and the difficulty our society has in sorting out the memory of the tragic struggle. I was first introduced to the “memory problem” by historian David Blight while attending a Gilder-Lehrman sponsored study at Amherst College in 2001. In the introduction to his book *Beyond the Battlefield: Race, Memory, and the American Civil War*, professor Blight suggests that history and memory represent “two attitudes toward the past” that

¹ David Blight. *Race and Reunion: The Civil War in American Memory* (Cambridge, MA: Harvard University Press, 2001), 1.

² The seminars I’m referring to are designed for secondary history teachers. The UGRR Seminar (2008) took place at Dickinson College in Pennsylvania under the direction of Dr. Matthew Pinsker (NEH-Landmarks Program). The Lincoln at Gettysburg Seminar (2009) was held at Gettysburg College under the direction of Dr. Pinsker and Dr. Gabor Boritt of Gettysburg College (Gilder-Lehrman Seminar). The Kansas-Missouri Border Wars seminar (2010) was held at the University of Missouri at Kansas City under the direction of Dr. Diane Mutti-Burke (NEH-Landmarks Program).

commingle to create our sense of what happened “back there.” He identifies the differences between the two this way:

History – what trained historians do – is a reasoned reconstruction of the past rooted in research; it tends to be critical and skeptical of human motive and action, and therefore more secular than what people commonly refer to as memory. History can be read by or belong to everyone; it assesses change and progress over time, and is therefore more relative, more contingent upon place, chronology, and scale. Memory, however, is often treated as a sacred set of potentially absolute meanings and stories, possessed as the heritage or identity of a community. Memory is often owned; history, interpreted. Memory is passed down through generations; history is revised. Memory often coalesces in objects, sacred sites, and monuments; history seeks to understand contexts and the complexity of cause and effect. History asserts the authority of academic training and recognized canons of evidence; memory carries the often more powerful authority of community membership and experience.³

As with any event so filled with contention, the Civil War has never been fully settled in the American psyche. Our “reasoned reconstruction of the past” fuses with layers of memory to help recreate what happened from 1861-1865. Having had the opportunity to discuss the conflict with history teachers from various regions of the country, it is clear that we still carry the arguments about why we went to war and what it all meant into our 21st Century classrooms.

Permit me to comment on one other thing before proceeding. Prior to delving into local Civil War research three years ago, I knew that Wisconsin was a significant player in the Union cause. Twelve years into statehood by the time War erupted in 1861, more than 80,000 young Wisconsinites served in the Union Army. The following telling statistics come to us from historian Richard Current: “Of the approximately 2000 regiments in all the Union armies, 200 were afterward listed as ‘fighting regiments’ that had lost 10 per cent or more of their numbers killed or mortally wounded. Among the 200 were ten from Wisconsin. Of forty-five that had lost more than 200 men in battle, three were Wisconsin infantry regiments: the Seventh, the Sixth, and the Second.”⁴ What I was **only vaguely aware of** is the role that Jackson County and Black River Falls played in the War. 408 men from Jackson County served in the Union Army during the conflict. One company in particular, Company G

³David Blight, *Beyond the Battlefield: Race, Memory, and the American Civil War* (Amherst: University of Massachusetts Press, 2002), 1-2.

⁴Richard Current, *The History of Wisconsin (Volume II): The Civil War Era, 1848-1873* (Madison: Wisconsin Historical Society), 352.

of the 10th Wisconsin Infantry, included 95 men from the village of Black River Falls. This represented a 10% deployment rate, dramatic by modern standards. Of the 408 soldiers, 60 gave their life in the War and this, no doubt, had a dramatic effect on the families that remained.⁵ My ignorance of this story from our local past stems, at least in part, from the lack of synthesized records or easily accessible materials. Like so much of the past, this story remains hidden from view and what I am presenting in this research is fragmentary at best. Clearly, though, these statistics indicate that the War of the Rebellion was not some abstract and distant story to the people of this remote frontier region in 1861. At a time when communications were less immediate and distances more vast and daunting, young men went off to war to sacrifice for a cause they felt compelled to defend. What motivated them? What did they perceive they were doing? It is my hope that this research will shed some light on those questions.

RESEARCH FOCUS

My goal with this project is to gain a fuller understanding of Kansas in the 1850s and how the conflicts between the Jayhawkers (Free-State Kansans) and Bushwhackers (Pro-Slavery Missourians) shaped the views of northern ante-bellum Americans. More narrowly I'm exploring how average frontier settlers in west central Wisconsin interpreted the complex issues surrounding the slavery question in the territories in the late 1850s. What did they actually know of the events in Kansas and Missouri and how did they interpret the actions of President Buchanan regarding the confused political situation there? Further, how did these events impact their views concerning slavery in the years just preceding the Civil War?

While these questions are too complex for a project of this size, and realizing that it is impossible for us to know precisely what our ancestors were thinking on these subjects, we can attempt to imagine their world by examining their window to the wider world, the weekly newspaper accounts that updated them on national affairs. The paper of reference is the *Jackson County Banner*, first established in 1856 by William Price, one of the early city fathers of Black River Falls who eventually represented west central Wisconsin in the US Congress. In 1857 Price sold the paper to Dudley Spaulding, rising businessman and son of the founder of Black River Falls, and his colleague F.O.

⁵Clarence A. Newton, "Jackson County's Role in the Civil War." (Master's Thesis, Winona State College, 1961), 57-58.

Brainerd. The *Banner* was marketed as an independent voice and presented a wide variety of news, much of it national and international in scope. Spaulding and especially Brainerd provided editorial commentary on the events of the day. This project will focus on a series of entries that ran from September of 1857 through February of 1858, centering on the controversies surrounding the Lecompton Constitution and President Buchanan's position on the events in Kansas.

THE SETTING: THE WISCONSIN FRONTIER IN THE EARLY TO MID-19TH CENTURY

The Treaty of Paris (1783) formally ended the American Revolutionary War and the newly emerging Confederation Government controlled the land from the Atlantic seaboard to the Mississippi River in the west. The area that eventually became the state of Wisconsin was part of the region defined by the Confederation Congress as the Northwest Territory under the guidelines prescribed in the Northwest Ordinance of 1787. Derived from principles first embodied in the Ordinance of 1784 authored by Thomas Jefferson, the N.W. Ordinance called for the division of the territory into “not less than three nor more than five States,” a three-stage process for moving to statehood, a bill of rights protecting religious freedom and other individual rights, a provision encouraging the funding of public education, and a prohibition against slavery in the Territory⁶. The slavery clause is significant in light of this research because it meant that from the earliest days of the nation's history, Congress defined a sizable tract of western land as perpetually free from slavery, an argument not lost on those that debated for “free soil” in the successive waves of settlement into the evolving frontier.⁷ Successively, Wisconsin was part of the Northwest Territory (1788-1800), the Indiana Territory (1800-1809), the Illinois Territory (1809-1818), and the Michigan Territory (1818-

⁶ National Archives and Records Administration, *Our Documents: The Northwest Ordinance*, <http://www.ourdocuments.gov/doc.php?flash=true&doc=8>.

⁷ The prohibition against slavery is made all the more fascinating due to Jefferson's authorship of the law – an irony of our early history. The man who penned those powerful words from the Declaration of Independence, owned slaves from the age of 14 until his death in 1826. There is an interesting Wisconsin connection in the authorship of the Northwest Ordinance also. Rufus King of Massachusetts, known for his anti-slavery views, had a grandson, also named Rufus King, who was active in the Wisconsin abolitionist movement in the 1840s and 50s. There is a high school named in his honor in the city of Milwaukee.

1836). Ultimately it became a territory in its own right (1836-1848) and became the 20th state in the Union in 1848.⁸

French explorers made incursions into Wisconsin as early as 1634, but Euro-Americans did not begin arriving en masse until the 1830s. The region was home to multiple indigenous tribes and conflicts over land naturally arose, a tragic and oft-repeated story. During the treaty-making period in the middle years of the 19th Century, various Indian nations ceded lands to the Federal Government in a string of agreements that proved devastating for the fate of the native people. As more land was opened to Euro-American settlement in the 1830s and 40s, villages like Black River Falls were established. The “Falls,” as the site was known to early settlers, was located in Jackson County along the Black River and boasted a population of 150 white settlers by the time Wisconsin reached statehood in 1848.⁹ The early settlers co-existed with a significant population of Winnebago people who, in spite of several removal attempts by the US Government, continued to filter back to the region.¹⁰ Known for its thick pine forests, the area was a natural attraction for lumbermen such as Massachusetts born Jacob Spaulding, who established mills along the Black River and used the natural transportation available to ship logs to the Mississippi River located 45 miles southwest of the village. Throughout the 1850s, Jackson County witnessed impressive population growth and

⁸ The Wisconsin Historical Society, *The Creation of Wisconsin Territory*, http://www.wisconsinhistory.org/turningpoints/tp-014/?action=more_essay.

⁹ *History of Northern Wisconsin* (Chicago: The Western Historical Company, 1881), 400.

¹⁰ The Winnebago people trace their origins back thousands of years in the upper Midwest. At one time they laid claim to roughly the northern third of Illinois and the southern third of Wisconsin. As a result of one of their removals from the region, a significant portion of the tribe was resettled in Nebraska and they continue to refer to themselves as Winnebagoes. Since 1994, the Wisconsin portion of the tribe officially call themselves the HoChunk (Hochungra) people, meaning “people of the big voice.” The seat of their government is in Black River Falls, although their 5000 tribal members are dispersed throughout several regions of the state. When white settlers began arriving in Jackson County in 1839, it is safe to say that there was sporadic but consistent interaction between the native and non-native people. Jacob Spaulding, Black River’s entrepreneurial founder, according to several historical accounts, developed a strong relationship with the indigenous people. There is a fascinating account in local papers of Spaulding’s 1876 funeral, including a description of the 40 HoChunk men in attendance who ultimately led the funeral procession to the cemetery for the burial. “Sudden Death of a Pioneer.” *Jackson County Banner*, 29 January 2010.

boasted 4,170 Euro-American residents by 1860, while the village of Black River Falls, the eventual county seat, grew to roughly 1000 people by 1861. On the basis of nativity, the settlement of the County largely reflected the white settlement pattern early Wisconsin days: roughly one-third of residents were born in the state, one-third were born elsewhere in the United States, and one-third born in foreign countries.¹¹ According to one source from 1881, 60% of the original and “notable” adult settlers in Jackson County had roots in the northeast, primarily the New England region, New York, or Pennsylvania – the so-called “transplanted Yankees” who carried with them the anti-slavery biases of that area of the country.¹² Based on the original prohibition against slavery in the Northwest Ordinance and the derivation of Wisconsin’s Euro-American population, it was inevitable that the free-soil movement would take root in the state by the middle 19th Century.

KANSAS UNRAVELS AND WISCONSINITES RESPOND

While it is clear that most Wisconsin residents were not actively interested in the anti-slavery movement prior to the 1850s, Yankee transplants, particularly in the southeastern part of the state, formed the nucleus for a small but energetic abolitionist movement. By the early 1840s and in conjunction with an active Temperance Movement, Wisconsinites formed an Anti-Slavery Society and established a branch of the New York based Liberty Party. These two groups merged in 1846 forming the Wisconsin Liberty Party Association.¹³ The Party had an active and aggressive voice in Sherman Booth, a native New Yorker and editor of the *American Freeman*, a Milwaukee based free-soil newspaper. Booth helped organize the Liberty Party in Connecticut prior to arriving in Wisconsin and was a fanatic on the temperance and slavery questions.¹⁴

Though abolition was promoted by only a small minority at the time of statehood in 1848, the question of extending suffrage to free blacks was hotly debated within the legislature between 1848 and 1865. The framers of Wisconsin’s original Constitution had inserted a provision empowering the

¹¹ Current, *The History of Wisconsin*, 77.

¹² *History of Northern Wisconsin*, Index.

¹³ The Wisconsin Historical Society, *Abolition and Other Reforms in Wisconsin*, http://www.wisconsinhistory.org/turningpoints/tp-021/?action=more_essay (accessed 31 July 2010).

¹⁴ Current, *The History of Wisconsin*, 201.

Legislature to allow black male suffrage in the future, provided the law be “submitted to the vote of the people at a general election, and approved by a **majority** of all the votes cast at such election.”¹⁵ The first Legislature promptly passed a bill for extending suffrage and submitted it to the voters who **passed the measure** by a vote of 5,265 in favor and 4,075 against. However, over 31,000 voters participated in the elections in 1849, meaning that less than a third had expressed themselves on the suffrage issue, thereby invalidating the vote.¹⁶ The question of black suffrage continued to be debated throughout the period and the Legislature passed new voting laws in 1857 and 1865, though in each case the laws were defeated in statewide referenda (59-41% in 1857 and 54-46% in 1865).¹⁷ The 1857 vote is relevant to this research coming amidst national debates concerning Kansas and the extension of slavery.¹⁸ Voters in Jackson County defeated the measure by a vote of 408 opposed to extension of suffrage and 242 in favor.¹⁹

In the midst of the ongoing suffrage debate, two separate yet related events in 1854 elevated the intensity of the slavery-related arguments in Wisconsin. First of all, in January, Illinois Democratic Senator Stephen Douglas proposed a plan for organizing the Kansas and Nebraska territories. The essence of his bill was that voters in each area would decide for themselves whether or not to make slave-owning legal. Douglas’ “popular sovereignty” approach, among other things, would repeal the Missouri Compromise of 1820 that had banned slavery from the areas north of the southern

¹⁵ Douglass Harper, *Slavery in the North*, <http://www.slavenorth.com/wisconsin.htm>.

¹⁶ Current, *The History of Wisconsin*, 146.

¹⁷ The Jackson County Banner of 15 October, 1857 presented a copy of the extension of suffrage act that voters would see on the ballot in early November. Section 1 stated, “The right of voting is hereby extended to male persons of African blood, who shall have attained the age of twenty-one years or upwards, with the same qualifications and restrictions now imposed upon other voters in Section 1 of the Article on suffrage in the Constitution.”

¹⁸ Interestingly enough, black suffrage was achieved in Wisconsin in 1866 due to the Supreme Court’s ruling in *Gillespie v. Palmer*, a case that dealt with a black man from Milwaukee who tried to register to vote in 1865 but was denied. The Court cited the 1849 suffrage vote in Wisconsin and decreed that based on the voting results in that referendum, blacks had actually been entitled to vote. Of course, this ruling came in the immediate post-war period of Reconstruction and is perhaps not terribly surprising.

¹⁹ "Election Results." *Jackson County Banner*. 10 December 1857, 2. It is interesting to realize that four years prior to the Civil War, 37% of voters in the County (males over 21 years of age) believed African-American men should be allowed to vote.

boundary of Missouri in the Louisiana Territory (except Missouri). Douglas and others in the Democratic Party viewed this as the most **democratic** solution to the question of extending slavery but the northern response was swift and harsh, particularly in New England. Anti-slavery forces in Wisconsin galvanized in opposition to the proposal and a gathering in Ripon organized by New York born lawyer Alvan Bovay, proposed a new “Republican” party dedicated to stopping the spread of slavery. Organizers adopted the following resolution: “Resolved, that the passage of this bill (if pass it should) will be the call to arms of a great Northern party, such an one as the country has not hitherto seen, composed of Whigs, Democrats, and Free Soilers, every man with a heart in him united under the single banner cry of Repeal! Repeal!”²⁰ Sherman Booth and Rufus King, the two most influential newspaper editors in the state, called on the State Legislature to express itself in opposition to the Kansas-Nebraska Act, while all five members of the Wisconsin congressional delegation, Democratic Senators Henry Dodge and Isaac Walker, along with House members Charles Durkee (Free Soiler), Ben Eastman (Democrat), and James Doty (Independent Democrat), voted in opposition to Douglas’ bill.²¹ In spite of such efforts across the North, the Act was passed in May of 1854 and signed into law by Democratic President Franklin Pierce.

The second bolt of lightning struck in March of 1854 and involved the capture of Joshua Glover, a runaway slave from Missouri who took up residence near Racine, Wisconsin. Glover’s owner, Bennami Garland, secured a warrant for Glover’s arrest in accordance with the 1850 Fugitive Slave Act and deputy federal marshals secured Glover in a dramatic arrest and took him to a Milwaukee jail.²² Upon hearing of the incident, an enraged Sherman Booth set in motion a series of events that brought the issue of fugitive slaves to the forefront of both Wisconsin and national politics. The day after Glover’s arrest, Booth led a large crowd of Milwaukeeans in the violent “rescue” of Joshua Glover by breaking down the doors of the jail, actions for which Booth was arrested four days later.

²⁰ Current, *The History of Wisconsin*, 218.

²¹ Ibid., 219. The State Senate failed to express opposition but the Assembly did do so AND a majority of Democratic members supported the vote.

²² Article IV, Section 2 of the US Constitution provided the basis for the various Fugitive Slave laws of 1793 and 1850. The 1850 law was especially egregious to anti-slavery people in the North and open defiance of the law took many forms, not the least of which was an active “underground railroad” apparatus that harbored runaways and helped them reach Canada.

For the next five years, the state of Wisconsin defied the federal government and its attempts to enforce the Fugitive Slave Act in the Glover case. Through a complex series of trials and appeals related to the arrest of Sherman Booth, the case of Joshua Glover (who since had escaped to Canada with the help of friends in Wisconsin) ultimately led to an 1859 ruling by the US Supreme Court under Justice Roger Taney, validating the constitutionality of the Fugitive Slave Act.²³

It is clear that by the summer of 1854, Wisconsin politics was being rocked by a national law that potentially opened an area of the country previously barred from slavery and a fugitive slave case that seemed to highlight the very worst features of the evil institution. The upstart Republican Party became the nucleus across the northern tier of states for serious opposition to the extension of slavery. It was also at this moment that northern Kansas Emigrant Aid Societies comprised of free-soilers and abolitionists, actively promoted settlement in Kansas in anticipation of popular referenda that would determine the slavery question there.²⁴ And, of course, by the late summer and autumn of 1854 events in Kansas began to tragically unravel. Within a few months, the organization of Kansas under the first territorial legislature began in earnest with elections held in March of 1855. Nearly 5000 pro-slavery Missourians under the direction of US Senator David Rice Atchison crashed the elections and assured pro-slavery dominance in the legislature. Free-staters from Kansas referred to this body as the “Bogus Legislature” and for the next several years competing forces vied for control of the territory, leading to a succession of governments attempting to bring order amidst voter turmoil compounded by the terror of guerrilla warfare. The Kansas drama garnered nearly

²³ H. Robert Baker, *The Rescue of Joshua Glover: A Fugitive Slave, the Constitution, and the Coming of the Civil War* (Athens, Ohio: Ohio University Press, 2006), 154-156. The Glover case, though significant, was overshadowed by the more famous Dred Scott decision of 1857. Baker’s book provides a thorough analysis of the various legal twists and turns in the case. Ironically, northern states like Wisconsin were pursuing a “states’ rights” agenda by defying the federal Fugitive Slave Laws. Chapter 6 of Baker’s book outlines the so-called “Personal Liberty Laws” that were passed in many northern states, including Wisconsin.

²⁴ Between August and September of 1854, the first settlers began to arrive in what will become Lawrence, Kansas. Lawrence was named for Amos Lawrence, Massachusetts abolitionist and philanthropist. It was Lawrence that also gave money during this period for the founding of a school in Wisconsin, named in his honor as Lawrence Academy – today Lawrence University in Appleton, Wisconsin. Lawrence also was a financial contributor the John Brown. "Famous Americans." 2001. <http://www.famousamericans.net/amoslawrence/> (accessed 1 August 2010).

continual attention around the nation and in many respects, became the frightening prelude of a looming conflict.²⁵

JAMES BUCHANAN, THE SILLIMAN LETTER, AND THE LECOMPTON GOVERNMENT

In the spring of 1856, hundreds of members of the Kansas Emigrant Aid Society of Wisconsin loaded their worldly possessions on fifty-five wagons and headed south to the Kansas Territory. Motivated by the idealism of the anti-slavery movement, as well as the lure of frontier land, they were riding off into history. Wisconsin settlers, in fact, founded at least three Kansas towns during this period, among them Holton, named for Edward D. Holton, a financial backer of the Aid Society. Their experiences in Kansas, particularly their brushes with “border ruffians” from Missouri, prompted letters home that kept the issue of Kansas alive in the milieu of Wisconsin politics.²⁶ In that same spring, the fanatical John Brown led the Pottawatomie Creek massacre in response to the sack of Lawrence by Missouri pro-slavery forces.²⁷ The cold-blooded murders of five pro-slavery settlers by Brown and his associates became symbolic of the white-hot intensity of the struggle for freedom Kansas.

These events were being played out against the backdrop of the 1856 Presidential election campaign. James Buchanan, Democrat from Pennsylvania, was headed for election as our 15th President in November. A career politician with an impressive resume, Buchanan inherited the Kansas controversy from his Democratic predecessor Franklin Pierce. Though a northerner, he clearly had southern sympathies and was tabbed a “doughface” by his anti-slavery opponents.²⁸ His

²⁵ Nicole Etcheson, *Bleeding Kansas*, 54-57.

²⁶ Current, *The History of Wisconsin*, 231.

²⁷ William Caine, originally of Dodge County in southeastern Wisconsin, was one of Brown’s associates in Kansas during this period. He was a young farmer who responded to the call for settlement in Kansas and in 1855 pre-empted 160 acres in Anderson County. He was driven from his home in 1855 by Missourians and joined up with Brown. (*Dodge County Local History Web*, “*William Caine Biography*.” http://www.wlhn.org/dodgeco/histories/caine/caine_wm.htm).

²⁸ The term “doughface” derived from the debates over the Missouri Compromise in 1820. Virginia Congressman John Randolph used the term disparagingly to describe northern Congressmen who were willing to compromise with southerners on the slave issue in hopes of reciprocation on other issues. In other words, to be a doughface meant one lacked conviction on the issues. (*Vintage Vocabulary*, <http://www.vintagevocabulary.com/doughface.html>).

opponent in 1856, John C. Fremont of California, represented the emerging Republican Party and ran on the slogan “Free Speech, Free Soil, Free Press, Free Kansas, and Fremont.”²⁹ Originally a free-soil Democrat, Fremont stood for a platform that was openly sectional in its opposition to slavery and contained significant references to the situation in Kansas (Appendix, Document 1). A third party candidate, former President Millard Fillmore, carried the banner for the American (“Know-Nothing”) Party, a conglomeration of former Whigs and nativists with an anti-foreigner edge. Buchanan received 45% of the popular votes, carrying 19 of 31 states, while Fremont carried 11 states (all northern) and 33% of the popular vote. (Fillmore won only Maryland while garnering 21% of the popular vote). Consistent with other anti-slavery states in the north, Wisconsin voters chose Fremont over Buchanan by a significant margin (56-44%) indicating support for the Republican Platform and its language concerning affairs in Kansas. Sentiment for Fremont ran high in Jackson County where he received 68% of the vote to Buchanan’s 32%.³⁰

Two days after Buchanan’s March 4th Inauguration, Supreme Court Chief Justice and former slave-owner Roger Taney, issued his famous ruling in the case of Dred Scott v. Sandford. Scott was a Missouri slave who sued for his freedom based on the fact that his owner, an army officer, had taken him to Illinois and the Wisconsin Territory, both areas that prohibited slavery, and that he resided in these areas for several years, thereby gaining the status of a free black. The Court ruled that Scott was not a citizen and that blacks essentially had no constitutional rights at all, including the right to sue in federal court. Though not well-known at the time, the historical record surrounding the case clearly indicates that President Buchanan used his influence to persuade Justice Robert Grier of Pennsylvania to support the southern view. Grier’s support for the majority seemed to indicate that the decision was not purely decided on sectional grounds, but in reality the majority was clearly reflecting the southern position in the case. Chief Justice Taney went even further than expected in his majority opinion, arguing that Congress had no constitutional authority to exclude slavery from any of the territories. The decision proved to be a bombshell and the reaction in Wisconsin was

²⁹ Current, *The History of Wisconsin*, 232.

³⁰ Current, *The History of Wisconsin*, 233-34. Current points out that almost twice as many residents in Wisconsin voted in 1856 than had done so in 1852. The vote totals were 66,090 votes for Fremont, 52,843 for Buchanan, and 579 for Fillmore. Voters in Black River Falls selected Fremont by a vote of 158-105 (60-40%). "Election Returns." *The LaCrosse National Democrat*, 7 November 1856.

dramatic. Sherman Booth organized a June meeting in Milwaukee that included, among others, the shadowy John Brown himself as one of the guest speakers!³¹ The Milwaukeeans adopted a resolution denouncing the Dred Scott decision and the fugitive slave law.³² This action came amidst the controversies surrounding the Glover case, the debate over Black suffrage, and the increasingly troubling news coming out of Kansas.

It was in this increasingly toxic environment that a group of Connecticut clergymen, led by Yale Chemistry Professor Benjamin Silliman, drafted a letter to President Buchanan spelling out their objections to his approach in dealing with Kansas. The letter and the President's public response were carried by the major newspapers of the day and found their way into smaller weeklies across the north. Residents of Black River Falls and Jackson County were introduced to the July-August exchange in the September 24th issue of the *Jackson County Banner* (Document 2). In keeping with its role as an independent paper, the editors provided no additional commentary concerning the contending factions – they simply presented both documents allowing readers to make their own judgments.

What messages did local residents receive from this public exchange concerning the complicated events in Kansas? On the one hand, the forty-three Connecticut signers openly questioned President Buchanan's use of force in implementing the will of the Territorial Legislature of Kansas (the so-called "Bogus Legislature").³³ The manifestation of that legislature at the time of the Silliman letter was the Lecompton Government that formed in response to the free-state Topeka Government of

³¹ When he left Kansas in 1856, Brown returned east and began raising funds for his anti-slavery activities. Among the contributors to Brown was Amos Lawrence, wealthy Bostonian (note footnote 24). In October of 1859 Brown led 18 men in a raid of the Federal Arsenal at Harper's Ferry, Virginia. Their goal was to steal arms with the intention of arming slaves for rebellion. Brown ultimately was captured by a company of U.S. Marines under the command of Colonel Robert E. Lee. He was tried in November and executed in Charleston on December 2nd.

³²Current, *The History of Wisconsin*, 263.

³³ Etcheson, *Bleeding Kansas*, 143-157. Beyond the initial dispute over the territorial elections in 1855, the struggle between the pro-slavery forces and free-state advocates was played out in the battle over four different attempts at establishing a constitution that represented popular will in Kansas – the Topeka in 1855 (anti-slavery), the Lecompton in 1857 (pro-slavery), the Leavenworth in 1858 (anti-slavery), and the Wyandotte in 1859 (anti-slavery). The Wyandotte Constitution, approved in October of 1859 by a 2-1 margin among Kansas voters, ultimately became the Constitution of the free state of Kansas, admitted to the Union in January of 1861.

1855. Soon after taking office, Buchanan appointed Robert J. Walker as Governor of the territory and sent him to restore order in Kansas, an action the clergymen viewed with “grief and astonishment.” In their view, the President, through Walker, was imposing a fraudulent government on the people of the territory and thereby failing to uphold the sacred Constitutional principle of self-government. In many respects, the Silliman letter mirrored the sentiments concerning Kansas present in the Republican Platform of 1856 (Document 1). As for President Buchanan, he defended his actions in Kansas emphasizing the need to restore order there (Document 3). Further, he clung to the notion that the original territorial elections were fair and threw his weight behind the ongoing Lecompton proceedings. In what may have been the most telling portions of his response, Buchanan acknowledged his support for the Dred Scott decision and compared his actions regarding the extra-legal Topeka Convention to President James Madison’s handling of the Hartford Convention that threatened secession in opposition to the War of 1812.³⁴ The use of the Hartford Convention analogy indicates that Buchanan saw his role primarily in the preservation of the Union and he interpreted the actions of the Topeka “Free-Staters” as treasonous.³⁵ He concluded his response by imploring the Connecticut clergymen to exert their influence in “allaying the existing sectional excitement on the subject of slavery,” a sentiment that indicates that he did not fully grasp the intensity of the argument occurring on the western frontier.

The exchange with the concerned citizens of Connecticut was not over. When Jackson County residents purchased their newspapers on October 22nd, they had the opportunity to read a tortuously long response from the clergymen back to the President – indeed it took up five full

³⁴It was his endorsement of the Scott decision that prompted Senate candidate Abraham Lincoln to make reference to the Silliman Letter in his famous “House Divided” Speech of June 1858.

³⁵ It is important to note that Buchanan’s public exchange with the Connecticut clergymen preceded the drafting of the Lecompton Constitution beginning in September of 1857. President Buchanan ultimately endorsed that Constitution. In late 1857 and early 1858, voters in Kansas were confronted with two rival Constitutions for their consideration (Topeka and Lecompton), but the free-state and pro-slavery factions boycotted the voting. Both Constitutions were sent to Washington, D. C. for consideration by the Congress. Buchanan’s endorsement of Lecompton, among other things, led to his political split with Stephen Douglass and the disastrous division of the Democratic Party going into the 1860 election. It also led to the resignation of Governor Walker who Buchanan sent to the Territory in the spring of 1857 to bring order. Nicole Etcheson chronicles this in Chapter 7 of *Bleeding Kansas: Contested Liberty in the Civil War Era*.

columns on the front page of the Banner (Document 4). As seems consistent with their approach to the issue, the editors inserted this note for the readers concerning the letter:

The length of the letter to the President prevents our usual variety this week; and the temporary absence of our help delays us this week and next, to say nothing of a rush of job work which must of course all be done just at this particular time. However, it will all be right after the election. Read the letter – we print it on purpose to be read – and then judge for yourselves, having had both sides given you.³⁶

In their profuse response, the clergymen asserted that the President simply did not understand the fraudulent nature of the Territorial Legislature in Kansas and disregarded clear evidence, based on a Congressional investigation, that the Legislature had been elected under corrupt circumstances.³⁷ Further, they chided Buchanan for failing to protect the free-state Kansans in the face of attacks by Missouri border ruffians. The letter is striking, not only for its passion, length, and depth, but also for its sharp attacks on the President, attacks that rely on logical argument as opposed to partisan political commentary. Though not doubting the President's sincerity, they questioned his entire interpretation of the Kansas situation. They concluded the letter by emphasizing the right of citizens to speak freely and to challenge those in authority – indeed, they suggested that the survival of the nation and its system of government depend on that.

Though news updates from Kansas consistently appeared in the Banner throughout the late months of 1857, the first full-fledged editorial commentary on the questions involved did not appear until late January of 1858 (Document 5). After praising the “manliness” of Douglas’ position concerning popular sovereignty, Spaulding and Brainerd took a clear position on slavery as a “burning shame

³⁶ "Response of the Memorialists." *Jackson County Banner*. 22 October 1857, 1.

³⁷ The Howard Committee, named for Congressman William A. Howard, Republican of Michigan, also included Ohio Republican John Sherman and Mordecai Oliver, Democrat from Missouri. Their 1300 page report detailed voter fraud and intimidation at the hands of pro-slavery Missourians. It's difficult to see how President Buchanan could have simply ignored the hundreds of testimonies included in the Committee Report. An excellent summary of the work of the Howard Committee can be accessed through a podcast available at: <http://www.kshs.org/audiotours/kansasmemory/index.htm>.

and disgrace to our country” and certainly espoused the free-soil position prevalent in Wisconsin in 1858. In spite of that, however, they struck a moderate tone and decried the bitter partisanship and “paralogy” surrounding the current debate. They condemned both the “headlong fanatics of the North and the fire-eaters of the South,” believing that both groups poisoned the debate and complicated the arguments. They called for unity of opposition in the North, although they suggested that would be extremely difficult to achieve. Two weeks after this editorial, Spaulding and Brainerd provided more specific commentary on Kansas (Document 6) in which they expressed complete disappointment in President Buchanan for his support of the fraudulent Lecompton Government. No longer simply presenting the facts and letting readers decide, the small-town editors were apparently so disturbed by what they knew of the Lecompton proceedings and Buchanan’s support of the controversial pro-slavery Constitution, that they felt compelled to speak out more boldly.³⁸

CONCLUDING COMMENTARY

On a cold February night in 1858, F.P. Chase, chairman of the Irving Lyceum, called the weekly meeting of the debating society to order. Located nine miles south of Black River Falls in Jackson County, the Town of Irving was home to a number of farm families that came to Wisconsin as part of America’s great westward migration. The Lyceum was one of a number of civic organizations that existed in most small towns in the middle 19th Century – places where people met to discuss local and national events, become educated on a variety of topics, do works of charity, and advance their small town in some way.³⁹ The topic for debate on this particular evening was whether or not the “present emergencies portend the overthrow of our government.” The nine members who staged the two hour debate in front of an enthusiastic audience were well aware of the swirling issues associated with slavery and its extension, particularly in the Kansas-Nebraska Territory. In the end,

³⁸ As an aside, it is worth noting that in the neighboring city of LaCrosse, located 45 miles southwest of Black River Falls, the *National Democrat* maintained a more cautiously optimistic view of Buchanan. Even though Fremont won in LaCrosse County in 1856, the editors of the Democrat praised Buchanan, and more specifically the Democratic Party, as the force that would unify the country and protect the equal rights of the citizens. "The Election." *The LaCrosse National Democrat*, 7 November 1856.

³⁹ The Jackson County Banner from this era is filled with notices and articles that relate to organizations like the Masons, the Pythian Sisters, the Tuesday Club, and so forth. In all cases they seemed to promote both self and community improvement.

William H. Little, E.W. Chase, L.H. Andrews, and Thomas Perry, arguing in the affirmative, were judged by Chairman Chase to have prevailed over I.F. Howell, James Davis, and James and William Horswill, who argued the negative. Though we have no record of what was said that night, we must assume that it was unsettling for the participants to discuss issues that might lead to the overthrow of their government (Document 7). This quaint and polite debate in rural Wisconsin, some 500 miles north of Kansas, stood in stark contrast to the violence that was occurring on the Kansas frontier in the winter of 1858. Nevertheless, it illustrates the fact that events in Kansas were reverberating in all regions of the country due, in part, to a healthy and vibrant newspaper network.

My hope from the start with this research has been to gain a deeper, more nuanced understanding of what is broadly referred to in our history textbooks as “bleeding Kansas,” and especially how the events there were being reported and interpreted by the early settlers of west-central Wisconsin. Based on the small slice of history presented here, permit me to offer the following conclusions. First of all, in northern frontier towns like Black River Falls, the news from Kansas generally reinforced pre-existing attitudes about the extension of slavery. The free-soil tradition went back to territorial days in Wisconsin. Second-wave settlers from places like Massachusetts and New York carried their anti-slavery beliefs with them into frontier Wisconsin. “Bleeding Kansas” reaffirmed all that was bad about slavery and its extension. Secondly, I stand perplexed and deeply unimpressed with the actions of James Buchanan during this period. It seems to me that his Presidency receives scant attention in our history books and should receive more. His eventual break with Stephen Douglas over the Kansas issue and especially the Lecompton Constitution, spelled disunity and defeat for the Democrats; in a real sense, his actions opened the door for Lincoln and the Republicans in 1860.⁴⁰ Lincoln’s election, of course, is one of those great contingencies of history and we must ask ourselves, what if he had not been elected? What if he had faced unified Democratic opposition? How would history have been different? Third, I was somewhat surprised as to the extent of the connections between Kansas and Wisconsin during this period, although in hindsight such connections seem entirely logical. These were frontier people who shared an independent frame of mind and sense of hope about the future possibilities in their new world. The fact that hundreds of Wisconsin citizens emigrated to Kansas in the 1850s further reinforces this

⁴⁰ In a very divided and purely sectional election, Lincoln was 39.8% of the popular vote in 1860. The Democrats actually ended up splintering into several factions and the Buchanan-Douglas split was a significant cause of that.

assertion. As with any who emigrate, their motives were mixed, but the fact that they made that risk-filled journey into a volatile frontier territory is of no small significance. They helped change the course of history. And fourth, as I worked through a variety of primary sources from the late 1850s, it was heartening to again realize that our 19th Century forebears did not shy away from the difficult political and moral issues facing their nation. I credit those early journalistic pioneers who worked to develop local newspapers, probably against fairly difficult odds, so that people of all walks of life could be informed. For those of us immersed in the “information age” of the early 21st Century, they provide us with a powerful example of the critically important role that access to information plays in a democratic republic.

Finally, as with any research, I leave this story (at least temporarily) with the realization that the more I have learned, the more I do not know. The Kansas-Missouri border region and everything it symbolized during this period was exceedingly complex. The metanarrative, however, as historian Nicole Etcheson so aptly describes it in her book, *Bleeding Kansas*, was about competing visions of liberty, something Americans have argued over from our days as a young republic. Northerners who went to Kansas to help establish a free-state through squatter sovereignty deeply resented pro-slavery Missourians meddling in territorial elections. They saw this as a denial of **THEIR** liberty. Pro-slavery Missourians, on the other hand, resented a central government, or **any government**, that tried to tell them what they could or could not do with their slaves. They saw this as a denial of **THEIR** liberty.⁴¹ And abolitionists in the north were grappling with the broader question of liberty as the concept applied to black slaves – it was fundamentally about **THEIR** liberty.

In the end Kansas mattered and it mattered a great deal in ante-bellum America. Political leaders of all parties and anti-slavery activists in Wisconsin understood that. The farmers, merchants, newspapermen, and lumberjacks of Jackson County – the men and women who lived on the rough edge of frontier Wisconsin understood that. The men of the Irving Lyceum who rose to debate on that February evening in 1858 understood that. The political unrest and violence in Kansas set the

⁴¹ Etcheson’s framework can also be applied to the resistance offered by anti-slavery people in Wisconsin as they defied the Fugitive Slave Act through the passage of a Personal Liberty Law in early 1857. The law assured the right of habeas corpus to detained fugitive slaves and it prohibited the use of any state agency to assist in their detention. Current, *The History of Wisconsin*, 260. Advocates saw the Fugitive Slave Act as not only a denial of liberty to blacks, but also a denial of **THEIR** liberty at having to comply with such a law.

stage and ignited the fire for a wider war that forever changed the lives of common people across the nation. Three years after Lincoln’s “House Divided Speech” (Document 8) over four hundred men from Jackson County marched off to distant fields of battle in Kentucky, Tennessee, and Alabama, ready to fight for the Union cause. Many of them died in places like Perryville, Shiloh, Murfreesboro, and Larkinville. And while we can never know precisely what motivated them, we must assume that the powerful idea of liberty in its many forms was at work in their hearts and minds.

APPENDIX: RELEVANT DOCUMENTS

DOCUMENT 1: THE REPUBLICAN PLATFORM OF 1856

The Republican Platform of 1856 illustrates the dramatic impact that the situation in Kansas was having on electoral politics during this period. Note the amount of space that is devoted to the question of slavery in the territories and Kansas specifically. Fremont lost on the national level but won resoundingly in Wisconsin.

This Convention of Delegates, assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri Compromise; to the policy of the present Administration; to the extension Slavery into Free Territory; in favor of the admission of Kansas as a Free State; of restoring the action of the Federal Government to the principles of Washington and Jefferson; and for the purpose of presenting candidates for the offices of President and Vice-President, do

Resolved: That the maintenance of the principles promulgated in the Declaration of Independence, and embodied in the Federal Constitution are essential to the preservation of our Republican institutions, and that the Federal Constitution, the rights of the States, and the union of the States, must and shall be preserved.

Resolved: That, with our Republican fathers, we hold it to be a self-evident truth, that all men are endowed with the inalienable right to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our Federal Government were to secure these rights to all persons under its exclusive jurisdiction; that, as our Republican fathers, when they had abolished Slavery in all our National Territory, ordained that no person shall be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the Constitution against all attempts to violate it for the purpose of establishing Slavery in the Territories of the United States by positive legislation, prohibiting its existence or extension therein. That we deny the authority of Congress, of a Territorial Legislation, of any individual, or association of individuals, to give legal existence to Slavery in any Territory of the United States, while the present Constitution shall be maintained.

Resolved: That the Constitution confers upon Congress sovereign powers over the Territories of the United States for their government; and that in the exercise of this power, it is both the right and the imperative duty of Congress to prohibit in the Territories those twin relics of barbarism — Polygamy, and Slavery.

Resolved: That while the Constitution of the United States was ordained and established by the people, in order to "form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty," and contain ample provision for the protection of the life, liberty, and property of every citizen, the dearest Constitutional rights of the people of Kansas have been fraudulently and violently taken from them.

Their Territory has been invaded by an armed force;

Spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the government, tyrannical and unconstitutional laws have been enacted and enforced;

The right of the people to keep and bear arms has been infringed.

Test oaths of an extraordinary and entangling nature have been imposed as a condition of exercising the right of suffrage and holding office.

The right of an accused person to a speedy and public trial by an impartial jury has been denied;

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, has been violated;

They have been deprived of life, liberty, and property without due process of law;

That the freedom of speech and of the press has been abridged;

The right to choose their representatives has been made of no effect;

Murders, robberies, and arsons have been instigated and encouraged, and the offenders have been allowed to go unpunished;

That all these things have been done with the knowledge, sanction, and procurement of the present National Administration; and that for this high crime against the Constitution, the Union, and humanity, we arraign that Administration, the President, his advisers, agents, supporters, apologists, and accessories, either before or after the fact, before the country and before the world; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages and their accomplices to a sure and condign punishment thereafter.

Resolved, That Kansas should be immediately admitted as a state of this Union, with her present Free Constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her territory.

Resolved, That the highwayman's plea, that might makes right," embodied in the Ostend Circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any Government or people that gave it their sanction.

Resolved, That a railroad to the Pacific Ocean by the most central and practicable route is imperatively demanded by the interests of the whole country, and that the Federal Government ought to render immediate and efficient aid in its construction, and as an auxiliary thereto, to the immediate construction of an emigrant road on the line of the railroad.

Resolved, That appropriations by Congress for the improvement of rivers and harbors, of a national character, required for the accommodation and security of our existing commerce, are authorized by

the Constitution, and justified by the obligation of the Government to protect the lives and property of its citizens.

Resolved, That we invite the affiliation and cooperation of the men of all parties, however differing from us in other respects, in support of the principles herein declared; and believing that the spirit of our institutions as well as the Constitution of our country, guarantees liberty of conscience and equality of rights among citizens, we oppose all legislation impairing their security.

Source: http://www.ushistory.org/gop/convention_1856republicanplatform.htm

DOCUMENT #2: Letter to President Buchanan from Connecticut Clergymen

The following letter appeared in the Badger State Banner, a local newspaper in Black River Falls, Wisconsin on 24 September of 1857. The letter, later referred to as the “Silliman Letter,” and Buchanan’s response were mentioned in Lincoln’s “House Divided” speech in June of 1858.

Preface

Below we give the letter to, and reply of President Buchanan, on the subject of affairs in Kansas. The memorialists are distinguished clergymen of Connecticut:

The Memorial

The undersigned, citizens of the United States, and electors of the State of Connecticut, respectfully offer to your Excellency this their memorial. The fundamental principle of the Constitution of the United States and of our political institutions is, that the people shall make their own laws and elect their own rulers. We see with grief, if not with astonishment, that Governor Walker of Kansas, openly represents and proclaims that the President of the United States is employing through him (Walker) an army, one purpose of which is to force the people of Kansas to obey laws not their own, nor of the United States, but laws, which is notorious, and established upon evidences, they never made and rulers they never elected.

We represent, therefore, that by foregoing your Excellency is openly held up and proclaimed, to the great derogation of our national character, as violating in its most essential particular the solemn oath which the President has taken to support the Constitution of the Union. We call attention, further, to the fact that your Excellency is in like manner held up to this nation, to all mankind, and to all posterity, in the attitude of “levying war against (a portion of) the United States,” by employing arms in Kansas to uphold a body of men and a code of enactments purporting to be legislative, but which never had the election, nor sanction, nor consent of the people of the Territory. We earnestly represent to your Excellency that we also have taken the oath to obey the Constitution, and your Excellency may rest assured that we shall not refrain from the prayer that Almighty God will make your administration an example of justice and beneficence, and with His terrible majesty protect our people and our Constitution.

Nath’l W. Taylor
Theo. E. Woolsey
Henry Dutton

Noah Porter
Thos. A. Thatcher
J. A. Davenport

Wm. P. Fustis, Jr.
Alex. O. Twining
A.N. Skinner

E.R. Gilbert
Leconard Bacon
H.C. Kingsley

Chas. L. English	Worthingt'n Hooker	Horace Bushnell	B. Silliman
J. H. Brockway	Philos Blake	John Boyd	Edward C. Herrick
Eli W. Blake	E.K. Foster	Charles Robinson	Charles Ives
Eli Ives	C.S. Lyman	Henry Peck	Stephen G. Hubbard
B. Silliman, Jr.	John A. Blake	David Smith	Hewley Olmstad
J. Hawes	James E. Babcock	G.A. Calhoun	Seagrove W. Magill
Josiah W. Gibbs	Alfred Walker	James Brewster	Amos Townshend
Timothy Dwight	David M. Smith	Wm. H. Russell	

DOCUMENT #3: President Buchanan' Reply to the Clergymen (excerpt)

President Buchanan's reply appeared in the Badger State Banner, a local newspaper in Black River Falls, Wisconsin on 24 September of 1857.

Washington City, Aug. 15, 1857

Gentlemen: On my recent return to this city after a fortnight's absence, your memorial, without date, was placed in my hands through the agency of Mr. Horatio King, of the Post Office Department, to whom it had been intrusted. From the distinguished source whence it proceeds, as well as its peculiar character, I have deemed it proper to depart from my general rule in such cases and to give it an answer.

(Buchanan began the letter by summarizing the charges the men have asserted, essentially that his administration violated the "fundamental principle of the Constitution . . . that the people shall make their own laws and elect their own rulers" and forced the people of Kansas to obey laws "they never made"). He then offers this refutation:

When I entered upon the duties of the Presidential office on the fourth of March last, what was the condition of Kansas? This Territory had been organized under the act of Congress of the 30th of May, 1854, and the government in all its branches was in full operation . . . A code of laws had been enacted by the Territorial Legislature, and the judiciary were employed in expounding and carrying these laws into effect.

(The President continues by acknowledging the controversy surrounding the validity of the Territorial Legislature, but that Congress had recognized the body, and it was his duty to sustain it and protect it from the "violence of lawless men"). He continues:

It was for this purpose, and this alone, that I ordered a military force to Kansas to act as a posse comitatus in aiding the civil magistrate to carry the laws into execution. The condition of the Territory at the time, which I need not portray, rendered this precaution absolutely necessary. In this state of affairs would I not have been justly condemned, had I left the Marshal and other officers of like character, impotent to execute the processes and judgments of the courts of justice established by Congress, or by

the Territorial Legislature under its express authority, and thus have suffered the government itself to become an object of contempt in the eyes of the people? . . . I ask, what else could I have done, or ought I to have done? Would you have desired that I should abandon the Territorial Government, sanctioned as it has been by Congress, to illegal violence, and thus renew the scenes of civil war and bloodshed which every patriot in the country had deplored? . . . Whence did this necessity arise? A portion of the people of Kansas, unwilling to trust the ballot box, the certain American remedy for redress of grievances, undertook to create an independent government for themselves.

(Buchanan continues by arguing that those who were attempting to usurp power in Kansas were acting in a revolutionary and unlawful manner and that if he had not acted as he did, the result would have been anarchy). He then more specifically addresses the issue of slavery in Kansas:

The Congress of the United States had most wisely declared it to be the true intent and meaning of this act – the act organizing the Territory – not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States. As a general consequence, Congress has also prescribed by the same act, that when the Territory of Kansas shall be admitted as a State, it shall be received into the Union with or without slavery, as their Constitution may prescribe at the time of their admission. Slavery existed at that period, and still exists in Kansas under the Constitution of the United States. This point has at last been finally decided, by the highest tribunal known to our laws.

(Buchanan's reference here is to the Dred Scott decision that had been handed down on 6 March of 1857, two days after his inauguration. He expresses his clear acceptance of the decision – the view that slaves are property and therefore slavery cannot be exempted from a Territory if the residents themselves have voted for its acceptance). He continues by describing the election process in Kansas that was designed to establish a representative convention that would frame a Constitution for the people of the state, and that he sent troops there to quell violence surrounding that process and irregularities in voting). He concludes his letter with the following:

I have entire confidence in Gov. Walker, that the troops will not be employed except to resist actual aggression, or in the execution of the laws, and this not until the power of the civil magistrate shall prove unavailing. Following the wise example of Mr. Madison toward the Hartford Convention, illegal and dangerous combinations, such as that of the Topeka Convention, will not be disturbed, unless they shall attempt to perform some act which will bring them into actual collision with the Constitution and the laws; in that event they shall be resisted and put down by the whole power of the government. In performing this duty I shall have the approbation of my own conscience, and as I humbly trust, of my God. I thank you for the assurance that you will not refrain from prayer that Almighty God will make my administration an example of justice and beneficence. You can greatly assist me in arriving at this blessed consummation by exerting your influence in allaying the existing sectional excitement on the subject of slavery, which has been productive of much evil and no good, and which, if it could succeed in

attaining its object, would ruin the slave as well as the master. This would be a work of genuine philanthropy.

Every day of my life I feel how inadequate I am to perform the duties of my high station without the continued support of Divine Providence, yet placing my trust in Him, and in Him alone, I entertain a good hope that He will enable me to do equal justice to all portions of the Union, and thus render me an humble instrument in restoring peace and harmony among the people of the several States.

Yours very respectfully,

JAMES BUCHANAN

Document #4: Letter in Response to President Buchanan (excerpts)

The following letter in its entirety, appeared in the Jackson County Banner in October of 1857.

“Response of the Connecticut Memorialists to President Buchanan’s Letter” 22 October 1857

To His Excellency, James Buchanan, President of the United States:

In July last, a number of citizens of Connecticut addressed to you, as Chief Magistrate of this nation, a memorial on the affairs of Kansas. To this you replied, under date of Aug. 15, 1857, in a manner which shows that you misunderstood, to some extent, the ground taken by the memorialists, for we would not impute to you the intention to misrepresent them.

(The memorialists asserted two facts in their first letter: first, “that the fundamental principle of the Constitution of the United States and of our political institutions is, that the people shall make their own laws and elect their own rulers,” and second, “that Governor Walker of Kansas openly represents and proclaims that the President of the United States is employing through him (Walker) an army, one purpose of which is to force the people of Kansas to obey laws which are not their own, nor of the United States; but laws which it is notorious, and established upon evidence they never made, and rulers they never elected.” The writers then assert that Buchanan did not deny these facts in his reply and they question why not?)

(continuing) . . . Your formal vindication next demands notice. Of this your memorialists are compelled to say that, in their view, it is entirely groundless and unsatisfactory . . . The essential question on which the whole controversy turns is thus raised; it is simply this: Was there a government or were there laws in Kansas, in the just, proper and authorized meaning of the language, “when you entered upon the duties of the Presidential office on the 4th of March last?”

(Their argument, again, is that the government in Kansas did not have the sanction of the majority of the people)

(continuing) . . . Here your memorialists take the position, that nothing can be truly government or law which has no authority; and that nothing should be treated as government or law which presents no evidence of authority. Can anything which tramples under foot all human rights, and is a known outrage upon our Constitution and our political institutions, whatever be its name or form, be justly regarded as government or law, having authority under our Constitution? Can such an outrage be clothed with authority by a President, Senate, Congress, or a whole Congress of Presidents? Can usurpation beget a valid government or law or impart that right to govern, which implies an obligation to obey? Its might may make it a matter of prudence to avoid its wrath by submission; but can usurpation create an obligation to obey, when none exists?

(Once again, they criticize the President for threatening the use of force in Kansas and question why he has not accepted the report by a special committee of the House of Representatives that confirmed the fraudulent nature of the Territorial government established “by the terror of bowie knives and revolvers.” They argue that by supporting that government the President and his predecessor Franklin Pierce have set a dangerous precedent)

(continuing) . . . But if your example in administration, and that of your predecessor in office, are to be followed in future, whenever similar cases shall occur; if every usurpation of power, when it has gained a temporary success, is thenceforth to be backed by the whole power of the Federal Government, and forced upon the indignant people, on whom by fraud or violence it had imposed itself, where will the end be? How often will such crises actually occur, resulting from the very nature of our government, with such a principle in it administration to originate and foster them? What a temptation to party spirit, thus unrestrained, emboldened and upheld by the government of the nation, would be furnished to carry out its schemes and its triumphs in violence and bloodshed?

(Near the end of the letter the Connecticut clergymen assure the President that they do not doubt his sincerity nor his honesty, simply his error in reasoning. In the concluding paragraph they assert that Kansas is a test for the government and that people such as themselves must speak out to save our system)

Your memorialists have spoken earnestly, because they deeply deplore the adoption of a principle which leads to the mal-administration of so perfect a system of government, as that which our fathers, by their wisdom, their prayers, and the blood have given to their prosperity. They cannot believe in the unapproachable infallibility of their rulers under this system of true liberty; and while they would honor them in the fear of God, they are confident that neither they, nor even “kings have the right divine to govern wrong.” They hope for the continuance of our national government and for its wise and effective administration, in guarding the privileges and blessings it is so fitted to afford and perpetuate. They wait with hope for the emancipation of nations, and of all men by the light and power of the example of such a government. They trust that no unauthorized mode of its administration will cause it to fail of its design, and that you may yet see, that in this respect, one false principle, if adhered to, must prove a principle of weakness and decay – a sure prelude to the end of all our greatness, happiness and

glory – a death-spot in the tree of Liberty, whole leaves, like those of the tree of life, are for the healing of the nations.

Document #5: Editorial: Jackson County Banner 21 January 1858

The following editorial is the most explicit statement on the slavery controversy by the editors of the Banner from the period of September 1857 through February of 1858. I have transcribed it here in full.

Dudley Spaulding and F.O. Brainerd, editors

“Is it an Error? – and if it is, ought not its further Progress be Stopped?”

The slavery question is one that has engrossed the attention of the mighty minds of this country for the last thirty-five years, to an extent surpassing all other questions. The rise and progress of this discussion is familiar to all who have been participants in or have read the doings of that period. And yet at this time the question is by no means near its conclusion. Nor is it with the expectation of elucidating the question to the conversion of any to our faith that we have taken pen in hand to write this article.

But there are certain great truths that need to be kept fresh in the minds of all northern men; truths that should be a part and parcel of our political creed, and they are embraced in a plank so broad that all can stand upon it with no compromise of their political faith or standing. The recent exhibition of manliness on the part of Mr. Douglas is an exemplification to what an adherence of this principle will lead. His motives may have been self-aggrandizement, or they may not, but of this we feel assured, that his adherence to the principle of popular rights has been perfectly consistent with and a strict following out of that same principle promulgated in his Kansas-Nebraska bill.

Of the legality or morality of the acts that resulted in that bill we are not speaking just now. Suffice it for the present that Mr. Douglas was the prime mover in the overthrow of the Missouri Compromise and the establishment of the principle of squatter sovereignty in Kansas, and is now, to use his own language, “prepared to defend it from assaults from whatever source they may come.”

But let us recur to our starting point, and ask the question, Is slavery an evil? -- to which we can imagine but one answer. We can and do know that a very large majority of our countrymen are strongly rooted in the belief that it is; in fact we at the North are unanimous upon this point. However much their practice has belied their words, men of all parties have repeatedly and solemnly protested against slavery as a burning shame and disgrace to our country. Thus the question of its political and moral and social evils we have taken for granted to be answered in the affirmative; we judge it to be so self-evident that none will dispute it.

Ought its further progress be stopped? The question of the rightfulness or wrongfulness of an evil is simple enough; but the mode of suppressing that evil is sometimes most trying to human reason.

Herein lies the difficulty of the slavery question. All are agreed upon its depravity as leavening our Union with anti-republican and un-democratic sentiments; yet a practical plan for its removal has never yet been agreed upon. A system of paralogy has seized upon our people, and the habit of being on the “other side” of any popular question has, to a great extent, prevented us from acting in unison. Let the merits of the question be acknowledged ever so readily, or its claims to truth and justice be admitted on all hands, still a united and hearty co-operation of all parties to sustain and carry through the measure has never been attained. We have seen the disposition of our people alas! too faithfully exhibited all along in this slavery agitation. The old Whigs, the Democratic, the Liberty and Free Soil, and the Republican parties each and all of them here at the North have proclaimed as part of their political creed opposition to slavery. We have beheld the novel spectacle of these several parties preaching and proclaiming same cardinal points of doctrine, each zealously declaring its firm determination to carry out those principles, and yet at the same time bitterly opposed to each other; having as their standard bearers men whom it was impossible to unite upon this question – men who, however much they might unite in declaring sentiments of opposition to slavery, had not the remotest idea of carrying those professions into practice. While we at the North have the approving voice of the greatest men in our country from Washington down as condemnatory of slavery, we have ever failed to use properly the means placed in our hands to rid our country of this evil.

What is needed is an union of all the North in opposition to slavery to rid ourselves of it. If it desires to go South, let it go; it is not the actual presence of slavery North that should give us any uneasiness, physical and geographical reasons forbid its inroads to any extent; but it is the name and its degrading sentiments that we of the North wish to rid ourselves and our country of. Union of the North will affect the object we have in view. We can force slavery from us, if we will. But our voice is not for carrying war into Africa; we recognize the right of ownership in slaves as a State right, to be meddled with by none out of that province. There are the headlong fanatics of the North and the fire-eaters of the South – neither of which we apprehend should have a controlling influence in the government of their respective localities. The failure of the North consists in this: in her anxiety to disclaim the controlling power of her fanatics, she has thrown herself into the lap of the South, and placed the balancing power of government in her hands. The South, on the contrary, for fear the North would declare a unified opposition, have allowed her fire-eaters to take the lead for the purpose of browbeating and bullying the North into submission. Too well has she succeeded. By continually throwing the Executive power and patronage into the hands of the South, the North has been continually throwing up clubs to come down upon its own head. We do not believe it necessary or will follow that if we united at the North in opposition to the extension of slavery that we adopt the lead of men of the Garrison or Theodore Parker school. Those men may be sincere, but we do not believe their plans are practicable; and it is a foolish idea that by taking an anti-slavery stand, we are per se abolitionists. This is the bug-bear that has frightened the North. By it the Free Soil Democrats have been twice deceived in the last two Presidential elections – Does any intelligent Democrat now doubt that Franklin Pierce favored the South in preference to the North? Mr. Buchanan is not a Representative man of the North, and it is idle to expect him to fully appreciate our sentiments upon the slavery question.

There never can be an effective step taken by the North to suppress the spread of slavery, until she throws aside her fears of fanaticism and abolitionism, and enters boldly into the contest. We believe that the thing will regulate itself – that we shall be no more imbued with the spirit of fanaticism than is necessary to give us proper spirit and determination to maintain our rights. We all know what we want; and we are all united in saying that slavery is an evil, and that its further progress ought to be stayed. The difficulty we apprehend, of our not doing it, lies in the simple fact that we are not united in our opposition to it. If an example is needed, take that of our opponents at the South – if our principles are right, unite and establish them; if wrong, cease preaching and let practice and precept correspond.

DOCUMENT 6: COMMENTARY ON KANSAS BY THE EDITORS 11 February 1858

Two weeks after the preceding editorial was published, the following commentary on the Lecompton Constitution and President Buchanan’s position appeared in the Jackson County Banner. In December and January votes on the Lecompton Constitution were held in Kansas with over 80% of Kansans rejecting the document.

The exciting topics of the week are those which relate particularly to Kansas affairs. The Lecompton Constitution has been received in Washington, and the President has submitted a message to Congress, advising the immediate adoption of that Constitution, and the admission of Kansas into the Union under it. This is the finishing blow to the hopes of many, who supposed the President would not attempt to **force** the people of Kansas into the Union at the expense of all that is honorable and human. The most charitable of President Buchanan’s friends at the North must be compelled by this the crowning act of his partisanship to acknowledge that he is irretrievably lost to us as a President of the **whole** people, and that he is and must be regarded as opposed in sentiment and practice to the wishes of the great North.

DOCUMENT 7: REPORT ON THE IRVING LYCEUM 11 February 1858

I’m including the following article from the Banner for two reasons. First, it highlights the role that debating societies played in frontier America. The myriad of organizations that promoted “social networking” during this period is striking. Second, this article illustrates that the question as to the survival of the Union was in the public debate three years before the outbreak of war due, in part, to the events occurring in Kansas and how they were being reported around the country. The polite debate going on 500 miles distant from Kansas was certainly in stark contrast to the violence occurring there.

The Lyceum met pursuant to adjournment. F.P. Chase, Chairman, called the Lyceum to order at 6 ½ o’clock P.M., when the following resolution was discussed by Messrs. Wm. H. Little, E.W. Chase, L.H. Andrews and Thomas Perry, on the affirmative, and I.F. Howell, James Davis, James K. Horswill and Wm. K. Horswill, on the negative:

Resolved, That the present emergencies portend the overthrow of our government.

After a warm and spirited discussion of two hours, the Chairman decided in favor of the affirmative. The Lyceum was largely attended, and the speakers who participated in the discussion observed a gentlemanly bearing towards each other amidst differences of opinion, and in no instance did the excitement of debate lead any one to forget the amenities and courtesies which belong to well ordered deliberative bodies. On motion of I.F. Horswill, it was voted that the Secretary be requested to transmit a copy of this evening's proceedings to the Editor of the Jackson County Banner, to be published in the same; also to extend an invitation to the Editor to visit our next meeting and deliver a lecture on any subject he may think proper for the occasion.

DOCUMENT 8: EXCERPT OF LINCOLN'S "HOUSE DIVIDED" SPEECH 16 June 1858

Though Lincoln's speech falls outside the scope of the research I did for this paper, I included it here because of his reference to the Silliman Letter and President Buchanan. During his Senate race against Stephen Douglas, Lincoln became the most articulate voice in the Republican Party concerning the events of the 1850s. Though he lost that race, he put himself in a position to secure the Republican nomination for President in 1860.

While the Nebraska Bill was passing through Congress, a law case, involving the question of a Negro's freedom, by reason of his owner having voluntarily taken him first into a free state and then into a territory covered by the congressional prohibition, and held him as a slave for a long time in each, was passing through the United States Circuit Court for the district of Missouri; and both Nebraska Bill and lawsuit were brought to a decision in the same month of May 1854. The Negro's name was Dred Scott, which name now designates the decision finally made in the case. Before the then next presidential election, the law case came to, and was argued in, the Supreme Court of the United States; but the decision of it was deferred until after the election. Still, before the election, Senator Trumbull, on the floor of the Senate, requested the leading advocate of the Nebraska Bill to state his opinion whether the people of a territory can constitutionally exclude slavery from their limits; and the latter answers: "That is a question for the Supreme Court."

The election came. Mr. Buchanan was elected, and the endorsement, such as it was, secured. That was the second point gained. The endorsement, however, fell short of a clear popular majority by nearly 400,000 votes, and so, perhaps, was not overwhelmingly reliable and satisfactory. The outgoing President, in his last annual message, as impressively as possible echoed back upon the people the weight and authority of the endorsement. The Supreme Court met again, did not announce their decision, but ordered a reargument.

The presidential inauguration came, and still no decision of the Court; but the incoming President, in his inaugural address, fervently exhorted the people to abide by the forthcoming decision, whatever it might be. Then, in a few days, came the decision.

The reputed author of the Nebraska Bill finds an early occasion to make a speech at this capital endorsing the Dred Scott decision, and vehemently denouncing all opposition to it. The new President, too, **seizes the early occasion of the Silliman letter to endorse and strongly construe that decision, and to express his astonishment that any different view had ever been entertained!**

Source: The History Place, "Abraham Lincoln: House Divided Speech."

<http://www.historyplace.com/lincoln/divided.htm>

RELEVANT DATES: WISCONSIN AND BLEEDING KANSAS

➤ 1854

- May 30 - Kansas-Nebraska Act passes U.S. Congress--territories of Kansas and of Nebraska established.
- The Kansas-Nebraska Act was responsible for causing the label "Bleeding Kansas." The incorporation of popular sovereignty made the territory's residents (not the Federal government) responsible for the question of slavery in their own backyard. The proximity of Kansas to slave-owning Missouri and the lack of any natural border between the two regions prompted an influx of Pro-slavery individuals into the new territory when it opened up for settlement.
- Escaped Missouri slave, Joshua Glover, is captured by federal marshals near Racine, Wisconsin. Led by free-soiler William Booth, editor of the Milwaukee Free Democrat, forcibly free Glover from the Milwaukee jail where he is being held.
- Free-soilers and anti-slavery democrats meet in Ripon, Wisconsin to protest the Kansas-Nebraska Act. Anticipating the passage of the bill, they call for its repeal and call for the formation of a new political party. The Ripon meeting is one of many that were held in northern states over the next several months leading to the development of the Republican Party.
- Andrew H. Reeder was appointed the first territorial governor of Kansas by President Franklin Pierce.
- The first settlers arrive in what will become Lawrence, Kansas. The name is chosen to honor Amos A. Lawrence, son of famous philanthropist. Among other things, Lawrence provided funding for Lawrence Academy in Wisconsin, first established in 1847 (later Lawrence University).
- November 29 - Andrew H. Reeder was the first territorial governor of Kansas who called an election to choose a delegate to congress.
- The New England Emigrant Aid Society in Boston, MA was a company interested in peopling the frontier with anti slavery (abolitionist) settlers. 1854 - This company helped to found Lawrence, Kansas (town named after Amos A. Lawrence, promoter of the Emigrant Aid Society), which then became the center of Free-State activities.

- Topeka was founded by five antislavery activists

➤ **1855 -**

- March elections in Kansas ensure pro-slavery dominance in the territorial legislature. Free-staters refer to this as the “Bogus Legislature.”
- A free-state constitution was framed in Topeka. It did not receive serious consideration in Congress.
- July - The first territorial Capitol of Kansas was built of native stone at Pawnee on the Fort Riley reservation.

➤ **1856 -**

- Black River Falls businessman and civic leader William Price establishes the *Jackson County Banner*.
- Hundreds of members of the Kansas Emigrant Aid Society of Wisconsin set out for Kansas.
- Preston Brooks of South Carolina savagely beats Senator Charles Sumner on the floor of the US Senate in response to a speech Sumner gives denouncing slaveholders in South Carolina.
- John Brown and his Free State Volunteers, including two men from Wisconsin, murder five pro-slavery settlers near Pottawatomie Creek in southeastern Kansas. Allegedly the motivation for the attacks is the sacking of Lawrence and the caning of Sumner. The murders prompt guerrilla-style warfare in Kansas and Missouri that will continue for several years.
- August - John Brown and 40 defenders were attacked by an army of 400/600 pro slavery Missourians. In this raid on Osawatomie, the settlement (all but four homes) was burned by the invaders and John Brown's son Frederick was killed. Four wagon loads of dead and wounded were brought into Booneville, Missouri when the invading army returned.
- James Buchanan is elected 15th President of the United States. A Pennsylvanian “doughface,” Buchanan consistently sides with the pro-slavery elements at work in Kansas. Senator John C. Fremont, Republican, wins Wisconsin’s vote with 56%. In Jackson County he receives 60% of the vote. Fremont is the first Republican candidate

for President and runs on a platform that boldly attacks the Pierce administration for its handling of the Kansas situation.

➤ **1857 -**

- Supreme Court Chief Justice Roger Taney issues his ruling in the case of Dred Scott v. Sanford. The explosive decision essentially asserted that Scott could not sue for freedom in federal court because he was not a citizen. The implication of the decision was that slave owners could not be barred from taking their “property” into free states and seemed to throw the whole notion of popular sovereignty out the window.
- In July, a group of 40 Connecticut citizens, led by Benjamin Silliman, write an open letter to President Buchanan protesting his actions concerning Kansas. It is known as the Silliman Letter and is referenced by Abraham Lincoln in his House Divided Speech of June 1858. The Silliman Letter, President Buchanan’s response, and a reply from the Connecticut group are all printed in the Jackson County Banner.
- A pro slavery constitution, if Kansas is admitted as a slave state, was drafted at Lecompton. The constitution was adopted in an election in which free state men refused to vote and later was rejected at a second election in which the pro slavery men took no part.
- In the second of three referenda related to the granting of voting rights to African-American males in Wisconsin, voters defeat the proposal 59-41%.
- A third constitutional convention convened at Leavenworth, and the constitution drafted there was adopted by the people in 1858, but this too failed final acceptance.

➤ **1858 -**

- Spaulding and Brainerd, editors of the Jackson County Banner, come out forcefully in an editorial for the first time condemning the Lecompton Proceedings and President Buchanan’s actions in Kansas.
- The Irving Lyceum, a debating society in Jackson County, debates the following proposition at their weekly meeting: “Present emergencies portend the overthrow of our government.”
- Speaking in Springfield, Illinois in June, Abraham Lincoln gives his “House Divided” speech upon accepting the Republican nomination for US Senate. Quoting from Matthew 12:25, Lincoln says, “A house divided against itself cannot stand.”

➤ **1859 -**

- May - The Republican Party was formally organized at Osawatomie.
- July - The fourth and last constitutional convention assembled at Wyandotte, now part of Kansas City. This time free state advocates were solidly in control, and the document they drafted barred slavery and fixed the present boundaries of the state. It was accepted by a vote of the people in October, and in December a provisional state government was elected.
- December - Lincoln visits Kansas.

➤ **1860 -**

- February 23 - The legislature passed a bill over the governor's veto abolishing slavery in Kansas.
- November – Republican Abraham Lincoln is elected 16th President of the United States.
- December – South Carolina becomes the first state to secede from the Union.

➤ **1861 -**

- January 29 - Kansas was admitted into the Union as the 34th state. Topeka became the state Capitol.
- February 4 – The Confederate States of America is formed. Seven states of the deep south form the original C.S. of A. Four more states will secede by April.
- March 4 – Lincoln is inaugurated. He must immediately deal with the issue of federal property in the southern region of the country.
- April - Civil War. Southerners fire on Union troops as they attempt to resupply Fort Sumter in South Carolina and these prove to be the opening shots of the Civil War. In answer to President Lincoln's first call for troops in April, Kansas supplied 650 men. Before the war ended in 1865, Kansas contributed 20,097 men to the Union Army, a remarkable record since the population included less than 30,000 men of military age. Kansas also suffered the highest mortality rate of any of the Union states. Wisconsin contributes over 80,000 men to the Union cause from 1861-65. 408 men from Jackson County serve and of those, 95 are from Black River Falls.

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Paul S Rykken August 2010