

DOCUMENTS IN RELATION TO KANSAS.

In order to correct the false and exaggerated statements regarding the condition of things in the Territory of Kansas, and the acts and purposes of the government of the United States, and to show the precise truth in both respects, we have obtained and now publish the following official correspondence:

DEPARTMENT OF STATE, } Washington, August 26, 1856. } Sir:—The present condition of the Territory of Kansas renders your duties as governor highly responsible and delicate. In the instructions heretofore communicated to your predecessor, in February last; in the annual message to Congress of the 24th of the previous December, and in orders issued from the War Department, (printed copies of which are herewith furnished,) you will find the policy of the President fully presented. It is, first, to maintain order and quiet in the Territory of Kansas; and, second, if disturbances occur therein, to bring to punishment the offenders.

Should the force which has been provided to attain these objects prove insufficient, you will promptly make known that fact to the President, that he may take such measures in regard thereto as to him may seem to be demanded by the exigencies of the case. It is important that the President should be kept well informed as to the state of things in Kansas, and that the source of any information should be such as to insure its accuracy. You are therefore directed by him to communicate constantly with this department. Such facts as it is deemed important to have early known here, you will cause to be transmitted by telegraph as well as by mail.

The President indulges a hope that, by your energy, impartiality, and discretion, the tranquility of the Territory will be restored, and the persons and property of our citizens therein protected.

I am, sir, &c., } W. L. MARCY, } His Excellency JOHN W. GEARY, } Governor of Kansas Territory.

[Enclosure No. 1.] } By the President of the United States of America.

Whereas indications exist that public tranquility and the supremacy of law in the Territory of Kansas are endangered by the reprehensible acts or purposes of persons, both within and without the same, who propose to direct and control its political organization by force; it appearing that combinations have been formed therein to resist the execution of the territorial laws, and thus, in effect, subvert by violence all present constitutional and legal authority: It also appearing that persons residing without the Territory, but near its borders, contemplate armed intervention in the affairs thereof: It also appearing that other persons, inhabitants of remote States, are collecting money, engaging men, and providing arms for the same purpose: And it further appearing that combinations within the Territory are endeavoring, by the agency of emissaries and otherwise, to induce individual States of the Union to intervene in the affairs thereof, in violation of the constitution of the United States:

And whereas all such plans for the determination of the future institutions of the Territory, if carried into action from within the same, will constitute the fact of aggression, and, if from without, that of invasive aggression, and will, in either case, justify and require the general intervention of the whole power of the general government, as well to maintain the laws of the Territory as those of the Union:

Now, therefore, I, Franklin Pierce, President of the United States, do issue this my proclamation to command all persons engaged in unlawful combinations against the constituted authority of the Territory of Kansas or of the United States to disperse and retire peaceably to their respective abodes, and to warn all such persons that any attempted insurrection in said Territory or aggressive intrusion into the same will be resisted not only by the employment of the local militia, but also by that of any available forces of the United States; to the end of assuring immunity from violence and full protection to the persons, property, and civil rights of all peaceful and law-abiding inhabitants of the Territory.

If, in any part of the Union, the fury of faction or fanaticism, inflamed into disregard of the great principles of popular sovereignty which, under the constitution, are fundamental in the whole structure of our institutions, is to bring on the country the dire calamity of an arbitrament of arms in that Territory, it shall be between lawless violence on the one side and conservative force on the other, wielded by legal authority of the general government.

I call on the citizens, both of adjoining and of distant States, to abstain from unauthorized intermeddling in the local concerns of the Territory, admonishing them that its organic law is to be executed with impartial justice; that all individual acts of illegal interference will incur condign punishment; and that any endeavor to intervene by organized force will be firmly withstood.

I invoke all good citizens to promote order by rendering obedience to the law; to seek remedy for temporary evils by peaceful means; to discountenance and repulse the counsels and the instigations of agitators and of disorganizers; and to testify their attachment to their country, their pride in its greatness, their appreciation of the blessings they enjoy, and their determination that republican institutions shall not fail in their hands by co-operating to uphold the majesty of the laws and to vindicate the sanctity of the constitution.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed to these presents.

Done at the city of Washington, the eleventh day of February, in the year of our Lord one thousand eight hundred and fifty-six, and of the independence of the United States the eightieth. } FRANKLIN PIERCE.

By the President: } W. L. MARCY, Secretary of State.

[Enclosure No. 2.] } WAR DEPARTMENT, } Washington, February 15, 1856. }

Sir: The President has, by proclamation, warned all persons, combined for insurrection or invasive aggression against the organized government of the Territory of Kansas, or associated to resist the due execution of the laws therein, to abstain from such revolutionary and lawless proceedings; and has commanded them to disperse and retire peaceably to their respective abodes, on pain of being resisted by his whole constitutional power. If, therefore, the Governor of the Territory, finding the ordinary course of judicial proceedings, and the powers vested in the United States Marshals, inadequate for the suppression of insurrectionary combinations or armed resistance to the execution of the law, should make requisition upon you to furnish a military force to aid him in the performance of that official duty, you are hereby directed to employ for that purpose such part of your command as may, in your judgment, consistently be detached from their ordinary duty.

In executing this delicate function of the military power of the United States, you will exercise much caution to avoid, if possible, collision with even insurgent citizens, and will endeavor to suppress resistance to the laws and constituted authorities by that moral force which, happily, in our country, is ordinarily sufficient to secure respect to the laws of the government. You will use a sound discretion as to the moment at which the further employment of the military force may be discontinued, and avail yourself of the first opportunity to return with your command to the more grateful and prouder service of the soldier—that of common defence.

For your guidance in the premises, you are referred to the acts of February 28, 1795, and March 3, 1807, (see Military Laws, pages 301 and 123,) and to the proclamation of the President, a copy of which is herewith transmitted.

Should you need further or more specific instructions, or should, in the progress of events, doubts arise in your mind as to the course which it may be proper for you to pursue, you will communicate directly with this department, stating the points upon which you wish to be informed.

Very respectfully, your obedient servant, } JEFFERSON DAVIS, } Secretary of War.

Colonel E. V. SUMNER, } United States Army, commanding Fort Leavenworth.

Lieut. Col. PHILIP ST. GEORGE COOKE, } United States Army, commanding Fort Riley, K. T.

[Enclosure No. 3.] } Mr. Marcy to Gov. Shannon.

DEPARTMENT OF STATE, } Washington, February 16, 1856. } Sir: I herewith enclose to you a copy of a proclamation by the President, dated the 11th inst., duly authenticated, and also a copy of orders issued from the Department of War to Colonel Sumner and Brevet Colonel Cooke, of the United States Army.

The President is unwilling to believe that in executing your duties as governor of the Territory of Kansas there will be any occasion to call in the aid of the United States troops for that purpose, and it is enjoined upon you to do all that can possibly be done before resorting to that measure; yet if it becomes indispensably necessary to do so in order to execute the laws and preserve the peace, you are hereby authorized by the President to make requisition upon the officers commanding the United States military forces at Fort Leavenworth and Fort Riley for such assistance as may be needed for the above-specified purposes.

While confiding in the respect of our citizens for the laws, and the efficiency of the ordinary means provided for protecting their rights and property, he deems it, however, not improper, considering the peculiar situation of affairs in the Territory of Kansas, that you should be authorized to have the power herein conferred with a view to meet any extraordinary emergency that may arise; trusting that it will not be used until you shall find a resort to it unavoidable in order to insure the due execution of the laws and to preserve the public peace.

Before any actual interposition of the military force on any occasion, you will cause the proclamation of the President, with which you are herewith furnished, to be publicly read.

I am, sir, very respectfully, your obedient servant, } W. L. MARCY.

Hon. WILSON SHANNON, } Governor of the Territory of Kansas.

WAR DEPARTMENT, } Washington, June 27, 1856. }

Sir: You will receive special order No. 67, of this date, assigning you to the command of the department of the West; and, in addition to the general duties which that position will devolve upon you, your attention is especially directed to the present disturbed condition of the inhabitants of the Territory of Kansas. Enclosed you will find copy of a proclamation of the President of the United States, and of a letter of instructions directed to the commanding officer of Fort Leavenworth and Riley, to which you are referred for the views of the Executive, and for the government of your conduct in the contingencies therein contemplated, and if, in such contingencies, you should be called upon to use any portion of the troops under your command to aid the civil authorities in arresting offenders, a detachment of troops for that purpose will be directed to accom-

pany the civil officer charged with the process, and to aid him in the execution of his duties, both in making the arrests and in conducting prisoners to places where they may be safely kept by the civil authorities.

In discharging the delicate functions arising from the peculiar condition of affairs in Kansas, you will carefully abstain from encroaching, in any degree, upon the proper sphere of the civil authorities, and will observe the greatest caution to avoid any conflict between the civil and the military power.

You will report directly to this department, and communicate frequently and fully in regard to the progress of events.

Very respectfully, your obedient servant, } JEFF. DAVIS, Secretary of War.

Brevet Brig. Gen. P. F. SMITH, } U. S. Army.

HEADQUARTERS DEPARTMENT OF THE WEST, } Fort Leavenworth, K. T., Aug. 22, 1856. }

Colonel: Late in the evening of the 18th instant I received from Major Sedgwick and from Gov. Shannon the letters enclosed.

I had heard previously various rumors of outrages committed by bands of armed men about the neighborhood of Lawrence, and had seen hand bills published in other towns purporting to give an account of them, and messengers came to me on two occasions to relate what they had seen of an attack on Leocompton on the morning of the 16th instant; but as all this must have happened near some of Major Sedgwick's posts, and I received no information from him, and as much of the information I had received I knew to be false, I placed no confidence in it, whatever, especially learning that up to the 17th no attack as all had even been made on Leocompton. Major Sedgwick alludes, in his despatch enclosed, to an attack on Franklin. This is all the information I have as yet on the subject that is authentic; the date and particulars are yet unknown. But on the assurance of both the governor and Major Sedgwick that there are 800 armed men assembled in Lawrence, which can be increased in twelve hours to twelve hundred, and that it is expected they would attack and destroy the capital of the Territory, Leocompton, I have ordered Lieut. Col. Johnston's second cavalry to go there, with all the troops at this post except a small company, and have ordered all the men from Fort Riley, except a small garrison, to the same place. I have sent down to have all the troops, recruits and others, at Jefferson barracks to be sent here, and will send them and any companies of the 6th that may arrive, to reinforce the command on the Kansas, if necessary. A large force may prevent any violence; a small one might tempt to the commission of it.

I enclose my instructions to the officer who may have command of the troops. He is to confine his action to the cases specified in the constitution, and provided for by the acts of Congress of February 28, 1795, and March 3, 1807. I could not tell that Congress had this session restricted the action of the troops as far as was in their power—that is, to the constitutional provision.

I enclose also a communication from an officer of the militia on the northern border of the Territory, showing how contradictory and inconsistent are the accounts spread over the country, for the party that Lane brought from Iowa is on the northern border and on the Kansas at the same time.

Col. Sumner's regiment cannot now muster 400 men, including Capt. Steuart's company on its way to Fort Laramie, and a detachment under Lieut. Wheaton en route for Fort Kearny with the Sioux prisoners. Lieut. Col. Cooke's six companies have a little more than 100 horses.

With respect, your obedient servant, } PERSIFER F. SMITH, } Brevet Major General, Comd'g Dep't.

Colonel S. COOPER, } Adjutant General of the Army.

[Enclosure No. 1.] } CAMP NEAR LECOMPTON, K. T., } August 17, 1856. }

Major: As the governor wishes to communicate with the general commanding the department, I avail myself of the opportunity to report that, within the last few days, parties of armed men have been assembling in various places, committing many depredations, and have now become bold as to attack a house within two miles of the troops. After the attack on Franklin by the free-soilers, they attacked a camp said to contain about forty, who had banded themselves together for protection. After dispersing them and burning the house, they marched on this town. The governor requested me to move on with all the disposable force I had, which amounted to only thirty men. After remaining in town till after daylight, I returned to my camp, and had just reached it when I heard the report of a six pounder, and soon ascertained that the house of Col. Titus, in which he had twenty men, was the place attacked. I placed my command between the house and town; and the governor soon after joining us, we moved in the direction of the place attacked. By this time the house had been destroyed, one man killed, Col. Titus and one other dangerously wounded, and the others carried off prisoners.

This morning I received from the governor a communication directing me to proceed to Lawrence and demand the prisoners; and, in case of refusal, to take them by force, firing upon the resisting party. I immediately called upon the governor; and, at the suggestion of Dr. Rodrigue, a gentleman of high standing, we proceeded to Lawrence, and had an interview with the persons holding the prisoners. After a long consultation, (in which I took no part,) the governor made an arrangement to exchange some that he held, and some other stipulations. I believe that there are eight hundred men (armed) in Lawrence, which can be increased in twelve hours to twelve hundred; they are in a state of high excitement—almost uncontrollable; and I believe they will attack this town and destroy it if every part of the agreement is not carried out, which I fear cannot be done. I think, if any troops are needed, it will be a larger number than I have at my disposal. At the request of the governor, I have ordered Captain Anderson's company from the Wakarusa, and Captain Newby's from Palmyra, to this camp; they arrived yesterday. This increases my effective force to about ninety.

I should very much like to have the advice of Colonel Johnston for a few days. I would also say that I have received no instructions how to act in a conflict with citizens, or when an officer is authorized to fire upon them, except the President's proclamation of February 16, 1856.

I am, very respectfully, your obedient servant, } JOHN SEDGWICK, } Major First Cavalry.

Major GEORGE DEAS, } Adjutant Genl. Dept of the West.

[Enclosure No. 2.] } EXECUTIVE OFFICE, } Leocompton, (K.) August 17, 1856. }

Sir: This place is in a most dangerous and critical situation at this moment. We are threatened with utter extermination by a large body of free-State men.

The report of Major Sedgwick, which will accompany this, will give you the particulars of the various outrages which this body of armed men have perpetrated within the last few [days.] I have just returned from Lawrence, where I have been this day with the view of procuring the release of nineteen prisoners that were taken. I saw in that place at least eight hundred men, who manifested a fixed purpose to demolish this town. I know that they intend an attack—and that, too, in a very short time. I have correct information that they have five hundred men over in the Ossawatimic county, some forty miles south about three hundred miles to the valley of the Wakarusa; and a large body above this place, variously estimated at from three to six hundred. They can concentrate at this place in a very short time some fifteen hundred or two thousand men, well armed, with several pieces of artillery. It would seem that the business of "wiping out," as it is called, of the pro-slavery party, has been commenced. This heavy force has most unexpectedly sprung into existence, and made its appearance within a few days past. The women and children have been mostly sent across the river, and there is a general panic among the people. The force here is small—say eighty or a hundred dragoons, and some hundred and twenty citizens, poorly armed, and badly supplied with ammunition. Under these circumstances, I have to request you to send from the fort all your disposable force. A few companies of infantry would be very desirable, and some light artillery. Permit me to express the hope that whatever force you can dispatch to the relief of this place will be sent as soon as possible. Delay may be ruinous.

Yours, with great respect, } WILSON SHANNON.

Gen. P. SMITH.

3d. A letter from the Adjutant General of the army to Col. Sumner, dated March 26, 1856, in answer to a request of the latter to know the views of the department in relation to the course to be pursued towards armed bodies coming into the Territory, particularly the following paragraph: "It is only when an armed resistance is offered to the laws and against the peace and quiet of the Territory, and when, under such circumstances, a requisition for military force is made upon the commanding officer by the authority specified in his instructions, that he is empowered to act."

And last: To the following extract from the instructions of the Secretary of War to the general commanding the department, dated the 27th of June last:

"Enclosed you will find copy of a proclamation of the President of the United States, and of a letter of instructions directed to the commanding officers of Forts Leavenworth and Riley, to which you are referred for the views of the Executive and for the government of your conduct in the contingencies therein contemplated; and if in such contingencies you should be called upon to use any portion of the troops under your command to aid the civil authorities in arresting offenders, a detachment of troops for that purpose will be directed to accompany the civil officer charged with the process, and to aid him in the execution of his duties, both in making the arrests and in conducting prisoners to places where they may be safely kept by the civil authorities. In discharging the delicate functions arising from the peculiar condition of affairs in Kansas, you will carefully abstain from encroaching upon the proper sphere of the civil authorities, and will observe the greatest caution to avoid any conflict between the civil and military power."

[Enclosure No. 3.] } HEADQUARTERS FIRST DIVISION K. M., } Doniphan county, Kansas, Aug. 18. }

Sir:—In addition to the extra herewith enclosed, I have received reliable information that a state of actual war exists in Douglas county, and that in other parts of the Territory, within this division, robberies and other flagrant violations of law are daily occurring by armed bodies of men from the Northern States. In the absence of all information from the governor of the Territory, I have taken the liberty of exercising the authority in me vested in cases of invasion by ordering out the entire strength of my division to rendezvous at various points of the division to receive further orders.

The object of this is to ask of you as commandant of this district how far your orders require interference with the militia of the Territory, and whether

or not their being thus assembled to repel such invasion is in violation of your instructions?

I am, sir, your most obedient servant,

WM. F. RICHARDSON, } Major General First Division K. M.

To Brig. Gen. PERSIFER F. SMITH, } Commanding Leavenworth, Kansas Territory.

[Enclosure No. 4.] } HEADQUARTERS DEPARTMENT OF THE WEST, } Fort Leavenworth, August 18, 1856. }

Sir: I have to acknowledge the receipt of your communication of the 17th instant, and to inform you that Capt. Howe's company of artillery and two companies of cavalry, will leave this post to-morrow morning to join you, and that all the disposable force at Fort Riley has been directed to proceed without delay to Leocompton.

I am, sir, very respectfully, your obedient servant, } GEO. DEAS, } Assistant Adjutant General.

Major JOHN SEDGWICK, } First Cavalry, Leocompton.

P. S.—Captains DeSaussure and Beall have been directed to join you.

[Enclosure No. 5.] } HEADQUARTERS DEPARTMENT OF THE WEST, } Fort Leavenworth, August 19, 1856. }

Instructions for the officer in command of the detachment of United States troops ordered to assemble in the neighborhood of Leocompton, the capital of Kansas Territory, on the requisition of the governor thereof to repress insurrection:

Sir: The whole of the 1st regiment of cavalry, (except one company at Fort Leavenworth and one at Fort Kearny,) with Capt. Howe's company of the artillery, and a squadron of the 2d dragoons and a detachment of dismounted men of the same regiment, will be assembled under your command, and will be reinforced, if necessary, by such detachments of infantry and recruits as may arrive here in time.

This force you will keep concentrated as much as possible, making no detachments, except as scouts and patrols, unless in case of absolute necessity, of which you will be the judge; and all the men, horses, and arms will be kept in a perfect state of readiness for instant action at all times.

The governor of the Territory has required the presence of these troops to aid the civil authority in suppressing insurrection, and in protecting the peaceable inhabitants of the Territory from the lawless violence of armed bodies which he represents as arrayed for that purpose.

That you may have a distinct idea of your powers and duties in this position, the following official instructions from the Executive of the United States are referred to, and you will be governed entirely by the rules therein laid down:

1st. The proclamation of the President of the U. States, dated the 11th day of February last.

2d. The instructions of the Secretary of War to Col. E. V. Sumner and Lieut. Col. Cooke, dated the 15th of February.

As a great responsibility will rest on the officer in command of the troops, he must, in assuming it, act on his own judgment, and on information perfectly satisfactory to his own mind. After the examples we have had daily of late of the gross falsehoods, misrepresentations and exaggerations spread over the country under what was said to be reliable authority, it will not be safe to trust to any intelligence the source and channel of which are not satisfactory to yourself.

You have the entire command and control of the troops, and are in no case to commit them to any other than the regular military authority. Send, as soon as your command is assembled, and weekly thereafter, field returns of its strength, even though the commanding general should be absent from Fort Leavenworth. Send, also, topographical sketches of the country around you, with distances marked.

To avoid weakening your command, you will hire such expressmen as you may think necessary, and will keep a constant communication with headquarters.

In conclusion, the General begs and directs you to avoid as long as possible any appeal to arms. Use every endeavor in your power to bring those who are in opposition to the law to a sense of their error; especially avoid small conflicts, and consider the shedding of a fellow-citizen's blood as the greatest evil that can happen except the overthrow of law and right, which must end in civil war. But when the necessity of action and the employment of force does unhappily arise, employ it at once with all the power and vigor at your command, but continue it only until you have suppressed the insurrection, and then interfere to prevent any cruelty from others.—The governor of the Territory should, if possible, take means to keep the prisoners arrested under his authority, and such as may hereafter be taken. Their custody embarrasses the troops and diminishes their efficiency.

With respect, your obedient servant, } PERSIFER F. SMITH, } Brevet Maj. Gen. Commanding Department.

[Enclosure No. 6.] } HEADQUARTERS DEPARTMENT OF THE WEST, } Fort Leavenworth, Aug. 18, 1856. }

Sir: The general commanding the department directs that you will with the utmost despatch organize a force of one complete squadron of dragoons, to be selected from the most efficient for mounted service, to proceed to the town of Leocompton, the seat of government in this Territory, now threatened with attack and destruction. The remainder of your command, with the exception of the dismounted men of the two weakest companies, who will be left as the guard to the post, will accompany the squadron on foot as riflemen, the officers to be mounted. On arriving at Leocompton the officer in command will report the presence of the troops to the executive of the Territory of Kansas, and will then be governed by the instructions which will be sent from these headquarters. The senior officer present with the force to be concentrated at or near Leocompton, will command the whole.

I am, Colonel, very respectfully your obedient servant, } GEO. DEAS, } Assistant Adjutant General.

Lieut. Col. P. St. Geo. COOKE, } 2d Dragoons, Fort Riley, K. T.

[Enclosure No. 7.] } HEADQUARTERS DEPARTMENT OF THE WEST, } Fort Leavenworth, August 19, 1856. }

Sir: I have the honor to acknowledge the receipt of your letter of the 17th instant by Major Sedgwick's express. I have sent Col. Johnston down to Leocompton with all the troops here except a small company, and have ordered Col. Cooke to send from Fort Riley all the men there, except a small garrison. There is no infantry within reach.

I have given to the commanding officer of this force instructions founded on those of the Executive to Col. Sumner, and since to myself.

It will be necessary that you should make some arrangement for the custody of the prisoners, that will take them out of the hands of the troops. A small guard cannot be left with them safely; a large one cannot be spared, and they cannot be marched with the troops, whose movements they would retard and embarrass.

After the many false reports that have been brought here under the sanction of the civil officers in the country, I can place no more reliance on such information, and will only act on official reports from officers or intelligence from persons I know personally to be reliable; and, as my own action and responsibility are to depend on the value of all such information as to its truth, I must have it before me before I can judge of the confidence to be placed in it.

With high respect, your obedient servant, } PERSIFER F. SMITH, } Brevet Major General Comd. Department.

To His Excellency WILSON SHANNON, } Governor of the Territory of Kansas.

DEPARTMENT OF STATE, } Washington, September 2, 1856. }

Sir: Reliable information having reached the President that armed and organized bodies of men, avowedly in rebellion against the territorial government, have concentrated in such numbers as to require additional military force for their dispersion, you will have the militia of the Territory completely enrolled and organized, to the end that they may on short notice be brought into the service of the United States. Upon requisition of the commander of the military department in which Kansas is embraced, you will furnish by companies, or regiments, or brigades, or divisions, such number and composition of troops as, from time to time, you may find, on his report to you, to be necessary for the suppression of all combinations to resist the laws of the United States too powerful to be suppressed by the civil authority, and for the maintenance of public order and civil government in the Territory.

I am, sir, &c., } W. L. MARCY.

To His Excellency JOHN W. GEARY, Governor of the Territory of Kansas, Leocompton.

WAR DEPARTMENT, } Washington, Sept 3, 1856. }

Sir: Your despatch of 22d August and its enclosures sufficiently exhibit the inadequacy of the force under your command to perform the duties which have been devolved upon you in the present unhappy condition of Kansas by the orders and instructions heretofore communicated. To meet this exigency, the President has directed the governor of the Territory to complete the enrollment and organization of the militia, as you will find fully set forth in the enclosed copy of a letter addressed to him by the Secretary of State, and the President has directed me to say to you that you are authorized, from time to time, to make requisitions upon the governor for such militia force as you may require to enable you promptly and successfully to execute your orders and suppress insurrection against the government of the Territory of Kansas, and under the circumstances heretofore set forth in your instructions, to give the requisite aid to the officers of the civil government who may be obstructed in the due execution of the law. Should you not be able to derive from the militia of Kansas the adequate force for these purposes, such additional number of militia as may be necessary will be drawn from the States of Illinois and Kentucky, as shown in the requisition, copy of which is here enclosed.

The views contained in your instructions to the officers commanding the troops, under date of August 19, are fully approved, and accord so entirely with the purposes of the Executive as to leave but little to add in relation to the course which it is desired you should pursue. The position of the insurgents, as shown by your letter and its enclosures, is that of open rebellion against the laws and constitutional authorities, with such manifestation of a purpose to spread devastation over the land as no longer justifies further hesitation or indulgence. To you, as to every soldier whose habitual feeling is to protect the citizens of his own country, and only to use his arms against a public enemy, it cannot be otherwise than deeply painful to be brought into conflict with any portion of his fellow-countrymen; but patriotism and humanity alike require that rebellion of the kind which you disturb, and the perpetration of the crimes which now disturb the peace and security of the good people of the Territory of Kansas should be effectually checked. You will, therefore, energetically employ all the means within your reach to restore the supremacy of law, always endeavoring to carry out your present purpose to prevent the unnecessary effusion of blood.

In making your requisitions for militia force, you will be governed by the existing organization of the army and the laws made and provided in such cases.

When companies, regiments, brigades, or divisions are presented to be mustered into the service of the United States, you will cause them, before they are received, to be minutely inspected by an officer of your command, appointed for the purpose.

Very respectfully, your obedient servant, } JEFFERSON DAVIS, } Secretary of War.

Major General PERSIFER F. SMITH, } Comd'g Dept. of the West.

WAR DEPARTMENT, } Washington, Sept. 3, 1856. }

Sir: To suppress insurrectionary combinations against the constituted government of the Territory of Kansas, and to enforce the due execution of the law against armed resistance, I am instructed by the President of the United States to make this his requisition upon you for two regiments of foot militia, to be furnished to Major General P. F. Smith, of the United States army, commanding the military department of the West, whenever the exigencies of the public service shall induce him to call upon you for the said troops, to be employed for the purposes above indicated within the limits of said Territory.

Each regiment to consist of— One colonel, one lieutenant colonel, one major, one adjutant, (the last named to be taken from the lieutenants of the regiment,) one sergeant major, and ten companies. Each company to consist of one captain, one first lieutenant, one second lieutenant, four sergeants, four corporals, two musicians, and seventy-four privates.

General Smith will be instructed, whenever he may call upon you for these troops, to detail an officer from his command to inspect and muster them into the service of the United States, at such points as may be designated by your excellency.

Very respectfully, your obedient servant, } JEFFERSON DAVIS, } Secretary of War.

His Excellency the Governor } (of Kentucky and Illinois.)