

Heroic Victory—Humiliation of the Territorial and National Administrations, and their Abandonment of the Enactments of the Bogus Legislature.

MESSENGERS. EDITORS AND KIND, INDULGENT READERS:—Permit me to "stop the press" to announce to you the most important event which has transpired in Kansas since these troubles began, if not since its settlement; after which I will resume my narrative.

Gov. Shannon, (for his successor has not arrived,) Major Sedgwick and Dr. Roderique, Postmaster at Leecompton, and one of the most influential and important Pro-Slavery men in the Territory, came down here this forenoon to negotiate in regard to prisoners in our hands, and, if possible, the restoration of peace. At first, Gov. Shannon demanded the unconditional surrender of the prisoners, as being held without any authority at law. This, of course, was refused by our committee, consisting of our Committee of Safety, and the Military Officers. They continued in session from before noon until about 5 o'clock, at which time Shannon agreed to deliver at this place five prisoners taken on civil process at Franklin, the day after the battle there, by the Deputy Marshal, assisted by the U. S. troops, on complaint of the Pro-Slavery Postmaster, for assault with intent to kill, in the action of the previous night. He also agreed to deliver into the hands of Major Sedgwick the howitzer taken from Lawrence by authority of the Sheriff of Douglas County, at the time it sacked, to be given up to Capt. Walker when called for. Thus did he, this "Border Ruffian" Governor, sent here and instructed to execute the bogus laws, and furnished with U. S. troops for the purpose—himself repudiate those laws, suspend their operation without the authority or consent of those who made them, or of any power competent to annul or suspend them—thus setting both the Territorial and Federal authorities at defiance. Is he not guilty of "constructive treason?" And should he not be confined with Gov. Robinson and the other State prisoners? Besides this, Shannon pledged himself that all the influence and power which he possessed should be used to suppress and disperse those bodies of armed men in the Territory, and that may come in, in violation of President Pierce's proclamation, and of the instructions which he has received from him.

Major Sedgwick also engaged to use all the power he had, as subordinate officer, to preserve the peace, and to carry out the spirit of the proclamation. Gov. Shannon made a speech to the people, who were gathered around by hundreds, after the conclusion of the arrangement, in which he did not, however, refer to his declaration in his letter to our committee when asked for protection against the host under Sheriff Jones and Marshal Donaldson at the time of the sacking of Lawrence, which they had violated, and he would make no move. He had forgotten that; but that was our extremity, and thus was his. His ox had been gored. Well, we observed the scripture injunction to heap coals of fire on the head of our enemy. He was frequently interrupted in his speech.

The people were very much excited, and much diversity of opinion existed in reference to the arrangement, many insisting that Titus and Donaldson ought not to be set at liberty on any terms. Many were for hanging Titus by authority of Judge Lynch. The Chicago and the Massachusetts companies declare it their intention to leave the Territory and let us fight it out ourselves because of this settlement. Very well; let them go, if they must rule in matters of which their very recent arrival in the country renders them incompetent properly to judge, and that in opposition to the conviction and judgment of our oldest and best citizens. If their efforts for liberty in Kansas are to be measured and determined by such considerations, there is no place for them. We will endeavor still, alone, and in our own way, to fight the fight of Freedom and of the North, if needs be. But, I trust, a little reflection and a "cooling time" will put their minds in a more favorable state. By this arrangement we are bound to nothing but the surrender of the prisoners now in our hands. Our people can, and doubtless will, follow up the good work which has been commenced, of dispersing and driving out those bands of marauders. Col. Eldridge announced to the multitude that he should determine in twelve to eighteen hours whether or not they could not have another job, referring to the dispersion of a company, said to be 200, at Bull Creek, near Osawatomie, the head quarters of the bands in that vicinity, as Franklin was in this. But I will return to my narrative, which will explain something that is obscure in this.

Immediately upon the surrender of the force at Franklin, the fire which had been set was extinguished, and no harm was done to person or property. The most exaggerated accounts of the loss of life and destruction of property there have been set afloat, as usual, by the Pro-Slavery party, but the above is the truth, so far as I know it.

In consequence of the protracted siege, and the unexpected delays of this affair, as well as of the fact that there were but three balls for the cannon found with it, and it would be folly to make an attack upon such a fortification as the one on Washington Creek was represented to be, without cannon, the movement upon that place was deferred to the next day, Friday. On Wednesday it was reported that the company through Iowa, commonly called Lane's party, although he was not in command, and had no connection with it after it entered the Territory, was expected to arrive at Topeka that evening. A messenger was immediately dispatched there for help, and before they had encamped in Topeka. 120 of them volunteered, and were on their way to Washington Creek. They reached there on Friday morning. About noon they were ready, and moved toward the enemy's position, which was some 4 or 5 miles distant. They numbered 300 men. For balls for the cannon they had run up some of the type in "pi" which remained of the destruction of the *Herald of Freedom* Office. It is suggested that this the last issue of the *Herald of Freedom* may be more efficacious in promoting Freedom than any former issue had been. Upon this army coming in sight of the enemy's position in crossing a hill three miles distant, they abandoned everything in their camp, and made a precipitate retreat, taking only their arms with them. They left 50 new muskets in boxes, their private baggage, Col. Treadwell's trunk and contents, with numerous letters and documents setting forth their plans of operations, and even the remains of their dinner, of which they were partaking.

Among the letters was one from the daughter of one of the Free State men present, written to a friend at the East, and deposited in the Post office for transmission. It had been abstracted from the mail somewhere. Some of the letters announced that by robbing the mails of the letters of Free State men, they had possessed themselves of their plans of operations.

On account of the distance and the position of the grounds, their evacuation and retreat was unperceived by the free State army, and consequently no prisoners were taken.

I have omitted a most diabolical outrage perpetrated by this band of marauders and murderers before the attack upon Franklin, and which should have commenced this narrative. On the morning of Tuesday last, Major Hoyt, who it will be remembered had charge of the Sharpe's rifles taken from the Mo. river boat at Lexington last spring, left the free State camp at Wakarusa, for the purpose of reconnoitering the position on Washington Creek, saying that if he did not return by 2 o'clock P. M., they might consider him dead, or a prisoner. He did not return. The first report we had from him was from a boy who resided in the vicinity, who said that he saw a man led by two others into the bushes, and heard the discharge of guns; after which the two men left alone. He went to the spot and found the body of the man, shot, his pockets rifled, and turned wrong side out, and his boots off; his throat was cut from ear to ear, and the upper part of his face covered and concealed with a paste of some kind. The young man came to the Wakarusa camp and reported the facts, and from the description he gave of the man and his clothes it was recognized as Major Hoyt. He was a very active and efficient free State man, and his place cannot be supplied. He was from Massachusetts, and is said to have a mother and daughter in Illinois.

This camp had plundered the free State men of this neighborhood, and given them notice that unless they left the country by a certain time, they would be killed or driven off. It is said that as Free Masons they notified their brother Masons of free State sentiments to leave or they should not recognize them as entitled to their protection. Thus did they outrage that bond which is said to be held most sacred under all circumstances, among the most barbarous and warlike nations of the earth. All, all, is surrendered to the behests and the interests of Slavery. I inquired fraternally of the W. M. of the Lodge in this place, who is a pro-Slavery man, but in other respects a very worthy, upright man, if he knew whether such was the fact or not. He replied that he had heard it was true. Masons! I need not remind you of what a gross violation of the fundamental principle of your order this is, nor ask your opinion of it. I know it already.

The murder of Maj. Hoyt, and of others, reports of which came in about the same time from the south, aroused our people almost to the point of desperation, and thus is the occasion of so much feeling this evening in reference to releasing the prisoners we have.

After the affair at Washington Creek on Friday it was resolved to proceed to Leecompton, retake the howitzer which belonged to us and reduce the Border Ruffians there to order. In consequence the camp moved to the vicinity of Capt. Walker's, four miles from Leecompton, and encamped. At 2 o'clock on Saturday morning the large bell which has arrived for Mr. Nute's (Unitarian) Church in this place, rang out a deep and

earnest peal, which brought together immediately what fighting men remained in town, and in a short time they were on the march to join the army at Capt. Watkins for the attack on Leecompton. In the night, the gallant Col. Titus of the Georgian Chivalry, General Commanding of the Militia of the territory of Kansas, was out with a troop of about 20 persons, *stealing horses*.—After having secured a number, they came accidentally, being unaware of their proximity, upon the free state camp. They were fired upon, and escaped with two men and one horse wounded. The horse was left. In the morning a company of cavalry was sent forward to surround the house of the gallant Colonel, a strong and large log house, the logs hewn and laid close together, making a very strong place, over a mile this side of Leecompton. A fire was opened upon the cavalry from the house, which was returned and continued until the artillery which followed came up, which immediately opened its mouth in thunder, calling upon the enemy to surrender or digest the last issue of the *Herald of Freedom* in the form of type balls. They called for quarter, and upon the free state men advancing to take possession, the inmates fired their volleys upon them.

At Franklin also they fired upon our men after crying for quarter. The type arguments in their new form soon reached the perceptions of the ruffians, which they had never done before, and they surrendered. One man was killed in the house and several wounded, among whom was Col. Titus, in two places. His hand was shot through and he received a ball in the upper part of his chest near the shoulder, a severe but not dangerous wound. He and his company, 19 men, were taken prisoners and brought to Lawrence. The U. S. troops declined to interfere in the fight, as they had done before, but stationed themselves before the town of Leecompton to protect the appointees of the Federal Government and the seat of the Federal authority in the Territory. Of course the army did not advance, being not yet prepared to fight Uncle Sam, although it numbered 500 strong. Very many of our men however, especially of the new comers, wanted to "pitch in" and give him a drubbing, which they could easily have done with what of him was before Leecompton. But the settled policy is not to attack the Federal troops or authorities, but to rid the country of the hordes of marauders and invaders with which it was about being overrun, and which Shannon permitted and with whom he sympathized. There were taken in the house 30 muskets and about a dozen other guns and Sharpe's rifles. The remainder of the contents, provisions, furniture, clothing &c., was left in the house by Capt. Walker or rather Col. Walker now, and burned with it. Twenty horses and a fine two horse buggy were taken. Many valuable letters and documents were found, and in a trunk which a cannon ball had riddled from end to end was found the identical uniform stolen from Col. Topliff at the sack of Lawrence.

Eight or nine of our men were wounded, one of them, Capt. Henry J. Shaumber, of the Indiana Company, just arrived, dangerously, being shot through the bowels. Another had an arm amputated to-day. The remainder are slightly wounded and are doing well. Among the prisoners besides Col. Titus, was Capt. Donaldson, son of the Marshal, and one of the commanders, as was also Titus, at the plunder of Lawrence. The prisoners were first brought to the point of the hill, escorted by about 600 soldiers, to the spot where the border ruffian army were posted on the morning of that memorable day, where they halted for some 15 minutes, when they took the track of that horde down the hill to the spot on the plain where Atchison made his "border ruffian" speech, thence into town, still on their track, to the front of the ruins of the Free State Hotel where they halted, and after the manner of Jones and his force, were dismissed. The prisoners were then confined in the vacant office of the *Herald of Freedom*, surrounded by its ruins. Titus was removed to another place where every attention, medical and others has been bestowed upon him, as also upon the other prisoners.

Titus declared himself yesterday a free State man, of course in jest, and Donaldson, anxious for his personal safety, voluntarily promised, if his life was spared, not to take up arms again against the free State party. Titus says, he shall leave the Territory if liberated. When he surrendered, he gave the masonic sign of distress and begged for his life. It is said that Major Hoyt was also a mason, but it did not protect him.

(Concluded to-morrow.)