

Conflict of Jurisdiction---Gov. Geary against Judge LeCompte.

RESIGNATION OF MARSHAL DONALDSON.

Sale of Public Lands---Slaves in Leavenworth--- Arrival of Mr. Hyatt---Miscellaneous News.

Special Correspondence of the N. Y. Daily Times.

LEAVENWORTH, Kansas, Saturday, Nov. 15, 1856.

The Executive and Judiciary powers of this Territory are likely to come into serious collision. The former, by his interference with the action of the latter in causing the rearrest of HAYES, the murderer of DAVID BUFFUM, has excited a great deal of enmity between himself and the Pro-Slavery officials of the Territory. Col. TYLES, in accordance with the orders of Governor GEARY, went out with six men and arrested CHARLES HAYES and took him to Leecompton, where he is now confined a prisoner. His Excellency is determined that he shall remain in prison until he has his trial on an indictment for murder, while the officials seem equally as determined to sustain the action of Judge Lecompte in admitting HAYES to bail, and to test the power of the Governor.

The Governor makes threats, and so does Lecompte, and the affair will perhaps end in the removal or resignation of one or the other of the parties.

HUGH MOORE, Esq., is counsel for the prisoner HAYES, and he has expressed himself determined to test the strength of the Governor, and to ascertain whether he can supersede the laws or not. He has come to this city to see Judge Lecompte and to have him issue a writ of Habeas Corpus for the release of HAYES. He will probably do it, and the attempt to execute it will be assisted by the Executive, and there will come the tug of war. The Governor is willful, and Lecompte is a tyrant.

RESIGNATION OF MARSHAL DONALDSON---CORRESPONDENCE.

Marshal DONALDSON has resigned. The Governor ordered him to arrest HAYES, which he refused to do. The following is a copy of the correspondence:

EXECUTIVE DEPARTMENT,
LECOMPTON, K. T., Monday, Nov. 10, 1856.
To I. B. DONALDSON, Marshal of the Territory of Kansas:

SIR: An indictment for murder in the first degree having been duly found by the Grand Jury of this Territory, against CHARLES HAYES, for the murder of a certain DAVID C. BUFFUM, in this Territory; and the said CHARLES HAYES having been discharged upon bail as I consider in violation of law. This is therefore to authorize and command you to rearrest the said CHARLES HAYES, if he be found in the bounds of this Territory, and safely keep him, until he is duly discharged by a jury of his country according to law.

Given under my hand and seal, at the city of Leecompton, the day and year above written.

JOHN W. GEARY,
Gov. of Kansas Territory.

UNITED STATES MARSHAL'S OFFICE,
LECOMPTON, K. T., Sunday, Nov. 9, 1856.

To His Excellency, John W. Geary, Governor of the Territory of Kansas:

SIR: Your order bearing date of to-day, for the arrest and committal to jail of CHARLES HAYES, who has been indicted by the Grand Jury of the U. S. District Court, for the murder of DAVID C. BUFFUM, and discharged upon bail, by Hon. SAMUEL D. LECOMPTON, Chief Justice of Kansas Territory, has been maturely considered by me, and after such consideration I respectfully decline executing your order for the following reasons: 1. As a ministerial officer, I am unwilling to arrogate to myself the power to contravene or set aside the acts of a Court of Justice, and more especially as I am not advised of any law conferring such power upon me.

2. Because I am clearly of the opinion that my act would be in violation of the law I have sworn to support and execute.

3. In making such arrest, without a legal warrant, or other circumstances as would otherwise justify it, it is most clear to my mind that I would lay myself liable to a suit of damages which might involve and ruin my securities.

The foregoing reasons and my own convictions of duty as a law officer have irresistibly impelled me to this decision.

I must be permitted to say to your Excellency, that I regret exceedingly, that my conviction of duty has constrained me to decline the execution of your warrant. I had hoped that my diligence in making the arrest of C. HAYES and others, would have shielded me from the imputation which your remarks this evening seem to imply. As proof of this, I beg leave to state that the warrant for his arrest issued on the 29th of October, was put in my hands the next day, and although 100 miles had to be traveled, in four days afterwards he was lodged in prison. Your determination as expressed this evening, (if I refuse to execute your order,) to suspend me or procure my removal by the President, induces me to say that I had, some days since, determined to discontinue my present official relation to the Territory, and I now desire the favor of you, to assure the President of my gratitude for his confidence and kindness, and ask him to relieve me from my present position as soon as may be convenient.

Very respectfully,
Your obedient servant,
I. B. DONALDSON,
United States Marshal of Kansas Territory.

The Marshal is in this city. It is amusing to hear him talk about Lawrence. He declares that Lawrence is a problem: the people are a unit---always united; it seems, without a previous concert, and every one is bound to pursue the same line of policy. "I have tried (he adds) to be friendly and talk to them in a social and neighborly manner, but if I go up to a man and speak to him kindly, he speaks out to me as if I was a black snake, and walks away without taking any more notice of me. I have tried to convince them that I was as willing to act for them as for the other party, and would arrest a Pro-Slavery man as quick as anybody. But they won't swear out a writ for the arrest of any one. Why, if a man should have a member of his family murdered, he would not appeal to the law for redress. No, they depend upon their Sharpe's rifles. The people of Lawrence know as soon as I appear in sight of the town; I see the streets full of people, and when I get into them there is no one around---all is quiet. I can't make an arrangement. Where I came from I never found any difficulty in making each party think I was all right; but in Lawrence I can make no impression upon the minds of the people. Lawrence is a problem that I can't understand." We have some sympathy for the old man when we hear him talk---he does it in so pitiful a strain. He has been a faithful servant of ARNOLDSON and STRINGFELLOW, and has done their dirty work; and now he is left "naked to his enemies."

MISCELLANEOUS.

To-day I visited the house in which Wm. PHILLIPS was murdered by a company of men under Capt. AVERY.---saw the bullet holes in the ceiling and window-casings. At the head of the stairs he fell, after receiving his death wound, staining the floor with his blood, which the inmates have endeavored in vain to remove, but the spots remain there still, and will not out. The particulars of that murder have already been made public, and are familiar to your readers---making it unnecessary for me to relate them again. The brother of WILLIAM was wounded at the time his brother was killed, and lost an arm, and this morning he returned from the East, where he has been visiting his friends. He is in good spirits, and not yet conquered by the Pro-Slavery party.

Emigrants for Kansas, before starting, should exchange their money for gold, which is very scarce just now, and commands from five to thirty per cent. over paper money. It requires the hard coin to pay for the public lands. Kansas-bound people should remember to bring the bullion, and leave all paper money behind.

The land upon which this city is laid out is to be sold at public auction in about three weeks.

A friend of mine, a Free-State man all over, and one of our (adjoint) Supreme Judges, has a claim of 160 acres---adjoining town---for which he paid, eighteen months since, \$1,650. He can sell the same land to-day for \$53,000---an advance of over \$50,000 in one year and a half. Over sixteen hundred dollars a month is considered a good salary for a Free-State man in Kansas.

The weather continues pleasant.

Yours,
SIGMA.

The Sale of Public Lands, &c.

LEAVENWORTH, Kansas, Nov. 17, 1856.

The sale of public lands commenced about 10 o'clock this A. M. The first sold was a fraction of 45 acres; it was appraised at \$1 50 per acre, and sold for \$1 55. Other lands sold at prices ranging from \$1 40 up to \$2 25 per acre. After selling six sections, nearly 4,000 acres, the sale was postponed until to-morrow; there were about 3,000 persons present.

A gentleman just from Leecompton states that the Governor had released the murderer of DAVID BUFFUM from imprisonment, and allowed him to go, on his parole of honor. This is regarded as a backing down from the position his Excellency seemed disposed to rearrest HAYES and put him in confinement. JOHN W. GEARY finds himself unable to stand against the storm raised by the Pro-Slavery officials, and, notwithstanding his threats, he is at last compelled to give

up the contest, to retire with a consciousness of his own inability to act justly under laws only intended for one party, and a one-sided judiciary enforcing them.

The report may not be correct, but it comes from a high authority and is entitled to respect.

The Governor may be disposed to have justice done of all parties in Kansas, but he will yet learn that it cannot be done while the bogus code is in existence and cannot be enforced.

A company of Pro-Slavery men are now erecting in this city a large four-story hotel, to be called the Planters' House. It is built entirely of brick, and is estimated to cost \$45,000. It is intended that all the labor in the house shall be done by slaves. The notorious firm of MAYORS & RUSSELLS are largely interested in the building.

Twenty-five slaves are held in this city. One young girl was sold here a few months since for \$600; a Negro man was sold for \$1,100.

Slaves are bought and sold in Kansas as well as Missouri. This is a Slave Territory to all intents and purposes.

VISIT TO GRAVE.

Yesterday, in company with a few friends, I visited Pilot Knob, a high, rocky eminence about two miles from this city. On the top it is level for some distance, and is used as a cemetery. Here I found the graves of the martyrs BROWN, HOPKES and PHILLIPS. The grave of BROWN is surrounded by a neat fence, painted white; upon which is written the following:

"RUS PERKINS BROWN, born in Logan County, Ohio, 2d of July, 1825."

"Brutally murdered by that damnable League, the Kickapoo Rangers."

"He died for Freedom, let us live for it."

"Better die a martyr of Freedom like BROWN, than live a champion of Slavery like DOUGLAS."

"He was murdered because true to his native North and her free institutions."

At the head of the grave is a rough stone upon which is marked the initials R. P. B. Near by is the grave of Wm. PHILLIPS, who was shot while defending his own house from a mob in September last, and the grave of Mr. HOPKES, who was murdered and scalped at the bridge on Five Mile Creek by a Missourian on the 18th of August last.

The whistle of a steamer for St. Louis, by which this letter is to be sent, is heard, and compels me to close.

SIGMA.

News of the Election---The Kansas Committee.

LAWRENCE, Kansas, Monday, Nov. 17, 1856.

The news of BUCHANAN'S election seems to be fully confirmed, and we are already consoling ourselves. We shall not leave Kansas any sooner than if FREMONT were elected, nor sell what we possess here any lower.

Our gratitude is daily revived by the arrival of new supplies of clothing for the needy, and already over one hundred cases have been received by the Central Committee, and distributions of the contents are going on as fast as a well-advised system will permit. In the packages opened to-day I noticed a pair of boots sent by Mrs. NORTON, of Warren-street Chapel, Boston; a pair of slippers worn by A. A. LAWRENCE; a fur cap worn by DANIEL MACK, of Amherst; a dressing gown sent by CHAS. SUMNER'S mother; a box from the ladies of Templeton, Mass.; another put up by G. WARREN, and so on. Several boxes marked to private individuals are also received. Among them I noticed those directed to E. P. FITCH, Rev. E. NATE, Rev. C. H. LOVEJOY, CHAS. DICKSON, and H. A. HANCOCK, of this place; Mr. CHASE, of Topeka; Mr. BOWLES, of Indianapolis; and Mr. BARNES, of Manhattan. Everything possible is being done to give to every person his own, and to distribute from the general stock only among those who have no visible means of support.

THADDEUS HYATT, of New-York, President of the National Committee, arrived on Saturday. He visits Kansas to learn facts, and observe the working of his committee, with the intention of publishing to the country the substance of such knowledge. It is his intention to travel in the Territory about two weeks and he will meet with the Central Committee at their regular session in this town to-morrow. He gives a very flattering report of the financial condition of the National Committee, with an assurance that the best part of it all is still future. He, with all his friends of Kansas, feels to lament that hypocrisy, duplicity, blasphemy and sacrilege (for it will bear all those epithets) are traced in the conduct of some of the professed friends of our cause. It seems like prostrating the altars---almost like robbing the dead---to find any person educated in the free air of the North who is disposed to speculate with or defraud the suffering and destitute in our midst. One Col. J. A. BERRY has just paid us a flying visit and left under circumstances which I will not fully expose.

Gov. GEARY'S thanksgiving is this week, and when I find out what we have to be thankful for except plenty of clothing, I will tell you.

Gov. ROBINSON has returned in fine health and spirits. It is his intention to authorize the convening of the Legislature next January, as provided by the Topeka Constitution. No hindering---no compromise. RANDOLPH.

Progress of the Kansas Land Sales.

TELEGRAPHIC.

RUFALO, Thursday, Nov. 27.

The St. Louis Democrat of the 25th inst. learns that the reserved lands of Kansas are selling rapidly from \$1 50 to \$3 per acre. The lands being sold were situated upwards of twenty-five miles from Leavenworth City. The best feeling prevailed among purchasers. Settlers' claims were respected, and no one was bidding against them.

CHICAGO, Thursday, Nov. 27.

We have Leavenworth dates to Friday last. The great land sales were progressing without disturbance. Judge Lecompte had issued a process against Gov. GEARY for contempt of Court.