

Where is Governor Geary, that he don't drive these marauders out of Kansas? If it was the Free State men committing these depredations, he would have them all arrested, or Kansas full of soldiers. But his Excellency favors the other party.

only) that several of the Pro-Slavery leaders have been indicted, and that an attempt will be made to bring them to justice. With a one-sided Pro-Slavery court, and marshals very careful to guard the interests of the Slave Oligarchy, a grand jury was subpoenaed, composed of Pro-Slavery men, and the *petit jury* were members of the same party. In a district where four-fifths of the residents are Free State men, not one was called upon to sit as a jurymen. The marshal would go into a community where there were ninety-nine Free State men, and one Pro-Slavery man, and he would be sure to call upon the one man to act on the jury. In this way has he been successful in getting a jury pronounced "sound on the goose" by the "Law and Order" party, as they style themselves.

However, Marshal Donaldson made a mistake, and got one Free State man among his jurymen. He was challenged, however, by the counsel for the prosecution, and the mistake corrected.

The trial commenced. Four men indicted for "assault and battery, with intent to kill," were arraigned before the court. The examination of witnesses was gone through with, and the case left with the jury, and the men were acquitted. A Mr. Baunter was then tried for the same offence, and convicted by the jury. The judge sentenced him to "six years imprisonment in the penitentiary."

On Thursday, October 20, the following named persons were arraigned before the court for trial on an indictment for "murder in the first degree":

James H. York, Howard York, John L. King, Geo. N. Neff, Thomas J. Bowers, David Patrick, Justus G. Ketchum, Jesse E. Pyle, James Conly, Adam Bower, Edward E. Falley, David Potter, Thos. Leeson, William Butler, Chester Hay.

These were indicted for being engaged in the attack upon Hickory Point on the 14th of September, and the murder of Charles G. Newhall, who was shot on that day during the fight, by a ball that, in the words of the indictment, "caused a wound upon the person of the said Charles G. Newhall fifteen inches long, six inches deep, and one inch wide," of which wound he is supposed to have died.

The examination of the witnesses commenced, the following gentlemen appearing for the Government:

Chas. Grover, of Kicepo, formerly of Kentucky; Daniel N. Grover, ditto; D. J. Johnson, of Leavenworth city, formerly of Georgia; Col. Isaacs, Attorney General of the Territory.

For the defendants appeared Marcus J. Parrott, Leavenworth city, formerly of Dayton, Ohio; William Stephens, recently from Mansfield, Ohio; W. P. Lamb, of Atchison, formerly of Kentucky; A. D. Read, of Tecumseh, formerly of Kentucky; and George P. Putnam, Leecompton, formerly of Louisiana.

Messrs. Lamb and Putnam were both engaged in the defence of the fort at Hickory Point when the attack was made by Col. Harvey. They are both, and also Mr. Read, Pro-Slavery men, who generously consented to appear for the defence.

The witnesses were sworn, and testified to the fact of an attack having been made upon Hickory Point, and that Charles G. Newhall was killed on that day. They were not able to identify the prisoners at the bar as members of Harvey's party. Only one witness swore that one of the prisoners, James H. York, was there on that occasion. The defence afterwards introduced evidence proving that Mr. York was at Grasshopper Falls at the time of the attack upon the fort, and consequently could not have been there to have taken part in the engagement.

It was also established that the persons in the fort discharged the first gun, and commenced the fight, having a black flag waving over them at the time. The prosecution introduced no evidence to establish the fact of Mr. Newhall being shot by the enemy, or that he died of his wounds.

The examination of witnesses concluded on the afternoon of Saturday last.

The Judge read his charge, which he said was incomplete, not having sufficient time to prepare it. Special instructions were submitted in writing by the counsel on either side; and, after being modified by the court, were given to the jury.

Mr. Charles Grover then made his argument in behalf of the prosecution, reading what he alleged were analogous cases from the books, and endeavored to establish the guilt of the prisoners at the bar of murder in the first degree.

He was followed by Mr. Johnson, who made a flaming, red hot, Border Ruffian speech, addressed to the defendants; denouncing them in unmeasured terms, declaring that every one of them ought to be hanged.

He was followed by Mr. D. N. Grover, in an argument of considerable ability in the main; but he allowed himself to wander from his subject, and discuss the merits of the Constitution, the Territorial laws, the memory of our Revolutionary fathers, and the "Law and Order" party of Kansas. A considerable portion of his speech was of a personal character, denouncing the prisoners and their friends in the States, for hating Slavery.

He concluded, and Mr. Putnam made the opening argument in behalf of the defence, reviewing the evidence introduced by the prosecution.

He was followed by Mr. Read, in a speech of considerable force, making a clear and convincing statement of the case.

After him came Mr. Lamb, who made a powerful appeal to the jury, and a most rigid investigation into the evidence introduced by the prosecution, and the conclusions and arguments of the opposing counsel.

After he had concluded, the court adjourned until Monday morning, at which time Mr. Stephens addressed the jury in an able and eloquent manner, briefly reviewing the evidence, and the conclusions of the attorneys for the prosecution, referring to the law to establish his conclusions, manifesting great legal ability. He was followed by Mr. Parrott, senior counsel for the defendants, who made the closing argument in their behalf. It was an able effort, and reflects great credit upon the distinguished author.

Colonel Isaacs then closed for the Government, avoiding the errors made by his colleagues, of indulging in personal remarks towards the prisoners at the bar. He confined himself to his subject. After he had concluded his remarks, the Judge gave his charge to the jury, and they retired; and, after an absence of an hour and a half, returned with a verdict of "Not Guilty." Eight of the prisoners were then released, and the rest remanded back to prison, to await trial on other charges found against them, and thus terminated the first trial for murder in Kansas.

There is a difference in the opinions and feelings of the Pro-Slavery men; some of them are ultra, and wish to push matters to the extreme. They will not be satisfied with anything short of a conviction and death of all the Free State men now in prison; others are more generous—they wish Slavery established here, but they want it done in a quiet manner, without much excitement; are willing the Free State men shall live, provided they will leave the Territory.

During the week, Marshal Fain has been in town two or three times, with a writ for the arrest of Captain Walker, the commander of Governor Geary's militia. Walker refused to go to Leecompton at this time. Fain returned to Leecompton, and returned, a day or two since, with some United States troops, but Walker was not found. The marshal threatens to bring a sufficient force to secure his arrest; and it is understood that Colonel Titus and his two companions is the force to be used for such purpose. If he comes here with Colonel Titus and his men, there will certainly be a fight between them and Walker's men, which will be the commencement of another war. Captain Wood, of the United States army, who has been stationed here for several weeks, has moved his camp into the immediate vicinity of Capt. Walker's. What his object is in doing so is not yet known.

The election is now over, and perhaps the Pro-Slavery party are desirous of having a war, for the purpose of exterminating the Free State men, and the attempted arrest of Capt. Walker is the excuse.

Information has been received in this city, that a Free State man, residing on Ottawa creek, was shot at and nearly murdered, on Saturday last, while on his way to Westport, Mo. He was near Ball creek when attacked, robbed, and left for dead, by a party of Georgians, who have been prowling about in the southern portion of Kansas for some time. At last accounts, the unfortunate man was just alive. He was found on the road by some travellers, on their way to Missouri, and cared for by them.

KANSAS.

TRIAL OF THE FREE STATE PRISONERS.

Correspondence of the Missouri Democrat
LAWRENCE, KANSAS, Nov. 6, 1856.

At the earnest solicitation of his Excellency, Gov. Geary, Judge Leecompte assented to call a special term of the court, for the trial of the men who were arrested at Hickory Point on the 15th of September last.

The court convened. The grand jury, composed entirely of the most ultra Pro-Slavery men, entered upon the discharge of the labors imposed upon them, and, as a matter of course, commenced indicting every Free State man that was identified in any way with the recent difficulties.

The young men engaged in the attack upon the fort at Hickory Point were all indicted for "murder in the first degree." Many others were indicted for other offences, and the marshals of the Territory were all supplied with writs for the arrest of different persons, and they were sent out on a grand hunt, having the United States troops to aid them in making arrests. Some have since been taken and confined in the Leecompton prison house, where they now are awaiting trial, while the marshals are riding up and down the country, finding others to serve their writs upon.

While this has been going on, no Pro-Slavery man has been arrested. It is said (for effect