

LAWRENCE, K. T., Nov. 27, 1856.

The southern part of the Territory, in the region of Osawatamie, Middle Creek and Sugar Mound, is now the theater of legal persecution of rather a systematic kind. Marshal Preston, attended by a detachment of Col. Titus's militia, equipped as dragoons, have been ransacking and arresting people in that quarter for a week past. The force thus employed is divided into several small parties, and as they act under the guidance and suggestions of the Pro Slavery men living in the different regions they visit, they thus obtain information valuable to them, and are more successful than they otherwise would be. None of the Free-State men have made any calculations as to resisting this force by force. Those against whom they act merely try to keep out of their way. The object of this arresting movement in that quarter is clear enough. For some time back the locality in question has been the scene of disturbances more or less aggravated. These originated with the Pro-Slavery men, some of the most violent actors living in the Territory. The design of these disturbances was to intimidate any Free-State emigration that might tend to that quarter, and also to drive away much of what was already there. This violence has been resisted by the bolder and more warlike Free-State men in that quarter, and aggression in some instances has been met by counter aggression. The war spirit was indeed up. Further removed from Gov. Geary and his proclamations, the latter had less effect upon their minds, and when Missourians and Pro-Slavery residents of the Territory assailed them, they forgot that resistance and self-defense were crimes, and, therefore, they did not scruple to resist. To crush out these incipient seeds of rebellion and restore "law and order," so that the Pro-Slavery men and Border Ruffians might carry on their operation and enjoy the fruits of their legal supremacy in security, was too important an object to be neglected. The men arrested are not only those who have been connected with the recent disturbance, but those who have been prominent Free-State men, or leaders of the people at any time since the Kansas difficulties began. Of course, not one Pro-Slavery man has been arrested. I have been informed that several Free-State settlers have been arrested in the neighborhood of Sugar Mound, and are now in the hands of their captors. Five Free-State prisoners from the neighborhood of Osawatamie were taken into Leecompton yesterday; among them Mr. William Partridge.

Col. Preston, with a party of these mounted militia, had undertaken the arrest of Mr. Holmes, formerly of New-York City. This latter gentleman distinguished himself by his bravery at the battle of Osawatamie, and has been the hero of more than one daring affair since. As in all such cases, he has been credited with rather more than his share, and when anything in the shape of defensive or offensive warfare occurred in that quarter, Capt. Holmes was said to be at the bottom of it. The Pro-Slavery men have been anxious to get him arrested or into their hands in some shape. It has even been said that Governor Geary has offered a reward for his capture. Be that as it may, Mr. Preston, legally United States Deputy Marshal and Border-Ruffianly "Colonel," with the military force referred to, undertook his arrest. The gallant Marshal had a wearisome and profitless hunt on the Pottawatomie and among the thickets of Sugar Creek. No Captain Holmes was to be found, because that gentleman, who had been supposed to be prowling about with a band of armed men in that direction, was really in this vicinity, alone and peacefully engaged. As fortune would have it, Mr. Holmes started for Osawatamie just as Marshal Preston and his militia, fresh from their unsuccessful hunt, were returning. What happened was perfectly natural. Mr. Holmes was riding up the steep hill at Middle Creek, a few miles on this side of Osawatamie, when he suddenly came upon Preston and his dragoon militia. Escape was just about out of the question, and as Mr. Holmes was not aware that any one knew him, he attempted to pass. He was arrested by them, and as he, under the circumstances, made no resistance, he was disarmed and carried toward Leecompton. Here, by an unexpected piece of luck, the gallant Preston had succeeded in capturing the very man he was after; but "there's many a slip twixt the cup and the lip." The occurrence I narrate happened two days ago. That night they halted near Washington Creek, and Mr. Holmes, thinking that he had gone as far as it was advisable to go, took advantage of some slight inattention on the part of his guards, leaped a fence close by and started off. They shouted for him to stop, and several bullets whistled after him, but he escaped unharmed, and looked as composed as ever while he gave me the particulars of the adventure.

The prisoners thus taken are thrust in promiscuously with the others at Leecompton. The convicted prisoners, and he who has been taken by the strong arm of the military, and against whom no writ has ever been issued, are sharers of the same prison and the same hard fate. It is worthy of note here that the prisoners taken by Gov. Geary, several weeks ago, while on his tour to the south, with the military, were then taken without writs, and are still held without legal process. I question if anything could be more despotic than this—men arrested without the form of law, and at the instance of their enemies, by the force of military strength, and under the authority of public officers who ought to be responsible. And yet such irregular proceedings have become so common in Kansas that they no longer excite remark.

The prisoners at Leecompton, in spite of occasional additions to the flock, are considerably thinned out. The men removed to Tecumseh on a change of venue, and who made their escape from that place, were quite a subtraction, and occasionally one will succeed in getting away from Leecompton. Still, the prison has as many occupants as it has accommodations for. When the largest number was in it, it was crowded. Imagine their condition. They had no seats. Not a bench or board offered them a respite from one position on easy terms. When an unfortunate prisoner wants to sit he sits on the floor. Think of a Kansas patriot, a lover of Freedom, sitting on the filthy floor of this crowded prison and musing on his hard fate, and the probable doom of our Republic, driven into a despotism. He comprehends the full sum of the Kansas iniquity. The iron has a point for him, and while others speculate, he feels. When the news of Fremont's defeat for the Presidency was conveyed to the prisoners the effect was worthy of note. There was not the political excitement that finds vent in exclamations. For nearly an hour all was silent in that sad prison-house. Deep dejection sat on every countenance. They comprehended the nature of the result. They felt that Freedom had received a blow, and that they might suffer with it. Could those voters for Buchanan who still have some regard for our free institutions have seen that silent, sorrowing band, remorse might have pierced their bosoms; and if the question had occurred to them, "Who is responsible for the violent imprisonment and cruel treatment of these American citizens?" another accusing Nathan might have risen in their conscience and said, "Thou art the man!" Books and newspapers are, of course, rather scarce with these prisoners. When either get to the prison, there are a dozen voices to bespeak a perusal, and when the lucky first readers are seeking forgetfulness of their miseries in the news of the day, or the ideas of another, those who are waiting their turn read the eyes of the readers and gather thought at second hand. As an instance of the insults to which they are liable, I will mention that one evening one of the guards on duty wantonly picked up a bone and threw it with some violence through the window among the prisoners. It struck one of them on the face, cutting and bruising him severely, the blood flowing pretty freely. Indignant at this outrage, a dozen of the prisoners went to the doors and called for the officer of the guard. Instead of complying, fifteen of the guards were drawn up in front of the doors, and presenting their pieces, ordered the prisoners back, threatening to fire. But the prisoners knew that they were within the doors, and they remained firm and unmoved, declaring that they would not move until the officer of the guard came in. The guns of the soldiers

were within a few feet of the breasts of the prisoners. Several of them were cocked, and the Pro-Slavery militia had their fingers on the triggers, but the prisoners moved not. It is not easy to shake the stern determination of such men. The officer of the guard was afraid to venture among men who stood unmoved with exposed breasts to such weapons, but at last was prevailed on to enter, those who threatened with their muskets being afraid to fire.

That such prisoners should wish to escape is perfectly natural. They would all have escaped, probably, long ago, but many of those who are or claim to be influential men called to see them and urged that they should not attempt any violence, or to escape. "Gov. Geary," they said, "would set them at liberty and make all right." Alas! they knew that the Governor had been mainly instrumental in having them arrested, and after ten weeks of waiting on these fallacious hopes, and after more than twenty of their number were convicted as felons, and cruelly sentenced, they began to realize that they must look for help in some other direction than to Gov. Geary. Two nights ago, one of their number, Mr. Shugre, made his escape. The *modus operandi*, and the route, I will not describe, as others may want to travel that way; suffice it to say that he had to pass within a few yards of one of the guards. The escaping prisoner was seen by the guard, who sent a bullet at him, which luckily missed. A cluster of the militia hurried to the spot and after the prisoner, while bullets hurried faster—none of them reached him. He made his way out of town, but was followed by several of the militia on horseback. He lay down in the long grass till the search was over, and then quietly escaped to Lawrence. Another prisoner was dismissed in rather an odd manner. His name is Farley. It appears he had been in charge of Titus while he was a prisoner and wounded, last Summer. He then showed a great deal of attention, and nursed the great Border Ruffian carefully. The recollection of Col. Titus, like his gratitude, appears to have been somewhat tardy, but perhaps Mr. Farley thought that it was "better late than never." Day before yesterday Colonel Titus called at the prison and told Farley to follow him. He led him through the guards and out of Leecompton, and pointing with his finger as he turned to Farley, said, "That is the way to Lawrence—go."

This free-and-easy way of arresting men and dismissing them in a whim, or a moment of gratitude, is beautifully illustrative of the system of legal persecution carried on against Free-State men.

Perhaps the immediate cause of Col. Titus's gratitude in this case was the fact that the militia are just about to be disbanded. The militia were enrolled for three months. Only a part of that time has expired, but the Governor has concluded to disband them. There is no economy in this movement, as these militia will get their pay and rations up to the time for which they were enrolled. What could be the motive it would be difficult to determine. Perhaps, now that the election is over, the Governor feels that there is no further necessity for humbug—and the militia have been a great humbug. Col. Titus received a letter inviting him to join Walker in Nicaragua a short time since, and as the Pro-Slavery men conclude that Kansas has been made a Slave Territory, and must be made a Slave State, he has resolved to go. He has persuaded a number of his men to go with him, and as the river navigation will soon close, he is reported to have induced Geary to disband them now, so that they could get away. At all events, the militia will march for Leavenworth to-morrow, where they will be disbanded on Saturday or Sunday.

The two soldiers who stood guard over the prisoners at Tecumseh at the time of the escape, have been sentenced to wear a chain and ball for one year—a hard fate. The night was dark and rainy, and the building to guard a large one. I do not think they merited this fate by winking when suffering freemen were making their escape. These hard punishments are the apologies which those in power make for misfortunes occurring under their management.

Nothing of importance has transpired before the Court at Tecumseh. They have made no progress in any trial yet.

The land sales at Leavenworth still progress quietly and slowly.

## ASPECTS AND PROSPECTS.

Correspondence of The N. Y. Tribune.

LAWRENCE, Nov. 26, 1856.

Col. Titus has concluded that "filibustering" in Kansas is a failure! (I quote his words.) He has notified the boys to meet him at St. Louis on the 15th December, as many as wish to go to Nicaragua. He and his men have been ordered to Leavenworth, there to be disbanded; they were seen crossing the river to-day. They carry with them many a hearty curse, mine among the number.

This evening I had an interesting conversation with young Bowles, brother to the poor fellow who died among the prisoners. The brothers were Kentuckians by birth, but residents of Missouri. Young Bowles, at Westport and St. Joseph, had opportunity to hear at some of the meetings of the Pro-Slaveryites an expose of their plans as regards testimony to be given before the Investigating Committee. The first proposition was to deny in toto having voted at all in Kansas. This was voted down as being too hazardous a speculation. They finally concluded to acknowledge the vote, but place it on the score of off-acting the false voting of the Emigrant Aid people. Speaking of this, Bowles observed, "I knew at this time nothing of the principles of either party as to their contentions; but such things as these men were proposing to do, I knew were wrong, and I then made up my mind that if ever a battle came, I would be found on the Free-State side." With two friends from Iowa and his brother, he came to Kansas in behalf of Freedom. The details of his brother's death are known. If the poor fellow who died is fairly represented by the survivor, of which I entertain no doubt, he was a noble fellow. He has perished, a martyr to the cause of Liberty in a land once supposed to be "the Land of Liberty." Beside the remains of the gallant Shourbre, in the little graveyard at Lawrence, he sleeps among the gallant dead of Kansas.

A more than Spartan courage animates the breasts of this people. It is displayed not less in their power of endurance than in their intrepidity in the hour of danger. Said one who had fought at Franklin, "Where all are so brave, it is hard making any distinction." And said another, "It is hard 'biting our Yankies, who have all their lives long been accustomed to such different things, to the fighting point; but when you once get them there, they are just four to one of the 'others.'" One old man from Indiana, over sixty years of age, during the attack on Lawrence, was observed running about the streets begging every man he met for a gun. Since that time he has been always on hand. In one of the engagements a ball struck the wheel of the carriage beside which he was standing, passing just by him. "I believe," said he, very quietly raising his gun, "those blazed fellows are firing at me," and with that he blazed away volley after volley, without betraying the slightest emotion of fear. A few nights since forty of the prisoners took the liberty of marching out of quarters through a hole which some mechanical member of the firm had constructed in the wall. They had agreed to pass out in regular succession; the nearest the hole first, and so on in order as they lay. When the old man's turn came, he positively refused, saying, "They have put me in legally, and now let them take me out in the 'same way.'" M. Parrot, esq., their counsel, informs me that of the twenty convicted ones thirteen are graduates of colleges; and these men are condemned to four years' hard labor on the highway, with ball and chain attachments to their limbs—the barbarous jewelry of slave propagandism. Do the North mean to submit to this? One of the number, I am also informed, has been an officiating clergyman. Of all the accursed histories of crime this Kansas record is the blackest. It has damned one Administration. Let the next look to its programme, or an indignant and outraged people will dispose of this whole question by a method more direct and pointed than the ballot-box.

It is but just to Governor Geary to say that he

was disposed to act fairly. No man ever had a more difficult part to perform. His course in the matter of David Buffum's murder is worthy of all praise. There were no Free-State witnesses of the case who could identify the murderer. Geary offered \$500 reward immediately; had the man arrested and confined. Lecompte released him. Geary rearrested him. And now it is said Lecompte has again set him free. Geary holds no intercourse with this creature Lecompte; and it is reported he has declared that either his head or Lecompte's must be brought to the block.

I listened this afternoon with painful interest to a full and minute description of the death scene of poor Buffum. He was a brave and consistent advocate and defender of Freedom. I am told he came from Lynn, Mass. He came into the Territory about two years ago, with the second emigrant party. I sat in the chamber when he breathed his last, with his dying lips expressing thankfulness that he was permitted to die for the liberty of Kansas. "This," said he, "is the best way for me to die. Such a death as this will do more to make Kansas free than anything else that I could do!" Noble words, and nobly uttered! Do the accursed agents of Slavery suppose that such a people can be subdued? Let them beware: there are more David Buffums left. Every man here is a hero. No man fears death, and no man flinches when the war comes. The cowards are among our foes—not brave Captain Cooks, whose knee-joints unshook at the sight of a determined man, or rather die. The men who have sought free homes in Kansas know too well what life is worth to fear a

Gov. Geary has been unjustly censured about the Buffum affair. It is right that the full case should be known. Let me give the narrative in Mr. Thorne's own language. Mr. Thorne is the next neighbor:

"I saw the men coming through the prairie, quite a crowd of them. They first asked for water, and I gave them two buckets, all I had in the house, and told them there was no other nearer than the spring, a half mile off. They then seized my melons which I had in my hand, and carried them off. Another set broke from the ranks and went round the house, and stole two of our horses from the stable. Another gang came up to Mr. Jenks, who was standing in the door, reading THE JUSTICE, and took it from him. Jenks told them that they might as well give it back, as it was an Abolition sheet and of no use to you; to which they replied that they wanted the Territory of all such d—d Abolition elements. Another party went right over to David Buffum's. We expected they would do something there, and so kept watch out of this window [pointing to a window by my side]. Pretty soon we heard some one say, 'Kill the d—d Abolitionist' and then we heard a gun fire. It was a very still morning, and we could hear a great way. In a few moments I saw David come as far as the fence and beckon to us, and then he fell; I knew right away something was the matter. My son and my son ran, and Mr. Jenks too; but I stayed there first. 'Oh, Mrs. Thorne,' said David, 'I'm dying: they have shot me.' We got him into the house as soon as possible, my son and Mr. Jenks carrying him in their arms. My husband immediately drove down to Lawrence after Gov. Geary. They had taken our horses, and so he had to go about a mile to one of the neighbors, who lent him a horse. Gov. Geary, as soon as he heard of this, came up right away with Capt. Cook, and sent Judge Cato to take Mr. Buffum's testimony."

How did Gov. Geary seem to be affected when he saw the poor dying man?" said I. "Oh," replied Mr. Thorne, "he looked quite bad, and took on a great deal about the people at Lecompton, for he was afraid the Kickapoo rangers, as the men called themselves, would commit outrages and burn the place. He wanted very much to go right after them, but Capt. Cook said there was no danger."

I will not prolong this, but simply observe that the entire history of that affair exhibits Geary as a brave and a just man, and, under all the circumstances, a wise one.

Mrs. Thorne told me that on the day after poor David died Capt. Stringfellow (nephew to the notorious Stringfellow) came in and advised me to dig a hole and "throw the body in, and nothing about it, as it might get into the papers of the North and cast a stain upon the Pro-Slavery party, who were not to blame for an inhuman deed of the sort, which all the best men disapproved."

To-day I visited the scene of the slaughter of the poor David Barber. His death will not be soon forgotten. A stake is driven in the field to mark the spot where he fell. After being shot he rode down 50 yards or more. The woman who ran out to see after witnessing the transaction, found him too dead to speak. Death had already sealed his lips. And still his murderer lives on his heels only, but is rewarded by Mr. Pierce for his cold-blooded cruelty. Clarke is the name of the villain, and he at this moment retains his post as Indian Agent.

With all its sad history, Kansas is still the center of attraction. As fast as the advantages of its soil and climate are discovered, emigrants will turn away from all other fields for this.

Say to the women of the North that their gifts are the salvation of Kansas. Said one intelligent poor woman to me to-day: "I do not know how we should have got along at all this Winter if these things had not come." "It is surprising too, how everything seems to fit," said another. And in many a cabin blessings are invoked on the heads of the sympathizing contributors.

A constant stream of applicants besiege the Committee-room for relief. I fear that many of the most deserving will fail through ever-much modesty in getting that relief which was intended for them.

A world of work yet remains to be done both here and at the East. Among the good things yet to be done for this Territory is the distribution of seeds.

Let the friends of Kansas who wish to advance the material interests in one of the most substantial ways will think of this, and send to my address New-York packages of all sorts of desirable seeds, "both useful and ornamental." Now that the lands are in, let us see what we can do to ensure the natural attractions of this Eden of the present.

I expect to be in New-York about the 1st of January, and to return about the 1st of February, if my friends at the North will place in my hands the requisite aid. On again reaching the Territory, propose a thorough canvass of it. A fine opportunity will thus be presented for distributing the seeds I speak of.

Allow me to suggest that a general subscription for Kansas be taken on New-Year's Day throughout the North universally. Let all give and give with willing hearts. The inhabitants of this Territory are pledged to a man, and I may add to a woman, too, that KANSAS SHALL BE FREE! The pledge will be just as eternal as the Slaveryites have to have it. But there is not power sufficient to the whole South, backed by the Government, as has been, to keep this a Slave State. You may chalk that down and write Cæsar under to keep it.

Old Pachaqua, one of the Delaware Chiefs, sent me a pretty good message, which the President may as well set down as expressing the sentiments of the entire crowd in this way.

Referring to some outrages upon his people by the Buffians, the stern old Chief thus writes: "We are entitled to protection. Shall we have it? If not, let us know it, and we will protect ourselves!" The protection came instant.

A funny incident touching Fremont occurred the other day out on the Reserve, at the house of George Washington, another Delaware Chief.

During the recent campaign, some of the Opposition papers, as you are aware, sneeringly asserted that one of the qualifications of our candidate for the Presidency was his ability to eat mule meat.

My friend of mine being at George's house, observed a pair of pistols hanging up against the wall. "What," said he, "do you use them?" "Yes, we use them heap." "Where?" "California." "Were you ever in California?" "Yes; me be California with Fremont." "Ah! Well, do you know that Fremont is up for President?"

George Washington projected his eyes, and threw up his hands in delighted amazement, exclaiming: "Fremont good man; oh, yes; Fremont great man. Fremont make great President; he eat mule meat." "Fremont eat dog?" asked my friend.

"No," replied George Washington. "Delaware eat fat dog; Fremont no eat dog; Fremont eat the heap!"

THADDEUS HYATT.