

TRANSACTIONS

OF THE

KANSAS STATE HISTORICAL SOCIETY

EMBRACING THE THIRD AND FOURTH BIENNIAL REPORTS,

1883-1885.

TOGETHER WITH COPIES FROM EARLY KANSAS TERRITORIAL RECORDS, AND OTHER HISTORICAL PAPERS. ALSO THE PROCEEDINGS OF THE KANSAS QUARTER-CENTENNIAL CELEBRATION, JAN. 29, 1886.

VOL. III.



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BIOGRAPHY OF GOVERNOR WILSON SHANNON.

[For the principal portion of this biography, the Historical Society is indebted to the able address of Hon. Benjamin F. Simpson, in the proceedings in the Supreme Court of Kansas, on the death of Governor Shannon.]

Wilson Shannon, the second Governor of Kansas Territory, was born on the 24th day of February, 1802, in the Territory of Ohio, in what is now the southwest portion of the county of Belmont. He was the youngest of a family of nine children, seven boys and two girls. In the winter of 1803 his father was frozen to death, while on a hunting expedition in the then wilderness bordering on the Ohio river. The widowed mother was thus left with this large family of children, to struggle alone with the world as best she could, the oldest child, John, then being but nineteen years of age. The sterling character developed in this eldest son proved him to be almost equal to the emergency of supplying the place of his father. He labored incessantly to procure means with which to educate his brothers and sisters, this labor of love never being interrupted but once, and that for a patriotic service in the army, during the war of 1812. In this short service he attained the rank of captain. He might have attained high position in civil life, but for his manly devotion to the interests of his brothers.

George, the second son, while yet a lad, joined Lewis and Clark's expedition to the Rocky Mountains, and while on the Upper Missouri river, in an engagement with the Indians, was wounded in the leg, and on his arrival at St. Charles had it amputated. He was taken to Philadelphia by Lewis and Clark, and had charge of the publication of their journal. While there he studied law, was admitted to the bar, and afterwards located in Lexington, Kentucky. Able as the bar was there, in a few years he was chosen Circuit Judge, and served in that capacity for three years. In 1828 he went to Missouri and located at Hannibal; was sent to the State Senate, made United States District Attorney for Missouri, and was a candidate for the United States Senate against Thomas H. Benton at the time of his second reelection. He was a celebrated criminal-law lawyer, and in August, 1836, while engaged in the defense of a man charged with murder, he died, in the court house at Palmyra, in the forty-ninth year of his age, having been born in Pennsylvania in 1787. The Legislature of Missouri, shortly after his death, named a county in the southern part of the State for him.

By the time George had become fairly established in practice at Lexington he was joined by James, the third son, whom John had educated and sent out into the world. James, it is said, was the most brilliant of all the brothers. He practiced law with great success at Lexington for ten years, and became prominent as a political leader, but the Whig majorities were

too great to be overcome, and he, being a Democrat, was always defeated for local position.

While residing at Lexington he married a daughter of ex-Governor Shelby; and on the 9th day of February, 1832, the President commissioned him as Charge d'Affaires to the Federation of Central America, but he died before reaching his post.

In the meantime, Thomas, the fourth son, by the aid of the devoted John, had embarked in merchandise at Barnesville, a growing town near the homestead, and was remarkably successful. He twice represented Belmont county in the Legislature, and in the fall of 1826, the same year in which Wilson was admitted to the bar, he was elected to Congress from that district. Serving out his term of two years, he retired from politics, and from that time on never wearied in pushing the fortunes of his youngest brother.

David, the fifth son, studied law with George at Lexington, and after his admission settled in Tennessee, where he practiced with success until President Jackson appointed him a Judge in the Territory of Florida, but he died before he could close his business to accept the place. Arthur, the sixth son, died when quite young.

The faithful John, aided by Thomas, now a member of the Legislature, took Wilson from the farm in his nineteenth year and sent him to the Ohio University, at Athens, for two years; then he was sent to Lexington, where he could board with George and James, and enter Transylvania University. While there he studied law with his brothers, and in 1826 came back to St. Clairsville for admission and practice. Surrounded by able lawyers, his diligence soon secured him a profitable practice, and he then married a daughter of E. Ellis, Esq., Clerk of the Court, and this allied him to a family powerful both at the bar and in political circles.

Among the brothers-in-law through this alliance was William Kennon, member of Congress from Ohio from 1834 to 1836, a member of the constitutional convention of 1850, a commissioner to revise the code, and afterwards, for years, on the Supreme Bench of Ohio; another is the Hon. George W. Manypenny, a leading public man in Ohio, and who was at the time of the organization of Kansas Territory, United States Commissioner of Indian Affairs; another is Hon. Hugh J. Jewett, at one time a member of Congress from Ohio, and afterward president of the New York & Erie Railway; another was the late Hon. Isaac E. Eaton, so long a respected and well-known citizen of Kansas, who died at Leavenworth a few years since, where he had long years resided.

In the fall of 1832, Wilson Shannon had become so well known as an able and popular young lawyer, that the Democrats of his district nominated him for Congress. The district was strongly Whig, but Shannon reduced the usually large majority of that party to only thirty-seven, which was received by his opponent, Gen. James M. Bell, a renowned lawyer of Cambridge, Guernsey county. In 1832 Shannon was elected County Attorney of his native county, by a large majority.

His first wife lived only a few years after her marriage, and Mr. Shannon subsequently married Miss Sarah Osbun, of Cadiz, Harrison county, Ohio. This devoted woman shared the fortunes of her husband through the long and eventful career which followed, and survived him, dying at Lawrence, Kansas, January 5th, 1881.

During the early years of the public life of Mr. Shannon, his conduct was such that the young Democrats throughout the State began to regard him as their leader, and when the Democratic clans mustered in Columbus, in the summer of 1838, the young lawyer from Belmont was made their candidate for Governor. The Whigs renominated "Honest Old Joe Vance," who was then serving a term as chief magistrate of the State that he had wrested from one of the most popular of the old Democratic leaders. But Shannon received a majority of the votes cast, and a boy born in the Territory was declared Governor of the State — the first native Governor.

The Whig triumph of 1840, in the election of William Henry Harrison of Ohio to the Presidency, also gave the Governorship of that State to the Whig candidate—Thomas Corwin—and Shannon was beaten for reelection. But two years later the tables turned, and the Democrats transposed the words of a Whig rhyme of a former campaign, and sang :

"Wilson Shannon gave a tanning
To Tom the wagoner boy.

On the 9th of April, 1844, President Tyler commissioned Governor Shannon as Minister to Mexico. This position he accepted, and held until May 14, 1845, when the Mexican war impending, diplomatic intercourse was suspended, and demanding his passports, he returned home.

In 1849, becoming enlisted in the California gold excitement, he went to that new Territory. But in two years he returned to Ohio, and in 1852 was elected to Congress from the district composed of his native county and three others. He cast his vote in the House of Representatives, in 1854, in favor of the passage of the Kansas-Nebraska bill. He was not a candidate for reelection.

On the removal of Governor Reeder from the office of Governor of Kansas Territory, in August, 1855, the vacant office was tendered to Hon. John L. Dawson, of Pennsylvania, who declined the appointment. Governor Shannon was commissioned Governor of Kansas Territory by President Pierce, August 10, 1855. He arrived at Westport, Missouri, on the borders of Kansas, September 1, the second day after the adjournment of the first Territorial Legislature, which had held its sessions at Shawnee Mission, near Westport. He took the oath of office before Secretary Woodson, and entered upon his official duties on the 7th of September.

The period at which Governor Shannon entered upon his duties was a very exciting one, making the Governor's office one of greater trial, perhaps, than had ever before been allotted to high public functionary in this country. The interest of the whole Nation had become enlisted in the Kansas

struggle. The struggle had become a national partisan one of the greatest magnitude. The Democratic party of the country had become committed to the work of establishing slavery in Kansas. The opposing party had become equally determined that slavery should be excluded. In Kansas and western Missouri, whatever had been former party affiliations, they now were broken down, and all the people had become enlisted in intense antagonism, under the names Pro-Slavery and Free-State.

Governor Shannon had come to Kansas as a Democrat. His life-long fidelity to the Democratic party, and the many honors which had been conferred upon him by it, had wedded him to strict obedience to its policy, whatever the deliberations of its councils may have determined that to be. He had accepted the office of Governor without a thought of any other than of strict good faith to his party.

As a lawyer of profound learning and large experience, he had been educated to accept the legal maxim that judicial and executive functions must be exercised in strict regard to the laws, *de facto*—to the law as at present found on the statute book; leaving it to the future for the people to change the laws, if by any means they existed in contravention of their will freely exercised by ballot.

The Governor had had nothing to do with the election of March 30, 1855. If that election had been carried by voters from Missouri, and not by the legal voters of the Territory, he was not responsible for the fact, nor responsible for the character of the laws framed by the Legislature which had thus been elected, however much those laws might be intended to operate to the harrassment and the exclusion from the Territory of settlers of Free-State sentiment. The remedy left to the class to whose disadvantage the laws operated, was to be found in future elections, through which might be brought about the removal of whatever of obnoxious legislation might have been placed on the statute book. As the highest executive authority in the Territory, it was his duty to execute the laws as he found them. Such appear to have been Governor Shannon's views of policy and duty upon entering upon his office.

In the necessary circumstances of the case, Governor Shannon was thrown into constant and exclusive association with those persons who were intensely wedded to the established policy of the Pro-Slavery party. He was sympathetic and confiding in his nature. Hence he was not unfrequently misled by wrong information and great exaggeration of fact, constantly presented to him. Added to this, his instructions from Washington came from a cabinet devoted to the policy of establishing slavery in Kansas at all hazards. Whatever of error or mistake may have occurred in his administration must be attributed largely to these peculiar conditions by which he was environed. The more authentic facts of his administration are to be gleaned from official records, a considerable portion of which are found in this volume.

His official services terminated with his resignation, which was forwarded to the President from Lecompton, August 18th, 1856. He continued to reside at Lecompton, whither the executive office had been removed in the spring of 1856. He entered actively into the practice of the law, in the higher courts of the Territory. Subsequently he removed to Lawrence, where he continued to live, leading a life of unblemished purity, and continuing to be the leading member of his profession in Kansas until the day of his death, which occurred peacefully at his home on the 30th day of August, 1877.

The children of Governor Shannon, now living, are Hon. Osbun Shannon, of Lawrence, Kansas, and Mrs. S. R. Keeler and Mrs. John A. Walsh, both residing in Washington, D. C.

EXECUTIVE MINUTES.

MINUTES RECORDED IN THE GOVERNOR'S OFFICE DURING THE ADMINISTRATION OF GOVERNOR WILSON SHANNON, INCLUDING ALSO THOSE RECORDED IN THE INTERVALS IN WHICH SECRETARY DANIEL WOODSON WAS ACTING GOVERNOR.

[Daniel Woodson took the oath of office, as Secretary of Kansas Territory, at Washington, D. C., September 28th, 1854. At different times during his term of office, he had devolved upon him the powers of Governor of the Territory. The organic act provided that, "In case of the death, removal, resignation, or absence of the Governor from the Territory, the Secretary shall be, and he is hereby authorized and required, to execute and perform all the powers and duties of the Governor during such vacancy or absence, or until another Governor shall be duly appointed and qualified to fill such vacancy."

The first occasion in which either of the exigencies contemplated by the act occurred, was that of the absence of Governor Reeder, on a visit to the East, from April 17th to June 23d, 1855. The Executive Minutes show only two official acts during this period—one, May 29th, that of filing election returns, for the action of the Governor upon his return to the Territory; the other, the issuing of an executive warrant, on a requisition from the Governor of the State of Indiana.

On the removal of Governor Reeder from office, August 16th, 1855, Secretary Woodson became acting Governor, and served till September 7th, 1855, when Governor Shannon took the oath of office and entered upon its duties. On the departure of Governor Shannon on a visit to St. Louis, June 24th, 1856, Secretary Woodson again became Acting Governor, and served until July 7th, possibly later. The minutes do not show the day of the return of Governor Shannon. On the resignation of Governor Shannon, August 18, 1856, Secretary Woodson again became Acting Governor, and served until September 11th, when Governor John W. Geary assumed the duties of the office. On the departure of Governor Geary from the Territory, March 12th, 1857, Mr. Woodson again became Acting Governor, and continued as such until April 16th, when he was succeeded by Frederick P. Stanton, who had been appointed Secretary of the Territory.]

AUGUST 31, 1855.—Commissions issued to the following appointments made by the acting Governor, by and with the advice and consent of the Council:

To A. M. Coffey, as Major General of the Southern Division of Kansas Militia.

Wm. A. Heiskell, as Brigadier General of the First Brigade of the Southern Division of Kansas Militia.

Wm. Barbee, as Brigadier General of the Second Brigade of the Southern Division of Kansas Militia.

Wm. C. Yager, as Colonel of the First Regiment of the Southern Division of Kansas Militia.

George W. Johnson, as Colonel of the Second Regiment of the Southern Division of Kansas Militia.

S. A. Williams, as Colonel of the Third Regiment of the Southern Division of Kansas Militia.

Skilman Fleming, as Colonel of the Fourth Regiment of the Southern Division of Kansas Militia.

Wm. P. Richardson, as Major General of the Northern Division of the Militia of Kansas Territory.

F. J. Marshall, as Brigadier General of the First Brigade of the Northern Division of the Militia of Kansas Territory.

Lucien J. Eastin, as Brigadier General of the Second Brigade of the Northern Division of the Militia of Kansas Territory.

Robert Clark, as Colonel of the First Regiment of the Northern Division of the Militia of Kansas Territory.

Jas. E. Thompson, as Colonel of the Second Regiment of the Northern Division of the Militia of Kansas Territory.

David M. Johnson, as Colonel of the Third Regiment of the Northern Division of the Militia of Kansas Territory.

Archibald Payne, as Colonel of the Fourth Regiment of the Northern Division of the Militia of Kansas Territory.

Hiram J. Strickler, as Adjutant General of the Kansas Militia.

Thomas J. B. Cramer, as Inspector General of the Kansas Militia.

Same day, commissions issued to the following appointments of county officers made by the Legislative Assembly in joint session:

For Doniphan County—To Joel P. Blair as Probate Judge, and A. Dunning and E. B. Rogers as County Commissioners, and Carey B. Whitehead as Sheriff.

For Atchison County—To James Headley as Probate Judge, William Young and James M. Givens as County Commissioners, and Wm. C. McVay as Sheriff.

For Jefferson County—O. B. B. Tebbs as Probate Judge; Napoleon Hopewell and Samuel C. Hudson as County Commissioners, and George Dyer as Sheriff.

For Calhoun County—To James Kuykendall as Probate Judge, R. D. Beeler and William Alley as County Commissioners, and James Wilson as Sheriff.

For Leavenworth County—To John A. Halderman as Probate Judge, J. M. Hall and Matthew Walker as County Commissioners, and G. D. Todd as Sheriff.

For Douglas County—To John P. Wood as Probate Judge, George W. Johnson and John M. Banks as County Commissioners, and Samuel J. Jones as Sheriff.

For Johnson County—To A. S. Johnson as Probate Judge, John T. Peery and Joseph Parks as County Commissioners, and Benjamin F. Johnson as Sheriff.

For Lykens County—To I. Jacobs as Probate Judge, Henry Snyder and Jes. Beets as County Commissioners, and B. P. Campbell as Sheriff.

For Bourbon County—To Samuel A. Williams as Probate Judge, H. L. [T.] Wilson and Charles Wingfield as County Commissioners, and B. F. Hill as Sheriff.

For Allen County—To Charles Passmore as Probate Judge, B. Owen and B. W. Cowden as County Commissioners, and Wm. J. Godfrey as Sheriff.

For Anderson County—To George Wilson as Probate Judge, Wm. R. True and John Clark as County Commissioners, and P. D. Cummings as Sheriff.

For Franklin County—To J. Yocum as Probate Judge, Wm. McDow and James M. Robinson as County Commissioners, and Richard Golding as Sheriff.

For Shawnee County—To Wm. O. Yager as Probate Judge, and E. Hoagland and W. Yocum as County Commissioners, and Geo. W. Berry as Sheriff.

For Nemaha County—To George H. Perrin as Probate Judge, Jesse Adamson and John Ballore as County Commissioners, and James E. Thompson as Sheriff.

For Marshall County—To James Doniphan as Probate Judge, A. J. Woodward and S. J. Cramer as County Commissioners, and A. S. Clark for Sheriff.

For Riley County—To Clay Thompson as Probate Judge, Thos. Reynolds, sen., and Wm. Cuddy as County Commissioners, and John S. Price as Sheriff.

For Madison County—To Thos. Huffaker as Probate Judge, H. B. Elliot and C. H. Withington as County Commissioners, and John B. Foreman as Sheriff.

Same day, Chas. H. Grover was commissioned as District Attorney for the First Judicial District, H. A. Hutchinson as District Attorney for the Second Judicial District, and John T. Brady as District Attorney for the Third Judicial District.

AUGUST 10, 1855.—Wilson Shannon, of the State of Ohio, is commissioned Governor of the Territory by the President of the United States.

RECORD OF OATH.

UNITED STATES OF AMERICA, }
TERRITORY OF KANSAS, } ss.

I, Daniel Woodson, Secretary of said Territory of Kansas, do hereby certify that Wilson Shannon personally appeared before me, on this seventh day of September, A. D. 1855, at my office in said Territory, and was by me duly sworn according to law to support the Constitution of the United States, and faithfully to discharge the duties of the office of Governor of said Territory. Given under my hand, this seventh day of September, A. D. 1855.

DANIEL WOODSON, *Sec'y Kansas Territory.*

SEPTEMBER —, 1855.—Commission issued to Allen P. Tibbitts, as Probate Judge of the county of Arapahoe.

Commission issued to James Stringfellow, as Clerk of the Probate Court of the county of Arapahoe.

SEPTEMBER 6, 1855.—Commission issued to John Donalson, as Auditor of Public Accounts.

SEPTEMBER 17, 1855.—Resignation of G. W. Berry, as Sheriff of Shawnee county, received.

SEPTEMBER 21, 1855.—Commission issued to William A. Heiskell, as Clerk of the Tribunal for the Transaction of County Business, for the county of Lykens.

Commission issued to A. H. McFadden, as Coroner for the county of Lykens.

Commissions issued to Martin White and William Lebon, as Justices of the Peace for the county of Lykens.

Commissions to Barnett Hall and Peter J. Potts, as Constables of the county of Lykens.

SEPTEMBER 21, 1855.—Commission issued to Alexander McPherson, as Justice of the Peace for Shannon township, in the county of Atchison.

SEPTEMBER 22, 1855.—Commission issued to Thomas L. Fortune, as Justice of the Peace for Mount Pleasant township, in the county of Atchison.

Commission issued to J. C. Mannion, as Justice of the Peace for Shannon township, in the county of Atchison.

Commission issued to William D. Barnett, as Justice of the Peace for Grasshopper township, in the county of Atchison.

Commission issued to Greenberry B. Gates, as Constable for Mount Pleasant township, in the county of Atchison.

Commission issued to Felix Brown, as Justice of the Peace for Mount Pleasant township, in the county of Atchison.

Commission issued to Ira Norris, sen., as Treasurer of the county of Atchison.

Commission issued to Dudley McVay, as Coroner of the county of Atchison.

Commission issued to Archibald Elliott, as Justice of the Peace for Mount Pleasant township, in the county of Atchison.

Commission issued to Eli C. Mason, as Sheriff of the county of Atchison, *vice* William C. McVay, resigned.

Commission issued to Jacob Rees, as Constable of Grasshopper township, in the county of Atchison.

Commission issued to P. P. Wilcox, as Justice of the Peace for Shannon township, in the county of Atchison.

Commission issued to James T. Darnall, as Constable for Shannon township, in the county of Atchison.

Commission issued to Samuel Walters, as Assessor for the county of Atchison.

SEPTEMBER 22, 1855.—Commission issued to Ira Norris, as Clerk of the Board of County Commissioners for the county of Atchison.

Commission issued to J. Farley, as Clerk of the Board of County Commissioners for the county of Bourbon.

Commission issued to John N. Catrell, as Constable for the county of Bourbon.

Commission issued to Thomas Watkins, as Justice of the Peace for the county of Bourbon.

SEPTEMBER 24, 1855.—Commission issued to Christopher E. Huffaker, as Clerk of the Board of County Commissioners for Johnson county.

SEPTEMBER 26, 1855.—Commission issued to Richard R. Rees, as Justice of the Peace for the township of Leavenworth, in the county of Leavenworth.

Commission issued to H. P. Johnson, as Justice of the Peace for the township of Leavenworth, in the county of Leavenworth.

Commission issued to Thomas C. Hughes, as Constable for the township of Leavenworth, in the county of Leavenworth.

Commission issued to Leander F. Hollingsworth, as Justice of the Peace for the township of Delaware, in the county of Leavenworth.

Commission issued to Wilson Fox, as Constable for the township of Delaware, in the county of Leavenworth.

SEPTEMBER 29, 1855.—Commission issued to James Christian, as Clerk of the Board of County Commissioners for the county of Douglas.

OCTOBER 4, 1855.—Commission issued to James R. Whitehead, as Clerk of the Board of County Commissioners for the county of Doniphan.

Commission issued to James F. Foreman, as County Surveyor for Doniphan county.

Commission issued to Henry Thompson, as Coroner for the county of Doniphan.

Commissions issued to A. Q. Rice and Milford Gillmore, as Justices of the Peace for Wolf River township, in the county of Doniphan.

Commission issued to Jesse Lewis, as Justice of the Peace for the township of Iowa, in the county of Doniphan.

Commission issued to James Pateet, as Constable for the township of Iowa, in the county of Doniphan.

Commissions issued to Thomas W. Waterson and Labon Pritchard, as Justices of the Peace for Burr Oak township, in the county of Leavenworth. [Doniphan.]

Commissions issued to Albert Head and F. Mahan, as Justices of the Peace for Washington township, in the county of Doniphan.

Commission issued to Hamilton J. Johnson, as Constable for Washington township, in the county of Doniphan.

Commission issued to John A. Vanarsdale and William Shaw, as Justices of the Peace for Wayne township, in the county of Atchison. [Doniphan.]

Commission issued to Joshua Saunders, as Constable for Wayne township, in the county of Doniphan.

Commission issued to S. W. Tunnel, as Constable for the township of Kickapoo, in the county of Leavenworth.

OCTOBER 4, 1855.—Commission issued to Cyrus Doleman, as Clerk of the Board of County Commissioners for the county of Nemaha.

Commission issued to Oliver P. Williams, as Treasurer for the county of Nemaha.

Commission issued to Thomas Newton, jr., as Coroner for the county of Nemaha.

Commission issued to Horace Newton, as Constable for the county of Nemaha.

OCTOBER 5, 1855.—Commission issued to John D. Wells, as County Commissioner for the county of Marshall, *vice* A. G. Woodward, resigned.

OCTOBER 8, 1855.—Commission issued to James Corlew, as Constable for Franklin township, in the county of Douglas.

Commission issued to Charles C Spalding, as Justice of the Peace for Lecompton township, in the county of Douglas.

Commission issued to Hugh Cameron, as Treasurer of the county of Douglas.

Commission issued to Peter Crockett, as Coroner for the county of Douglas.

Commission issued to G. B. Redman, as Justice of the Peace for the township of Delaware, in the county of Leavenworth.

Commission issued to Alexander Russell, as Justice of the Peace for the township of Leavenworth, in the county of Leavenworth.

Commission issued to Ethan A. Long, as Constable for the township of Wyandott, in the county of Leavenworth.

Commission issued to John W. Ladd, as Justice of the Peace for the township of Wyandott, in the county of Leavenworth.

OCTOBER 8, 1855.—Commission issued to William L. Kuykendall, as Clerk of the Board of County Commissioners for the county of Calhoun.

OCTOBER 10, 1855.—Commission issued to John Martin, as Clerk of the Board of County Commissioners for the county of Shawnee.

Commission issued to Duke W. Hunter, as Superintendent of Public Buildings for the county of Shawnee.

Commission issued to John Horner, as Sheriff of the county of Shawnee, *vice* George W. Berry, resigned.

Commissions issued to John W. Kavanaugh and George W. Redman, as Justices of the Peace for the county of Shawnee.

Commission issued to Isaac N. Campbell, as Constable of the county of Shawnee.

OCTOBER 15, 1855.—Commission issued to C. R. Mobley, for County Commissioner of Riley county, *vice* Wm. Cuddy, resigned.

Commission issued to John S. Reynolds, as Clerk of the Board of County Commissioners for the county of Riley.

Commission issued to F. C. Sonnamaker, as Coroner for the county of Riley.

Commission issued to Thomas Dixon, as Constable of the county of Riley.

Commission issued to James Dixon, L. B. Penny, and A. A. Garrott, as Justices of the Peace for the county of Riley.

OCTOBER 19, 1855.—Commission issued to John A. Halderman, as Lieutenant Colonel Fourth Regiment, Second Brigade, Northern Division of Kansas Militia.

OCTOBER 20, 1855.—Commission issued to Thomas J. B. Cramer, as Territorial Treasurer.

OCTOBER 30, 1855.—The returns of the judges of the election held on the first Monday of October, in pursuance of law, for a Delegate to the Thirty-fourth Congress, being duly examined, and John W. Whitfield, having received a majority of the legal votes polled, is declared by the Governor to be duly elected, and a certificate of election by the Governor, under the seal of the Territory, is accordingly issued to the said John W. Whitfield.

NOVEMBER 9, 1855.—Commissions issued to Wiley Patterson, Cowan Mitchell, Henry Miller, and D. Guthrey, as Justices of the Peace for the county of Bourbon.

Commissions issued to James B. Russell, Nelson L. Loyd, and John Haliday, as Constables for the county of Riley.

Commission issued to H. R. Kelsoe, as Coroner for the county of Bourbon.

Commission issued to Edward Searcy, as Treasurer for the county of Doniphan.

Commissions issued to John C. Boggs and W. C. Fasten, as Justices of the Peace for the county of Brown.

Commission issued to William Plunket, as Constable for the county of Brown.

Commission issued to Wiley Williams, as a Justice of the Peace for Kickapoo township, in the county of Leavenworth.

Commission issued to M. Pierce Riveley, as Treasurer for the county of Leavenworth.

NOVEMBER 10, 1855.—Commission issued to H. W. Buckley, as Constable for Louisiana township, in the county of Douglas.

NOVEMBER 22, 1855.—Commission issued to James P. Sanders, as Justice of the Peace for Washington township, in the county of Washington.

NOVEMBER 24, 1855.—Commission issued to Samuel Crane, as Justice of the Peace for Franklin township, in the county of Douglas.

Commission issued to Hugh Cameron, as Justice of the Peace for the township of Lawrence, in the county of Douglas.

Commission issued to Franklin M. Coleman, as Justice of the Peace for Louisiana township, in the county of Douglas.

Commission issued to Joshua N. Hargus, as Justice of the Peace for Louisiana township, in the county of Douglas.

Commission issued to Samuel Clark, as Justice of the Peace for Washington township, in Douglas county.

Commission issued to Joseph W. Shepard, as Justice of the Peace for Lecompton township, in Douglas county.

Commissions issued to Perry Fleshman and Samuel J. Lockhart, as Justices of the Peace for the township of Douglas, in the county of Calhoun.

Commission issued to Rolla J. Fulton, as Constable for the township of Douglas, in the county of Calhoun.

Commission issued to George S. Young, as Justice of the Peace for the township of Half-Day, in the county of Calhoun.

NOVEMBER 26, 1855.—Commission issued to George Ringo, as Constable of Shannon township, in the county of Atchison, *vice* James T. Darnell, declined.

Commission issued to William Reynolds, as Justice of the Peace for the township of Alexandria, in the county of Leavenworth.

Commission issued to Thomas J. Carson, as Constable for Alexandria township, in the county of Leavenworth.

Commission issued to William P. Tuttle, as Justice of the Peace for Shawnee county, *vice* John W. Kavenaugh, resigned.

NOVEMBER 27, 1855.—The Governor received special dispatches from the sheriff of Douglas county, stating that there was a large force of armed outlaws in that county in open resistance to the laws of the Territory, and calling for a posse of three thousand men to enable him to execute processes then in his hands. Whereupon the Governor issues the following orders to Major General William P. Richardson, of the Northern Division of Kansas Militia, and Adjutant General H. J. Strickler:

HEADQUARTERS, SHAWNEE MISSION, }
KANSAS TERRITORY, November 27th, 1855. }

SIR: Reliable information has reached me that an armed military force is now in Lawrence and that vicinity, in open rebellion against the laws of this Territory, and that they have determined that no process in the hands of the sheriff of that county shall be executed. I have received a letter from S. J. Jones, sheriff of Douglas county, informing me that he had arrested a man under a warrant placed in his hands, and while conveying him to Lecompton he was met by an armed force of some forty men, and that the prisoner was taken out of his custody, and open defiance bid to the laws. I am also duly advised that an armed band of men burnt a number of houses, destroyed personal property, and turned whole families out of doors in Douglas county; warrants will be issued against these men, and placed in the hands of the sheriff of Douglas county for execution. He has written to me demanding three thousand men to aid him in executing the process of the law, and the preservation of the peace.

You are, therefore, hereby ordered to collect together as large a force as you can in your division, and repair without delay to Lecompton, and report yourself to S. J. Jones, the sheriff of Douglas county, together with the number of your forces, and render to him all the aid and assistance in your power, if required in the execution of any legal process in his hands. The forces under your command are to be

used for the sole purpose of aiding the sheriff in executing the law, and for no other purpose. I have the honor to be your obedient servant,

Major General Wm. P. Richardson.

WILSON SHANNON.

HEADQUARTERS, SHAWNEE MISSION, }
KANSAS TERRITORY, November 27th, 1855. }

SIR: I am this moment advised by letters from S. J. Jones, sheriff of Douglas county, that while carrying a prisoner to Lecompton, whom he had arrested by virtue of a peace warrant, he was met by a band of armed men, who took said prisoner forcibly out of his possession, and bid defiance to the execution of all law in this Territory. He has demanded of me three thousand men to aid him in the execution of the legal process in his hands. As the Southern Division of the militia of this Territory is not organized, I can only request you to collect together as large a force as you can, and at as early a day as practicable report yourself with the forces you may raise to S. J. Jones, sheriff of Douglas county, and to give him every assistance in your power, in the execution of the legal process in his hands. Whatever forces you may bring to his aid are to be used for the sole purpose of aiding the sheriff in the execution of the law, and no other. It is expected that every good citizen will aid and assist the lawful authorities in the execution of the laws of the Territory, and the preservation of good order. Your obedient servant,

General H. J. Strickler.

WILSON SHANNON.

NOVEMBER 28, 1855.—The Governor writes the following letter to the President of the United States:

EXECUTIVE OFFICE, SHAWNEE MISSION, }
KANSAS TERRITORY, November 28th, 1855. }

SIR: Affairs in this Territory are daily assuming a shape of great danger to the peace and good order of society. I am well satisfied that there exists in this Territory a secret military organization, which has for its object, among other things, resistance to the laws by force. Until within a few days past I have looked upon the threats of leading men and public papers, who have placed themselves in an attitude of resistance to the laws, as not intended by those who made them to be carried into execution. I am now satisfied of the existence of this secret military organization, and that those engaged in it have been secretly supplied with arms and munitions of war, and that it is the object and purpose of this organization to resist the laws by force. The strength of the organization is variously estimated at from one to two thousand, but I have no satisfactory data from which to estimate its real strength, and I do not believe they can command for any given purpose more than one thousand men. They are said to be well supplied with Sharp's rifles and revolvers, and that they are bound by an oath to assist each other in the resistance of the laws when called upon to do so. Independently of the disclosures made by those who formerly belonged to this association and the hints thrown out by some of the public journals in their interest, the most practical proof of these allegations consists in their own acts. A few days since a difficulty took place in Douglas county, some ten miles south of Lawrence, between one of these men and a man by the name of Coleman, from Virginia, in relation to a claim, in which the former was shot, and died immediately. Coleman was taken into custody for trial by the sheriff of that county, and to avoid all ground of objection as to legal authority, Judge Lecompte was written to, and requested to attend at the county seat (it being in his judicial district) and sit as an examining court. In the mean time, a large body of armed men, said to be from three to four hundred, collected at or near Lawrence for the avowed purpose of rescuing Coleman from the sheriff and executing him without a trial. Coleman

claims that he shot the man strictly in self-defense, and is willing to abide a judicial investigation and trial.

On Monday last a warrant was issued against one of this band of men for threatening the life of one of his neighbors, and placed in the hands of the sheriff of the county for execution, who with a posse of some ten men arrested him on Tuesday night, and as he was conveying the prisoner to Lecompton he was met about two o'clock in the morning by a band of these men, consisting of between forty and fifty, all armed with Sharp's rifles and revolvers, who forcibly rescued the prisoner out of his hands, and openly proclaimed that there were no officers or law in this Territory. In the settlement in which these transactions took place there were from sixteen to twenty law-and-order families, and about one hundred free-soil families. At the last advices three of the houses of the former had been burned down by this armed band, cattle had been killed, and a considerable amount of corn and other personal property destroyed, and the whole law-and-order population of that neighborhood, induced by terror, had fled, except two families, whose lives were threatened. Helpless women and children have been forced by fear and threats to flee from their homes and seek shelter and protection in the State of Missouri. Measures were being taken by the legal authorities to procure warrants against these lawless men, and have them arrested and legally tried.

Under these circumstances, the sheriff of the county has called on me for three thousand men to aid him in the execution of the warrants in his hands, and to protect him and his prisoner from the violence of this armed force. The force required by the sheriff is far beyond what I believe to be necessary, and, indeed, far beyond what could be raised in this Territory. From five to eight hundred men will be amply sufficient, I have no doubt, to protect the sheriff, and enable him to execute the legal process in his hands. With the view of giving to the sheriff the requisite aid, I have issued orders to Major General Richardson, of the Northern Division of Militia of this Territory, a prudent and discreet man, a copy of which I send you herewith. I also send you a copy of a request I have made of General Strickler, who resides in the adjoining county to Douglas. These are the only orders I have thought it necessary to issue, by means of which I believe a sufficient force will be raised to protect the sheriff and enable him to execute the legal process in his hands.

The time has come when this armed band of men, who are seeking to subvert and render powerless the existing government, have to be met and the laws enforced against them, or submit to their lawless dominion. If the lives and property of unoffending citizens of the Territory cannot be protected by law, there is an end to practical government, and it becomes a useless formality.

The excitement along the borders of Missouri is running wild, and nothing but the enforcement of the laws against these men will allay it. Since the disclosure of the existence and purposes of this secret military organization in this Territory, there has been much excitement along the borders of Missouri, but it has been held in check heretofore by assurances that the laws of the Territory would be enforced, and that protection would be given to the citizens against all unlawful acts of this association. This feeling and intense excitement can still be held in subordination if the laws are faithfully executed; otherwise there is no power here that can control this border excitement, and civil war is inevitable. This military organization is looked upon as hostile to all Southern men, or rather to the law-and-order party of the Territory, many of whom have relations and friends, and all have sympathizers, in Missouri; and the moment it is believed the laws will not furnish adequate protection to this class of citizens against the lawless acts of this armed association, a force will be precipitated across the line to redress real and supposed wrongs, inflicted on friends, that cannot be controlled, or, for the moment, resisted. It is in vain to con-

ceal the fact: we are standing on a volcano; the upheavings and agitations beneath, we feel, and no one can tell the hour when an eruption may take place. Under existing circumstances, the importance of sustaining the sheriff of Douglas county, and enabling him to execute his process, independent of other considerations connected with the peace and good order of society, will strike you at once; and to do this by the aid and assistance of the citizens of this Territory, is the great object to be accomplished, to avoid the dreadful evils of civil war. I believe this can be done. In this, however, I may be mistaken. No efforts shall be wanting on my part to preserve good order in the Territory, and I will keep you constantly advised of the progress and state of things here.

I have the honor to be, your obedient servant,

His Excellency Franklin Pierce.

WILSON SHANNON.

NOVEMBER 28, 1855.—Commission issued to James H. Murrill, as Constable for the township of Washington, in the county of Doniphan, *vice* — Johnson, resigned.

NOVEMBER 29, 1855.—The Governor issued the following proclamation to the citizens of the Territory:

PROCLAMATION.

By the Governor of Kansas Territory.

Whereas, reliable information has been received that a numerous association of lawless men, armed with deadly weapons, and supplied with all the implements of war, combined and confederated together for the avowed purpose of opposing by force and violence the execution of the laws of this Territory, did, at the county of Douglas, on or about the 26th of this month, make a violent assault on the sheriff of said county with deadly weapons, and did overcome said officer, and did rescue from his custody by force and violence, a person arrested by virtue of a peace warrant, and then and there a prisoner holden by the said sheriff, and other scandalous outrages did commit in violation of law;

And whereas, also, information has been received that this confederated band of lawless men did, about the same time, set fire to and burn down a number of houses of peaceable and unoffending citizens, and did destroy a considerable amount of personal property, and have repeatedly proclaimed that they would regard no law of this Territory, resist by force of arms all officers and those aiding and assisting them in the execution of the laws, or any process issued in pursuance thereof;

And whereas, also, I have received satisfactory information that this armed organization of lawless men have proclaimed their determination to attack the said sheriff of Douglas county, and rescue from his custody a prisoner, for the avowed purpose of executing him without a judicial trial, and at the same time threatened the life of the said sheriff and the citizens:

Now, therefore, to the end that the authority of the laws may be maintained and those concerned in violating them brought to immediate and condign punishment, and that the sheriff of Douglas county may be protected from lawless violence in the execution of the lawful warrants and other process in his hands, I, Wilson Shannon, Governor of said Territory, have issued this, my proclamation, calling on all well-disposed citizens of this Territory to rally to the support of the laws of their country, and requiring and commanding all officers, civil and military, and all other citizens of this Territory, who shall be found within the vicinity of these outrages, to be aiding and assisting by all means in their power in quelling this armed organ-

ization, and assisting the said sheriff and his deputies in recapturing the above-named prisoner, and aiding and assisting him in the execution of all legal processes in his hands.

And I do further command that the District Attorney for the district in which these outrages took place, and all other persons concerned in the administration and execution of the laws, cause the above offenders, and all such as aided or assisted them, to be immediately arrested and proceeded with according to law.

[L. S.] Given under my hand and the seal of this Territory, this 29th day of November, in the year of our Lord eighteen hundred and fifty-five.

By the Governor:

WILSON SHANNON.

DANL. WOODSON, *Secretary.*

DECEMBER 2, 1855.—The Governor sends the following dispatches to Sheriff Jones and Major General Richardson:

EXECUTIVE OFFICE, SHAWNEE MISSION, }
KANSAS TERRITORY, December 2, 1855. }

I have received a reply to my dispatch to Col. Sumner, informing me that he will be ready at a moment's warning to move with his whole force, if desired, as soon as orders are received from Washington. My telegraphic dispatch to the President has been sent through before this time, and I will receive in a short time. I have no doubt, the authority desired to call on the United States troops. Under these circumstances, you will wait until I can get the desired orders from Washington before attempting to execute your writs. This will prevent any effusion of blood, and will have a moral influence which will prevent hereafter any resistance to the laws. When these lawless men find that the forces of the United States can be used to preserve order, they will not be so ready to put themselves in opposition, and, if necessary, steps will be taken to station an adequate force in that region to protect the people against lawless violence, and to insure the execution of the laws. You will retain a force adequate to protect you from violence, and to guard your prisoner. Any force beyond this had better remain at a distance until it shall be ascertained whether their aid will or will not be needed. The known deficiency in the arms and all the accoutrements of war, which necessarily must characterize the law-abiding citizens that have rushed to your assistance in the maintenance of law, will invite resistance on the other side, who are well armed, and it is wrong to place these men in a position where their lives may be endangered, when we will, in all probability, have an ample force from the Fort in a few days.

Show this letter to Major General Richardson and General Eastin, who, I am advised, have gone to your aid. They go to Lecompton, but will join you wherever you are. Their forces are small, and may be required for your protection until advices are received from Washington.

I send you a letter to Gen'l Richardson, which you will please place in his hands at as early a day as practicable. I refer him to this letter to you for my views. You will let him see it.

Let me know the number of warrants you have, and the names of defendants. I will probably accompany Col. Sumner's command. Yours, &c.,

Mr. Jones, Sheriff.

WILSON SHANNON.

EXECUTIVE OFFICE, SHAWNEE MISSION, }
KANSAS TERRITORY, December 2, 1855. }

MY DEAR SIR: I have written a letter to Sheriff Jones, putting him in possession of what I have done, and the expectations I have of getting from Washington, authority forthwith to call on the United States forces at the Fort. I have sent a dis-

patch to Col. Sumner, and received a reply that he will be ready at any moment to move with the whole force as soon as orders are received from Washington. These orders are confidently expected in a day or two. I am desirous to use the United States forces, as it will have a salutary influence on these lawless men hereafter. When they find that the United States forces can be used to preserve the peace and execute the laws of the Territory, they will not be so ready to put themselves in a hostile attitude. In the meantime you will remain with Jones, the sheriff, with an adequate force for his protection, and the security of his prisoner. The other forces under your command will remain at a distance, and ready when called on to act. You will be careful in preserving order and restraining all illegal acts. Let everything that is done be for the preservation of law and order and the protection of the sheriff, and to enable him to serve the legal process in his hands. When these objects are accomplished, your command will retire.

I shall accompany Col. Sumner with the United States forces.

Yours with very great respect,

Major General Richardson.

WILSON SHANNON.

DECEMBER 4, 1855.—The Governor sends a letter to Col. E. V. Sumner, at Fort Leavenworth, with the telegraphic dispatch from the President.

DECEMBER 5, 1855.—The Governor receives the following letter in reply to his letter of yesterday to Col. Sumner :

HEADQUARTERS FIRST CAVALRY, }
FORT LEAVENWORTH, December 5, 1855—10 o'clock A. M. }

GOVERNOR: I have just received your letter of yesterday, with the telegraphic dispatch of the President. I will march with my regiment in a few hours, and will meet you at the Delaware crossing of the Kansas this evening.

With high respect, your obedient servant,

His Excellency Wilson Shannon.

E. V. SUMNER, *Col. 1st Cavalry.*

DECEMBER 6, 1855.—The Governor receives the following letter from Col. Sumner :

HEADQUARTERS FIRST CAVALRY, }
FORT LEAVENWORTH, December 5, 1855. }

GOVERNOR: On more mature reflection I think it will not be proper to move before I receive the orders of the Government. I shall be all ready whenever I get them.

This decision will not delay our reaching the scene of difficulty, for I can move from this place to Lawrence as quickly. (or nearly so.) as I could from the Delaware crossing, and we could not, of course, go beyond that place without definite orders.

With high respect, your obedient servant,

E. V. SUMNER, *Col. 1st Cavalry, Commanding.*

His Excellency Wilson Shannon.

DECEMBER 6, 1855.—The Governor sends the following special dispatch to Col. Sumner :

WAKARUSA, December 6, 1855.

I send you this special dispatch to ask you to come to Lawrence as soon as you possibly can. My object is to rescue the citizens of that place, as well as all others, from a conflict of arms, which, if once commenced, there is no telling when it will

end. I doubt not you have received orders from Washington, but if you have not, the absolute pressure of this crisis is such as to justify you with the President and the world in moving with your forces to the scene of difficulty. It is hard to restrain the men here; they are beyond my power of restraint, or at least soon may be, to prevent them from making an attack on Lawrence, which, if once made, there is no telling when it will end. The presence of a portion of the United States troops in Lawrence will prevent an attack, save bloodshed, and enable me to get matters arranged in a satisfactory way, and at the same time secure the execution of the law. It is peace, not war, that we want, and you have the power to secure peace. Time is precious; fear not but you will be sustained.

With great respect,

WILSON SHANNON.

Col. Sumner.

DECEMBER 4, 1855.—The Governor receives the following letters from Major General Richardson and George W. Clarke, Esq.:

LECOMPTON, KANSAS TERRITORY,
December 3, 1855—12 o'clock P. M. }

DEAR SIR: I believe it to be essential to the peace and tranquility of the Territory that the outlaws at Lawrence and elsewhere be required to surrender their Sharp's rifles. There can be no security for the future safety of the lives and property of law-abiding citizens until these lawless men are at least deprived of their Sharp's rifles, which we know have been furnished them for the purpose of resisting the laws. In fact, law-abiding citizens will be compelled to leave the Territory unless the outlaws are made to surrender their Sharp's rifles and artillery, if they have any. I do not, however, feel authorized from your instructions to me to make this demand. Should you concur with me in opinion, please let me know by express at once. A new express had better be sent in lieu of the bearer of this, as he will be fatigued. I am diligently using every necessary precaution to prevent the effusion of blood and preserve the peace of the Territory. As the Sharp's rifles may be regarded as private property by some, I can give a receipt for them, stating that they will be returned to the owners at the discretion of the Governor.

Very respectfully, your obedient servant,

WM. P. RICHARDSON,

Major General in Command.

His Excellency Gov. Wilson Shannon.

CAMP CLARKE, Dec. 3, 1855.

DEAR SIR: I hasten to write you by our express which is now on its way (12 o'clock at night). My house is a fortification. I am compelled to keep a guard with sentinels, all night. Unless the violators of the law are disarmed, the country is ruined. Should the troops withdraw without this being done, a partisan war will continue, murders, house-burnings, and all the outrages incident to civil war will follow, and we (the law-abiding men) will have to withdraw from the Territory, to our great pecuniary distress. The outlaws have marked our men; they keep their movements secret, and we know not who is the first to be attacked, or when it will be made. We have learned from ample authority that more than one hundred Sharp's rifles are distributed in this immediate neighborhood. My next-door neighbors have them in possession, and only two days ago ten armed men surrounded a member of my family, with threatening language, and ended the interview with a threat to dispose of myself. We, the law-abiding men, appeal to you, and insist that nothing less than the surrender of the arms now held by the traitors can satisfy the country. They are in open rebellion. They have these arms for the special purpose of resisting the laws and revenging supposed injuries. With these arms in hand they have forci-

bly rescued prisoners from the hands of officers; they threaten to rescue others; they are protecting men who have broken custody, and in every sense they are traitors and giving aid and comfort to traitors.

In haste, your friend and obt. svt.,

Gov. Wilson Shannon, Shawnee Mission.

GEORGE W. CLARKE.

N. B.—I commend your family to your protection.

DECEMBER 5, 1855.—The Governor receives the following dispatch from Gen. Strickler:

CAMP WAKARUSA, December 4, 1855.

SIR: Inclosed is a dispatch from Gen. Richardson; and accompanied, I have the honor to inform you that I was in Lawrence yesterday, and found two hundred and fifty men under arms, and about six hundred men in the town willing to bear arms against the officers. In Camp Wakarusa there are now about two hundred and fifty men under my command.

Very respectfully.

Gov. Shannon.

H. J. STRICKLER, *Com. S. Division.*

DECEMBER 8, 1855.—The Governor issued the following orders to Major General Richardson, Gen. Strickler, and Sheriff Jones:

WAKARUSA, December 8, 1855.

SIR: You will repress all demonstrations of a disorderly character, and make no movement except from me. If any attempt should be made on Lawrence without orders, you will use your whole force to check it. In the present state of negotiations an attack on Lawrence would be wholly unjustifiable.

Your obedient servant,

Maj. Gen'l Richardson.

WILSON SHANNON.

CAMP WAKARUSA, December 8, 1855.

SIR: Being fully satisfied that there will be no further resistance to the execution of the laws of this Territory, or to the service of any legal process in the county of Douglas, you are hereby ordered to cross the Kansas river to the north side, as near Lecompton as you may find it practicable, with your command, and disband the same at such time and place and in such portions as you may deem most convenient.

Yours with great respect,

Maj. Gen'l Richardson.

WILSON SHANNON.

KANSAS TERRITORY, CAMP WAKARUSA, December 8, 1855.

SIR: Being fully satisfied there will be no further resistance to the execution of the laws of the Territory, or to the service of any legal process in the county of Douglas, you are hereby ordered to disband your command at such time and place as you may deem most convenient. Yours with great respect,

General Strickler.

WILSON SHANNON.

KANSAS TERRITORY, CAMP WAKARUSA, Dec. 8, 1855.

Having made satisfactory arrangements by which all legal process in your hands, either now or hereafter, may be served without the aid of your present posse, you are hereby required to disband the same.

Yours, with great respect,

WILSON SHANNON.

S. J. Jones, Sheriff of Douglas county.

DECEMBER 10, 1855.—Governor Shannon receives the following letter from Col. Sumner:

HEADQUARTERS FIRST CAVALRY,
FORT LEAVENWORTH, Dec. 7, 1855. }

Governor: I have received yours of the 5th and 6th instants. I regret extremely to disappoint you, but the more I reflect upon it, the more I am convinced that I ought not to interpose my command between the two hostile parties in this Territory until I receive orders from the Government. We know that the whole matter is now in the hands of the Executive, and it is an affair of too much importance for anyone to anticipate the action of the Government. I am momentarily expecting to receive orders, and whenever they come I shall move instantly, by night or by day. If you find those people bent on attacking the town, I would respectfully suggest that they might be induced to pause for a time on being told the orders of the General Government were expected every moment, and that there was no doubt that these orders, framed from an enlarged view of the whole difficulty, would give general satisfaction and settle the matter honorably for both parties.

I am, Governor, with much respect, your obedient servant, E. V. SUMNER,
Colonel First Cavalry, Commanding.

His Excellency Wilson Shannon, Governor of Kansas.

DECEMBER 11, 1855.—The Governor writes to the President as follows:

SHAWNEE MISSION, K. T., December 11, 1855.

Sir: In my dispatch to you of the 28th ultimo, I advised you of the threatened difficulties in relation to the execution of the laws of this Territory in Douglas county. The excitement which then existed continued to increase, owing to the aggravated reports from Lawrence and that vicinity, in relation to the military preparations that were being made to attack the sheriff, and resist the execution of the laws. The excitement increased and spread, not only throughout this whole Territory, but was worked up to the utmost point of intensity in the whole of the upper portion of Missouri. Armed men were seen rushing from all quarters towards Lawrence—some to defend the place, and others to demolish it. The orders I had issued to Major General Richardson and General Strickler had brought to the sheriff of Douglas county a very inadequate force for his protection, when compared with the forces in the town of Lawrence. Indeed, the militia of the Territory being wholly unorganized, no forces could be obtained except those who voluntarily tendered their aid to the sheriff or to Generals Richardson and Strickler. The whole force in the Territory thus obtained did not amount to more than three or four hundred men, badly armed, and wholly unprepared to resist the forces at Lawrence, which amounted at that time to some six hundred men, all remarkably well armed with Sharp's rifles and other weapons. These facts becoming known across the line in the State of Missouri, large numbers of men from that State, in irregular bodies, rushed to the county of Douglas, and many of them enrolled themselves in the sheriff's posse.

In this state of affairs I saw no way of avoiding a deadly conflict but to obtain the use of the United States forces at Fort Leavenworth, and with that view I addressed you a telegraphic dispatch, and received on the 5th inst. your very prompt and satisfactory reply of the 4th inst., a copy of which I immediately transmitted by special dispatch to Col. Sumner, with the request that he would accompany me with his command to the scene of difficulty. In reply, I was informed that he would immediately do so, having no doubt that in due time proper instructions would be received from the War Department. Information, however, which I received from both parties, convinced me that my presence was necessary to avoid a conflict, and

without waiting for Col. Sumner I repaired to the seat of threatened hostilities, at the same time advising Col. Sumner by special dispatch of this movement. On my way to Lawrence I met a dispatch from Col. Sumner, informing me that upon reflection he had changed his determination, and that he would not march with his command until he had received orders from the proper department, but that he would be ready to move with his command the moment such orders came to hand.

I proceeded as rapidly as possible to the camp of Gen. Strickler, on the Wakarusa, six miles east of Lawrence, and arrived in camp about three o'clock in the morning of the sixth instant. I found that Gen. Strickler and Gen. Richardson had very judiciously adopted the policy of incorporating into their respective commands all the irregular forces that had arrived. This was done with the view of subjecting them to military orders and discipline, and to prevent any unlawful acts or outbreaks. The great danger to be apprehended was from an unauthorized attack on the town of Lawrence, which was being strongly fortified, and had about one thousand and fifty men, well armed, to defend it, with two pieces of artillery; while on the other side there were probably in all near two thousand men, many of them indifferently armed, but having a strong park of artillery. I found in the camp at Wakarusa a deep and settled feeling of hostility against the opposing forces at Lawrence, and apparently a fixed determination to attack that place and demolish it and the presses, and take possession of their arms. It seemed to be a universal opinion in camp that there was no safety in the law-and-order party in the Territory while the other party were permitted to retain their Sharp's rifles, an instrument used only for war purposes.

After mingling with all the leading men in the Wakarusa camp, and urging on them the importance of avoiding a conflict of arms, that such a step would probably light the torch of civil war and endanger the very Union itself, I still found that there was a strong desire with all, and a fixed determination with many, to compel the forces in Lawrence to give up their arms. Believing that such a demand would lead to a conflict, which if once commenced no one could tell where it would end, and seeing no way to avoid it except by the aid of United States forces, I again wrote another communication to Col. Sumner, and sent it to him by special dispatch about three o'clock on the morning of the 7th, requesting his presence, a copy of which I send you herewith, marked "E." I received no reply until my return to this place, after the difficulty had been arranged. I send you a copy of this reply, marked "F."

Early on the morning of the 7th instant I repaired to the camp at Lawrence, and found them busily engaged on their fortifications and drilling their forces, and had a full and satisfactory interview with the committee appointed by the forces in Lawrence in relation to the impending difficulties. So far as the execution of the laws was concerned, we had no difficulty in coming to a satisfactory understanding. It was at once agreed that the laws of the Territory should have their regular course, and that those who disputed them should, if they desired to do so, test that question in the judicial tribunals of the country; that in the meantime no resistance should be made to their due execution, and the citizens of Lawrence and vicinity were, when properly called on, to aid in the arrest of anyone charged with their violation, and to aid and assist in the preservation of the peace and good order of society; while on my part I gave them every assurance in my power that they should be protected in all their rights, and defended against all unlawful aggressions. It is proper that I should say that they claimed that a large majority of them had always held and inculcated the same views. The assurance I received entirely satisfied me that no one against whom a writ was issued was then in Lawrence; that they had all fled; and that they were harboring, concealing or defending no one against whom a writ had

been issued; and that hereafter there would be no combined effort made to prevent the service of any process in the county of Douglas.

This was entirely satisfactory, and all that had been desired. But, to satisfy the forces that surrounded Lawrence, so that they could be induced to retire in order, was the great difficulty to be overcome. To issue an order to the sheriff to disband his posse, and to Generals Richardson and Strickler to disband their forces, would have been to let loose this large body of men, who would have been left without control to follow the impulse of their feelings, which evidently was to attack and disarm the people of Lawrence. Early on the morning of the 8th, through the influence of some leading men, I procured thirteen of the leading captains in the Wakarusa camp to be appointed a committee to confer with a committee from the Lawrence camp, to meet at Franklin, midway between the two hostile forces. I proceeded to the Lawrence camp, and returned to Franklin in the evening with the committee, when the proposed interview took place. This interview, which lasted for some time, resulted in producing a better state of feeling; and the committee from the Wakarusa camp were satisfied to retire without doing anything more, and so reported to the army. This, with the active exertions of myself and others, produced a better feeling among the men, and by daylight on the morning of the 9th I felt I could with safety order the forces to disband, and accordingly did so. They retired in order, and refrained from any act of violence; but it was evident that there was a silent dissatisfaction at the course I had taken. But I was conscious I was right, and that my course would be sanctioned alike by the dictates of humanity and sound policy. I returned to Lawrence on the 9th, and remained until the morning of the 10th; when everything remained quiet and safe, I returned to this place.

Everything is quiet now, but it is my duty to say to you frankly that I have forebodings as to the future. The militia or volunteer corps cannot be relied upon to preserve the peace in these civil-party contests, or where partisans are concerned. A call on the militia will generally bring in conflict the two parties. I am satisfied that the only force that can be used in this Territory in enforcing the laws or preserving the peace are those of the United States; and with this view I would suggest that the Executive of this Territory be authorized to call on the forces of the United States when, in his judgment, the public peace and tranquility, or the execution of the laws, may require their assistance. Should there be an outbreak it will most probably be sudden, and before orders can be obtained from Washington the crisis will have passed.

I send you herewith copies of various affidavits, letters, &c., which will give you some information in detail touching the subject-matter of this dispatch.

I have the honor to be your obedient servant,
WILSON SHANNON.

To his Excellency Franklin Pierce.

DECEMBER 24, 1855.—Resignation of John W. Kavanaugh, as Justice of the Peace for the county of Shawnee, received.

DECEMBER 27, 1855.—Commission issued to J. W. Radcliff, as Clerk of the Board of County Commissioners for the county of Madison.

Commissions issued to James A. Hendrick and F. S. Hamilton, as Justices of the Peace for the county of Madison.

Commissions issued to John Evans and James Munkres, as Constables for the county of Madison.

Commission issued to G. M. Symcoc, as Treasurer for the county of Madison.

Commission issued to Jefferson Pigman, as Assessor for the county of Madison.

Commission issued to Thomas N. Stinson, as Treasurer for the county of Shawnee.

Commission issued to Benjamin J. Newsom, as Assessor for the county of Shawnee.

Commission issued to Edward Hoagland, as Justice of the Peace for the township of Tecumseh, in the county of Shawnee.

Commission issued to Wm. P. Tuttle, as Justice of the Peace for the township of Tecumseh, in the county of Shawnee.

Commission issued to Wm. P. Akins, as Justice of the Peace for Yocum township, in the county of Shawnee.

Commission issued to John W. Skidmore, as Justice of the Peace for Yocum township, in the county of Shawnee.

DECEMBER 28, 1855.—Commission issued to James Mathews, as Public Administrator for Doniphan county, *vice* — Foreman, resigned.

Commission issued to J. B. Matlock, as Constable for Iowa township, in the county of Doniphan, *vice* — Pateet, resigned.

Commission issued to Wm. Flenn, as Justice of the Peace for Iowa township, in the county of Doniphan, *vice* — Lewis, resigned.

Commission issued to Henry Beauchamp, as Justice of the Peace for Wayne township, in the county of Doniphan.

JANUARY 2, 1856.—Commission issued to Ludwell Evans, Justice of the Peace for the county of Lykens.

JANUARY 14, 1856.—Commission issued to James H. Merrill, Constable for Washington township, in the county of Doniphan, *vice* — Johnson, resigned.

Commissions issued to B. F. Thomson and Branham Hill, Justices of the Peace for Bourbon county; also to Alexander Howard and William Moffat, Constables for said county of Bourbon.

JANUARY 25, 1856.—Commission issued to Larkin Ellison, Justice of the Peace for Shannon township, in the county of Atchison, *vice* J. C. Mannion, who failed to qualify.

Commission issued to Junius T. Hereford, Assessor for the county of Atchison, *vice* Samuel S. Walters, who failed to qualify.

Commission issued to Henry Kuhn, County Surveyor for the county of Atchison.

Commission issued to Alexander E. Mayhew, Justice of the Peace for Shannon township, in the county of Atchison.

JANUARY 26, 1856.—Commission issued to Westley Garrett, as Treasurer for the county of Douglas.

JANUARY 28, 1856.—Commission issued to Bennett Burnam, as County Surveyor for the county of Leavenworth.

FEBRUARY 1, 1856.—Commissions issued to the officers of a company of volunteer militia, in the county of Leavenworth, called the "Kickapoo Rangers," as follows:

To John W. Martin, Captain; W. H. Elliot, First Lieutenant; D. A. N. Grover, Second Lieutenant; and M. P. Riveley, Third Lieutenant.

Commission issued to James B. Blake, Coroner for the county of Leavenworth.

FEBRUARY 5, 1856.—Commission issued to Peter Crockett, Justice of the Peace for Lawrence township, in the county of Douglas.

Commission issued to J. N. Hargus, Justice of the Peace for Louisiana township, in the county of Douglas.

Commission issued to Edward Chapman, Assessor for the county of Douglas.

FEBRUARY 8, 1856.—Commission issued to Daniel Dofflemyer, Justice of the Peace for the county of Johnson.

Commission issued to Isaac Parish, Sheriff of the county of Johnson, *vice* B. F. Johnson, resigned.

FEBRUARY 12, 1856.—Commission issued to Christopher C. Redman, Justice of the Peace for Delaware township, in the county of Leavenworth,

FEBRUARY 29, 1856.—Commission issued to C. H. Price, Justice of the Peace for the county of Anderson.

Commission issued to Thomas Totten, Clerk of the Board of County Commissioners for the county of Anderson.

Commission issued to C. H. Price, County Treasurer for the county of Anderson.

Commissions issued to the following officers of a volunteer militia company in the county of Atchison:

To J. H. Stringfellow, Captain; R. S. Kelley, First Lieutenant; A. J. G. Westbrook, Second Lieutenant; and J. H. Blassingame, Third Lieutenant.

MARCH 1, 1856.—Resignation of Robert M. Clark, as Colonel of the First Regiment, Northern Division, Kansas Militia, received.

Commission issued to John Waitman, County Commissioner for Anderson county, *vice* F. P. Brown, declined.

Commission issued to D. McCammon, Sheriff of Anderson county, *vice* Anderson Rice, declined.

MARCH 4, 1856.—Commission issued to Thomas J. Payne, Justice of the Peace for Walnut township, in the county of Atchison.

Commission issued to Milton Utt, as Justice of the Peace for Wolf River township, in the county of Doniphan.

Commission issued to Alfred R. Bailey, Constable for Walnut township, in the county of Atchison.

Commission issued to Thomas Connelley, County Surveyor for the county of Douglas.

Commission issued to S. J. Waful, as Constable in Lecompton township, Douglas county.

Commission issued to R. B. Nelson, as Justice of the Peace in Lecompton township, Douglas county.

Commission issued to Jackson Crockett, Constable in Lawrence township, Douglas county.

Commission issued to Andrew J. Sparr, Justice of the Peace in Louisiana township, Douglas county.

MARCH 5, 1856.—Commission issued to Joseph Kellogg, Notary Public for the county of Leavenworth.

Commission issued to William Barbee, Notary Public for the county of Leavenworth.

MARCH 7, 1856.—Commission issued to William J. Sinclair, as Commissioner of Deeds for the Territory of Kansas in the State of New York.

Commission issued to Seth Smith, Commissioner of Deeds for the Territory of Kansas in the State of Indiana.

MARCH 21, 1856.—Commission issued to John M. Vance, Notary Public in the county of Leavenworth.

Commission issued to Alexander S. Gray, Commissioner of Deeds for Kansas Territory in the State of Wisconsin.

Commission issued to William Helm, Constable for Wakarusa township, in the county of Douglas.

Commission issued to Wm. E. Brown, Justice of the Peace for Delaware township, in the county of Leavenworth.

MARCH 22, 1856.—Commission issued to John H. Tate, Justice of the Peace for Johnson township, in the county of Linn.

Commission issued to William Hays, Justice of the Peace for Scott township, in the county of Linn.

Commission issued to Joshua Sheek, Justice of the Peace for Scott township, in the county of Linn.

Commission issued to William Smith, Justice of the Peace for Richland township, in the county of Linn.

Commission issued to Zebediah Leasure, Constable for Scott township, in the county of Linn.

MARCH 24, 1856.—Commission issued to James Armstrong, Justice of the Peace for the county of Lykens.

Commission issued to P. T. Gloves, Justice of the Peace for Johnson township, in the county of Linn.

Commission issued to Elisha Tucker, Coroner for the county of Linn.

Commission issued to Joseph Bowin, Justice of the Peace for Scott township, in the county of Linn.

Commission issued to Joseph D. Wilmot, Clerk of the Board of County Commissioners for the county of Linn.

Commission issued to James M. Howell, Constable for Johnson township, in the county of Linn.

Commission issued to James P. Fox, County Treasurer for the county of Linn.

Commission issued to T. E. Means, Justice of the Peace for Richland township, in the county of Linn.

Commission issued to E. Bradford, Justice of the Peace for Richland township, in the county of Linn.

Commission issued to J. M. Hampton, Constable for Richland township, in Linn county.

MARCH 25, 1856.—Commission issued to Stephen B. Williams, Sheriff of Riley county.

MARCH 26, 1856.—Commission issued to E. Hoagland, Notary Public for Shawnee county.

MARCH 27, 1856.—Commissions issued to the following-named officers, for Jefferson county:

To Henry Owens, County Commissioner.

M. Christoson, Clerk of the Board of County Commissioners.

W. F. Dyer, County Treasurer.

Wm. Sprague, Assessor for the county.

T. A. Chapman, Coroner for the county.

D. R. Sprague, Justice of the Peace in Osawkee township.

J. R. Beegle, Constable in Osawkee township.

Wm. Meredith, Justice of the Peace in Slough Creek township.

J. H. C. Hopewell, Constable in Slough Creek township.

MARCH 31, 1856.—Commission issued to Wm. H. Harris, County Commissioner for Nemaha county.

APRIL 8, 1856.—Commission issued to John Pieratt, Justice of the Peace for Franklin township, in the county of Douglas.

Commission issued to J. C. Evans, Justice of the Peace for Wakarusa township, in the county of Douglas.

Commission issued to Stephen Livingston, Justice of the Peace for Lawrence township, in the county of Douglas.

APRIL 15, 1856.—Commission issued to Wilson Roberts, Justice of the Peace for Leavenworth township, in the county of Leavenworth.

Commission issued to John M. Taylor, Justice of the Peace for Leavenworth township, in the county of Leavenworth.

APRIL 19, 1856.—Commission issued to Wm. J. Preston, Lieutenant Colonel, Second Regiment, Southern Division, Kansas Militia.

Commission issued to Wm. F. Donaldson, Adjutant of the Second Regiment, Southern Division, Kansas Militia.

Commission issued to Dr. B. C. Brooke, Surgeon of the Second Regiment, Southern Division, Kansas Militia.

Commission issued to George H. Cole, Major of the Second Regiment, Southern Division, Kansas Militia.

Commission issued to John Shannon, Quartermaster Second Regiment, Southern Division, Kansas Militia.

Commission issued to John Riffel, Second Lieutenant Company A, Lecompton Guards.

Commission issued to A. Macauley, Notary Public for the county of Leavenworth.

Commission issued to Anderson Caslee, Coroner for the county of Anderson.

Commissions issued to the following-named officers of the "Tustunuggee Mounted Rifles," a volunteer militia company, in the county of Douglas :

To George W. Clarke, Captain.

Wm. C. Webster, First Lieutenant.

J. C. Thompson, Second Lieutenant.

O. H. Brown, Third Lieutenant.

Commission issued to John Donaldson, Captain Company A, "Lecompton Riflemen."

APRIL 20, 1856.—Gov. Shannon addressed the following letter to Col. E. V. Sumner, at Fort Leavenworth :

EXECUTIVE OFFICE, LECOMPTON, K. T., April 20, 1856.

COL. SUMNER—*Sir*: I have been duly advised by Samuel J. Jones, sheriff of Douglas county, in this Territory, that, having a warrant in his hands against a man by

the name of S. N. Wood, he proceeded to the town of Lawrence on yesterday and arrested him, but that he was immediately rescued out of his hands by some twenty men, and that he was unable to retake him. Having obtained warrants against several of those engaged in said rescue, he proceeded this day to the town of Lawrence with a civil posse of five men, with the view of recapturing the said Wood, and arresting the other parties against whom he had warrants, but was again resisted, and unable to recapture Wood, or take any of the parties against whom he had warrants. He has called upon me for a competent posse to enable him to execute the legal process in his hands. Knowing the irritated feelings that exist between the two parties in this Territory, growing out of their former difficulties, and being exceedingly desirous to avoid the effusion of blood, or any cause or excuse for further conflict or disturbance, I have thought it most advisable to call on you for an officer and six men to accompany the sheriff and aid him in the execution of the legal process in his hands. This force will be sufficient to overpower any force or persons against whom the sheriff holds warrants, and I will not anticipate resistance beyond this at present. To call on any of the citizens of the county to accompany the sheriff and aid in overpowering the resistance on the part of the defendants, that is anticipated, would most probably lead to a conflict which, when once commenced, it is difficult to foresee where it might end, but in the use of the U. S. troops, no personal or party feelings can exist on either side, and their presence will most likely command obedience to the laws. I have to ask you, therefore, to detach to this place immediately an officer with six men to aid and assist the sheriff of this county in the execution of the warrants in his hands.

I have the honor to be, your most ob't svt.,

(Signed)

WILSON SHANNON.

APRIL 22, 1856.—Commissions issued to the following-named officers of a volunteer company in the county of Douglas, called the "Willow Springs Company:"

To J. P. Saunders, Captain.

Wilson Luck, First Lieutenant.

John Hancher, Second Lieutenant.

Commission issued to John H. Stringfellow, Colonel First Regiment, First Brigade, Northern Division, Kansas Militia.

Commission issued to Wm. F. Donaldson, Assessor for Douglas county, *vice* E. Chapman, resigned.

Commission issued to Rawley Hopper, Constable for Lawrence township, in the county of Douglas.

Commission issued to Robert C. Bishop, Clerk of the Board of County Commissioners for Douglas county, *vice* James Christian, resigned.

APRIL 25, 1856.—Governor Shannon addressed the following letter to Col. Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., April 25, 1856.

COL. SUMNER—*Sir*: I am satisfied that the persons against whom writs have been issued and placed in the hands of the sheriff of this county, and who have not been taken, have secreted themselves or fled, so that for the present no further arrests can be made.

Nevertheless I deem it prudent to have a military posse or guard of thirty men stationed at this place and subject to my orders, to act in case of an emergency.

I would therefore request that you furnish me with such a guard from your command, to be used as a sheriff's posse and to preserve the peace, as occasion may require. I have no further requisition to make on you at present, but would respectfully request you to hold your command in readiness to act at a moment's warning, if required by me to enforce the laws and preserve the peace.

Yours, with great respect,

(Signed)

WILSON SHANNON.

APRIL 27, 1856.—Commissions issued to the following officers in Jefferson county:

To Henry Marshall, Justice of the Peace for Jefferson township.

Robert Grant, Constable for the same township.

Gant Cozim, Surveyor for the county.

S. L. Jones, Justice of the Peace for Osawkee township.

Samuel Johnson, Justice of the Peace for Grasshopper Falls township.

Joseph Haddicks, Constable for the same township.

APRIL 29, 1856.—Commission issued to Henry Cox, Justice of the Peace for Timber Hill township, in the county of Bourbon.

Commission issued to James Smith, Constable for the county of Bourbon.

APRIL 30, 1856.—Commission issued to William C. Ford, Commissioner of Deeds for Kansas Territory in the State of New York.

MAY 1, 1856.—Commissions issued to the following officers in the county of Riley:

To E. G. Hinton, Constable of Dyer township.

Wm. Gillaspie, Justice of the Peace for the same township.

Henry Bishop, Constable of Dyer township.

Commissions issued to the following officers in Davis county, attached to Riley:

To C. L. Sanford, Justice of the Peace for McDowell township.

Lafayette O. Oliver, Constable of Douglas township.

MAY 4, 1856.—Commission issued to David W. Hutchinson, Commissioner of Deeds for Kansas Territory in the State of Pennsylvania.

MAY 5, 1856.—Commission issued to Thomas Van Ada, Justice of the Peace for Wyandotte township, in the county of Leavenworth.

Commission issued to Benjamin Johnson, Justice of the Peace for Wyandotte township, in the county of Leavenworth.

Commissions issued to the following officers in the county of Calhoun:

To Perry Fleshman, Assessor of said county.

Anthony Wilson, Treasurer of said county.

Raleigh J. Fulton, Sheriff for said county, *vice* James T. Wilson, resigned.

MAY 9, 1856.—Commissions issued to the following officers in companies B and C, of the First Brigade, Southern Division, Kansas Militia:

To J. H. Arbuckle, Captain Company B.

G. T. Johnson, First Lieutenant Company B.

Joseph Goodyn, Second Lieutenant Company B.

Samuel Boone, Third Lieutenant Company B.

Wm. B. Eubanks, Captain Company C.

Wm. S. Ferguson, First Lieutenant Company C.

James Armstrong, Second Lieutenant Company C.

MAY 9, 1856.—Commission issued to George W. Cassidy, Commissioner of Deeds for Kansas Territory in the State of New Jersey.

Commission issued to L. McArthur, Notary Public for the county of Doniphan.

MAY 10, 1856.—Commission issued to E. L. Yates, Major Third Regiment, Northern Division, Kansas Militia.

MAY 13, 1856.—Commissions issued to the following officers of the Northern Division, Kansas Militia:

To T. J. Calhoun, Surgeon's Mate, Third Regiment.

John Vanderhost, Sergeant Major, Third Regiment.

J. H. Blassingame, Lieutenant Colonel, Third Regiment.

Robert De Treville, Captain of Palmetto Rifles, of the county of Atchison, in the Third Regiment.

R. D. White, First Lieutenant, Palmetto Rifles.

A. F. Morrall, Second Lieutenant, Palmetto Rifles.

K. T. Palmer, Third Lieutenant, Palmetto Rifles.

W. S. Brewster, Quartermaster, Third Regiment.

F. G. Palmer, Adjutant, Third Regiment.

J. P. Carr, Paymaster, Third Regiment.

G. F. Larcy, Surgeon, Third Regiment.

MAY 20, 1856.—Commissions issued to the officers of the Volunteer Company in Doniphan county, called the "Doniphan Tigers," as follows:

To Alex. H. Dunning, Captain.

Wm. Sublett, First Lieutenant.

Chas. M. Thompson, Second Lieutenant.

Sylvester Hudson, Third Lieutenant.

MAY 20, 1856.—Commissions issued to the following-named officers, of the Atchison Guard, a volunteer company of cavalry, in the county of Atchison:

To A. J. Frederick, Captain.

J. W. Stringfellow, First Lieutenant.

R. S. Kelley, Second Lieutenant.

MAY 21, 1856.—Gov. Shannon writes to Col. Sumner, as follows:

EXECUTIVE OFFICE, LECOMPTON, K. T., May 21, 1856.

COL. SUMNER—*Sir*: The United States Marshal has made all the arrests in Lawrence that can in his judgment now be made, and dismissed his posse. The sheriff has also got through making arrests on warrants in his hands, and I presume by this time has dismissed his posse. In view of the excitement and present state of feeling in the county, and for the purpose of securing the safety of the citizens, both in person and property, as well as to aid in the execution of the laws and preservation of the peace in the Territory, I think it necessary to have stationed at or near Lawrence, one company of United States troops—a like company at or near this place, and a like company at or near Topeka. I have therefore to ask you to detach from your command three companies, one to be stationed at or near each place above designated. It is important that this should be done with as little delay as possible. Some three or four arrests have been made by the United States Marshal of persons charged by the Grand Jury of the United States District Court with the crime of high treason. Bills of a similar character have been found in the same court against others.

The armed organization to resist the laws would seem to be broken up for the present, as far as the town of Lawrence is concerned, but there is danger that this formidable organization may show itself at some other point unless held in check by the presence of a force competent to put it down.

The only force that I feel safe in using in the civil commotions is the troops of the United States, and by a prompt and judicious location of these troops at proper points in the Territory, I feel confident that order will be restored, the supremacy of the laws maintained, and a civil war prevented.

With great respect and esteem,

(Signed)

WILSON SHANNON.

MAY 27, 1856.—The following letter was forwarded to Col. Sumner by express:

EXECUTIVE OFFICE, LECOMPTON, K. T., May 27, 1856.

COL. SUMNER: I received, last night about twelve o'clock, reliable information by a special dispatch from Osawatimie, in the county of Franklin, that on last Saturday night five persons had been taken out of their houses and cruelly murdered; that it seems to be a regular system of private assassination which the Free-State party had adopted toward their opponents.

Under these circumstances, I am compelled to send into that county Capt. Wood and his whole command, who is stationed at Lawrence, leaving that place without any force. I have to ask you, therefore, to send me two more companies, with directions for them to camp at or near Lawrence until they receive further orders.

Yours, with great respect,

(Signed)

WILSON SHANNON.

MAY 28, 1856.—Commission issued to Thomas M. Crowder, Notary Public for the county of Douglas.

Commission issued to Vincent Jones, Justice of the Peace for Mount Pleasant township, in the county of Atchison.

Commission issued to James C. Beeson, Constable for Mount Pleasant township, in the county of Atchison.

Commission issued to James N. Bradley, Justice of the Peace for Walnut township, in the county of Atchison.

Commission issued to Martin T. Baily, Justice of the Peace for Walnut township, in the county of Atchison.

Commission issued to Edward Wylie, Constable for Grasshopper township, in the county of Atchison.

MAY 31, 1856.—Commission issued to John C. Sims, Tax Assessor for Shawnee county, with the counties of Weller and Richardson attached.

JUNE 1, 1856.—Governor Shannon writes to Col. Sumner as follows:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 1, 1856.

COL. SUMNER—*Sir*: I desire to obtain from you two more companies—one to strengthen Captain Newby at Lawrence, the other Captain Wood in Franklin county, south of Lawrence. Both these commands are too weak to deal with the armed bodies of lawless men by which they are surrounded.

Major Sedgwick will communicate to you more detailed information as to what has transpired.

Yours, with great respect,

(Signed)

WILSON SHANNON.

JUNE 3, 1856.—Commission issued to Julius Pomeroy, Commissioner of Deeds for Kansas Territory in the State of New York.

Commission issued to Thomas Boyles, Commissioner of Deeds for Kansas Territory in the State of Tennessee.

Commission issued to John A. Lynch, Commissioner of Deeds for Kansas Territory in the State of Ohio.

Commission issued to Louis Trumble, Constable for the county of Marshall.

Commission issued to William Saunders, Justice of the Peace for Marshall county.

Commission issued to Jarson Masterson, Clerk of the Board of County Commissioners for Linn county, *vice* Joseph Wilmot, resigned.

JUNE 4, 1856.—Governor Shannon to Colonel Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 4, 1856.

COL. SUMNER—*Sir*: I desire to have carried out the following plan, with the view of preserving the peace and good order of this Territory:

1st. A detachment of troops to be stationed at or near the town of Franklin, to protect that place from attacks which have been repeatedly threatened, and for the purpose of repelling any armed force which may approach from below with the view of attacking the citizens of Lawrence.

2d. A similar detachment to be stationed at or near Mr. Lehay's, which is eight miles up the Wakarusa valley from Franklin.

3d. A similar detachment to be stationed at or near Mr. Buckley's, at Hickory Point, about eight miles distant from Blanton's Bridge.

4th. A similar detachment to be stationed at or near St. Bernard, in the southern part of this (Douglas) county.

Directions have already been given to Capt Wood to station a portion of his command at this place.

5th. A detachment of troops to be sent forthwith to Palmyra, or the place where the difficulty occurred the day before yesterday, with orders to disperse all armed bodies of men who are threatening the peace of the country, and who are not organized under the law. They should be compelled to give up to the owners all horses or other property taken or pressed into their service, to discharge and set at liberty all prisoners by them taken and held, and if they refuse to disperse, force should be used to compel them to do so, and they should be deprived of their arms. All armed bodies of men not acting under the law should be dispersed, and if they reassemble, disarmed. This is not applicable to citizens organized into military bodies under the law, and legally called out, or to those who in good faith have associated themselves together merely to repel a threatened attack on themselves or property, and not for any aggressive act.

6th. All notices given to citizens or persons found in the Territory to leave the country or their houses, or any particular locality, are to be considered and treated as violations of law, as tending to breaches of the peace, and to excite violence and disorder.

7th. In carrying out the above plan, no distinction or inquiry is to be made as to the party, but all parties and persons are to be treated alike under like circumstances.

8th. All law-abiding citizens, no matter to what party they may belong, must be protected in their persons and property, and all military organizations to resist the execution of the laws or to disturb the peace and good order of the community must be dispersed.

Yours with respect,

(Signed)

WILSON SHANNON.

Governor Shannon to Col. Sumner:

EXECUTIVE DEPARTMENT, LECOMPTON, K. T., June 4, 1856.

COL. SUMNER—*Sir*: It is said there are about three hundred Free-State men in Prairie City, fortified and prepared to fight. Captain Pate and some twenty or thirty prisoners are said to be confined at this place. This place is near Palmyra, and a little south of the Santa Fé road. Yours, &c.,

(Signed)

WILSON SHANNON.

PROCLAMATION.

By the Governor of the Territory of Kansas.

Whereas, information has been received by us that armed bodies of men exist in different parts of this Territory, who have committed and threatened to commit acts of lawless violence on peaceable and unoffending citizens—taking them prisoners, despoiling them of their property, and threatening great personal violence;

It appearing, also, that armed combinations have been formed for the avowed purpose of resisting the execution of the Territorial laws and preventing the execution of any process by the officers of this Territory;

It appearing further, that individuals, as well as associated bodies of men, have assumed to themselves the power of notifying citizens of the Territory to leave their

abodes, and in some cases to quit the country, under threats of inflicting severe penalties on those who do not comply:

Now, therefore, I, Wilson Shannon, Governor of the Territory of Kansas, do issue this, my proclamation, to command all persons belonging to military organizations within this Territory, not authorized by the laws thereof, to disperse and retire peaceably to their respective abodes; and to warn all such persons that these military organizations for such purposes are illegal, and, if necessary, will be dispersed by the military force placed by the President of the United States at my disposal for the purpose of preserving the peace and enforcing the laws of the Territory; that steps have been taken to disperse all unlawful military combinations which are threatening the peace of the country and the good order of society, and to disarm them should they reassemble. All civil officers of the Government are required to be vigilant in enforcing the laws against such offenders and in protecting the citizens, both in their persons and property, against all violence and wrong.

I further declare that all notices given to citizens, or persons found in the Territory, to leave the same, or their houses, or any particular locality, are unauthorized by law and highly reprehensible, as tending to breaches of the peace and violence and disorder.

I further declare that all law-abiding citizens of the Territory, without regard to party names or distinctions, must be protected in their persons and property; and that all military organizations to resist the execution of the laws of the Territory, or to disturb the peace thereof, must be dispersed; and all aggression from without the Territory must be repelled. That the military force placed under the control of the Executive of this Territory is amply sufficient to enforce the laws and to protect the citizens in their rights.

I further declare that in carrying out this proclamation, no distinction or inquiry is to be made as to party, but all persons of all parties are to be treated alike under like circumstances.

"Obedience to the laws and consequent security of the citizens of Kansas, are primary objects; and all lawless violence within the Territory, in whatever form it may manifest itself, must be repressed;" and the proclamation of the President of the United States of the 11th of February last will be strictly enforced; and a requisition has been made on Col. Sumner for a sufficient military force to insure obedience to this proclamation.

I call on all good citizens to aid and assist in preserving peace, repressing violence, and in bringing offenders to justice, and in maintaining the supremacy of the law.

In testimony whereof, I have hereunto set my hand and caused to be [SEAL.] affixed the seal of the Territory, this 4th day of June, 1856.

By the Governor:

WILSON SHANNON.

DANL. WOODSON, *Secretary*.

Gov. Shannon to Col. Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 4, 1856.

COL. SUMNER—*Sir*: I have just received reliable information from Franklin, that that place was attacked last night by a body of armed men numbering about one hundred and fifty, and that one man in Franklin was mortally wounded and some five or six taken prisoners.

I have also reliable information that the house of Leahy's is to be attacked to-night, and a messenger has been sent in for aid.

Unless prompt measures are taken, the citizens of the Wakarusa valley will all be butchered by this lawless band of assassins. The troops must move at once, or the

people will rise in mass to defend themselves and their friends, and Missouri will pour into this Territory her thousands.

I do hope you will adopt prompt measures to put a stop to these outrages—to defend Franklin and Leahy's house.

Any delay in planting the military posts at the places I have designated will lead to fearful consequences—a few days' delay will supersede the necessity.

The proclamation is being set up; I will send you a number of copies.

Yours with respect,

(Signed) WILSON SHANNON.

N. B.—The bearer of this will pilot a detachment to Leahy's house. This is one of the places where I proposed to station a detachment of troops.

It seems these lawless men attack and shoot down our citizens in view of the U. S. troops.

Gov. Shannon to Col. Sumner:

EXECUTIVE OFFICE, June 4, 1856.

COL. SUMNER—*Sir*: Col. Preston, the bearer of this, is deputy sheriff of this county, and will accompany the command, so as to be ready to act as circumstances may require. We have no deputy marshal that can go.

Dr. Wood, if he can obtain a horse, will go along as a pilot.

The young man who came in from Leahy's understands localities tolerably well.

Yours,

(Signed) WILSON SHANNON.

JUNE 8, 1856.—Commission issued to John W. Magill, Commissioner of Deeds for Kansas Territory in the State of Illinois.

JUNE 14, 1856.—The Governor addressed the following letter to Col. Sumner:

EXECUTIVE OFFICE, June 14, 1856.

COL. SUMNER—*Sir*: I send you two copies of the proclamation—all I can find.

The complaints of robberies on the roads near Westport are distressing. I hope you will clear those roads, and drive these people back at once.

Yours, &c.,

(Signed) WILSON SHANNON.

JUNE 13, 1856.—Commissions issued to the following-named officers for the county of Marshall:

To James M. McCloskey, Clerk of the Board of County Commissioners.

George F. Hubbard, Sheriff, *vice* Clarke, deceased.

Lewis Harding, Justice of the Peace.

William B. Hubbard, Constable.

William A. Glenn, Assessor for the county.

Charles M. Greever, County Treasurer.

M. L. Duncan, County Commissioner, *vice* — Cramer, who is not in the county.

JUNE 19, 1856.—Commission issued to David Wilson, Justice of the Peace for Half-Day township, in the county of Calhoun.

Governor Shannon to Col. Sumner:

EXECUTIVE OFFICE, June 23, 1856.

COL. SUMNER—*Sir*: I am compelled to visit St. Louis on official business, which can no longer be postponed. I will be absent probably about ten days, but I will return as soon as my official duties will permit. In the meantime, I deem it of the utmost importance that the whole of your disposable force should be stationed at suitable points in that portion of the Territory which has been most disturbed, and which is still threatened with further disturbance.

Your knowledge of the country and the difficulties which have heretofore existed, will enable you to dispose of your command so as to be most effective in preserving the peace. It is important, I think, to retain one company midway between Lawrence and Franklin—one near Palmyra or Hickory Point, one in the Osawatimie country, and to station two companies at Topeka previous to the 4th of July next, the time fixed for the reassembling of the Legislature under what is called the Free-State Constitution.

It is doubtful whether this pretended legislative body will reassemble, as many of the Free-State party are hostile to such a step. But it is true on the other hand, that there are a number of that party who are zealously urging the members of that body to meet on the 4th proximo, and enact a code of laws, to be at once put in force at all hazards. Now should this policy be adopted in the present excitable state of the country, I have no hesitation in believing that it would produce an outbreak more fearful by far in its consequences than any we have heretofore witnessed. The peace and quiet which now prevail throughout the whole Territory would be destroyed for the time being, and the whole country greatly agitated. These unfortunate results must be avoided, if possible. I need not say to you that if this legislative body should reassemble on the 4th proximo, that those within and without the Territory who desire to bring about a conflict of arms between the two parties, would eagerly avail themselves of such an occasion to reorganize their military companies and commence hostilities against their political opponents. Indeed, it is impossible to doubt that if this body meets, enacts laws and seeks to enforce them, that civil war will be the inevitable result. Two governments cannot exist at one and the same time in this Territory in practical operation. One or the other must be overthrown, and the struggle between the equal government established by Congress and that by the Topeka Constitution, would result in a civil war, the fearful consequences of which no one can foresee. Should this body reassemble and enact laws, (and they can have no other object in meeting,) they will be an illegal body, threatening the peace of the whole country, and therefore should be dispersed.

Their meeting together as legislators and enacting or attempting to enact laws, will be in direct violation of an express statute. I beg leave to call your attention to the 23d section, at page 280, of the Territorial Statutes. That section provides:

"That if any person shall take upon himself any office or public trust in this Territory, and exercise any power to do any act appertaining to such office or trust, without a lawful appointment or deputation, he shall, upon conviction, be adjudged guilty of a misdemeanor, and punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding one year."

It will not be claimed that the members of this so-called Legislative Assembly have any lawful "appointment," or "deputation"; that is, that they were elected or appointed in pursuance to any law. The organic act prescribes the mode by which the members of the Legislative Assembly shall be elected, &c. There is no pretense that the body in question derives its power or its existence from the organic act. These men have therefore no "lawful appointment," and if they exercise the functions of legislators within this Territory they violate the provisions of the above-recited act.

There can be no mistake, therefore, in considering them an illegal body, assuming the office of legislators in this Territory, in violation of law; and as such, when the peace and tranquility of the country require it, as they obviously do in this case, they should be dispersed.

Should, therefore, this pretended legislative body meet as proposed, you will disperse them, peaceably if you can, forcibly if necessary. Should they reassemble at some other place, or at the same place, you will take care that they are again dispersed. The civil authorities will be instructed to cooperate with you, if it is found necessary, in order to break up this illegal body and to institute proceedings against the several members under the above statute. But it is hoped and believed that no such step will be required.

If rumor is to be credited, there is danger that armed aggressive parties may enter the northern part of the Territory, with the view of sustaining this pretended legislative body, and the party who are resisting the execution of the Territorial laws. Instructions heretofore given and by which you have been governed in dispersing all organized bodies of armed men, threatening the peace of the country, are applicable to these armed aggressive parties from the north, which, should they enter the Territory, you will disperse, and, if necessary for the peace and security of the country, disarm.

Should the command of Col. Cooke be necessary to be called out in my absence, you will notify Col. Woodson of the fact, and he will promptly issue his requisition as acting Governor, upon him.

I have the honor to be yours, with great respect.

(Signed)

WILSON SHANNON.

Gov. Shannon to Col. Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 23, 1856.

COL. SUMNER: Sir: Yours of this instant is received. I am just packing up to start for St. Louis. It is impossible for me at this time to make the new arrangements you request before leaving. I do hope it will be in your power to attend in person this Topeka Legislature. I feel well assured that they will not be able to obtain a quorum to transact business. But should we be disappointed in this, I think it is a matter of the utmost importance that you should be present. You understand the whole matter, and can do more with these people than anyone else. It will be exceeding bad policy to reduce or withdraw either of the regiments in this Territory. It is only the presence of the troops in the country, and the knowledge that they can and will be used, if occasion requires it, that keeps the country quiet at this time. I will write the President and so state. The peace and quiet of this Territory are certainly more important than any object to be accomplished by Gen. Harney. I will certainly be back in ten days, and I hope at least no change will be made in the programme until I return. Should such be the case, it may bring on difficulties from which it will be exceedingly difficult to extricate the country. I beg of you to make no change until I return.

Yours with great respect,

(Signed)

WILSON SHANNON.

JUNE 24, 1856.—Gov. Shannon left Lecompton yesterday for St. Louis, Missouri, on official business, expecting to be absent about ten days.

JUNE 29, 1856.—The Secretary, acting as Governor, sends the following requisition to Col. Cooke, at Fort Riley :

EXECUTIVE OFFICE, LECOMPTON, K. T., June 29, 1856.

Col. P. St. George Cooke, Commanding at Fort Riley, K. T.—SIR: Information having been received at this office that large numbers of armed men are now on their way to Topeka, for the purpose of sustaining the bogus Legislature, which, it is understood, will attempt to meet at that place on the 4th proximo, enact laws, and put a new government into practical operation in lieu of the existing Territorial Government established by act of Congress, I respectfully request that you will take the field at once with all your available forces, and scour the country between Fort Riley and the crossing opposite Topeka, for the purpose of repelling said armed invasion of the Territory. My information leads me to believe that large numbers of armed men have passed through Iowa and Nebraska, and thence into this Territory, professing to be emigrants to the Salt Lake valley, some of whom have crossed the river above Fort Riley, and are now making their way in small parties towards Topeka, whilst others are wending their way to the same point, on the north side of the Kansas river.

I would suggest the propriety of stationing immediately a portion of your command at all the principal crossings between Fort Riley and Topeka, with the view of intercepting all bodies of lawless men who may have entered the Territory, who should invariably be disarmed and escorted out of its limits.

There has been an indictment found by the grand jury of Douglas county against James H. Lane for high treason; also against A. H. Reeder for a like offense. Should you, therefore, meet with them, they should be arrested and held subject to the order of the Marshal of the Territory.

All bodies of insurgent citizens, or armed men organized outside of the law, should be disarmed and dispersed. This is deemed indispensable to the preservation of the peace and the tranquility of the Territory.

I am, very respectfully, your obedient servant.

DANL. WOODSON.

Acting Governor of Kansas Territory.

Governor Shannon to the President :

ST. LOUIS, June 27, 1856.

His Excellency Franklin Pierce —SIR: I arrived in this city last evening, in thirty hours from Kansas. Col. Sumner has returned from Westport, on the Missouri line. The military companies that had entered the Territory from that State had all retired and gone home. I cannot say they were satisfied, but they offered no resistance to the United States troops. Col. Buford's company had crossed the line and were encamped in Missouri. The number of his company is said to be small, and will probably break up their military organization and move into the Territory as emigrants. The military organizations on the other side are all dispersed, and indeed there are not at this time, on either side, any armed bodies of men in the Territory, so far as I am advised. Those engaged or preparing to engage in these contests have returned to their respective homes, and seem to be engaged in the peaceful pursuits of life. The entire success of the policy adopted must vindicate it before the country, and recommend its continuance.

Col. Sumner advises me that his regiment is subject to the order of Gen. Harney, and liable to be called away at any time. It would greatly endanger the peace of the Territory to have the troops now withdrawn from their various stations before others were substituted in their places. They are located at different points in the disturbed district, so as to put in check any movement that may be made on either

side, to renew the troubles. The mere presence of these forces, with the knowledge that they are authorized to act promptly in dispersing and suppressing all illegal military bodies, has the effect of preventing any attempt to renew the contest between the two parties. The quiet of the country has been mainly brought about through the judicious use of the U. S. troops, and must be maintained, at least for some time to come, by the same means.

Judging from what I see in the public prints, there is some danger of armed bodies of men entering the Territory from the north, with views hostile to the peace of the country. That a powerful effort is being made in certain quarters to send bodies of armed men into Kansas, from the north, is beyond doubt. Ample instructions have been given to Col. Sumner to meet all such bodies of men as soon as they cross the line, and to disperse, and, if necessary, to disarm them. It is to be hoped, however, that they will follow the example set by the armed bodies that entered the Territory from Missouri, and retire peacefully to their homes or settle in the Territory as law-abiding citizens. Should it be found that large bodies of armed men are preparing to enter the Territory from any quarter, it may be prudent to increase the military force in the Territory. It would most likely have the effect of preventing entirely all such movements, or induce those engaged in them to lay aside their implements of death and warlike views, and enter the country as *bona fide* immigrants.

I do not believe the Legislature under the Free-State Constitution will meet on the 4th of July next, the day to which they adjourned. But should they do so, and attempt to put in force their own code of laws, as advocated by some of the leading men and most influential papers belonging to that party, it would result in the most disastrous consequences to the peace of the Territory. In case they should meet, the alternative will be presented either to run the hazard of these consequences, or disperse this illegal body. I have adopted the latter alternative, for reasons stated in my instructions to Col. Sumner, a copy of which is herewith transmitted, and to which I beg leave to refer you.

Yours with great respect,

(Signed)

WILSON SHANNON.

JUNE 30, 1856.—Commission issued to Wm. C. Webster, Justice of the Peace at Coon Point, in the county of Douglas.

The acting Governor to Col. Sumner:

EXECUTIVE OFFICE, LECOMPTON, K. T., June 30, 1856.

COL. SUMNER — *Sir*: Your dispatch of the 28th came to hand last evening. There is now no ground to doubt that the bogus Legislature will attempt to convene on the 4th proximo, at Topeka, and the most extensive preparations are being made for the occasion. The country in the vicinity of Topeka is represented to be filled with strangers who are making their way towards that point from all directions. Last evening I received information through a gentleman residing in Lawrence, that a dispatch had been received at that place the previous night, to the effect that Lane was on his way to Topeka with a very large force, and was then somewhere between that place and the Nebraska line.

Upon receiving this information, I sent a dispatch to Col. Cooke, requesting him to place all his available force in the field at once, and scour the country between Fort Riley and Topeka, for the purpose of intercepting the invaders and driving them back.

It is deemed important that you should be in Topeka in person with at least two companies, if they can be spared from other points. Judge Cato will be on the

ground, and I have addressed a letter to the District Attorney, Col. A. J. Isacks, requesting him to come over at once and attend in person to getting out the necessary legal process.

With sentiments of esteem, I am, very respectfully yours, &c.,

DANL. WOODSON,
Acting Governor K. Territory.

JULY 1, 1856.—Commissions issued to the following-named officers of a volunteer company in Jefferson county, called the "Kentucky Rangers:"

To L. J. Hampton, Captain.

Aug. Shannon, First Lieutenant.

David Gray, Second Lieutenant.

JULY 3, 1856.—The following letter from Col. Sumner was received by the acting Governor:

HEADQUARTERS FIRST CAVALRY,
CAMP AT TOPEKA, K. T., July 2, 1856. }

DEAR SIR: I would be glad to see you to-morrow, with Judge Cato, Col. Isacks, and Marshal Donaldson.

Bring the President's and the Governor's proclamations and my instructions under them, and also the letter of the Governor about the Topeka Legislature.

Very respectfully yours,

(Signed) E. V. SUMNER,
Colonel First Cavalry, Commanding.

D. Woodson, Esq., Acting Governor of Kansas.

JULY 4, 1856.—The following letter from Col. Cooke was received by the Acting Governor:

HEADQUARTERS, FORT RILEY, K. T., July 1st, 1856.

DEAR SIR: I received this morning, at 10 o'clock A. M., your requisition for military aid, dated June 29.

At 3 o'clock Brevet Major H. H. Sibley marched with all my mounted force, one piece of artillery, &c. For your information, I inclose you a copy of his special instructions. It will enable you to communicate with him, or the officer to be detached opposite the Santa Fé road ferry. I have thought it best that he should go by that most direct road, to head there any parties which, according to your supposition, may be descending the river by the south side.

Very respectfully, your obt. svt.,

P. ST. GEORGE COOKE,
Lt. Col. 2d Dragoons.

Danl. Woodson, Acting Gov. K. T., Lecompton.

The Acting Governor to Maj. Sibley:

IN CAMP, FIRST CAVALRY, AT TOPEKA, K. T.,
July 4, 1856—6 o'clock A. M. }

Maj. H. H. Sibley, Second Dragoons—SIR: I respectfully request that you will march your command down to the vicinity of Topeka and encamp for the day, just above the town.

Very respectfully yours,

DANL. WOODSON,
Acting Gov. Kansas Territory.

PROCLAMATION.

By the Acting Governor of the Territory of Kansas.

Whereas, we have been reliably informed that a number of persons claiming legislative powers and authority over the people of the Territory of Kansas are about to assemble in the town of Topeka for the purpose of adopting a code of laws or of exercising other legislative functions, in violation of the act of Congress organizing the Territory of Kansas, and of the laws adopted in pursuance thereof; and it appearing that a military organization exists in this Territory for the purpose of sustaining this unlawful legislative movement, and thus in effect to "subvert by violence all present constitutional and legal authority;"

And whereas, the President of the United States has, by proclamation bearing date the 11th February, 1856, declared that "any such plan for the determination of the future institutions of the Territory, if carried into action, will constitute the fact of insurrection," and therein commanded "all persons engaged in such 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 whereas, satisfactory evidence exists that said proclamation of the President has been disregarded by the persons and combinations above referred to:

Now, therefore, I, Daniel Woodson, acting Governor of the Territory of Kansas, by virtue of the authority vested in me by law, and in pursuance of the aforesaid proclamation of the President of the United States, and to the end of upholding the legal and constitutional authority of the Territory, and of preserving the public peace and tranquility, do issue this my proclamation, forbidding all persons claiming legislative powers and authority as aforesaid from assembling, organizing, or attempting to organize or act in any legislative capacity whatever, under the penalties attached to all willful violations of the laws of the land and disturbers of the peace and tranquility of the country.

[SEAL.] In testimony whereof, I have hereunto subscribed my hand and caused to be affixed the seal of the Territory, this fourth day of July, 1856, and of the independence of the United States the eighty-first. DANL. WOODSON,
Acting Governor of Kansas Territory.

To this proclamation Col. Sumner attached the following:

The proclamation of the President, and the orders under it, require me to sustain the Executive of this Territory in executing the laws and preserving the peace. I therefore hereby announce that I shall maintain this proclamation at all hazards.

E. V. SUMNER,

Col. First Cavalry, Commanding.

JULY 7, 1856.—The acting Governor made the following requisition upon Major Sedgwick, of the U. S. Army:

LECOMPTON, KANSAS TY., EXECUTIVE OFFICE, July 7, 1856.

MAJOR SEDGWICK.—*Sir*: Deputy Marshal Wm. P. Fain having made application to me for a posse to enable him to execute a number of legal writs which have been placed in his hands, I respectfully request that you will furnish him with a small detachment for that purpose.

Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

JULY 8, 1856.—Commission issued to James P. Fox, Major of Second

Regiment, Second Brigade, Southern Division, Kansas Militia. Also, commissions issued to the following-named officers of the same regiment:

- To John E. Brown, Captain First Volunteer Company, Riflemen.
- Asbury C. Bradford, First Lieutenant, same company.
- William Elliott, Second Lieutenant, same company.
- Calvin M. McDaniel, Captain Company A, First Company of Infantry.
- James E. Watkins, First Lieutenant, same company.
- A. H. Smith, Second Lieutenant, same company.
- Lee Love, Captain Company B, Second Infantry Company.
- Henry Adkins, First Lieutenant, same company.
- John G. Case, Second Lieutenant, same company.
- James W. Howell, Captain Company C, Third Company of Infantry.
- Philip Cottle, First Lieutenant, same company.
- James E. Laughlin, Second Lieutenant, same company.

Commission issued to James S. Barbee, Clerk of the Board of County Commissioners for the county of Allen; also to the following-named officers of the same county:

- To A. W. J. Brown, Probate Judge, *vice* Chas. Passmore, deceased.
- James Johnson, Sheriff.
- C. B. Houston, County Surveyor.
- H. D. Parsons, Coroner.
- H. H. Haywars, County Treasurer.
- G. J. Morriss, County Assessor.
- Hiram Cable, Justice of the Peace for Township No. 1.
- R. Fuqua, Justice of the Peace for Township No. 1.
- William Sater, Constable for Township No. 1.
- John Dunwoody, Justice of the Peace for Township No. 2.
- William Avery, Justice of the Peace for Township No. 2.
- Ozias Owen, Constable for Township No. 2.

Commissions issued to the following-named officers of the county of Allen:

- To Elias Copeland, Justice of the Peace for Township No. 3.
- Thos. H. Bashaw, Justice of the Peace for Township No. 3.
- John Brady, Justice of the Peace for Township No. 3.

Commission issued to Wm. Blankenbaker, Justice of the Peace for Johnson township, in the county of Linn.

JULY 9, 1856.—Commissions issued to Calmore L. Newman, Constable of Wayne township, in the county of Doniphan, *vice* — Saunders, resigned.

Commission issued to Henry Wingfield, Justice of the Peace for Russell township, in the county of Bourbon.

JULY 19, 1856.—Commissions issued to the following-named officers, in the county of Franklin:

To Ambrose B. Eperson, Clerk of the Board of County Commissioners.

Thomas Merwin, Justice of the Peace for Pottawatomie township.

James Carter, Justice of the Peace for County Seat township.

Reuben Hackett, Justice of the Peace for Turkey Creek township.

Daniel Keezer, Constable for Turkey Creek township.

Buel Baker, Sheriff, *vice* R. Goldin, resigned.

Samuel M. Robertson, Probate Judge, *vice* John Yocum, removed from the county.

Hiram Howard, County Commissioner.

JULY 25, 1856.—Commissions issued to the following-named officers in Kentucky township, Jefferson county:

To Wm. F. Bayne, Justice of the Peace.

David S. Grey, Justice of the Peace.

Vitus Fielding, Justice of the Peace.

Willis G. Steele, Constable.

JULY 25, 1856.—Commissions issued to the following-named officers in Douglas county:

To William P. Fain, County Assessor.

James E. Thompson, Constable for the township of Lecompton.

Robert C. Bishop, Constable for the township of Lecompton.

Commission issued to William P. Hicklin, Justice of the Peace for Tecumseh township, in the county of Shawnee.

JULY 26, 1856.—Commission issued to Tulley Gilreath, Justice of the Peace for Deer Creek township, in the county of Douglas.

JULY 28, 1856.—Commission issued to James Adkins, Third Lieutenant of the "Kickapoo Rangers," in the county of Leavenworth, *vice* M. Pierce Rively, resigned.

Commissions issued to the following officers of the "Palmetto Rifles," a volunteer company in the county of Atchison:

To Robert D. White, Captain.

A. Morrall, First Lieutenant.

Wm. H. Grierson, Second Lieutenant.

Chas. B. Buist, Third Lieutenant.

Commission issued to William J. Barnes, Captain First Company Mounted Riflemen, Volunteers, of the Second Brigade, Southern Division, Kansas Militia.

Commission issued to Andrew J. Francis, Notary Public for the county of Jefferson.

Commission issued to Thomas Reynolds, Notary Public for the county of Riley; also, to Mack Andrews, Notary Public for the county of Leavenworth.

JULY 28, 1856.—Commission issued to Frederick J. Thibault, Commissioner of Deeds for Kansas Territory in the State of California.

AUGUST 5, 1856.—Commission issued to Fox Booth, County Commissioner for the county of Riley.

Commission issued to Nathan Adams, Justice of the Peace for the county of Jefferson.

Commission issued to H. T. Titus, Colonel Second Regiment, Southern Division, Kansas Militia, *vice* Geo. W. Johnson, removed from the Territory.

AUGUST 6, 1856.—Newcomb J. Ireland commissioned Probate Judge of the county of Atchison, *vice* James A. Headly, resigned.

Commission issued to F. G. Palmer, County Surveyor for the county of Atchison.

AUGUST 13, 1856.—Commission issued to A. P. Walker, Quartermaster Second Regiment, Southern Division, Kansas Militia.

AUGUST 18, 1856.—Governor Shannon this day resigned the office of Governor of the Territory of Kansas, and forwarded his resignation by mail to the President of the United States, having previously visited the town of Lawrence, at the imminent hazard of his life, and effected the release of Col. H. T. Titus and others, who had been forcibly taken there by the armed organization of outlaws whose headquarters are at that place, and who had on the day before battered down with artillery the house of said Col. Titus, robbed his premises of everything valuable, and then burned his house to the ground, killing one of his companions, and taking the remainder, with Col. Titus and their plunder, to their fortified headquarters—Lawrence— at which place said Titus was put on trial for his life, and *sentenced to die*; which sentence would doubtless have been executed, but for the timely interposition of Governor Shannon, who, in consideration of the release of said Titus and his companions, consented to release *five men* held in custody in Lecompton under legal process, charged with being engaged in the late midnight attack and sacking of the town of Franklin—the outlaws having *peremptorily refused* to release said Titus and others, upon his demand as the executive officer of the Territory.

AUGUST 21, 1856.—The following dispatch from Major General Wm. P. Richardson, of the Northern Division, Kansas Militia, addressed to Governor Shannon, was received by the acting Governor:

HEADQUARTERS, WHITEHEAD, DONIPHAN COUNTY,)
KANSAS TERRITORY, August 20, 1856.)

His Excellency Wilson Shannon — SIR: Having received from various sources information that could not be doubted, that General Lane had recruited a large military force in the free States and marched them into the Territory of Kansas with the avowed object of setting at defiance the laws of the Territory, and being fully satisfied in my own mind that such an army of armed men greatly endangered the peace and quiet, if not the lives of our citizens, and wishing to preserve peace and quiet and give every assurance in my power that law should [be] preserved and all of our citizens protected in all their rights of persons and property to the full extent of the power vested in me by law, I did, on the 18th instant, issue my orders to the officers commanding the militia in my military division to assemble the militia under their respective commands forthwith, and report to me on this day at headquarters at Whitehead, in Doniphan county.

I await your commands in regard to the disposition and employment of the troops thus assembled.

Very respectfully, &c.,

(Signed)

WM. P. RICHARDSON,
Maj. General N. D. K. M.

The acting Governor to Major General Wm. P. Richardson:

GENERAL ORDER, No. 1.]

LECOMPTON, K. TERRITORY, EXECUTIVE OFFICE, Aug. 21, 1856.

Maj. General Wm. P. Richardson. Nor. Div. Kansas Militia — SIR: Your dispatch of the 20th inst., communicating the fact that you had, in pursuance of law, (Kan. Stat., cha. 110, sec. 26,) ordered out the militia of your division, to repel the present ruthless invasion of the Territory by armed mobs from distant States, has this moment been received, and is approved.

General Marshall, of the First Brigade, should be ordered to intercept the invaders coming in through Nebraska. He should have a force of not less than 300 mounted men, or more, if you deem it desirable, and one piece of artillery, if you can spare it. You will in person report to this office, with the remainder of your command, at the earliest practicable day.

In all your orders, the most rigid instructions should be given to protect the persons and property of all peaceable, unoffending citizens, regardless of party distinctions or political differences of opinion. We are not warring against the political sentiments of men, but against lawless bands of ruthless invaders, outlaws, and traitors. No one's house should be destroyed unless undoubted evidence exists that it is used as a fort or arsenal for the subversion of the existing Territorial Government, or for other equally lawless purposes, in which event it properly becomes subject to confiscation.

Col. Payne of the First Regiment Second Brigade, has already been ordered to move with all possible dispatch to this place, with all his enrolled forces.

Very respectfully yours,

DANL. WOODSON,
Acting Governor, Kansas Tt.

The acting Governor to Major General A. M. Coffey:

LECOMPTON, K. TERRITORY, EXECUTIVE OFFICE, Aug. 21, 1856.

GENERAL ORDER, No. 1.]

Major General Coffey, So. Div. Kan. Militia — SIR: It appearing that the Territory is invaded by armed bands of lawless men from distant States, who, in connection

with combinations of men not less lawless heretofore residing in the Territory, are now openly resisting the legal authorities of the Territory and killing and plundering at will the law-abiding citizens thereof, you are hereby commanded to take the field at once with your entire division for the purpose of restoring peace and quiet and maintaining the supremacy of the laws.

Your division will rendezvous at or near to the town of Palmyra, in the county of Douglas, and you will report the fact at once to this office.

You will also station detachments of your command at such exposed points as you may deem advisable for the purpose of protecting the lives and property of all law-abiding citizens; and in all your orders the most rigid instructions should be given to *protect the persons and property of all peaceable, law-abiding citizens, regardless of party distinctions or political differences of opinion.* We are not warring against the political sentiments of men, but against lawless bands of ruthless invaders, outlaws and traitors. No man's house should be destroyed unless undoubted evidence exists that it is used as a *fort or arsenal* for the subversion of the existing Territorial Government or for other equally lawless purposes, in which event it properly becomes subject to confiscation.

Very respectfully yours,

DANL. WOODSON,
Acting Gov. Kansas Territory.

AUGUST 25, 1856.—The acting Governor issued the following

PROCLAMATION:

Whereas, Satisfactory evidence exists that the Territory of Kansas is infested with large bodies of armed men, many of whom have just arrived from the States, combined and confederated together, and amply supplied with all the munitions and implements of war, under the direction of a common head, with a thorough military organization, who have been and are still engaged in murdering at will the law-abiding citizens of the Territory; driving them from their homes and compelling them to flee to the States for protection; capturing and holding others as prisoners of war; plundering them of their property and burning down their houses; and even robbing United States Post Office and the local militia of the arms furnished them by the Government, in open defiance and utter contempt of the laws of the Territory, or of the constitution and laws of the United States, and of the civil and military authority thereof—all for the purpose of subverting by force and violence the Government established by law of Congress in this Territory:

Now, therefore, I, Daniel Woodson, Acting Governor of the Territory of Kansas, do hereby issue this my proclamation, declaring the said Territory to be in a state of open insurrection and rebellion; and I do hereby call upon all law-abiding citizens of the Territory to rally to the support of their country and its laws, and require and command all officers, civil and military, and all other citizens of the Territory, to aid and assist by all means in their power in putting down the insurrectionists, and in bringing to condign punishment all persons engaged with them; to the end of assuring immunity from violence, and full protection to the persons, property and all civil rights of all peaceable and law-abiding inhabitants of the Territory.

In testimony whereof, I have hereunto set my hand, and caused to be affixed [SEAL.] the seal of the Territory of Kansas. Done at the city of Leecompton, this 25th day of August, 1856, and of the independence of the United States the eighty-first.

DANL. WOODSON,
Acting Gov. Kansas Territory.

AUGUST 28, 1856.—The acting Governor makes the following requisition upon Lt. Col. Cooke for U. S. troops:

LECOMPTON, KANSAS TERRITORY, EXECUTIVE OFFICE, August 28, 1856.

Lt. Col. Cooke, Commanding U. S. Troops, near Leecompton — SIR: The Marshal of the Territory and the sheriff of Douglas county, having officially reported to me that they are unable to execute certain legal writs which have been placed in their hands. I have to request that you will furnish them with a sufficient posse from your command (say seventy-five men) to enable them to execute said writs.

Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

The acting Governor to Maj. Gen. Richardson:

LECOMPTON, K. T., EXECUTIVE OFFICE, August 30, 1856.

Maj. Gen. W. P. Richardson, N. D. K. Militia — SIR: Your command will proceed to occupy the country between Leavenworth and Lawrence, approaching at or as near to the latter place as may be deemed advisable, with the view of preventing Lane's escape on the north side.

Gen. Coffey has been directed to proceed without delay to or near to Lawrence. Apprehensive that the order to Gen. Coffey may be intercepted, you will cause a copy of this order to be dispatched to him at once from your command.

Very respectfully,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

The acting Governor to Major General A. M. Coffey:

EXECUTIVE OFFICE, LECOMPTON, K. T., August 30, 1856.

Major General A. M. Coffey, S. D. K. Militia — SIR: You are hereby directed to move at the earliest practicable moment in the direction of Lawrence. Major General Richardson has been directed to place his command on the north side of Kansas river, at or near to the ferry at Lawrence. Understanding that reinforcements to Lane are constantly coming in on the north side, it is important that he should be routed at the earliest practicable moment.

Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

AUGUST 31, 1856.—Commissions issued to the following-named officers of a volunteer company organized in the neighborhood of Hickory Point, Jefferson county, called "Jefferson Rangers":

To Byran Brinter, Captain.

John Wilson, First Lieutenant.

H. A. Lowe, Second Lieutenant.

Richard Chandler, Third Lieutenant.

SEPTEMBER 1, 1856.—Commission issued to L. M. Ayre, Lt. Colonel First Regiment, First Brigade, Northern Division, Kansas Militia.

Commissions issued to the following-named officers of the Fourth Regiment, Northern Division, Kansas Militia:

To J. J. Clarkson, Colonel of the Regiment.

J. W. Dargan, Major of the Regiment.

H. C. Dunn, Captain of the "Union Guards."

A. B. Miller, Captain of the "Southern Rangers."

Jesse Connell, Captain of the "Round Prairie Guards."

D. G. Fleming, Captain of the "Coote Guards."

D. R. Hollingsworth, Captain of the "Delaware Company."

The acting Governor to Maj. General Richardson and Maj. General Coffey:

GENERAL ORDER, No. 2.]

LECOMPTON, K. T., EXECUTIVE OFFICE, Sept. 1, 1856.

Maj. General Wm. P. Richardson, Nor. Div. Kan. Militia—SIR: Your particular attention is called to the following clause in General Order No. 1, issued from this office on the 21st August:

"In all your orders, the most rigid instructions should be given to *protect the persons and property of all peaceable, unoffending citizens, regardless of party distinctions or political differences of opinion.* We are not warring against the political sentiments of men, but against lawless bands of ruthless invaders, outlaws, and traitors. No one's house should be destroyed unless undoubted evidence exists that it is used as a *fort or arsenal* for the subversion of the existing Territorial Government, or for other equally lawless purposes, in which event it properly becomes subject to confiscation."

It is absolutely indispensable that this order should be most rigidly enforced, and all violations of it subjected to the severest penalties. Whenever houses are condemned as forts or arsenals, orders should be regularly issued to have them pulled or knocked down. In no case should the torch be applied. The application of the torch is disgraceful to the age, and must not be tolerated.

Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Ty.*

A copy of this order was forwarded on the same day to Major General A. M. Coffey, of the Southern Division, Kansas Militia.

REPORT OF THE UNITED STATES MARSHAL.

U. S. MARSHAL'S OFFICE, LECOMPTON, K. T., Sept. 1, 1856.

Daniel Woodson, Esq., Acting Governor of the Territory of Kansas—SIR: In consequence of the arrival in this Territory of a large number of armed men, said to be controlled by Col. James H. Lane, who have been almost continually engaged in driving our citizens from the Territory, robbing and burning their houses, and killing all who were obnoxious to or resisted them, I am constrained to report that the ordinary course of judicial proceedings and the power vested in me as United States Marshal for this Territory, are wholly inadequate for the suppression of the insurrectionary combinations now known to exist through the whole extent of the Territory, unless I should call out a posse consisting of the strength of the entire Territory, a call which seems not to be in accordance with the views of the President, as will be perceived by reference to his dispatch to Col. E. V. Sumner, of the 23d of May last; and if this extreme measure should now be resorted to, it is extremely doubtful whether under existing circumstances it could be made effective in arresting and driving back the armed men that have already entered and are daily entering this Territory, murdering and robbing the peaceable settlers of the country, sparing nothing unless constrained by motives of policy or fear, thereby rendering it impossible for the law-abiding citizens, however patriotic, to respond to the call of their country for their services, each one being impelled by every consideration that is sacred or dear

to man to remain at home, to defend the lives of their families from these ruthless invaders.

Deeply impressed with the danger that is now menacing the lives and liberties of our citizens, and the total subversion of all law, both Federal and Territorial, I have deemed it my duty to submit for your consideration the foregoing statement, in order that you may take such action as you may think advisable to restore peace and quiet to this distracted Territory.

Very respectfully, your obedient servant,

(Signed)

I. B. DONALDSON,

U. S. Marshal for the Territory of Kansas.

Requisition of the acting Governor upon Col. Cooke, commanding U. S. Dragoons:

LECOMPTON, K. T., EXECUTIVE OFFICE, September 1, 1856.

Lt. Col. P. St. George Cooke—SIR: The U. S. Marshal for this Territory having officially reported to this office that the "ordinary course of judicial proceedings and powers vested in him as U. S. Marshal are wholly inadequate for the suppression of the insurrectionary combinations now known to exist through the whole extent of the Territory," it becomes my duty as the acting Executive to make a requisition upon you for your entire command, or such portion of it as may in your judgment be consistently detached from their ordinary duty, to aid me in suppressing these insurrectionary combinations and invasive aggressions against the organized Government of the Territory of Kansas.

Your command, or such part of it as you may deem necessary, will therefore proceed at the earliest moment to invest the town of Topeka, disarm all the insurrectionists or aggressive invaders against the organized Government of the Territory to be found at or near that point, leveling to the ground all their breastworks, forts or fortifications, keep the head men or leaders in close confinement, and all persons found in arms against the Government as prisoners, subject to the order of the Marshal of the Territory.

It is very desirable to intercept the invaders on the road known as "Lane's trail," leading from the Nebraska line to Topeka. If, therefore, your force is large enough to admit of it, a detachment should be stationed on that road, with orders to intercept all "aggressive invaders against the organized Government of the Territory" that may make their appearance. Very respectfully yours,

DANL. WOODSON, *Acting Gov. Kansas Territory.*

Col. Cooke to the acting Governor:

HEADQUARTERS, CAMP NEAR LECOMPTON, K. T., }
September 2, 1856—6 A. M. }

To His Excellency Acting Governor Danl. Woodson, Lecompton, K. T.—SIR: I received last night your letter of September 1st, informing me that the Marshal of the Territory had officially reported to you that "the ordinary course of judicial proceedings and the powers vested in him as U. S. Marshal are wholly inadequate for the suppression of the insurrectionary combinations known to exist through the whole extent of the Territory," and you therefore make requisition to "aid you in suppressing these insurrectionary combinations and aggressive invasions," by marching to "invest the town of Topeka," "disarming all insurrectionists or aggressive invaders," "retaining them as prisoners subject to the order of the Marshal," and to level to the ground all breastworks, &c.

Since my instructions from the Secretary of War, February 15th, I am instructed by a letter from the Adjutant General to Col. Sumner, dated 26th March, 1856, in relation to the course to be pursued towards armed bodies coming into the Territory,

that "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 a military force is made upon the commanding officer, by the authority specified in his instructions, that he is empowered to act."

I am further instructed by General Smith, August 28, 1856, that if it should come to my knowledge that either side is moving upon the other with a view to attack, it will become my duty to observe their movements and prevent such hostile collisions. But it will not be within the province of the troops to interfere with persons who may have come from a distance to give protection to their friends or others, and who may be behaving themselves in a peaceable and lawful manner. And further, "to make every exertion in my power, with the force under my orders, to preserve the peace and prevent bloodshed."

It is evident, both under the laws and my instructions, that the last resort—the effusion of the blood of the citizens by the military power, must be induced by a special act of resistance to the civil officer in the execution of his legal duty when assisted by that power. In no case yet, has the Marshal of the Territory, thus aided, been resisted. No specification of resistance by the people of Topeka is made in your requisition; nor is my aid asked to assist the Marshal in the execution thereof of any law, or the process of any court. It is simply a call upon me to make war upon the town of Topeka—to "invest" it, make "prisoners," "level defenses."

Your request that I should station troops on "Lane's trail," "to intercept aggressive invaders," would be clearly inconsistent with my last instructions, "not to interfere with persons who have come from a distance," &c., as well as those of the 26th March.

In my best judgment I cannot comply with your call. If the army be useless in the present unhappy crisis, it is because in our constitution and laws, civil war was not foreseen; nor the contingency of a systematic resistance by the people to governments of their own creation, and which at short intervals they may regularly correct or change.

Your letter will be forwarded by express to Major General Smith, for his consideration and action.

With great respect, I am, your obt. svt.,

(Signed) P. ST. GEO. COOKE,

Lt. Col. Second Dragoons, Commanding.

CORRESPONDENCE.

LAWRENCE, KANSAS, Sept. 2, 1856.

To His Excellency D. Woodson and Col. Cooke—GENTLEMEN: It cannot be unknown to you that large bodies of armed Missourians are now invading our Territory, threatening to drive out every family that differs from them politically, and in many instances murdering in cold blood our most esteemed citizens, and burning their dwellings without the least provocation. Last Saturday about 200 of these outlaws entered Osawatomie, cannonaded and burnt it to the ground, sparing only two or three buildings belonging to the Pro-Slavery men—shot Frederick Brown through the heart while walking peaceably through the streets about sunrise. Then a part of them left for Ottawa Jones's, and burnt his house to the ground, and passed on towards Lecompton; while another portion went to Prairie City and charged upon a house, but were repulsed, when they retired back to Bull creek. Yesterday morning, we are reliably informed, a Free-State prisoner was murdered in their camp at Bull creek, which has been made their general rendezvous for several days. This party recently came into the Territory in warlike array from Little Santa Fé; and at the earnest solicitation of the settlers about Prairie City a force of Free-State men marched upon them Sunday, when they rapidly retreated towards Missouri.

Other parties of a similar character have been molesting the citizens north of the Kansas, on the Stranger and Grasshopper, and we learn that these parties have now concentrated in Lecompton; that they burnt the house of Mr. Snider Sunday evening, and other buildings in the vicinity, and that the peace of the entire community is threatened by these marauders. In accordance with the authority vested in you, respectively, we ask of you to remove or disperse them without delay, and thereby secure the mutual peace and harmony of our people.

In behalf of the Kansas State Central Committee.

WM. HUTCHINSON.

H. MILES MOORE.

P. S.—Since the above was penned, four other houses have been burned, on and near the California road, by the same party from Lecompton. W. H.

LECOMPTON, KANSAS TERRITORY, EXECUTIVE OFFICE, Sept. 3, 1856.

To Messrs. Wm. Hutchinson and H. Miles Moore, "in behalf of the Kansas State Central Committee"—GENTLEMEN: Your communication of yesterday, addressed to Col. Cooke and myself, was received about five o'clock last evening, and I embrace the first opportunity of returning you an answer.

One would suppose from the manner in which you write, that you and those whom you represent were entirely unacquainted with the existing unhappy state of things in the Territory, and that you were peaceable, law-abiding citizens.

You cannot be uninformed of the fact that Gen. James H. Lane has recently marched into the Territory a large body of armed men, obtained chiefly in the North-western States, after canvassing those States for some time for them, avowedly for the purpose of setting at defiance our Territorial laws, and of subverting by force and violence the regularly established government of the Territory. At the time these men arrived in our midst, everything was comparatively peaceable and quiet. As soon as they crossed the northern boundary of Kansas they began the erection of a cordon of block-houses or forts, extending to Topeka, on the Kansas river, a town commonly known as the capital, for the time being, of the so-called State of Kansas. Soon after crossing the Kansas river these men, aided by lawless military combinations heretofore existing in the Territory, commenced, in pursuance of threats previously made, the bloody work of exterminating or driving from the Territory such of our citizens as had sought to enforce the Territorial laws, by attacking at midnight the law-abiding citizens of the town of Franklin with an overwhelming force of armed men, well supplied with Sharp's rifles and other deadly weapons; and finally succeeded by the application of the torch in driving the few citizens from the hotel—a log house into which they had been driven for self-protection by threats of violence previously made. The house was then robbed of almost everything valuable, as well as the store of Dr. Skillback, and the post office. The U. S. muskets left there for a volunteer company under the law were even taken away. This attack, it is now known, was headed in person by Gen. James H. Lane, under the assumed cognomen of "Col. Cook."

Soon after this a similar attack was made on the New Georgia Colony, every man of whom was compelled to flee the Territory to save his life, whilst their houses were burned to the ground.

The settlement on Washington creek was next threatened with extermination, and the settlers, driven by the instincts of self-preservation into the log house of James P. Saunders, Esq., one of the oldest and best citizens of Douglas county, began to fortify it; but finding a large army of outlaws advancing upon them with artillery, they were compelled to flee for their lives, and take refuge in the adjoining State of Missouri. The house of 'Squire Saunders, after being robbed of everything in it,

including the U. S. muskets furnished by the Government for a volunteer militia company of which he was captain, was then burned to the ground.

This army of outlaws next turned their course toward Lecompton, with the intention of attacking it, but were induced by some of their leaders not to do so at that time. They then attacked the house of Col. Titus, firing upon it with Sharp's rifles and artillery, killing one man and severely wounding a gentleman then residing with Col. Titus, who was also badly wounded, besides taking and holding as prisoners all persons found on the place, and a gentleman who was intercepted a mile distant, while engaged in taking a dispatch from Gov. Shannon to Maj. Sedgwick of the U. S. Army. This gentleman was robbed of his horse, and then marched with the prisoners taken at the house of Col. Titus to your own town of Lawrence, where they were detained as prisoners until an exchange was effected by Gov. Shannon, in consideration of his releasing certain persons held in custody here under a legal process for being implicated in the midnight attack and robbery of the citizens of Franklin—your, or a somewhat similar committee, positively refusing to surrender them upon his demand as the executive officer of the Territory.

It is unnecessary to add that Col. Titus's house was robbed of everything valuable, even the wearing apparel of his negroes, and then consigned to the flames.

Many other depredations scarcely less atrocious, committed by Lane's men and the lawless military combinations heretofore existing in the Territory, might be adverted to, but these will suffice; for all of which certain presses in the Northern and Eastern States seem to have been prepared in advance by numberless letter-writers in the Territory, charging upon persons called "Missourians" the intention of committing similar outrages upon "innocent Free-State settlers," and thus seeking to justify in advance their own crimes; thus showing conclusively a long-meditated and systematic invasion of the Territory, and insurrection against the constituted authorities and government thereof, and the bloody work was only postponed, as is now manifest, until the arrival of Lane and his men.

It is passing strange that those who have thus defied the Territorial laws and who have thus attempted to subvert by force and violence the existing government of the Territory, should at this time, as if oblivious of their fatally lawless conduct, apply to those very laws, and the very government they have been, and are still, seeking to subvert by force and violence, for protection. Protection by the Territorial laws and authority, you, gentlemen, must be aware, cannot be afforded to those in open rebellion and insurrection to such laws and authority, but only to peaceable, law-abiding citizens.

It has become my duty, as the acting Executive of the Territory, to take all the legal measures in my power to suppress all such lawless and insurrectionary combinations against the peace and quiet of the Territory, as well as the very existence of the Territorial Government itself, of which I cannot believe you to be ignorant; but as you seem to be, I herewith inclose you a copy of the proclamation issued from this office on the 25th August, and of the general orders previously issued to Maj. Genls. Richardson and Coffey. Orders have subsequently been issued positively forbidding the burning of houses in any case, under the severest penalties. It is not surprising, however, that persons who have been robbed and burnt out of houses and homes by your men, should seek to retaliate.

No one deplores the existing unhappy state of things more than I do, but peace, quiet and harmony can only be restored by a due enforcement of our Territorial laws. Forcible resistance to their execution, or invasive and insurrectionary military combinations to subvert the existing government, can never effect that desirable end. If peace and harmony are what you want, gentlemen, it can be speedily obtained by giving a sufficient guaranty on the part of those you represent of implicit

obedience to the laws of the Territory until they are modified or repealed by competent authority, or declared invalid by the courts.

Respectfully,

DANL. WOODSON,
Acting Governor Kansas Territory.

SEPTEMBER 3, 1856.—The following letter was received by the acting Governor:

LAWRENCE, K. T., Sept. 2, 1856.

To His Excellency D. Woodson and Col. Cooke — GENTLEMEN: Circumstances that we doubtless mutually deplore have made it our duty to confer together several times during the last few weeks relative to our own security and protection. In conformity to all law and justice, even in times of war, such deputations have been welcomed and allowed to return without molestation, until last Thursday. We then sent S. Southerland, G. W. Hutchinson and a young man from Leavenworth, to you to recite you the condition of our teams. Their drivers and eight passengers went to Leavenworth last Tuesday in accordance with your own suggestion, (or that of Col. Johnson,) and the outrages they have since suffered you are probably familiar with. We learn with much regret that after Messrs. Southerland and Hutchinson had conferred with Governor Woodson, they were taken just in front of his office by a mob, and by them are still retained in Lecompton. We have not learned that any legal charges are preferred against them, and we now ask you why they are retained? Whether merely as prisoners of war, and whether you thereby say to us that civil war now exists? Unless you take this ground, we claim of you their immediate and unconditional release.

We send their wives to-day as the bearers of this, and as a consolation to the imprisoned; and would ask of you most respectfully to grant them such an escort or protection while among you or near your town as their own safety may require.

In behalf of the Kansas State Central Committee.

(Signed)

WM. HUTCHINSON.
H. MILES MOORE.

To this letter the acting Governor replied as follows:

LECOMPTON, KANSAS TERRITORY, EXECUTIVE OFFICE, Sept. 3, 1856.

Messrs. Wm. Hutchinson and H. Miles Moore, "in behalf of the Kansas State Central Committee"—GENTLEMEN: In reply to your communication of yesterday, which was received late last night, complaining of the retention here of a deputation of several gentlemen on the part of your committee, I have to state that no such "deputation" have made any application whatever to me, nor has any such deputation been detained here. It is true that Mr. Hutchinson and Mr. Southerland called at this office on Friday evening last and complained of certain alleged depredations upon their property — one on account of outrages said to have been perpetrated upon his wagons or teams near Leavenworth, and the other upon his hack and passengers. They did not represent themselves as a "deputation" in behalf of your "committee," or of any persons whatever, except themselves individually, each one making his own complaint. They were courteously and kindly received by myself, and the legal remedy pointed out to them. Nothing whatever was said in regard to their being deputed to act for any other persons than themselves, and nothing of the character was dreamed of by me, or in any way intimated to me, until I received your letter of yesterday.

They were arrested by order of Genl. Marshall as spies, he doubtless having the authority in the present insurrectionary state of the country to do so. They have been and are still very kindly treated.

I will simply add that with their wagons or teams and hack—or rather, as it appears from your letter, your wagons, &c.—were found two persons who were recognized as being engaged in the attack on Col. Titus's house, and the burning thereof, and with whom some of Col. T.'s property, of which he was then robbed, was found.

Very respectfully, yours,

DANL. WOODSON,

Acting Governor Kansas Territory.

SEPTEMBER 5, 1856.—Commission issued to James Adkins, Sheriff of Atchison county, *vice* Eli C. Mason, resigned.

Commission issued to C. L. Newman, Adjutant Third Regiment, First Brigade, Northern Division, Kansas Militia.

Commission issued to Samuel C. Glenn, Justice of the Peace for the county of Marshall.

SEPTEMBER 6, 1856.—Commission issued to Wm. N. Glenn, Sheriff of Marshall county, *vice* George T. Hubbard, removed from the county.

Commissions issued to the following-named officers of the Fourth Regiment, Second Brigade, Northern Division, Kansas Militia:

To Wm. Ewing, First Lieutenant of the "Southern Rangers."

F. Rucker, Second Lieutenant of the "Southern Rangers."

Greenlee Butter, First Lieutenant of the "Coote Guards."

H. E. Hardy, Second Lieutenant of the "Coote Guards."

N. W. Hodges, First Lieutenant of the "Round Prairie Guards."

S. F. Rhea, Second Lieutenant of the "Round Prairie Guards."

Dr. J. E. Bennett, Surgeon of the Regiment.

CORRESPONDENCE.

LAWRENCE, KANSAS, September 6, 1856.

To His Excellency Governor Woodson, and Col. Cooke, Commander of the U. S. Troops near Lecompton—GENTLEMEN: The roads leading to Leavenworth and Westport are beset with bands of armed men, who seize our men, and arrest all trains of wagons going to either point. These thoroughfares furnish the only avenues by which provisions can be introduced into Kansas. Our people are suffering for provisions. We have our trains and money prepared to supply ourselves. We respectfully for our people request that these roads be immediately opened by the troops, subject to your order or command, or at least an escort of the same furnished to our trains that are now waiting to start. We trust that not a moment will be lost in responding to this call. Our people will quietly submit no longer.

In behalf of the Kansas State Central Committee.

WM. HUTCHINSON.

J. BLOOD.

H. MILES MOORE, *Secretary Kansas State Central Committee.*

LECOMPTON, K. T., EXECUTIVE OFFICE, September 7, 1856.

To Messrs. Wm. Hutchinson and J. Blood, "in behalf of the Kansas State Central Committee"—GENTLEMEN: Your communication of yesterday, addressed to Col. Cooke and myself, asking that the roads leading from Lawrence to Leavenworth and from Lawrence to Westport should be opened, so that you can get provisions for your people, was received to-day about noon.

If the roads in question are closed at this time, gentlemen, (which I do not doubt,) to the convenience and necessities of your people, you must be aware that it is the natural and inevitable result of the present lawless and revolutionary position in which you have of your own accord most unfortunately placed yourselves. So long as you continue to hold yourselves in such a position, it is unnecessary for me to say to you, the Government cannot comply with your request. If you really desire the protection of the Government, it is your obvious duty to respect and submit to the laws of the Territory, organized by the Government of the United States, and to cease at once and forever all attempts to subvert by force and violence that Government and establish upon its ruins your so-called "State Government."

But give a sufficient guaranty to this effect, gentlemen — that you will quietly submit to the enforcement of the Territorial laws, the Territorial officers, until said laws are modified or repealed, or declared invalid by the courts, and I assure you and your people that your request will not only be promptly complied with, but that the whole civil and military power of the Government will be exerted to protect you fully in all your lawful rights of persons and property; and I would take the liberty of invoking you in the name of our common country, and for the sake of all that is near and dear to American citizens, to do so at once, that peace and harmony may once more prevail.

Very respectfully yours,

DANL. WOODSON,

Acting Governor Kansas Territory.

REPORT OF THE SECRETARY TO THE PRESIDENT.

LECOMPTON, KANSAS TERRITORY, SECRETARY'S OFFICE, Sept. 20, 1856.

To His Excellency Franklin Pierce, President of the United States — SIR: I have the honor to transmit to your Excellency the following report and accompanying documents in regard to the unhappy disturbances in this Territory.

It will be seen from the official report, marked "A," of Brig. Gen. Marshall, of the First Brigade, Northern Division, Kansas Militia, that one Gen. James H. Lane invaded the Territory with an armed force of some 800 or 1,000 men, all well supplied with every instrument of war, for the purpose, as avowed by themselves, of "revolution and of destroying the force and integrity of the present laws, by setting them at defiance and protecting all in the violation of them, and to avenge what they term the wrongs of the Abolition party in the Territory — to take a fearful vengeance on the officers and others who are and have been instrumental in the preservation of the Government—law and order. They would keep up their military organization, divided throughout the election districts, and control and determine the fall election."

When Gov. Shannon received intelligence that these lawless men had approached the Nebraska line in military array and for the purposes above set forth, he immediately requested General Smith, of the U. S. army, to station his command on the northern frontier to intercept them or prevent their entering the Territory. This officer, however, not believing the account to be authentic, declined to act. Brigadier General Marshall, under authority vested in him by law, (Kan. Stat., ch. 110, sec. 26,) ordered out his brigade to repel the invasion, but in consequence of the "great distance between the settlements and points of command constituting the First Brigade, could not have a serviceable coöperation of the law-abiding citizens to repel this most violent and lawless invasion of the peace of the Territory."

Lane's army came in without interruption or resistance, erecting, I have been reliably informed, as they came, a cordon of forts or block-houses extending from the Nebraska line to Topeka, on the Kansas river, a town known as the capital at present of the so-called "State of Kansas." Soon after they came into our midst, aided

by lawless military organizations heretofore existing in the Territory, they began, in pursuance of threats previously made, the bloody work of exterminating or driving from the Territory the law-abiding citizens, by attacking at midnight with an overwhelming force, armed with Sharp's rifles and other deadly weapons, the citizens of Franklin, who assembled in a log house known as Crane's Hotel, for the purpose of protecting themselves. Here they successfully resisted the outlaws for four hours, who then changed their mode of attack, and driving up in front of the house a wagon loaded with hay, set it on fire, the flames from which soon communicated to parts of the building and compelled the inmates to cry for quarter. Some were taken prisoners, whilst others made their escape. The building was then robbed of many valuables, and the post office, as well as the store of a Dr. Skillback. The muskets furnished by the Government to a volunteer company of militia, and a cannon which the citizens had procured for their own protection, were also forcibly taken. It has since been ascertained that this attack was headed in person by General James H. Lane, under the assumed cognomen of "Col. Cook."

Soon after this, a similar attack was made on the "New Georgia Colony," every one of whom, including the women and children, were compelled to flee the Territory to save their lives, whilst their houses were burned to the ground.

The settlement on Washington creek was next threatened with extermination, and the settlers, driven by the instincts of self-preservation, into the log house of James P. Saunders, Esq., one of the oldest and most reputable citizens of Douglas county, began to fortify themselves; but finding a large body of outlaws advancing upon them with artillery, they were compelled to flee for their lives and take refuge in the adjoining State of Missouri. The house of 'Squire Saunders, after being robbed of every thing in it, including the muskets furnished by the Government to a volunteer militia company, of which he was captain, was then set on fire and burned to the ground.

This body of outlaws next turned their course towards Lecompton, with the intention of attacking that place, but for reasons best known to themselves, declined doing so at that time.

They then attacked the house of Col. Titus, firing upon it with Sharp's rifles and artillery, killing one man and severely wounding a gentleman then residing with Col. T., who was also badly wounded. They then robbed the house of everything in it and burned it to the ground, taking and holding as prisoners all persons found on the premises, and a gentleman (see affidavit No. 1,) who was intercepted a mile distant whilst engaged in bearing a dispatch from Governor Shannon to Maj. Sedgwick of the U. S. Army, encamped about a mile and a half south of the house of Col. Titus. This gentleman was robbed of his horse and marched with the plunder and prisoners to the town of Lawrence, where they were detained as prisoners (see affidavit of Dr. A. Roderique, and corroborating statement of Gov. Shannon, marked No. 2,) until an exchange was effected in consideration of certain persons being released, who were then held under legal process in Lecompton, as implicated in the midnight attack and robbery of the citizens of the town of Franklin—the "Committee" of outlaws at Lawrence positively refusing to release them upon the demand of Gov. Shannon, as the executive officer of the Territory, and by insisting upon the exchange, which was finally agreed upon, to all effect and purposes proclaimed themselves and those for whom they acted, in a state of insurrection and rebellion. (See again affidavit No. 2.)

As the Territory was thus not only invaded by an armed force who were laying waste the country with fire and sword, and spreading desolation and terror wherever it best comported with their fell purposes to do so, all in open violation and utter contempt of the President's proclamation of the 11th February, 1856, but were also in an ad-

mitted state of insurrection and rebellion, (see affidavit No. 2, and the report of the Marshal of the Territory, marked No. 3.) I felt it to be my duty, and I believed I was fully authorized by the instructions of the Secretary of War to Col. Sumner of the 15th February last, to make a requisition upon Col. Cooke, commanding the U. S. troops near this place, to use his command in such a way as would repel the "aggressive invaders," and suppress the "insurrection and rebellion." (See letter to Col. Cooke, and his reply, marked No. 4.)

Upon this requisition Col. Cooke declined to act, for reasons stated in his letter, which, however satisfactory they may appear, I am constrained to believe impelled him to a most unfortunate conclusion. Topeka was known to be the capital of the so-called "State of Kansas," and as such, the headquarters of the army of "aggressive invaders," whose object was to subvert by "force and violence" the lawful Territorial Government, and establish upon its ruins what is termed a "State" under the illegal and fraudulent "Topeka" Constitution. From Topeka detachments were sent out at will to exterminate or expel from the Territory such settlements of law-abiding citizens as the outlaws might see proper to make an example of. From the same point, it was well known, came large numbers of those engaged in expelling the settlers on Washington creek from the Territory, and robbing them, and burning their houses, and who afterward attacked the house of Col. Titus, within a mile and a half of a camp of U. S. dragoons, with all the implements of war, killing one man, and wounding several others — after which they robbed the house of everything valuable, and consigned it to the flames. They then returned to Topeka, from which point they have since repeatedly sallied forth, robbing and plundering at will the adjacent country. (See affidavit No. 5.)

It was wholly impracticable to identify such outlaws and traitors in advance of arrests by legal writs, for the obvious reason that personally they were almost wholly unknown, many of them being strangers in the country; and whenever one happened to be known, and a civil officer with a posse was sent to arrest him, they would invariably fail to find him, he being safely secreted by his associates, who were not identified. It was indispensable, then, that these "aggressive invaders" and "insurrectionists" should be first arrested and disarmed, and an end thus put to their bloody work, before legal proceedings could be successfully instituted against them, or peace and quiet restored to the country; and it was only such persons that Col. Cooke was required by my requisition to arrest, which could only have been done at Topeka by investing the town.

As the acting Executive of the Territory, and as such, conservator of the peace, I felt not only authorized by the instructions of the Secretary of War above referred to, but imperatively called upon by every consideration of duty — not the least of which was a sincere desire to avoid as far as possible the effusion of blood — to make said requisition upon Col. Cooke. Had my wishes prevailed, I am fully persuaded that much difficulty and trouble would have been averted. Certain it is that the wholesale pillaging of the country on both sides of the Kansas river, since, by marauding parties then concentrated at Topeka, would have been prevented, and the marauders themselves made to appear before the judicial tribunals of the country, to answer for their crimes, without bloodshed, as it is believed U. S. troops would not have been resisted.

This much accomplished at Topeka, it would have been a comparatively easy task to have the same done at all other disaffected points, by which means peace and quiet would have been speedily restored. The local militia that had been ordered out by Generals Richardson and Marshall to repel the invasion, as well as those called out by myself, would have been speedily disbanded, there being nothing left for them to do; whilst the people on the Missouri border, finding that their friends

in the Territory were protected by the Government in their lawful rights, would have had no pretext, and I verily believe no disposition, to enter the Territory in hostile array.

There being no other available means with which to repel the "invasion" or suppress the "insurrection" then staring us in the face, the local militia had of necessity to be used as best they could, or the Territory surrendered to outlawry and vandalism.

In consequence of the sparsely settled condition of the country and the entire want of efficient organization, the militia could not be brought promptly and efficiently to act. It is a matter, too, of much regret that some unruly persons attached themselves to some of the commands, whose excesses could not be foreseen or the guilty perpetrators identified, although every effort was made to prevent the one and ferret out the other.

The sudden and unexpected appearance of Lane and his men in a hostile attitude in the very heart of the Territory had the very natural effect of driving from it temporarily at least, a vast number of law-abiding citizens. It is estimated by competent judges that not less than five or six hundred were driven from Douglas county alone, and in Franklin, Anderson and Lykens, it is said, scarcely a family was left.

I have thus given a succinct account of the most unfortunate state of affairs existing in this Territory for a short time previous to the arrival of Governor Geary, and of the course I have deemed it my imperative duty to take in relation to them. All of which is most respectfully submitted.

With Governor Geary it will be my pleasure, as well as duty, cordially to coöperate in executing the laws and in carrying out the policy he has adopted, which I am happy to state thus far gives substantial assurance of the most auspicious results.

Very respectfully, your obedient servant,

DANL. WOODSON,

Secretary of Kansas Territory.