

WHOLESALE PRISON, LECOMPTON.

Wednesday, November 5, 1856.

To the Editor of the National Era:

I closed on Saturday with an account of the trial of the fifteen Hickory Point boys up to the resting of the evidence. In this and other proceedings at court, I have been compelled to gather my information from the prisoners, attorneys, and officers of the court, as I cannot myself be present, and therefore must be very brief.

The pleading was commenced by District Attorney Grover, who was followed by his brother, a small brained simpleton, also for the prosecution. Putnam and Lamb followed for the defence, the latter continuing his speech until after midnight. Both these men are Pro-Slavery. The former is a Louisianian, and was one of the enemy's lieutenants at Hickory Point. He became disgusted with the course of his party, and, in the spirit of a noble foe, offered his aid to his slandered and oppressed enemy. Mr. Lamb was also at that fight, though unwillingly, and has forever severed himself from the legions of "law and order." He is the same that interfered and saved the life of Pardee Butler at the time of the second outrage committed upon him, at Atchison. For this generous act, Stringfellow, too cowardly to meet his antagonist in open manly battle, hired a boy to secretly shoot Lamb—promising to pay the boy \$300 if he nicely performed his task. The boy made the attempt, but shot himself while cocking his pistol in his pocket. No one could be found to take care of and nurse the boy, but Lamb, who attended him until he recovered, and to whom he told the whole story.

The forenoon on Monday was consumed by Mr. Stevens in a masterly speech. In the afternoon, Mr. Parrott spoke an hour or two. Through fear of prejudicing the jury, neither alluded to any extent to the origin of these difficulties—the subversion of our Government, and the subsequent outrages, by which only the Government forced upon us could be sustained. In this, I think they erred; for I do not believe it would have had any bad effects, but perhaps such good.

A. J. Isaacs, Attorney General, closed the case about dark. The jury immediately retired, without any regular charge from the Judge. In fact, he gave none except a few gems now and then concerning disputed points, raised during the examination, some of which I have already given you. At 10 o'clock, P. M., the jury returned a verdict of "not guilty." Lecompte ordered that eight should be discharged saying that *new bills had been found against the accused*. Those discharged were J. L. Kim, D. Patrick, J. Ketcham, J. H. York, T. Bixers, J. Pyle, George Neff, and J. Conley. Some wags about town, who saw them make their exit, proposed to take a game of euclyre or deer coat tails. Those of the acquitted who remain, have all been subpoenaed as witnesses against those yet to be tried. They may make a fine show, but they are not.

Fabrara Bunker has received his sentence. It is six years imprisonment—I cannot tell where. He is yet with us. Mr. Davis was yesterday tried and convicted of an assault with intent to kill, for not letting a Pro-Slavery man, of the grand jury, blow his brains out. His sentence is imprisonment for two years.

Last Sunday night, an old man named Isaac Davis was brought in from the Wakarusa county, arrested on a warrant, issued under an indictment for arson, in burning the shanty of a Pro-Slavery man. Mr. Davis has been a settler in Kansas for nearly three years. He came from Petersburg, Mernard county, Ill., where he occupied an influential and honorable position. He was considered one of the best men—a fighter—in the Wakarusa valley. For the last six weeks previous to his arrest, he had been confined to his house, and the greater part of the time to his bed, by severe sickness: not during this time, and while he was in the most dangerous condition from his illness, he is alleged to have committed this offence. He can neither get the benefit of a writ of *habeas corpus*, nor a trial. But this is nothing new in Kansas.

Some time ago, as I am writing, another is turned up. Upon inquiry, I find the facts to be these. About the time court opened here, Mr. Marshall Davis—or that is his name—was summoned to appear before the grand jury, on Monday, the 21st of September. Now, the 21st came on Tuesday, and which day to come was a matter he concluded to go on with the probability of his escape. But yesterday the marshal with four dragoons made a descent upon him. He was escorted to Lecompton, and *kept not indefinitely for contempt of court*. He was formerly from Mason county, Ohio. This is a Kansas edition to the Passmore Williamson case.

Since I commenced writing, Adam Bower, one of those tried and acquitted on Monday, was retained on another charge, has been released, by what process I am unable to tell. But the cause is not so much of a secret. Before, several attempts were made upon his life and the lives of his family, his house robbed and laid in ashes, his crops ruined, and his stock driven off, and lastly himself driven to the forests for a home. He was a quiet and busy settler on Stranger Creek. Many of these outrages in the commission of these outrages have been hanging about court of late, and some of them recognised him at the trial, and apprehending that he had recognised them also, and that he would endeavor to cause their arrest, they secured his release, so as to get him out of the way.

General McLane, Atchison's adjutant in the late invasion which resulted in part in the destruction of Oswatomie, and now chief clerk in the Kansas and Nebraska Surveyor General's office, was in to see us last Sunday. The Delaware trust lands are to come into market in a few days. More than half of the settlers on these lands beyond the Stranger are Free State men, nine tenths of whom have been driven from their claims, and cannot return without greatly endangering their lives; ten or fifteen are prisoners here. Now, McLane tells a story that will probably be heralded at the late as a real demonstration of the popular sovereignty of the Delaware people. He says that the settlers on these lands—although a majority are Pro-Slavery, which is, of course, the case since the banishment of the Free State men—have clubbed together for the purpose of preventing any one from bidding against the actual settler. But McLane, when pushed closely, was compelled to admit that this association will not *prevent a usual settler any one, especially a Free State man, who is not now on the land*. Speculators from Missouri, will be allowed to buy such vacant claims, with all their improvements. This is a conspiracy that I have for a long time been expecting, but I had never looked for one so perfectly organized as it now appears to be, nor for such boldness of avowal on the part of its founders.

I have been talking some with Colonel Titus concerning our prospects, election matters, &c. Now that the great election is over, what I really cannot be doubted, on the score that it is prepared for electioneering purposes. For this I am glad. The people of the North may now be assumed to inquire into the affairs of Kansas: and when they once do so, they will find that the ball has not been told. Titus does not intend to remain here. When asked if the result of the Presidential election would not affect his course, he replied, "No!" "I will not live in a free state: but if Fremont is elected, this will surely be one; so I shall leave; and if Buchanan surrenders, he will do my work for me." Titus is not a fool, nor does he speak unadvisedly.

I see it stated in Eastern papers that bills have been found against Sheriff Jones, Stringfellow, and others of the Pro-Slavery leaders. Now, there is no truth whatever in these reports. No complaint has been made to the grand jury, and it would have made no difference if there had. I do not say that they will indict no Pro-Slavery man for wrangling among the enemy and their avaricious design for petty rewards from the Governor may procure the indictment and arrest of a few, as they have already of one, whom I mentioned a short time since; but I do say that no Pro-Slavery man will be punished for any outrages committed

on Free State men, either before or since the Governor's proclamation. Mark my word for this. Jones is still at large, and not only so, but he is a member of Governor Geary's household. There are two companies of militia here, under Donald Titus. One is commanded by John Donaldson, son of the United States marshal of that name. He was his father's deputy at the sacking and bombardment of Lawrence last May, and consequently the real leader of that whole gang. One Wallace is captain over the other company. These two men are on guard over us one day each, alternately. In company with Clark, when he murdered Dow last winter, was Dr. Wood, now United States commissioner, who assisted in doing the deed, and shielding its principal perpetrator. All these men are now here in Lecompton daily, and daily they boast of their crimes. I might mention hundreds of similar cases, but these are of notoriety; and if the actors are not punished, there certainly is no probability of the punishment of others.

But the grand jury cannot be said to have been an idle one. In diligence it equalled the Shawnee Legislature. But such diligence! Today, a new bill was found against John Ritchey, for robbery of the mail. This morning, J. H. Kagi was indicted in two or three more bills. Although all the alleged offences areailable ones, yet Judge Lecompte *refused to admit them to bail in any sum*. Bail would have been useless for Mr. Kagi, however, as three new indictments were this afternoon found against him, for participating in the battle of Fort Titus last summer. One is for arson, another for manslaughter, another for murder. This makes the number of indictments against him, in all, only eight, which seem to have also been found against over seventy others, for participating in the Titus affair.

For several days past, it has been common talk about town, that Major Bickerton and a few others, probably myself among the number, are to be hung, whether convicted or not. This is no surmise. I have it from a Pro-Slavery lawyer, who, in connection with Parrott and Stevens, is employed by us, and who would be far from telling us anything liable to discourage us, if it were not strictly true. For the purpose of receiving an impartial trial, as well as for our safety both during and after it, we shall all, except twenty, who will go to trial to-morrow, apply for a change of venue to Tecumseh, which is mostly Free State—the country around is altogether so—and where, being only five miles from Topeka, we may stand some chance for justice. Court adjourns here next Saturday, and sits at Tecumseh the following Monday.

Geary has not yet returned, and will not be here until after the adjournment of court. He does not wish to be cognizant of its high-handed proceedings. Before he went away, many of the boys, not versed in law, expressed to him an aversion to being tried under the Territorial laws, but a perfect willingness to be tried by the laws of the United States. Geary told them that he had seen to that; and that they would have nothing to do with the Territorial laws: that it would be as they wished. They could not be made to believe to the contrary, until the district attorney, during the trial, took up a volume of the Shawnee Statutes, and said, "These are the laws that will bring you down." Whether the Governor meant to use downright deception, or whether he was really so ignorant of law as he must otherwise have been, I leave others and time to determine. I state only the facts.

A new stroke of policy has been determined upon by the Governor, more outrageous and damnable than, with my profound contempt for Geary, I had ever deemed him guilty of conceiving. He says, if, after a certain time, "all persons [by this he means Free State men] against whom there are warrants, who refuse to be taken, or persist in keeping out of the clutches of the marshal, shall be declared outlaws, and all 'good citizens' ordered to shoot them wherever found." This was unexpected, even to me, who have long since learned to be surprised at nothing. Let John W. Geary once attempt to put this threat into execution, and he will see scenes in Kansas, compared with which the concentrated terrors of all past ages would be but pleasant dreams.

But little sleep was had in this prison on Sunday night. The marshal had a few days before got for us a second stove, and around the two crowded over one hundred prisoners, wondering if the friends they had left in the States, in the enjoyment of peace and luxury of every kind, ever thought of Kansas and her suffering children. Snow fell to the depth of several inches. Bitter cold winds whistled through the broad cracks of the prison, and all but froze hearts warm with patriotism. Hears which no danger could ever equal.

There are ninety six of us here now, representing almost every trade and profession in life. There are carpenters, cabinet makers, blacksmiths, machinists, engravers, sailors, miners, merchants, painters, Daguerrean artists, printers, preachers, lawyers, editors, and reporters, besides many others. But one for any length of time ever led a military life—that is, Major Bickerton, who served many years as a gunner on board a ship in the United States navy. His services have been of very great value, in disciplining the citizen army of Kansas, especially the artillery portion of it. This is why he is singled out for vengeance.