

The Herald of Freedom.

Lawrence, Saturday, July 21, 1855.

To Our Friends.

The regular issue of this paper is now 2,000 copies weekly, and it is daily increasing.

Those Reservoirs.

We present our readers with the subscription paper circulated on Wednesday and Thursday of the present week.

We are happy to learn that this new call upon the public spirit of our citizens meets with a prompt and almost universal response.

A Tough One.

We find the subscribers of the following in an exchange:

A Tough One.

"A lady in Kansas attacked sixty yoke of bulls to a wagon stuck in the ascent of a hill.

Military.

We learn that a military company was organized on the Wakarusa near Blanton's, on Saturday last.

Another.

Hickory Point Free State men are on the alert; they have been subjected to the most gross outrages some three or four times, and have organized a military company, and hence forth will protect each other from foreign invaders.

Arms.

By reference to the Governor's Message we learn that Kansas is entitled to 2137 muskets, deliverable at any accessible point in the Territory.

Another.

The thermometer ranges between 90 and 100 degrees, between 10 o'clock A. M., and 3 o'clock P. M. A gentle wind keeps the atmosphere apparently much cooler.

Minority Report.

On contested cases in the House of Representatives of K. T.

The minority of your committee appointed by this House, for the purpose of examining credentials, beg leave to present the following report: in the form of a protest.

The government of Kansas Territory, in the opinion of your committee, is an official and progressive one, or in other words, it is a government whose successive steps of progression are dependent on official action.

In Sec. 23 of the organic act, it declares that he shall, not that he may, but that he shall, commission all officers in the Territory, who shall be appointed to office under the laws of the Territory.

In Sec. 23 of the act, the steps to be pursued by the Executive are definitely pointed out. He is to take the census, order an election, appoint the time, place, manner of holding such elections.

In Sec. 23 of the law, the Governor is specifically and definitely instructed how to judge of legal voters.

Taking this view, which appears to be the obvious meaning of the law, your committee would beg leave to enter this protest to the majority report, for the following reasons.

The Governor in the exercise of the power vested in him, in accordance with his instructions, specifically pointed out in the organic act, declared by giving certificates of election to Philip P. Fowler, Erasmus D. Ludd, John Hutchinson, of the 1st District, Augustus Wattles, and William Jesse, of the 2d District, Cyrus K. Holliday of the 3d District, and A. J. Baker of the 4th District, that they are duly elected members of this house, and that those persons who have not received certificates of election from the Governor are not members of this House.

I cannot agree that this body has the right to go behind the decision of the Executive, who, according to the law, is made the deciding power, and decide on the legality of the election of the first legislature in Kansas; for the obvious reason, that the organic act makes him the sole judge of the election. The law makes the executive the channel to, and the organizing means of this body. To assume the contrary proposition, is to assert that this legislative body exists before it is possible for it to have a legal existence.

Whatever latitude may be taken in State Governments, with reference to contested elections, they can form no precedent for us, for the plain reason, that while their governments are formed and complete, ours is in a forming state, and therefore incomplete.

In the second place, from the evidence before the committee, great deficiencies appear not in the form of conducting the elections, but in the manner of holding them, both as to the qualifications of judges and returns made out by them.

In some cases there is no evidence that the judges were either sworn, or that they regarded the common forms of procedure in such cases, and in other instances they actually presumed to change the law by striking out the words "actual residents," "legal voters," and inserting such words in their place in the returns, as has just been mentioned.

It is not necessary, by comparing the census just taken, with the number of votes polled at the election, and making all the allowance which extravagance would suggest, that a great many more voters were actually polled than there were actual resident voters belonging to such districts.

No doubt that these illegal proceedings induced the Governor to withhold certificates of election from some, who, from the nature of the returns, it is fair to judge, would have been returned in their favor, might, at the same time, appear to have been elected, and caused him to give certificates of election to the gentlemen who appeared before us with their certificates.

With reference to the right of the Governor to order a new election; the obvious intention of Congress, which pervades the whole of the organic act, is to make and express language of the law, declaring that where a vacancy shall otherwise occur, he shall order a new election; "make it perfectly clear that he possessed the right to order such an election. Hence the conclusion that members holding their seats by virtue of that election, have a clear right to their seats in this House.

With these facts before me, and my oath to support the organic act of this Territory, to support me, I feel compelled to wholly dissent from and protest to the majority report of the committee, appointed by this House on contested elections; and we would further respectfully request this body to extend time to those members holding the Governor's certificates of election, in order to enable them to procure additional evidence to substantiate their claims, and we would also request this protest to be entered on the journal of this House.

S. D. HOUSTON, Com. July 4th, 1855.

I repeat, sir, I never can, and never will, and no earthly power will ever make me, vote, directly or indirectly, to spread slavery over territory where it does not exist. Never will I reason holds her in my brain, never, while my heart sends the vital fluid through my veins—never!—Henry Clay.

The onward train from Boston ran off the track on Saturday, near Wintchendon. The engine, tender and baggage cars were thrown down an embankment, twelve feet, and the forward passenger car slightly damaged. All the passengers escaped uninjured. Only one of the firemen was hurt.

The thermometer ranges between 90 and 100 degrees, between 10 o'clock A. M., and 3 o'clock P. M. A gentle wind keeps the atmosphere apparently much cooler.

Kansas a Free State.

We are surprised at the tone of discomposure which we observe in many journals as to the prospects of freedom in Kansas. With no wish to intimate that the duty of northern men is wholly discharged, we must say that all our intelligence from Kansas at the present time is such as to satisfy us that the probability is vastly in favor of its adopting the institutions of a free State.

We have more than once intimated that we regard the complexion of the first legislature as a matter comparatively unimportant. Secured by violence and fraud as it was, the first election would give us no warrant to slave owners that they might, by fraud, remove their property into the new Territory. And, whatever its legislation, no legislature can make a slave State where there are few or no slaves. Now in Kansas, on the 30th of March, in a population of near 9,000 there were but 137 slaves, most of whom had been there many years. We have no accounts since of any large migration thither of men with slaves in large numbers. It is impossible for such a migration to be conducted secretly. And we have this warrant for saying, that with a present population of probably 30,000 persons, there are in Kansas now only a handful of slaves. Southern planters do not yet dare move thither their property, for as the settlers are increasing, they are feeling discouraged in this matter, that they feel, and we believe the frontier, this side of the blue belt, that the question is practically decided in favor of free institutions, unless now, at last, the north withhold the interest it has thus far taken in the free settlement of the Territory.

To the statements we made last week as to the character of the towns in Kansas, we might add further facts, which have since come to our knowledge, showing still that the centers of influence are, with a single exception, on the free State side. The town of Leavenworth, under the protection of the fort, under the influence of the general government, and really a Missouri town, because separated only by a ferry from Platte county, gives a pro-slavery vote. No other town in the Territory does so. Lawrence, Oswatomie, Pawnee, Topeka, and the new towns named Boston and Hampden, all settled under the auspices of the New England Emigrant Aid Company, Council City, the station of the New York Kansas League, and the German settlement on the Kansas river, are all free State towns. There is not another town of importance, save Leavenworth, besides those in the Territory. There are towns like Douglas, but they are not towns. They are dead speculations. These towns are centers of influence. Here are the presses, the mills, the churches, and the schools. Every church, every school, except those of the Indian Missions, and every Sunday school in the Territory have been established by the co-operation of the New England Company. It would seem impossible to doubt that a territory which makes such a beginning should not be free.

We hear sometimes intimations that northern settlers prove false to northern institutions, and principles. This slander we desire to fix unequivocally as an invention of the enemies of those principles.

Gen. Pomeroy, whose authority no man will question, says he knows of no man among the thousands who have gone forward under the arrangements of the Emigrant Aid Company, who have ever voted a slave State ticket. It is true that at the elections where the legal judges were driven from the polls at the point of the bow-knife, and illegal successors appointed, northern men have refused to vote. This may be a mistake in judgment, but it is not a failure in principle. The northern men in the territory, if we except those who were long since converted to southern institutions, are all free State men.

If it is asked, why, in such a state of things, all the seats of the legislature in the legislature were not contested by free Gov. Redder, the answer is very clear. A territory, whose settled portion is as large as the State of Maine, whose people have not been six months in their homes, is not in condition to act with promptness or organization. The Oswatomie precinct contains the strongest free State vote of any in Kansas. An illegal possession of their polls and returned slave State representatives. They protested against the election; but by one of the misfortunes of private travel, their protest arrived four hours too late at Gov. Redder's headquarters. For this reason the illegal members have his certificate. For similar reasons other members of the majority of the legislature have theirs. But such a majority carries no moral force.

It does not deceive the people of Kansas. It ought not to deceive us here.—Boston Messenger.

Thus saith the Newburyport Herald—Give us man or woman, boy or girl, that loves nature, wild and civilized, and in nature we can rejoice; for like their loves they will be pure and free and happy. But the man that sees no glory in the skies, no beauty in the flower, no goodness in the grass, however good he may pretend to be, give us none of him. He was born for treason and crime; there is less hope of him than of the criminal who tends his single plant in the lonely cell, and as he waters it, night or morning, dreams of his better days, his mother and his home. And a woman—she is no woman who does not love the rosebush and take delight in the lily. Let not the like of her be mother to boys and girls. The world will run to ruin with such a race.

WASHINGTON, June 20.—The orders of the President suspending Governor Redder and Judge Johnson, and U. S. District Attorney Isaacs, from the execution of their functions as United States officers in the Territory of Kansas, until they shall satisfactorily explain their "apparent" violation of the acts of Congress, and regulations of the Department, regarding their purchase of the lands of Kansas, half-breed reserves, appeared in the Union of yesterday, together with the correspondence leading to it.

Up to the hour of going to press we have no news from the Quasi-Legislature of Kansas since its removal to the Shawnee Mission.

The Know Nothings of Pennsylvania, at their recent State Convention, divided on the slavery question, the anti-slavery party with Ex-Governor Johnson at their head, withdrawing.

We had a fine shower last evening.

The Emigrant Aid Company have no agent in Buffalo that we are aware of.

Eastern News.

The Nebraska City News of the 16th, ult., says that with a population of between seven and eight hundred, there is not a single case of serious illness in the place.

The Hon. Charles Sumner was at St. Louis on Thursday week, having passed through Ohio, Kentucky, and Illinois.

The wheat harvest was commenced in the southern portion of Indiana on the 18th inst, with the best prospects for a greater crop than ever before.

The Odd Fellows of Urbana, Ohio, lately purchased a grave of fifteen acres for a site for a college.

Com. Manypenny has made a treaty with the Choctaw and Chickasaw Indians. We fear there is included to be an attempt for another slave state.

The cholera is rapidly subsiding at New Orleans, and the probability of a general spread of the scourge is fortunately lessened.

Off for Kansas.—Forty-one stout seamen and laborers left Columbus, Ohio, on Friday last for Fort Leavenworth, Kansas Territory, where they are to be employed under the Government, at the rate of \$2.50 per day and board.

The Cleveland Herald offers to stake its reputation for veracity that four will be down to 86 50 per barrel in thirty days. It says the crops never looked better in the State of Ohio, and the prospect is that there will be the largest yield ever known in that State.

The New Hampshire House of Representatives on Friday passed resolutions declaring it the duty of Congress to prevent slavery in the Territories; repudiating the interference with the Missouri compromise, and demanding its restoration; and non-submission to the introduction of slavery into Kansas, and the determination to use all constitutional efforts to prevent further aggressions of the black power. On the same day the House, by a vote of 213 to 53, enacted a most stringent prohibitory liquor law.

Wonderful Harvest in Kentucky.—The Louisville Courier has information from all sections of the State, to the effect that there is every reasonable prospect of a harvest unparalleled in the history of Kentucky. Every species of grain has grown with the greatest luxuriance. The orchards are bowed down with their fruitful loads. Hemp promises a fine yield, and the tobacco crop will be far better than it was last year.

Berean Colony.

An organization has been effected in Butler county, Pa., for settling a colony in Kansas. While on our way to Pawnee a few days ago, we met with Rev. James N. Smith, and other gentlemen who were on a tour of observation, with a view of selecting a point in the Territory for the location of their colony. The following are the rules which they have adopted for their organization:

The undersigned, desirous of moving West, that they may enjoy some of the advantages afforded by cheap land and rich soil, and at the same time, desiring to enjoy religious privileges, and good society—and believing that these may be best secured by a colonial system, do agree to the following rules and regulations, for the forming of a colony to emigrate to the Territory of Kansas, to be known by the name of the Berean Colony.

1. This company shall consist of members of the Associate, Associate Reformed, and Reformed Presbyterian churches, and their families, and such others as will fall in with, and support reforming principles.

2. The first five persons, (who will consent) in the order in which their names are hereto attached, shall constitute a committee to proceed to Kansas, as soon as practicable, to select one township, or tract of land six miles square, as a site on which to settle the colony, and it shall be the duty of this committee to cause to be erected a building, or buildings, as large as they conveniently can; this building, or these buildings, to be used as a place of reception and shelter for the colony, on their first arrival, and afterwards for a meeting house and school house respectively.

3. In order to prevent disputes in the distribution of the lands, each member shall select from a plot prepared for the purpose, one farm, from any unappropriated land in the plot, at the same time that he signs these rules, which shall be his upon their first arrival, and the expenses of the selecting committee, incurred for the common benefit; second, for the purchase of the several 40 acre lots, cornering in the center; the balance, if any, to remain as a church fund.

4. The whole plot shall be divided into nine School Districts, each two miles square, with roads running north and south and east and west, crossing each other at right angles, in the centers; these districts to be subdivided into farms, of which the four cornering in the center shall contain 160 acres, the balance to be divided into eight farms, containing 240 acres each, so located that each farm will face one of the roads for half a mile.

5. Each member binds himself or herself to settle on the lot he or she shall choose, or some one adjoining the plot, within one year from Oct. 1, 1855, or forfeit his or her right thereto.

6. A village shall be laid out in the center of the plot, upon the 40 acre lots, bought as church property. The proceeds of the lots, when sold, to be applied to the building of a church, as the congregation may direct, the balance of the land to remain in the hands of the congregation as church property.

7. Each member binds himself or herself to support the Gospel in the Colony, and to accompany the pastor, V. D. M., to accompany the Colony, and take charge of the congregation as pastor.

The Emigrant Aid Company have no agent in Buffalo that we are aware of.

The Secret to a Fortune.

We have a letter before us from a most prosperous manufacturing firm in this State, in which we find the following sentence: "Our firm is now advertising in about twenty papers in Alabama, and since we took charge of the business, we have prospered, caused, we suppose, from the agents that we want to let people know our business. The old firm advertising in but three newspapers, and did not succeed." This is a time when business men cannot succeed without letting themselves and their business be known.—Everybody read newspapers.—Selma Sentinel.

Speech of Pascal Fish.

An Indian of the Shawnee tribe, delivered at the celebration at Lawrence, K. T., July 4th, 1855.

I have been asked to speak to you. I am willing to speak; but though you may hear my voice, you will not understand me. Two years ago I passed through this prairie and these woods, with no companions but the screaming owl and barking wolf. Then I thought, I had no friends. Now it is changed, and today for the first time I have ever spoken to the white man, the first time I ever saw the white face say "welcome!"

A white cloud came from the far East, it came over us, and settled down all around with us; it is before me to-day; I feel glad to be with you to-day—to eat, to drink the cup of peace and good will with you—to hear prayer of thanks and praise for the people of the world.

Lawrence Eating Saloon.

Having recently opened an excellent Eating Saloon at No. 28 Massachusetts street, the undersigned respectfully solicits the patronage of the public. He will spare no effort to prepare his table with the best market afford, and is determined to be surpassed by no other establishment in town.

Prices Current.

CORN—\$1 25 per bushel; meal \$1 25 per bushel. Beans—\$1 50 per bushel. Potatoes—\$1 00 per bushel. Apples—\$1 00 per bushel. Sugar—\$10 00 per cwt. Coffee—\$1 00 per cwt. Tea—\$1 00 per cwt. Rice—\$1 00 per cwt. Flour—\$1 00 per cwt. Lard—\$1 00 per cwt. Butter—\$1 00 per cwt. Eggs—\$1 00 per cwt. Hides—\$1 00 per cwt. Tallow—\$1 00 per cwt. Soap—\$1 00 per cwt. Candles—\$1 00 per cwt. Oil—\$1 00 per cwt. Wine—\$1 00 per cwt. Brandy—\$1 00 per cwt. Rum—\$1 00 per cwt. Whisky—\$1 00 per cwt. Gin—\$1 00 per cwt. Brandy—\$1 00 per cwt. Rum—\$1 00 per cwt. Whisky—\$1 00 per cwt. Gin—\$1 00 per cwt.

Lumber! Lumber!

The King of the Woods is now in full operation, and is ready to take passengers and their baggage to any part of the Territory, at all hours, on application, at the usual rates.

Topoka Brick Yard.

40,000 BRICKS of the best quality are now ready for delivery by the subscriber, who has, at great expense, completed his works in Topoka, and is now prepared to furnish the first quality of Brick at a fair price. Brick-makers in Topoka, who are desirous of making a sale, will do well to call on the subscriber.

Dr. Jno. P. Wood.

FORWARDING AND COMMISSION MERCHANT, has just completed his new Warehouse, and is ready to receive and consign goods, either on commission or otherwise.

John Baldwin, Ferryman.

HAS just completed his new ferry boat, and is now ready to take passengers and their baggage to any part of the Territory, at all hours, on application, at the usual rates.

G. W. Brown.

COMMISSIONER OF DEEDS, and other Instruments of Writing under Seal, and Deposits for Pennsylvania, Massachusetts, Vermont, New Hampshire, Ohio, and New York, will attend to the duties of his office as usual.

A Card.

The ladies who have been circulating the subscription paper to get funds to be expended in the city water-works, beg leave to assure the citizens that we gratefully appreciate the generous reception we have almost everywhere met. It has seldom been our lot to ask funds for any object, and find so few cavils and excuses as on this, our first mission of the kind in Lawrence. All honor to the public spirit and the gallantry of our fellow-citizens.

Those who have been accosted in the highways and byways, on horseback, on foot, and in ox-carts, at the sawmill, the spade and the anvil, upon unfinished housepots and in half-dug cellars, at the printing press, and in the gutter, and in the editor's sanctum, the lawyer's office, and the doctor's domicile—all the nooks and corners of our city will bear witness that we meant to present the case to all. Our unbounded confidence in the high-minded liberality of the citizens, is fully attested by the fact that we did not hesitate to trust a subscription paper wherever we met them, and at any moment between them and their work. And the courtesy with which we were everywhere greeted, made us gratefully sensible that our confidence was not misplaced. Nor do we doubt that they will be equally prompt in paying up. It is proposed to raise at least \$150; \$137 of which is already pledged, with the promise of more, if needed, from a few individuals whose names are on the paper. A few days' work are promised in addition. Two gentlemen who deal largely in water, have made unwritten promises equally large, which we expect to see fulfilled with due alacrity.

We have some interesting facts connected with our work, which we withhold for the present. As we expect to make the tour once more, on collection day, we think it better to treasure them carefully till our next proffered generosity shall have been fully tested. Honor to whom honor is due. We assure those who have a right to know, that particulars shall be forthcoming, if the result demands it.

It is well necessary to send to St. Louis for water cement, that the work may be well done. It is hoped none may be discouraged by the delay. Meantime ample room is offered for the citizens to take such steps in the matter as they may deem judicious.

L. S. HALL.

Lawrence, July 20, 1855.

Free State Notice.

The Kansas Free State Executive Committee will meet at Lawrence, on Monday, August 13th, 1855, at 10 o'clock A. M., at the public Hall. A full attendance is requested. Per order.

C. ROBINSON, Chairman. Lawrence, July 17, 1855.

DIED.

On the 17th inst. at the residence of the deceased, in the city of Lawrence, K. T., a young man, named J. S. BROWN, aged about 20 years.

Money Wanted.

A GENTLEMAN wants a loan of \$500, to be repaid in two months, for which he will give the amount of the investment in gold and silver, and large interest. For information apply to the Editor of the Herald of Freedom. Lawrence, July 21, 1855.

Herring's Patent Chaffmill Fire-Proof Safes.

With HALL'S PATENT POWER-PANOR LOCK, which is the best in the world. It is a safe of the most perfect construction, and is fire-proof, burglar-proof, and theft-proof. It is the only safe in the world that is fire-proof, burglar-proof, and theft-proof.

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Lawrence, July 20, 1855.

Great Excitement in Lawrence!

Our City difficulties all settled! Our town is now upon a firm basis! All!

THE HERALD OF FREEDOM is an independent weekly newspaper, devoted to Freedom and the interests of Kansas Territory. It is published every week, except on the Sabbath, at \$3 per annum, strictly in advance. The Herald contains thirty-two columns of reading matter, and is published at a very superior quality, with new Scotch-made type, and the best of black ink, and is a subject of interest to all who are in the least mechanical acquaintance.

THE HERALD is thoroughly anti-slavery, and is published with the most scrupulous care, and is always independent, and will be almost indispensable, as it will abound with observations on the soil, climate, production, and general condition of the Territory. The information it will be furnished as to the different routes, distances, and cost of travel, and the various articles which the Herald offers, being with him his own home, will be invaluable, and richly remunerate the subscriber for the trouble of procuring it. The Herald is published at a very superior quality, with new Scotch-made type, and the best of black ink, and is a subject of interest to all who are in the least mechanical acquaintance.

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