THE KANSAS HERALD OF FREEDOM.

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For the Herald of Freedom.

Kaw Indians.

COUNCIL GROVE, Feb. 15th, 1858.

MR. EDITOR:—As the question of title to the lands immediately about this place, has become a topic of considerable interest to a large portion of our people, and as you have hitherto manifested, through your paper, a desire to aid us in defending our rights, at a meeting of the settlers, held Feb. 13th, 1858, I was instructed to forward to you the following documents for publication.

Yours, &c., J. H. PRITCHETT.

At a meeting of the settlers upon the so-called Kansas reserve, held at Council Grove, Jan. 27th, 1858, the following proceedings were had:

J. H. Pritchett was called to the chair, and S. C. Hill chosen Secretary. By request, A. J. Baker explained the object of the meeting to be, to take under consideration certain public documents received from the Hon. M. J. Parrott, our Delegate to Congress, in reference to the action of Government in regard to these lands. On motion, a committee of three was appointed by the Chair, to which the above named documents were referred, with instructions to consider, and report on the same at this meeting. Messrs. H. J. Espy, A. J. Baker and W. B. Harrell, were named as that committee. After a somewhat lengthy session the committee reported the following preamble and resolutions:

Whereas, From facts contained in the documents referred to us for our consideration and report, it appears that the department at Washington city admits that the location of the Kansas Indians is wrong, and not in accordance with solemn treaty stipulations; and whereas, it appears from the same facts that the settlers here have been most foully dealt with, by an evident attempt to deprive them of their homes, and to appropriate their hard-earned improvements to the use of a marauding and thieving tribe of Indians; therefore,

Resolved, That we, who have settled upon this so-called reserve, will never abandon our farms and claims until the highest judicial authority known in this Government shall decide against us; that we most solemnly protest against the unjust disposition made of these lands, at the suggestion of the Hon. G. W. Manypenny, in his report to the department of the Interior, May 9th, 1856, and would respectfully say that it is in direct contradiction of the treaty made with these Indians in 1846, and of all the maps and diagrams of the country, and exhibits, on the part of the Hon. ex-Commissioner, a reckless desire to crush out his fellow countrymen.

Resolved, That a committee of three be appointed to collect and embody facts in regard to the location of this reserve, its settlement by the whites, &c.; and that a copy of its report be submitted to the Hon. J. W. Denver, acting Governor of Kansas. Also, one to the Hon. M. J. Parrott, and one be kept in the hands of the committee for future reference.

Respectfully submitted.

H. J. ESPY,
W. B. HARRELL, } *Committee*
A. J. BAKER,

The report was received and adopted without discussion; and in accordance with the last resolution, H. J. Espy and A. J. Baker, together with the Chairman, J. H. Pritchett, were chosen by nomination as the committee contemplated. A motion to empower the same committee to call meetings of the settlers whenever deemed necessary, prevailed. On motion, a vote of thanks was returned to the Hon. M. J. Parrott, for important public documents. A motion to adjourn prevailed. Attest,

J. H. PRITCHETT, *Chairman.*
S. C. HILL, *Sec'y.*

Pursuant to a call of the committee, the settlers on the reserve met again on the 15th of Feb., and organized, by calling H. J. Espy to the chair and choosing J. H. Pritchett as Secretary. The committee on facts, &c., was called, and reported the following through J. H. Pritchett:

GENTLEMEN:—Your committee, appointed at your last meeting to collect and embody facts, &c., in regard to the so-called Kansas Reservation, have had the matter under investigation, and beg leave to submit the following report, to wit:—We find, by reference to public documents in our possession, that a treaty was made with the Kansas Indians by the U. S. Government, January 1846, by which said Government became possessed of lands amounting to two millions acres, and by the fifth article of that treaty, those Indians were located "*near the western boundary of the lands then ceded*," which boundary, we find to be about two degrees west longitude, and extending no farther south than latitude thirty-nine degrees. It has, moreover, been demonstrated, practically, that, in laying off the proposed Kansas Reservation, west of this boundary, the scarcity of timber, as contemplated in the treaty as an excuse for their location elsewhere, does not exist, but the timber is as plenty and of a superior quality to that of the present location. Hence we conclude that the treaty with these Indians, of January 1846, is conclusive in their location—that its conditions are fully met, and that no power, aside from our highest judicial tribunal, could so set aside its provisions as to locate those Indians elsewhere than "near the western boundary of the lands then ceded." Notwithstanding, we find that it is claimed by the Hon. G. W. Manypenny, late Commissioner of Indian Affairs, in his report to the Secretary of the Interior, dated May 9th, 1856, that these Indians were located by Maj. Cummins, the Kansas Indian Agent, acting under the instructions of the United States Government, July 17th, 1847, as follows:

"To commence at a point ten miles north of the trading house of Boon and Hamilton and the Government blacksmith shop, both of which are on the Council Grove Creek, at the crossing of the Santa Fe road; thence due west five miles, to corner; thence due south twenty miles, to corner; thence due east twenty miles, to corner; thence due north twenty miles, to corner; thence due west fifteen miles, to the place of beginning."

He further claims that, on the 18th of October, 1847, the Commissioner of Indian Affairs reported to the Secretary of War that the above location did not conflict with any other right; and that it was duly submitted to and approved by the President of the United States. Now, as we have already shown, this location conflicts with the provisions of the treaty of January, 1846, lying as it does, more than a degree too far south, and two degrees too far east. It also calls for almost half its extent within the boundary of the lands then owned by the Shawnee Indians, as admitted by G. W. Manypenny in his report of May 9th, 1856. Thus falsifying the statement of the Commissioner of Indian Affairs, in his report to the Secretary of War, October 18, 1847, before alluded to, however, we find that Agent Cummins was instructed by Superintendent Harvey, not to locate those Indians near the Santa Fe road, but to avoid it, in order to prevent collision with travelers along that route. Yet we find that the location as claimed at present, lies on both sides of this road, throughout its whole extent from east to west.

Hence, we deem this conclusion unavoidable, that if it be contended that this location was made in 1847, then it interfered with the rights of the Shawnees, whose title was not extinguished until 1854, which would of itself render the location null and void. Or if it was not confirmed until the survey of Montgomery in August, 1856, then it interfered with the individual rights of settlers who had settled upon this Shawnee land immediately on the extinguishment of the Indian title in 1854, which again renders it void. Farther, we find that this location disregards the report of Maj. Cummins, who states that there was, in his location, a strip of country lying between the Shawnee and Kansas tribes, at least two and a half miles in width. Also, his injunction to the Indians, as affirmed by them, "not to come within three miles of the Santa Fe road, on the south side," &c. It was also made contrary to the recommendation of Agent Montgomery, who was upon the ground and understood the facts of the case. He being cognizant of the rights of the whites here, refused to survey the land as ordered June 1855, and it was not until ordered the second time that he went on and fixed the boundaries, as they exist. The location as recommended by him at that time, would not have interfered with a single settler. Yet his advice was set aside, and that of a man, who knew nothing of the facts, or if he knew them, had not moral courage enough to present them in a proper light before the department, taken in its stead. And thus this swindle was palmed upon us.

These seem to be the facts in the location of this reserve. Thus the matter stands at present. There are about 400 or 500 white inhabitants now upon this location, who have invested capital to the amount of $200,000, which they feel unwilling to have sacrificed, merely to correct the blunders of careless public officers, or to gratify the whims of a roving band of savages.

Your committee would therefore recommend the adoption of the following:

Whereas, By a common-sense interpretation of the Kansas treaty of 1846—by the instructions given to, and the report of Maj. Cummins—by maps, charts, diagrams and other official guides, and above all, by the permission and advice of Agents Whitfield and Montgomery, we have located our pre-emption claims upon lands now claimed for the Kansas Indians; and, whereas, we have, "time and again," placed the facts before the Indian Bureau at Washington, yet without a redress of our grievances; therefore,

Resolved, That we are now doubly convinced of our legal rights here as preemptors, and that we are, more than ever, determined to maintain those rights.

Resolved, That though we do not feel disposed to resist the United States troops if sent to remove us, yet, we will seek redress for our grievances, in our courts of justice.

Resolved, That we rejoice at the prospect of a speedy adjustment of this affair, by a visit from the Hon. J. W. Denver, Ex-Officio Commissioner of Indian Affairs, and acting Governor of Kansas.

Resolved, That a copy of these facts and resolutions be presented to him on his arrival in our midst, and before he acts in the premises; and if our rights are still disregarded, that a copy of the same be forwarded to the Hon. M. J. Parrott, with a view to special legislation for our benefit, by Congress.

All of which is respectfully stbmitted.

H. J. ESPY,
A. J. BAKER, } *Committee.*
J. H. PRITCHETT.

The report was received and adopted.

After some miscellaneous discussion, on motion the following gentlemen were appointed to confer with Mr. Denver, on his arrival:—Messrs. J. H. Pritchett, A. J. Baker, and W. B. Harrell. On motion, the Secretary was requested to furnish a copy of the minutes of both meetings, for publication in the *Herald of Freedom*, published in Lawrence, K. T.

On motion, the meeting adjourned, subject to the call of the committee.

Attest. H. J. ESPY, Chairman.
J. H. PRITCHETT, Sec'y.

Read and Ponder.

Some of our old residenters may, perhaps, remember a notorious individual—H. Rives Pollard—who was for a time associated with a certain pro-slavery journal of this city. No man was more a villain than he. He, it was, who helped to tar and feather the noble Phillips, and no one could have been more in outraging and oppressing our citizens.

Well, this gentleman has received a consulship from His Excellency James Buchanan. This is Democracy! Every scoundrel and horse-thieve can get an office, while honest men stand no chance. Verily is our Government becoming sadly degenerate. God grant the people soon may wake to a realizing sense of this degredation, and rouse themselves for united action against those in power who are so recreant to every high and noble obligation.—*Leavenworth Times.*

☞ The accounts from the mountains represent the snow as very deep in that region, varying from four to six feet. This will give an abundance of water in the Kansas the coming season, for navigation purposes, and freights can be shipped with safety up the Kansas river, at moderate rates.

☞ The more tender and delicate the blossoms of joy, the purer must be the hand that culls them.

From the N. Y. Courier and Enquirer.

Henry A. Wise on the Lecompton Swindle.

We certainly are not among the admirers of the general character and career of Henry A. Wise. He has faults of temperament, and of intellectual discipline too, that positively preclude him from ever taking among the first order of American statesmen, and that will always render him, in some measure, an unsafe depositary of public responsibility. But notwithstanding, there is no denying that he possesses an intellect of great vigor and penetration, and that there is no public man South of the Potomac who equals him in personal force. What is rare among the public men of America, he has veritable genius; and, what is yet more rare, he has moral courage of the very highest stamp. We confess to an exalted degree of admiration for the stand he has taken in Virginia against the Lecompton Constitution. From the beginning he has displayed a sense of right upon the subject, and an intrepidity in maintaining it, that atone for a thousand errors in his previous political life. The Lecompton Constitution was no sooner adopted than he denounced it in the leading Democratic paper of Virginia as an imposition and a wrong; and from that day to this he has held to that judgment, and vindicated it with unfaltering spirit, in the face of the public men and the public journals of Virginia, arrayed in one solid phalanx against him. He has only gathered strength and determination from the tremendous odds; and the very hardest blow he has yet dealt upon the iniquity, he has just dealt in the letter to the Anti-Lecompton Democratic Convention in Philadelphia. Considering that Governor Wise was, at the commencement, more closely in the favor of Mr. Buchanan than any other man in the country, and that he was also the acknowledged chief of the Southern Democracy and the peculiar favorite of his native State, his refusal to join in the conspiracy against the Free State men of Kansas, and his declaration of war against the whole policy of his party, was conduct of a really heroic cast. It is impossible not to respect such dauntless independence.

We have already given by telegraph an outline of this last letter of Gov. Wise, but an outline too meagre to afford any just idea of its real scope. The letter is of great length, and deserves to have its more salient points distinctly presented. The Governor commences with an allusion to his past devotion to Mr. Buchanan. He says:

"For the last seventeen years I have been advocating the name of James Buchanan for the Presidency; for more than twenty years I have been his warm, personal friend; and I am as responsible, perhaps, as any other man in the United States for his election, and as deeply anxious as any other person that his Administration shall be successful, and, above all, be worthy of confidence and respect. Our personal relations are as nothing compared to the importance of supporting his Administration on questions of mere expediency, and where it is based in its action on moral and legal right. But personal and administrative relations combined are as nothing, on the other hand, compared with the great fundamental, moral, and political principles involved in the issues now presented to the country in the question of admitting Kansas under the Constitution now presented *as the act and the deed of her people, and as an instrument Republican in form.*"

The Governor states the issue now before Congress to be as follows:

"1st. Is the Lecompton Constitution the act and deed of the people of Kansas?

"2d. Is it Republican in form?"

He says:

"These are the only two essential issues to be tried. And with a view to a full, fair, and friendly verdict as to the fact, and judgment as to the law of the case, I have carefully, patiently, and repeatedly read the President's Message of the 2d inst., in which he recommends the speedy approval by Congress of the Lecompton Constitution, and the reception of Kansas under it, as a State into the Union. I regret to say that the earnest, honest convictions of my mind constrain me to differ from the President of my choice, and to declare that I cannot endorse the Lecompton Constitution as the act and deed of the sovereign people whose act and deed it professes to be, and that I protest against the mode in which it was pretended to be submitted to the people, as anti-Republican and oppressive, and offensive to the self-respect and moral sense of a free people.

"These convictions of mine have been deliberately formed, and I mean calmly to maintain them, reasoning with friends, and not backing from foes, though I stand alone against a host. I propose a rapid review of the Message of the President, but before doing so it is proper to recur to antecedent facts which settled certain points of principle which are now the test and truth of argument in the case."

The writer then goes on to argue that the Kansas-Nebraska act established the principle of *non-intervention* by Congress with slavery in the States and Territories, and guaranteed to the people of Territories popular sovereignty and self-governwent. He grants that this sovereignty must be *exercised* by representative bodies; but maintains that it is essentially inseperable from the will of the people, and that the Lecompton Convention was bound to submit its work to the confirmation of the people, unless the people themselves had first *expressly* relieved them of this obligation. He considers that the Convention itself recognized this necessity by submitting as they did, a part of the Constitution to the popular vote; but he contends that this submission, in being partial, was wholly inadequate and nugatory. He says:

"The whole was not fairly submitted. One thousand voters went to the polls: nine hundred and ninety-nine might desire to vote against the Constitution, and one for it; the one would be counted, and the nine hundred and ninety-nine would not be counted.

"The part as to slavery, which was submitted for alternate voting, for and against, was not fairly submitted. One thousand pro-slavery men might go to the polls, desiring to vote for slavery, but against the Constitution; their votes could not be counted, and *one* freesoiler, who voted for the Constitution and against slavery, would be counted, and overcome the nine hundred and ninety-nine. It is idle to say that this was as fair for the one side as the other; for, though this be equally true as to the nine hundred and ninety-nine freesoil voters against the one pro-slavery voter, yet this would only prove the case to be one of a double instead of a single injustice. It proves only it was wrong, injuriously affecting both sides and the whole people, and not a party only.

"The truth is, there was obviously a sinister and anti-Republican purpose in thus giving an unfair election as to a part, coupled with no election as to the whole. It was to force the people to adopt the Constitution framed by the Convention. No man was allowed to vote *for* slavery who did not also vote for the Constitution; and no man was allowed to vote against slavery who did not vote for the Constitution. He might reject slavery or adopt it, provided he would vote for the Constitution; and if he voted against the Constitution, his vote for or against slavery was not allowed to be counted."

He takes strong grounds against the schedule on another point—its requirement of a test oath as a condition of the right to vote. He denounces this in the most emphatic terms as anti-republican. We quote:

"Now behold an honest, peaceful, law-abiding citizen approaching the polls in Kansas under this schedule; I imagine myself an ultra Southern slaveholder put to the ordeal of a challenge under this clause of the schedule; I am anxious, very anxious, to record my vote for my right to hold the chief part of the little property I own; I am told that I have the right, by the grant of the high Lecompton Convention, to vote for or against property in slaves; I approach the polls to exercise the right; I am challenged; the Bible is held out to me to swear first to "support the Constitution of the United States;" I ask why impose on me that oath; I urge that the obligation is binding on me without the oath—that I love and obey the Constitution of the United States, and that it is made the supreme law of the land, binding of itself—but being willing to support that instrument, and anxious to vote for my property, I assent to swear to support it. But I am told I must, in the second place, swear also to support the Lecompton "Constitution, if adopted, under the penalties of perjury under the territorial laws." I redden into wrath under the insult of an oath tendered to a freeman at the polls—*to support a Constitution, if adopted, before its adoption!* I denounce the obstacle of my freedom of election. It is in vain; I must take it, or leave my property unprotected. I suppose—the supposition is almost intolerable—I take the oath; I am then, and then only, granted the privilege of voting. I vote *for slavery, but against the Constitution. I am then told that my vote cannot be counted, yet I am sworn to support, if adopted, what I have voted against!* Stung by insult, and then disfranchised. I go away maddened to violence by injustice, inequality, and insult added to injury! Is that my act and deed? Is that republican? If Caligula was a tyrant for posting laws too high to be read by the Roman people, what does this deserve to be called, which puts the whole and a part together, so that a minority *for* of the whole may prevail over a majority for or against the part? Is it not the very hocus-pocus and legerdemain of keeping the promise to the ear of the people and breaking it to their hopes? *I tell you that no proud, free people will stand insult and outrage like this, and such despotism is enough to drive peaceful and good citizens to violence for a redress of grievances.*

* * * * * * * *

Why hold the people responsible for not attending the polls, when, if they had attended them, they were not allowed to vote but in one way, not all allowed to vote their own way, and the minority of one was given the majority of one over a thousand? Do you call this *election?* Election has which of the *two* "at least to choose." But here there was no alternative, but in respect to slavery, and that was not allowed unless you voted the one way on the Constitution. *Such monstrous injustice and inequality never offended the moral sense of freemen before in this country.* I cannot agree with the President, therefore, when he says:—"It is impossible that any people could have proceeded with more regularity in the formation of a Constitution than the people of Kansas have done." The people of Kansas have not been allowed to hold a fair, free, and full election at all, though the whole Constitution was pretended to be submitted to them. No, not upon the part which the President says was alone submitted to them."

Gov. Wise thus argues that the acceptance and confirmation of the Lecompton Constitution by Congress, would be a violation of the principles of popular sovereignty consecrated by the organic law of the Territory. He then notices the President's argument of expediency:

"We are told that it is *incepdient* to raise this question at all; that expediency requires Congress to decide the question. When was it morally determined that the policy of this nation should be governed by expediency rather than by justice or right? But what right has Congress to set up its decrees of expediency over and above the sovereign rights of a people to free and fair election? Is expediency to be carried so far as to allow Congress to intervene so as to act its will over the rights of the people of Kansas, or to substitute its will for theirs, and to give a minority Constitution to a majority? This would be intervention with a vengeance, in the teeth of non-intervention, so much exclaimed for by those who advocate this Constitution!"

He asserts that the argument of expediency is not only illegitimate, but that it is untrue:

"By authenticating this instrument by the arbitrary intervention of Congress, every sort of question of vested right and of bounded sovereignty would arise. By leaving the people perfectly free to elect their own form of government in their own way, without fear, force, fraud, or intervention, those issues and worse would be avoided. *The agitation in Kansas would be intense, to adopt this Lecompton instrument, and the excitement there would be roused in a new and more fearful form than ever, and remain still in Congress, the Cabinet, and the country universally.*"

He closes his letter with this line of thought, and uses language of remarkable emphasis. We do not understand how a Southern man of any patriotism, or any sense of right, can resist an appeal like the following:

"We have proudly, heretofore, contended only for equality and justice; but if this be wantonly done, without winning a stake—the power of a slave State thereby—it will be worse than vain. It will be snatched power *per fas aut nefas*, to be lost "speedily" with the loss of something of far more worth than political votes—*our moral prestige.* If we are not willing to do justice, we can't ask for justice; if we can't agree to equality, we must expect to be denied it. It is our bull goring the anti-Slavery ox. Suppose we had had a majority of slaveholders in that Territory; suppose a majority of abolitionists had gotten the census and registay in their hands, and had kept fifteen out of thirty-four counties out of the Convention; suppose they had formed a Constitution with a clause prohibiting slavery, and had sent it to Congress without submitting it to a majority of the legal voters; or suppose they had submitted all parts of the Constitution to the popular vote, *except the one* clause prohibiting slavery, knowing it would be voted down if submitted to the majority of the people; suppose such a "boot on the other leg" had been submitted to Congress, and we had then heard the absoluteness of a Convention contended for by Black Republicans, demanding of Congress to sustain the doctrine of *'legitimacy,' I tell you that every Southern man would have been in arms and would be roused to the shedding of blood, rather than to submit to Congress fastening upon a majority of pro-slavery people an arbitrary rescript of a mere Convention, authorized to proclaim its Constitution without an express grant.* This is the same principle accompanied by trickery and fraud. 'We are willing to do unto others as we would have them do unto us.' The Southern people ask for no injustice, no inequality.

"We are told that 'prompt admission' of Kansas as a State will end the agitation in Congress and localize it in Kansas. What is the Kansas question? Is it local to Kansas? No. It never can be local again. It has pervaded all places and all classes in our country. Let Congress endorse this schedule of legerdemain, let the South insist on it, let the Northern Democracy be required to consent to the injustice, and the precedent becomes of universal application and citation against us for all time. Not only will the example plead, but it will be a plea in continuous cases of similar import and danger, rising successively as long as our vast Territories to the Pacific shall be filling up. It comes up again and again, every year, from Territories extending from the Mesilla Valley to Dacotah.—Flatter not yourselves, then, that any mode of adjustment will do because it is the 'speediest' for Kansas. *It is all essential that the settlement shall be just, and right and equal.* If not, it is sure to be mischievous to that party which has snatched power without right, and done wrong that good may come of it. To do justice is always the best policy. If all would 'demand only what is right and submit to nothing that is wrong,' injustice and oppression could never be perpetrated or tolerated. The ulterior effects of adopting the Lecompton Constitution, with its schedule annexed, will be worse than referring back the question to the Territorial decision. It will arraign this Administration and the Democracy and the South for demanding more than is right, and for forcing resistance to wrong. It will be jagging the lion of a majority whilst the hand of a minority is in its mouth. It will return the chalice to our own lips when the Kansas question again and again arises in North Texas, New Mexico, in Mesilla Valley, and in all our boundless domain of unsettled and fast settling Territory. It will drive from us thousands of honest Democrats in the North, who can willingly stand by us for justice and equality, but who must leave us when we demand more and refuse justice and equality to others."

Governor Wise confines himself to the case as it stands on the record, and does not go behind into any exposition of the enormous frauds. Had he done this, he would have made his position all the stronger. He touches upon some points in which we differ from him altogether, but they are of an incidental character, not at all necessary to the establishment of his main argument. We can overlook all these exterior topics, and accord to the letter, as a whole, our hearty commendation. It is an utterance that every Southern man ought to give ear to—a protestation that should cause the Federal Administration to hang its head for shame.

Later from the Army.

The Salt Lake Mail, under charge of Mr. Deaver, reached here on the evening of the 15th, bringing intelligence from Camp Scott as late as the 3d of January.

The mail party met with much interruption from snow. After reaching the Sweet water, its average depth was from four to six feet until they reached Fort Laramie. From Laramie to Fort Kearney and to the waters of Big Blue, snow storms still delayed them very much. At Big Blue the ice on the stream was not strong enough to bear up the animals and vehicles, and it was not until after repeated attempts to cross that they were able to get over. Two days' time was lost at that point. Take it all in all, the trip has proved one thing—that energy and perseverance will enable the right kind of men to cross the prairies at any season of the year. Messrs. Miles and Jones deserve credit for their efforts in pushing forward their mails (both in and out) as news to and from the direction of Great Salt Lake is very interesting just now to parties at either end of the route.

The troops at Camp Scott are quietly engaged in camp duties, awaiting means of transportation and the return of Spring to go forward into active service. Information from some Mormon prisoners and Utah Indians, makes it pretty certain that the Mormon battalions are determined to give Col. Johnson a round or two before yielding their ground. They are drilling daily and throwing all sorts of impediments in the traveled routes; and if Col. Johnson attempts to go into the Valley by the usual roads, he will find great difficulty, and, perhaps, serious loss of men.

Many Cheyenne and other tribes of Indians were met at different points on the road by the mail party; but they were very peaceable, and disposed, as they said, to remain so with the United States.—*Independent Messenger.*

☞ Some of the farmers in Michigan have been making maple sugar this month, sap flowing very freely.

Important to Immigrants.

Spring Hill, in Johnson county, twenty-eight miles south of Quindaro, twelve miles west of the Missouri line, and twenty-eight miles east of Lawrence, is surrounded by the finest region of land in Kansas, and one that is destined to be very densely populated at an early day.

"Spring Hill" receives its name from an unfailing Spring of excellent water, upon the town site. This spring has long been known to the Indians, and during the unprecedented drought of last Summer supplied *twelve families* with water, without any visible diminution.

The town-site is one of the most beautiful in the Territory. It is situated on an eminence which commands a fine view of the surrounding country for eight or ten miles in every direction. The great road from the mouth of the Kansas river to the Neosho country, and the whole rich region in Southern Kansas, passes directly through it. A line of hacks over this route, and another connecting Spring Hill with Lawrence, will be established upon the opening of navigation.

There are few towns which combine so many natural advantages. The best of timber is growing in a large body within half a mile of the town site. One saw-mill within four miles, and three others within eight miles, supply good lumber at from $20 to $25 per thousand. Limestone and sand-stone (both excellent qualities for building purposes) and sand, for mortar, are found in abundance, on the town site. A vein of coal, which is believed to connect with a prolific mine, has been discovered in the vicinity.

Spring Hill is not a mere paper speculation, but is owned by a *live* company nearly all of whom reside on the town-site. They have erected a two-story hotel, forty feet by thirty-two, which is being finished and furnished at a total expense of five thousand dollars. A church and school-house are also in course of erection; three new stores are contracted for, to be built and stocked with goods immediately upon the opening of spring; and arrangements are being made for the early erection of an Episcopal church, and several other buildings at an early day. A Post Office is already established and in operation (J. B. Hovey, Esq., Postmaster,) and a free school will be commenced early in March. A weekly newspaper will be established during the season.

The adjoining country is being rapidly settled. Respectable men (especially those with families) who wish to go to farming—will be supplied with good claims in the vicinity, free of expense, by applying to the proprietors of the town. Mechanics of every description, and all other persons who wish to settle in a thriving village, and establish permanent homes, will find liberal inducements to do so, in Spring Hill.

The whole surrounding country is within thirty miles of the junction of the Kansas and Missouri rivers, where all concede that a great city is about to spring up. It will therefore always be convenient to a cash market. Similar unimproved land a few miles east of it, in Missouri, already commands from $10 to $20 per acre; and when this has a settler upon every quarter section (as it will in a short time) it will be worth higher prices, though the pre-emptors will secure it at the Government rate of a dollar and a quarter per acre.

Persons wishing any further information in regard to the town and adjoining country, will do well to address the Postmaster, Spring Hill, Johnson Co., K. T.—*Quindaro Chindowan.*

Revealed Democracy.

The Commissioners appointed by the Territorial Legislature to ferret out election frauds are still briskly at work, and are daily meeting with success. One day last week Deputy Marshal E. S. Willett, accompanied by "Preacher Stewart" and "Constable Walker," undertook to subpoena some witnesses near Olathe, Johnson county, to give testimony in a fraud case, but were met with resistance, and that of too strong a nature for them to cope with. Marshal Willett returned to Lawrence and received a dispatch from Col. Abbott, of the Commissioners' Court, directed to Captain Willett, of this place, ordering him to proceed to Olathe with his company—the Prairie City Guards—and assist the Marshal to arrest the witnesses, and escort them to Lawrence.—Capt. Willett received the order, and on Thursday morning the Prairie City Guards pushed out for the designated place.—They were out most of the time during four of the stormiest and coldest days we have experienced this season, and succeeded in arresting five men, whom they took to Lawrence, in compliance with orders. From one of the arrested men, the commissioners gleaned the testimony that he was one of the clerks of the election held at Shawneetown, where about one hundred and sixty legal votes were polled, and that on the day succeeding that of the election the poll books were taken to Westport, where was added nearly *eight hundred* more names. Were we not accustomed to this manner of doing business we would hold up our hands in pious horror; but now nothing would induce us to do anything of the latter kind but the experience of *one* fair election.

We would here take occasion to speak a favorable word for the Prairie City Guards. This company is comprised of thirty as brave, patriotic and enthusiastic young men as can be found in Kansas Territory, ever ready to respond to the call for aid in any quarter where the services of fighting man are required to maintain the rights of freemen. On five or six occasions during the present Winter have they volunteered their services gratuitously to the Free State forces in the field, and under the charge of their gallant commander—Capt. O. P. Willett—have won and maintained a good reputation—one worthy of the place of their residence. As a citizen of Prairie City, we feel proud of our chivalric "boys."—*Prairie City Champion.*

☞ A large gang of hands is now engaged in framing the timber for the Hotel now going up in this place. Work on the Public Hall is also progressing. A steam saw mill is also being pushed forward rapidly, and will be in operation in some four weeks. It will have a sash saw for cutting lumber, and circulars for lath and shingles. Building of all kinds will be urged on as fast as lumber and the weather will permit.—*Minneola Leader.*

Cincinnati has a population of 244,090—an increase of 87,000 in ten years.

The Territorial Legislature.

Indiscriminate praise and wholesale censure are alike injudicious. We may say or do things in a moment of excitement, which in a cooler hour we would be first to condemn. But abuse which does not stop short of utter condamnation, or applause which has no bound, will hardly mislead men, even when blinded partially by feeling, or passion. So we must let those go who run thus to extremes over the last Legislature, and talk with others less violent or ultra.

It is easy to find fault—nothing so easy. It is to forget the difficulties which beset men, and herald their short-comings.

But just, or even well disposed minds will gladly put aside the croaker, and as gladly consider whatever should help them to form a correct judgment. In this spirit, let us speak of our last Legislature.

1. Its position was novel, and its members were inexperienced. They had to cut their way over an untrodden field to them.

That they should lose their path sometimes, or stray out of a true line was to be expected. That they did so occasionally, they themselves would be the first to admit. But the wonder with us is, not that they committed so many, but so few blunders. Had the session lasted a fortnight longer, they would have done up their work well. Experience had taught them the right way, and that they would have trod.

2. These natural difficulties were greatly increased, because the Legislature had the work of three years to accomplish in forty days. Bear in mind that our citizens have had no opportunity in all this time, to secure their rights. Bear in mind, also, that every member had his hands full to look after and get bills through which pertained to localities and individuals, whom he represented. The press of necessary local and private business was very large, and gave members little leisure for deliberation, or that cool systematic conduct which secures promptness and safe legislation.

The error committed by the members, was in not passing at once a few safe *general* laws which would enable towns, cities, townships, counties &c., to do whatever properly belongs to them. A Legislature need have nothing to do, and should have nothing to do, with these matters. It saves a deal of time, cuts off one serious source of corruption, stops an infinite variety of wrangling, and allows members to attend to the business of the State or Territory as it should be attended to, well and promptly. It needs only *system* to avoid all the errors committed in a certain way, by the Legislature. We trust this system will be secured hereafter.

One other point remains, and that concerns the people, as well as the integrity and character of the Territory. The best of revolutions bring with them demoralizing tendencies. We have not escaped in Kansas. The long and hard struggle we have had, the severe sufferings, the frauds and speculations, so rife among us, the sharp personal conflicts and hard party strife—these and other causes have produced a laxness of action and a looseness of principle which must be overcome as speedily as we can. Our best men should be selected for office. The people, (every voter among them,) should eschew mere excitement, all hurry and party excess, and see to it, that their voice goes directly and *certainly* for honest legislation. In this way, and by these means, the demoralizing effects of revolution will speedily disappear, the corruption which threaten to eat into the body politic be cut out or cured, and the future of our Territory made glorious by a free and virtuous people and a government and laws alike humanitarian and just.—*Leavenworth Times.*

Entering Town Sites.

The following correspondence will show that the act of the last Legislature of the Territory, designating the County Commissioners as the proper persons to enter Town sites, is not recognized by the Commissioner of the Land Office.

It is a question of doubt whether the Judges of Probate, or the United States Judges, can be regarded as "Judges of the County Court." As soon as doubt is removed, notice will be given. In the mean time no entering of towns not incorporated can be made.

A copy of the act of the last Legislature will be placed in the hands of the Commissioner, and, under the circumstances the entries already made may be confirmed.

JOHN A. PARKER, Register.
Land Office, May 19th, 1857.

EXTRACT OF A LETTER TO THE COMMISSIONER OF THE LAND OFFICE, DATED

LAND OFFICE,
OMAHA, April 15, 1857.

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Under the "act of twenty-third May, 1844," the "Judges of the County Court" are given the authority to enter "Town Sites." In this Territory there are no such officers as "Judges of the County Court," but the Legislature has recognized the "County commissioners" as the proper persons to enter "Town Sites," and we have, in view of the spirit of the law, permitted such entries, in the hope that it will meet the approbation of the Department. Very respectfully,

Your obedient servant,
JOHN A. PARKER, Register.

—*Nebraska Exchange.*

Singular Cave.

A cave, decidedly novel in shape, has just been discovered in the town of Spring Hill, Johnson county, Kansas. It is almost perfectly *cylindrical* in form, being some seven feet in diameter, and eight or ten deep. Its walls are of lime stone, and the roof is covered by a smooth beautiful slab of the same material. There is a small passage leading from it, not yet explored, but which is supposed to communicate with other chambers.

This singular cave seems to have been worn out of the solid rock, by a stream of water. The entrance to it is through a small angular aperture, barely large enough to admit the body of a man. It is in the open prairie, upon an eminence commanding a view of the country for miles around. It is surrounded by the finest tract of land in Kansas, and is situated upon one of the most beautiful town sites in the Union.—*Quindaro Chindowan.*

☞ The Leavenworth *Times* has started a *Daily*. Success to it.

For the Herald of Freedom

Letter from Louisville.

LOUISVILLE, KY., Feb. 9th, 1858.

EDITOR HERALD OF FREEDOM—DEAR SIR:—Having read several numbers of your most excellent paper, which has given me a great insight to the affairs of Kansas, from its earliest settlement down to the present time, a period through which its hardy settlers have passed through some of the most eventful struggles in the history of our country and nation, and stirring events having transpired within the last few years in that Territory, that must ever remain an interesting part in the history of this Republic, I am anxious to follow that history still farther into the unrevealed future of her own destiny, so closely allied to the interests of every true lover of his country, who cannot be an idle looker-on in that great struggle for human liberty in this boasted land of freedom, and I know of no better way to possess myself of that future history, and of the daily progress made by that band of pioneers in the cause of liberty and justice, than by becoming a regular subscriber to your valuable paper.

I therefore enclose to you two dollars, wishing you to send me all the back numbers commencing with this year.

Kansas has long been the all absorbing subject that has enlisted the interest and discussion of the entire country, and is now one which is dividing political parties and arraying sectional jealousies, which has grown into hostile feelings well calculated to alarm every true patriot of the land, and to those but little accustomed to look to the honest success of the country to sustain our republican institutions, the present horizon looks fearfully threatening and full of impending danger; but to the calm thinker, who reflects upon the great moral power in the hands of an honest people that wields its mighty influence over the political demagogues of our country, and holds in check their reckless schemes, there is nothing to fear, and the sky is full of sunshine and hope while the rainbow of promise spans our beloved land. There is but one great principle now at issue before the country to be settled, as regards this Kansas question, and that is the principle of *right* and *justice*, as contended for by the settlers of Kansas, to have the *power* and the *liberty* of "regulating their own institutions in their own way," as promised them by the provisions of the Kansas-Nebraska bill, and these rights will not be withheld from them. Notwithstanding powerful efforts are being made by our unscrupulous Administration to deprive them of their rights, and backed up by reckless politicians both North and South in their selfish endeavors to promote their own aggrandizement at the expense of every principle of justice to those who had been promised protection at their hands.

A day of settlement is near at hand between these miserable tricksters who have violated every pledge they made to the people of Kansas, and to an honest constituency, who have been cheated and swindled by their representatives in Congress, and many of them will find their accounts made, the balance truck, when they return home to find themselves consigned to a traitor's grave covered with the indignation of their peers, who will erect a tomb to their worthless memories, that will tell to future generations the true positions these traitors to human liberty occupied before an outraged people.

As regards the people of the South, their position upon this question may be summed up in a very few words. While there was a question at issue as to their right of settling the Territory with their slaves in common with the people of the North, all holding the Territory in one common band of the Union, and based upon the principle of equal rights to our Territorial lands to all sections of the States; they of the South were unwilling to yield this right, and while that was the issue, the South were undivided upon that principle; but time has proven that the institution of slavery has been shut out of Kansas by the laws of nature, and the South now readily admit this fact, and have long ceased to clamor for any advantages that might arise by the establishment in Kansas of that "peculiar institution." The people of the South now only ask that the great principle of States' rights may be carried out in good faith with the people of Kansas, and fulfilling the pledges contained in the Kansas-Nebraska bill as promised therein. H.

Pat Laughlin.

This is the name of a notorious ruffian, who took part in the Kansas troubles, and murdered a Free State man. He at one time published a wonderful string of stuff, purporting to be an exposition of a secret society of Free State men, bound together to do certain terrible things. Latterly he has been keeping a doggery at Doniphan. A few days since the citizens of that place collected together, entered his establishment, carried the contents into the street, and burnt them. This was a wrong move—they should have burnt Laughlin instead of his property. Every man who has committed murder during the Kansas troubles, should be put out of his misery; and the signs of the times indicate that this work has commenced. All peaceable men, of any party whatever, should be unmolested and treated respectfully.—Many joined in the war who did not commit any very wicked act; and many who did so, are now heartily ashamed of it.—But any one who committed murder, or aided or abetted it, deserves no mercy.—*White Cloud Chief.*