KANSAS.

IMPORTANT.

Special Correspondence of The N. Y. Tribune.

LAWRENCE, K. T., Sept. 15, 1857.

I have just learned that Gov. Walker has returned, after having received dispatches and instructions from Washington of a most objectionable kind to the Free-State men. The army is to be quartered in the different parts of Kansas. The bogus regulations and bogus officers are to be cheered up by it to do whatever they see fit. They are to determine how the election shall be held, under the law, and all its requirements will be maintained by the army.

Gov. Walker is reported as being in good spirits, with the power thus intrusted to him. It is thought that the Free-State men are fully committed, and the design is now to catch them in the trap. Let Henry Wilson, and those outside of the Territory who, like him, have used their power to make the Free-State party deviate from its established policy, ponder well the responsibility they have incurred. Those in the Territory who had not nerve enough to resist the encroachments of that policy, have saddled no common train of evils on the Territory. The apparently conservative course was really the most dangerous and fatal to a peaceable adjustment of the question.

A SECOND DANIEL COME TO JUDGMENT.

Special Correspondence of The N. Y. Tribune.

LAWRENCE, K. T., Sept. 15, 1857.

I mentioned, a few days ago, that the very erudite and patriotic Attorney-General had taken the bogus election-law under his judicial wing, and demonstrated that the tax qualification, and other pre-requisites for voting, were not repealed. Let me subjoin a few extracts from the profound correspondence in which so much legal knowledge was embodied. The following letter from the elegant Sheriff Butcher and other Border Ruffians of that ilk called it out:

"DOUGLAS CO., K. T., Aug. 26, 1857.

"MR. WM. WEER, esq., District Attorney:

"DEAR SIR: Various opinions exist in the minds of the citizens of Kansas in regard to the repeal of the tax qualification for voters at the October election. We the undersigned, as well as many others, respectfully request you to give your opinion at length on this subject, with such authorities as you may think proper, and by complying with the above request you will confer a great favor.

"Yours, with respect,

"W. S. WELLS, THOS. B. SYKES, H. BUTCHER, WM. BARNES, S. O. REID, B. F. NEWSON."

The Attorney-General lays down the law after the most orthodox pattern, of which this is a sample:

"Now, to ascertain if the Legislature intended by this later act to repeal the former one, we must examine the act itself by the aid of the rules of construction adopted by the Courts, and by a consideration of acts *in pari materia*, or upon a 'similar matter.' Erwin vs. Moore, 15 Geo. 341—State vs. Garthwaite, 3 Zabe. 143—Riddick vs. Walsh, 15 Mis. 519."

The force of the above upon Butcher and his talented associates, may be imagined. I think it is possible that some of them can read English, although I have no idea that they are addicted to any such *fanatical* habit.

The Attorney, who doubtless thought it a fine opportunity to advertise his eminent legal attainments, makes his readers wade through a precious two columns of such stuff, as published in Walker's Lecompton organ. He then deduces as follows:

"I have thus presented to you well grounded rules of construction to be applied to these apparently conflicting statutes. Authorities are cited to sustain them, to the extent of being obnoxious to the charge of ostentation, for these rules are 'household words' to the legal profession. When applied to the matter before us (and it is only by the rigid application of these standards, fixed by the highest tribunals of the country, that we can establish the true meaning of a law, if not to every one's satisfaction, at least to every one's obligation to obey)—I say, when applied, they sustain the view that the tax qualification is not repealed."

But he does not content himself by merely stating it, he makes an argument for it, and not only for the property tax, but for the poll tax. He says:

"The revenue law requires the payment of a poll tax of 50 cents. Hundreds of persons are liable to this tax who have no property to make it out of. How is this to be collected except by making its payment the necessary preliminary to voting? Who will pretend that the Legislature, conscious as it was of a depleted treasury, intended to deprive the Government of the power and means of enforcing the collection of so valuable a branch of its revenue."

The learned Attorney is not only erudite and argumentative, but "indifferent." Hear him:

"I am aware, gentlemen, that to those who entertain these views, will be imputed a design to deprive certain persons of the right of voting. To this charge I am perfectly indifferent, shielded by conscious innocence. But one thing I am free to admit, that is a desire to see the procurement by any legal means of a revenue for this Territory. Our condition is deplorable. The arm of the Government is powerless to protect property—to prevent or punish crime. We have no jails, no court-houses, no roads, no bridges, no means of paying officers to serve writs, or jailors for keeping criminals."

But he alludes to another little fact, namely, that the Sheriff must attend at the polls:

"Again, section 13 of the first election law requires the Sheriff to attend the polls and collect taxes. This is nowhere repealed. Not being repealed, the last Legislature of course intended that he should continue to attend the polls. Why require him to attend polls and collect taxes, unless they meant the payment of such taxes as the necessary qualification of a voter? They did not simply mean the polls as the place of collecting taxes, because they would confine tax paying to voters and besides, in the revenue law they authorized the Sheriff to visit places of abode to collect. On the contrary, his attendance at the polls is required as a means of enabling every one to vote, that none may lose their franchise by the failure of the Sheriff to have previously collected the taxes."

The *necessity* of the Sheriff being at the polls, so as to "*enable* every one to vote," is refreshing.

He alludes to other points in closing his argument:

"Section 11 of the election law also disqualifies persons who have violated the Fugitive Slave Law and soldiers in the regular army. Now, if the so-called Repealing Act of 1857 abolishes every qualification theretofore required, and makes no qualification but a six months' residence, then felons, pests from the penitentiary, convicted of perjury and other infamous crimes, may vote; soldiers of the army, stationed at the forts, may control your elections. Does any candid mind believe the Legislature intended this state of things? Yet, if the act referred to is to be understood as a repeal by implication, it repeals not only the tax qualification, but every other one not expressly named in its body. So monstrous a result the Legislature certainly never intended."

The whole matter being thus rendered clear to bogus comprehension, the great lawgiver concludes his *decision* by the usual winding up of Border-Ruffian proclamations and documents—an appeal to the Supreme Being. Let us humbly thank Providence and the President for having vouchsafed us a prosecuting Attorney.

ITEMS OF NEWS.

Special Correspondence of The N. Y. Tribune.

LAWRENCE, K. T., Sept. 15, 1857.

Gov. Walker returned last night. He stopped several hours in town, conversing with some of his particular friends, and then started for Lecompton. He had no military escort, and no attendant of any kind. It was alleged that he had succeeded in getting an answer from Washington to his dispatch. Others think that he went on a spree and returned when he got sober.

The Constitutional delegates have all left Lecompton. Since Saturday evening that burg has been unusually quiet and deserted. The business at the Land Office barely keeps up its pulse of business life.

The Free-State men have nominated county officers in some half a dozen of the counties in the Territory. The persons nominated are chiefly from among those who have been most anxious to go into the election. The others keep away from the primary meetings and conventions. The latter feel that the whole thing is foolish as well as disgraceful, and I fear a large number will utterly refuse to participate. Indeed, unless there is a very marked change in popular sentiment before the election, a majority of the people in this section will not go near the polls. This is to be regretted, but I do not think it will make the slightest difference in the result. The *election* is a foregone conclusion with the Pro-Slavery men who control it. It is certain that the tax qualification will either be enforced before voting, or that the names of those who vote, who have not paid the tax, will be erased afterward by the County Judges. In many places the Pro-Slavery men deem it advisable to allow all to vote who may present themselves, and merely expunge the names from the list afterward. This is the most dangerous course they could pursue, as many of the Free-State men may suppose they have been victorious until some time after the election is over. It is perfectly useless to urge the Free-State men to pay the bogus taxes. So intensely do they hate the usurpation that they will not pay them.

A considerable number of Free-State speakers are on the stump, but not one half of the number that took it in favor of the Topeka Constitution. The only argument that honorable men can use (who have taken another position), is that it is better for all the party to go together and to carry out the decision of the Grassnopper Convention as far as possible. This may ultimately have its weight, and perhaps would have more but for the knowledge that going into a bogus election is fooling away time.

It is but just to state that the military organization for the protection of the ballot-box is by no means in as efficient a condition as has been represented. Neither is there any preparation or design to carry the elections by violence. It is quite likely that there may be skirmishing and violence at several polls—that is, at the places where a band of Missourians come to control the election, and where the people have spunk enough to resist them. Since the Grassoopper Falls Convention, the military organization has sickened. Those who have been most anxious to go into the election, want to go in under *all* the bogus regulations, so that there would be no excuse for bogus officers to throw out their votes. These persisted in being oblivious to the fact that those regulations were framed expressly for the purpose of *preventing a fair election*, and are amply adequate to such a purpose. The more radical men would, perhaps, have gone into the election under similar regulations as governed the first election under the organic act, and seen to it that such regulations and such *alone*, were enforced. When they understood that a different policy was determined on, they thought the military organization a farce. If Missourians come straggling in singly, or in small parties and the troops are there to guard the polls, they wil be allowed to vote by the bogus Judges, of course. If they come in large armed bands to any point, it is probable there will be a fight.

NO INVASION—A STATEMENT FROM THOSE WHO KNOW.

Recently a couple of members of the bogus delegate Convention were returning from Lecompton. They fell into conversation with an intelligent Free-State man who was riding for some distance in the same direction. The delegates were in exuberant spirits, and exulting over the prospect. Their party would surely triumph, and accomplish everything. The gentleman suggested that it would be by Missouri votes. Against this they both very gravely protested.

"The days of invasion are over," said one, with a solemn shake of the head. "Now," he added, "I want to correct that impression. I know it will be raised just to make out that the election will not be a legal one. That's the infernal thing of it. But Missouri will let Kansas alone. I know it. I speak from positive knowledge, *for I live there!*"

This opinion was corroborated by his companion in the same way. These were two delegates from Jackson County, Missouri, to the bogus Constitutional Convention in Kansas, and they no doubt felt perfectly competent to give assurance that the days of Missouri interference with Kansas are over. This is of a piece with similar assurances from other sources. Missouri *will* vote at the coming election.

GOV. WALKER'S PROCLAMATION.

Governor Walker's proclamation, a synopsis of which came by telegraph, reaches us in the columns of *The St. Louis Democrat* in full. It fills upwards of three columns in that journal, and would cover nearly a page of *The Tribune*. We extract:

THE RIGHT TO VOTE.

It will be perceived that the act of Congress is clear and explicit on this subject. It prescribes the qualifications only of those who "shall be entitled to vote at "the *first election*, and shall be eligible to any office "within the said Territory; but the qualifications of "voting and of holding office, *at all subsequent* "*elections*, shall be such *as shall be prescribed by the* "*Legislative Assembly*." The provisions have no application whatever to the subject, inasmuch as they only prohibit the Legislature from permitting persons to vote who are neither native nor naturalized citizens, nor have declared on oath their intentions to become citizens, and certain officers, solders of the army, etc.

Now, then, it is clear, first, that as regards all elections but the first, the qualifications are not prescribed by the act of Congress; and second, the qualifications with the restrictions before mentioned for all subsequent elections, are to be designated exclusively by the Territorial Legislature.

It is certain, then, that the question now raised as regards the pretended right of persons to vote who possess the requisite qualifications, under the act of Congress, for voting at the first election, but are excluded by subsequent Territorial legislation now in force, has no foundation whatever in law, and such votes would be wholly illegal. Under these circumstances, I trust that no one will attempt to vote who is excluded by the Territorial law; and if such illegal attempt is made, such a clear violation of the act of Congress and of the laws of this Territory will be arrested and prevented by the judges of the election.

THE TERRITORIAL TAX.

While the tax remains, the qualification applies no more to the election in October than it does to the election of delegates to the Convention, because it was dropped in both acts, and because we have no right to insert a most important provision that is thus omitted by the Legislature, and because it is a settled rule that in interpreting statutes that, if the Legislature had intended in either case, in prescribing the qualifications, and all the qualifications of voters, to supersede one that one that was inserted in a preceding law, they would have repeated the restriction in a subsequent statute. How easy was it for the Legislature, in prescribing the qualification of voters under the Convention or Election Law, if they intended, in addition to the qualifications named in these laws, to require the prepayment of a tax, to have said so, and not left it to others to interpolate words which they had excluded. They have not said so, and that is enough. On this subject I have never entertained any doubt, and never supposed there could be any question. And I might have declined the expression of any opinion on either of these points, but for the certain knowledge of the fact, communicated to me from almost every quarter of the Territory, and from all parties, that these conflicting constructions of the law, if not settled, will certainty produce collision at the polls, and most probably a disastrous civil war and revolution. I claim no authority to instruct the Judges of Election, by virtue of my official power, how they shall decide, but I give my opinion, as others have given theirs, and with the same sincerity, in the hope that it may tend somewhat to prevent the disasters with which we are threatened, growing out of these conflicting opinions, and that it may render unnecessary a resort to the military force, subject to my orders, to preserve the peace of the Territory.

In reply to a communication (embodying these views) in a dispatch from the Secretary of State, under date of September, 1857, after remarking, most justly, as I always contended, that I could issue no authoritative mandate to the judges of election on this subject, or control their decision, the Executive says:

"The Territory of Kansas is in a peculiar condition. By your statement, and possessing, as you do, the best means of information, your views, in the opinion of the President, are entitled to great weight—it is in a state of incipient rebellion, with an organized military force, prepared to resist the authority of the United States.

"It may, therefore, become necessary to use the troops placed at your disposal, not only to aid as a *posse comitatus* in executing the laws, but also to suppress an insurrection. Surely under these circumstances, if the expression of an opinion in advance of his action, and it may be instead of it, which the President honestly entertains, will have a direct effort in preventing a civil war in Kansas, he cannot be justly censured for attempting, by such an expression of opinion, to avert the calamitous result.

"The danger you anticipate, arises, as you observe, from the apprehension of a portion of the citizens of Kansas, that they will be excluded from the privileges of voting, because they have not paid a territorial tax. Now, the President, as well as every member of his Cabinet, concurs in opinion with you that the payment of such tax is not required as a qualification to vote. He and they entertain not a doubt that the 5th section of the act of Feb. 20, 1857, is complete in itself and prescribes all the qualifications required of a voter, and among these the payment of a territorial tax is not included. They are also firmly convinced that no person whatever not possessing those qualifications prescribed for voters by the organic act of Congress of May 30, 1854, has any just claim to the elective franchise."

THE TROOPS.

The troops at my disposal, which are fully competent to the task, will, at the request of citizens of both parties, be stationed at the points where violence has been threatened, or anticipated, not for the purpose of overawing the people, or of interfering in any way with the elections, or influencing them in any respect whatever, but, by their presence guarding the polls against any attempt at insurrection or violence, from the mere knowledge of the fact that it can and will be suppressed, but, if necessary, also to protect and secure by lawful means all the just rights of the citizen in exercising the elective franchise under the decisions of the proper authorities, and to act as *posse comitatus* for the arrest of offenders.

THE LAWRENCE INSURRECTION.

I should have greatly preferred, as expressed in my letter of acceptance of Governor of this Territory, never to have been required to have called the troops even as a precautionary measure. As it is, not a drop of blood has been shed, and insurrection has been suppressed, until it recently appeared in a compulsory tax law by the insurgent government at Lawrence, and in conflagration of dwellings and expulsion of peaceable citizens in its vicinage, after it was known the troops were ordered to Utah, and when it was falsely supposed that they would not be replaced by others. Indeed, if the revolutionary government of Lawrence had not been encountered by the immediate movement of troops there, it is now clear that similar insurrectionary local governments, based on my presumed acquiescence, which would have been organized throughout Kansas in open defiance of the laws of Congress and of this Territory, and rendered a peaceful settlement impossible. It will be remembered that in open defiance of the laws of Congress and of this Territory, and after the refusal of the so-called Topeka State Legislature to grant them a charter, they nevertheless organized a city government, clothed with all the usual powers—legislative, executive and judicial. It will be recollected, also, that after my proclamation of the 15th of July last, and the simultaneous movement of the troops there, as a precautionary measure to maintain the authority of the government, and arrest the spread of this insurrection throughout the Territory, they then professed, through their organs, that what they had called a *government*, and to which they had given all the powers of a government, was a mere VOLUNTARY ASSOCIATION for the removal of nuisances from the streets, &c. But now, when it was erroneously believed by them that the troops would all be removed to Utah, and not replaced by others, they have thrown off the mask, and carried out their original insurrectionary purpose, by passing a compulsory tax law, both a poll and property tax, requiring its assessment and collection by the seizure and sale of property, and exacting by their charter from executive officers, who are to carry out these acts, AN OATH to perform all these duties, the violation of which oath, if these duties are not performed, would be perjury. At the same time they seemed to have believed that this precautionary movement of mine and proclamation were disapproved by the President of the United States, whereas they were both most cordially sustained by him, in the dispatch to me from the Secretary of State of the 15th of July last, as also in the published letter of President Buchanan to Professor Silliman and others, of the 15th of August last. An overwhelming majority of the press and people of the United States have condemned this insurgent movement; the example has not been adopted by any other locality in Kansas, contrary to the expectations of its authors. It failed to receive any sanction from the general Territorial Convention of their own party of the 25th ult., and now stands without a precedent in our country—a solitary monument of revolutionary violence and incipient treason. So soon as the *overt act* now threatened is consummated this rebellion will be suppressed by the lawful use, if necessary, of all the troops under my control, acting in aid of the civil authorities designated by Congress.

THE CONCLUSION OF THE WHOLE MATTER.

In conclusion, permit me to say, with all the seriousness and sincerity demanded by the solemnity of the occasion, that it now is, and always has been my most ardent desire, as the chief magistrate of this Territory, by all lawful and constitutional means to secure and protect the just rights of every citizen, and especially of performing my sworn duty of supporting the Constitution of the United States, and taking care that the laws be faithfully executed, to see that the great fundamental principle which lies at the basis of our American institutions, secured by the Federal compact, and guaranteed by our organic act of Congress, should be maintained, viz: that *the people of Kansas, in the true meaning of the act, free from all violence, injustice, or foreign interference, should make their own laws and control their own Government*. This has been the great principle—the just and faithful execution of our organic law, which has controlled all my acts in Kansas, and to which I shall adhere regardless of menace, calumny, or assailment either from within or beyond our limits. I am made by law the chief executive officer in KANSAS, for the protection, to the extent of my legal authority, of the whole people of Kansas, and not a part, of every county and district, and not of a portion of them only. And however solicitous I may be about the result of the present most important election, however most anxious that those views of public policy which I have entertained and expressed at all times, from my youth upward to the present period, and especially as regards the EQUILIBRIUM of our Government and the constitutional rights and equality of the States, should now triumph here in October, yet I cannot and will not do any act, or countenance or sustain any act, the effect of which would be to deprive the people of Kansas of any rights secured to them by the federal compact, by our organic act, or by the laws of this Territory. A victory thus secured by violence or injustice would be worse than a defeat, and could only in the end destroy all hope of the ultimate success of conservative principles and constitutional liberty in Kansas.

MOVEMENTS OF GOV. WALKER.

The Lawrence Herald of Freedom of the 19th inst. places at the head of its colums the Free-State nominations for Delegates to Congress, and for the Council and Representative Districts, and county nominations.

The same number of *The Herald* contains the following with reference to the movements of Gov. Walker:

"Gov. Walker passed through this city on Monday evening last toward Lecompton, to resume his official duties. He had been tarrying for almost a week at Fort Leavenworth.

"It was very generally apprehended that the Governor had resigned, and some of the rumors represented him as on his way down the river. His return among us relieved apprehension in that direction. It is probable the summary removal of the troops had something to do with the Governor's visit to the Fort. He learned on his arrival that the President had consented to allow Gen. Harney to continue in command of the military forces in Kansas, and the detachment of 1,500 troops to Utah to escort Gov. Cummings to his post would go out immediately, under Col. Johnson, Col. Cooke being second in command. The six companies of dragoons around Lawrence were detailed for the Utah expedition, while others, to the number of 2,000, are on their way from other localities, to resume their position. Whether they are to be located again in this immediate vicinity we are not advised, but we judge they are, from a casual expression of the Governor's."

MISSOURI—KANSAS—TO EMIGRANTS.

Correspondence of The N. Y. Tribune.

JEFFERSON CITY, Mo. Sept. 3, 1857.

I wish to say to you and to those who expect to emigrate to south-western Missouri, or to southern Kansas this year, that the route proposed for the Emporia and Jefferson City Railroad is one of the best, and probably as near as any other they can take, and very direct; and after passing Versailles, the county seat of Morgan County, it is generally smooth and level. The road from Jefferson City to Versailles is the old and long traveled road to Warsaw and Springfield, Green Co., Mo. This road is on the proposed route as far as Coal-Camp, 60 miles from Missouri River. It then bears off to the west through Clinton, Johnstown and Butler, in the State, then Moneka, Hyatt Fountain, and Hampden on the Neosho in the Territory. Moneka is nearly central in Linn County, K. T., a road leading out of that county to all parts of southern Kansas. The distance from Jefferson City to Moneka by this route is 140 miles. There is much vacant land yet in south-western Missouri, and Northern emigration is pouring in and fast filling up the county. Prairie and timber are more equally distributed in this section of Missouri than in any other portion of the State. I have passed through, and it is destined to be a great agricultural country. The Crops are fair, and Grain and Fruit will be plenty. Wheat is harvested and Corn is out of the way of frost.

As ever, for progression JOHN WATTLES.

THE APPROACHING KANSAS ELECTION.

To The Editor of The N. Y. Tribune.

SIR: Will you permit a humble citizen of Kansas to say a few words in your paper about the Kansas October election? Now that the people have resolved to TRY to vote at that election, I wish to state some of the obstacles which will probably result in their defeat.

We award to the Pro-Slavery side its FULL share when we say they have but ONE to every *ten* on the Free-State side, of bona fide residents. Still the Free-State party have little or no hope of success.

But, exclaims a friend, "*ten to one* and can't win! Impossible! Explain yourself!" Friend, the people of Kansas are equally astonished that you seem surprised after the light you have had. Here is the explanation. *Simply because numbers are of no avail on our side.* The *capacity for fraud* with our opponents, under *their own Territorial laws* and *offices* is *equal to their necessities*. Only look at the facts.

Governor Walker, at Topeka, told the people that, NOT under the Territorial laws, *but under* the law of Congress, all the bona fide residents at the time of the election—the whole people—should have a fair and *unhampered* opportunity to vote in October. And when the undersigned, during the memorable speech allowed to question his power to fulfill his promises, the Governor replied most emphatically: "I am not *responsible for the wrongs of the past which have been heaped upon you, but I tell you, over the future I have* ALL *power, especially as far as it relates to the Full election.*" These are nearly, if not the exact words, conveying *exactly* the above idea. Now, the Governor has not only gone back six months, thus disfranchising nearly all of this year's emigration, and forcing the tax *requirement*, but he turns over the apportionment of the country into Election Districts to the bogus officers, who have made it so ingeniously that only *six* or *eight* members are given to two-fifths of the people of Kansas, and they almost all Free-State, while the remainder of the 52 members are given to the other three-fifths, which embrace all the Pro-Slavery settlements of any strength. That is fact No 1.

The Bogus County Commissioners determine the number and location of voting places. These they have invariably made but few and distant from large Free-State settlements—for example, Topeka, which has such a population that she cast 265 votes for the Free Constitution last August, has never had a voting place assigned her, nor one near her, for the election of Territorial Officers. This is fact No. 2.

The same Commissioners appoint the Judges of Election, nearly all of whom are members of the Blue Lodges of Missouri with themselves—oath-bound to make Kansas a Slave-State with or against law. That is fact No. 3.

The Blue Lodges of Missouri are organizing more thoroughly than ever before to invade and carry the election. They will not come as an army *undisguised*, but quietly colonize the border counties days before the election. All this is not guess-work, but truth: WE KNOW IT; infallible truth, too. Nothing will prevent them unless it be the fear of Lane's volunteers and Sharp's rifles. This is fact No. 4.

And, taken with the following fact, that the Bogus Officials to whom Governor Walker assigned the work, have made 39 of the 52 Districts touch the Missouri line—one other but 4 miles distant, and most of the remainder within one day's ride, bringing the Kansas Election at the door of these Blue Lodge Missouri gentry, makes this rather an interesting and *significant* fact No. 5.

Federal Judge Cato and the Lecompton Grand Jury—right in the face of their own law—have decreed that the people must pay a tax for the privilege to vote at their polls. But inasmuch as the people (poor Abolition fools) like their fathers of 1776, don't believe in taxation without representation, especially as (more foolish and more Abolition still) the money is to go to *the officials* who SACKED their TOWNS, BURNT their dwellings, PLUNDERED their stores, DESTROYED their printing presses and hotels, INSULTED and OUTRAGED their wives and daughters, BUTCHERED and SCALPED their neighbors, and STOLE the LIBERTIES of the people—this is rather a stubborn fact No. 6

The United States army are to guard, not the ballot-box from fraud—as in any event it could do nothing more than protect the judges of election—but it will be present to protect the bogus judges in receiving and rejecting such votes as their Democratic necessities may suggest. That is fact No. 7.

Were it possible, in view of the above facts, to outvote the office holders and their allies, then said judges will make such returns as the interests of Slavery, and the retention of its party in power will require; for the first duty, in their estimation, is to obey their Blue Lodge oath—that is, to plant the Slave Power in Kansas at all hazards. That is fact No. 8.

But, says one, "the troops cannot be at all the precincts." You are right, nor need they be at more than one precinct in a majority of the districts. At other points the people will, of course, eject the usurpers and appoint *honest* residents; especially will the people have their own judges in the dozen or so counties yet unorganized, having no "legally constituted authorities." And as Walker will recognize as legal only such returns as are certified to by the "legally constituted authorities," namely the judges and clerks appointed by the bogus commissioners, the Democracy will receive a majority of the certificates of election, and possess the government for another term. That, as the event of October will verify, is fact No. 9.

The prospect of the people's managing their own affairs in their own way, in view of the above exposé, is certainly *luminous*, my friend, is it not?—as luminous as a moonless and starless midnight! Then President Buchanan will exclaim, no doubt, that another appeal has been made to the "ballot-box—the *certain* "American remedy for the redress of all grievances"—the people have had a "*fair* election," under a "FAIR election law." And the National Democracy is on the top of the wave. "Very *certain American* remedy"—particularly in Kansas!

Probably the *silent* Pro-Slavery Constitution, and State officers to match, will be voted *at* on the same day with the Territorial election, and under the regimen. Or the Convention will resolve itself into a Legislature, elect State officers and two United States Senators—Walker and Stringfellow, or Elmore. Their Constitution will be admitted by Congress, the Senators in the Senate, and the State machinery ATTEMPTED to be put in operation, before the old year dies away. If that be their course, the Democracy will most likely PERMIT the people to carry the Territorial Legislature. A Government *defunct "four days and stinketh" as the people are about to embrace it.* It is idle to say, "O, they will not dare do all this!" What have they not done? They have invaded, usurped, sacked, plundered, destroyed, insulted, outraged, butchered, *scalped*, and *stolen the liberties* of the People, and the nation said "Amen" to it. And now that this fraud is seated on the throne of power, what is to be feared by it? Most of those who were active in the former scenes of this great *barbaric* Kansas drama are assigned important parts in the scene which is to be played in October next. The new actors in the play have espoused and are a party to the fraud, in attempting to enforce its barbarism, and all have now the United States bayonets and army to aid in the consummation of the work—that is, enslave the people of Kansas. But Kansas will have a history and a future. Her people will yet be free. Alas! I fear, though, not until her garments are dyed in blood again—the mingled blood of the oppressors and the oppressed.

WALTER OAKLEY of Topeka, Kansas.

New-York, Sept. 9, 1857.

THINGS IN NEBRASKA.

Correspondence of The N. Y. Tribune.

BELLEVUE, N. T., Sept. 7, 1857.

A party of gentlemen of this place have recently returned from a buffalo hunt up Platte River. They went 35 miles west of Fort Kearney. They report the buffalo as being plenty, and succeeded in killing a number.

Col. Sumner and troops left Fort Kearney Aug. 17, to drive back a band of Cheyennes, who had lately committed depredations on a party who were driving cattle and mules across the plains. When the buffalo hunters returned to the Fort, Col. Sumner had had a battle with the Indians, and the wounded were being brought in. Several Indians were killed, but none of the troops.

We are all luxuriating on mammoth melons and delicious plums. The melons are fine, and in reality the greatest luxury that Nebraska affords at the present time. The plums are very good, and some excellent, but I presume they are considered more so, as we have but little fruit of any kind.

Apples are brought us from Missouri on the boats, and sell for $6 to $9 per barrel, and quite middling in quality at that.

A good deal of rain fell here through August, and, as a whole, it was much cooler than the months of June and July. We have but little sultry weather; still a few days in August were somewhat muggy, but nothing like the old-fashioned dog days I have experienced in the East. NONOTUCK.

THE MORMONS APPROPRIATING INDIAN RESERVATIONS.

Thomas S. Twiss, Indian Agent, has addressed the following letter to the Interior Department in relation to the movements of the Mormons on the Upper Platte:

"INDIAN AGENCY OF THE UPPER PLATTE,
On Raw-Hide Creek, July 13, 1857.

"SIR: In a communication addressed to the Indian office, dated April last, I called the attention of the Department to the settlements being made within the boundaries of this agency by the Mormon church, clearly in violation of law, although the pretext or pretense under which these settlements are made is under cover of a contract of the Mormon church to carry the mail from Independence, Mo., to Great Salt Lake City.

"On the 25th of May a large Mormon colony took possession of the valley of Deer Creek, 100 miles west of Fort Laramie, and drove away a band of Sioux Indians whom I had settled there in April and had induced to plant corn.

"I left that Indian band on the 23d of May, to attend to matters connected with the Cheyenne band in the lower part of the agency.

"I have information from a reliable source that these Mormons are about 300 in number, have plowed and planted 200 acres of prairie, and are building houses for the accommodation of 500 persons, and have a large herd of cattle, horses and mules.

"I am persuaded that the Mormon Church intend, by this plan, thus partially developed, to monopolize all of the trade with the Indians while within, or passing through the Indian country.

"I respectfully and earnestly call the attention of the Department to the invasion, and enter my protest against this occupation of the Indian country, in force, and the forcible ejection of the Indians from the place where I had settled them.

"I am powerless to control this matter, for the Mormons obey no laws enacted by Congress.

"I would respectfully request that the President will be pleased to issue such order as in his wisdom and judgment may seem best, in order to correct the evil complained of.

"Very respectfully, your obedient servant,
"THOMAS S TWISS,
"Indian Agent, Upper Platte.

"Hon. J. W. DENVER, Commissioner of Indian Affairs."

Shortly after receiving the above letter, the Acting Commissioner of Indian Affairs addressed a letter to the Secretary of the Interior, in which he cited the case of Mr. Hall as contractor to carry the mails from Independence to Santa Fe, who was allowed merely to occupy his improvements on lands belonging to the Indians with the consent of the Indians, the Department having no authority to grant him permission to extend his improvements, make use of the timber, or cultivate land. In the Commissioner's opinion, the act of March 3, 1855, granting to mail contractors in the Territories west of the Mississippi the privilege of occupying stations at the rate of not more than one for every twenty miles of the mail route, with a preemption covering 640 acres, of land to be taken contiguously, had reference only to these lands to which the Irdian title had been extinguished and surrendered to the United States, and not lands belonging to tribes, to which the titles had not been extinguished, and therefore was not applicable to the case of Mr. Hall, as his station was upon the lands of the Kansas Indians, to which their title had not been extinguished.

The Commissioner holds that the views of the office in regard to the case of Mr. Hall apply in the case of the Mormons, since the lands upon which they have settled are not the property of the Government, but of the Sioux, to whom it was assigned by the treaty of Laramie of the 17th of September, 1851.

AN ESCAPE FROM SALT LAKE.

The following narrative is from the pen of John Davies, a young Welshman, who emigrated to Salt Lake with his family about two years ago from Maesteg, South Wales. It is taken from a private letter, dated Council Bluffs City, Iowa, June 29:

"I guess you are anxious to know the reason why I left Salt Lake. I shall try, in the first place, to inform you what a man must do to be a Mormon. He must give himself, his family, and all his possessions over to Brigham Young, and then he'll have to give the tenth of all his income—the tenth day's work—and he must keep from two to ten wives. If he don't agree to these things, he had better quit; but by doing so he is in danger of losing his life every minute, for they would rather kill him than let him be the means of letting the world know how things are in their midst. Many have been shot down in trying to escape. I have seen dozens shot down on the street; and three days before I left I saw three persons killed merely because they intended to escape—they were shot down in a place called Springfield, while they were preparing their trunks to leave. This took place about 8 o'clock on a Sunday morning, within fifty yards of the gates of the city. The first was a young man called William Parish; he received seven balls in his body. The second was his father, and the third was a man called Potter, whose body received as many as fifteen balls. The old man was pierced in the back, and his throat cut in three different places. I saw them lying down, and I could name the persons who killed them. Brigham Young has got men for this purpose. Their number is four hundred. They are called the "Destroying Angels." Their captain's name is William Hickman, and the second in command is Porter Rockwell.

"The walls around the city are 15 feet high, and they are surrounded by a deep and wide moat. The city is entered by four gates, which are watched in the night time. The gates are so narrow that only one vehicle can pass through at once. The "Destroying Angels" go out on the plains in the Spring, in order to intercept those who may escape from the city. Many left on foot last January. They sleep by day and travel by night. I know of men and women who have traveled this way—the men dressed as women and the women as men. I came across some who were very short of food; the little they had they gave to the women, and the men were principally sustained by the women's milk!

"I left Salt Lake City on the 17th of April, in company with two Welshmen and an African. The few Mormons who knew of our intentions said that we would never reach the States alive, but I told them that I was determined to try, whatever would occur. On Saturday, (the day after we left) we had traveled thirty miles from the city when we saw three men following us. They were sent by the authorities of the city to catch us. The name of one was Patrick Linch, an Irishman by birth and Secretary to Brigham Young. This man fired his revolver at me, but the ball went by without hurting me. They then came near us on their horses and inquired our names, and when we refused to tell them, they swore that they would blow 'our damned brains out.' With that, one of them raised his revolver as if he was going to use it—he had one each side of the saddle. I then took out my revolver and told him to fire if he liked. I had six revolvers with me, and a rifle, containing in all thirty-seven balls. Another ball was then fired at me, which whistled by my left cheek. I then fired at him, and one ball hit him on the leg and another on the shoulder. (My friends by this time had run in the woods, and I was left to fight it out myself.) I then lost my footing, and one of the men run at me with a knife and cut my belt and took four of my revolvers. I had the other two hid in my boots. I get hold of one of them and fired, and succeeded in keeping them off for some time, till I had a chance to run to the woods, where I got the assistance of my friends.

"We continued to travel that day and the following night, and succeeded in reaching a place called Fort Bridger, which is one hundred and thirteen miles from the Valley. The number of our pursuers had now increased to twenty, and we had to put to the woods again. We traveled till night, and were so fortunate as to meet a host of friendly Indians, who gave us buffalo meat to eat. The next day we overtook a number of wagons, known as Mrs. Babbit's train, in number twenty-eight. I was hired to drive one wagon, which was drawn by six mules. We had some trouble with a lot of Indians called the "Crow Tribe." They were well armed, and about a thousand strong. About six hundred shots came into our tents. We killed about thirty Indians, and they killed five of our men."

BOOKS RECEIVED.

The Festival Glee Book. By George F. Root. Pp. 96. Mason Brothers.

Archæologia Americana. Vol. III. 8vo. pp. 378. Published for the American Antiquarian Society.

The American House Carpenter. By R. G. Hatfield. Seventh Edition. 8vo. pp. 399. Wiley & Halsted.

Hart's Geographical Exercises. Revised. By Charles S. Stout. 12mo. pp. 138. Ivison & Phinney.

The Young Geographer. 12mo. pp. 128. The Same.

A Manual of Astronomy. By Henry Kidder. 12mo. pp. 171. The Same.

Life of Handel. By Victor Schœlcher. 12mo. pp. 492. Mason Brothers.

Mabel Vaughan. By the Author of "The Lamplighter." 12mo. pp. 508. John P. Jewett & Co.

Information about Texas. By D. E. E. Braman. 12mo. pp. 192. J. B. Lippincott & Co.

First Book of Chemistry. By John A. Porter. 18mo. pp. 202. A. S. Barnes & Co.

Sermons of the Rev. C. H. Spurgeon. Third Series. 12mo. pp. 448. Sheldon, Blakeman & Co.

A NORTHERN CONVENTION.—The following call for a Convention to meet at Cleveland, Ohio, on the 28th and 29th of October next, has been signed by 6,033 persons, of whom 4,200 are voters. The signatures include the names of citizens of all the Free States except California, and some of the Slave States.

CALL FOR A NORTHERN CONVENTION.—Whereas, it must be obvious to all that the American Union is constantly becoming more and more divided, by Slavery, into two distinct and antagonistic nations, between whom harmony is impossible, and even ordinary intercourse is becoming dangerous,

And whereas, Slavery has now gained entire control over the three branches of our National Government, Executive Judiciary and Legislative; has so interpreted the Constitution as to deny the right of Congress to establish freedom, even in the Territories, and by the same process has removed all legal protection from a large portion of the people of the Free States, and has inflicted, at many times and places, outrages far greater than those which our fathers rose in arms to repel,

And whereas, there seems no probability that the future will, in these respects, be different from the past, under existing State relations,

The undersigned respectfully invite their fellow-citizens of the Free States to meet in Convention, at Cleveland, Ohio, October 28 and 29, 1857, to consider the practicability, probability, and expediency of a separation between the Free and Slave States, and to take such other measures as the condition of the times may require.

The following gentlemen have been appointed a committee of arrangements for the occasion: Thomas Wentworth Higginson, F. W. Bird, Wendell Phillips, Daniel Mann, Wm. Lloyd Garrison.

IMPORTANT JUDICIAL DECISION IN INDIANA.—The question having been referred to him, the Attorney-General of Indiana, the Hon. J. E. McDonald, has decided that no vacancy has occurred upon the Supreme Bench by the resignations of Judge Stewart and Judge Gookins, to take effect hereafter, which will require an election of successors to those gentlemen at the October election ensuing. The vacancy does not occur until the resignation takes effect, consequently there is no vacancy to fill until that period. So it will be the duty of the Governor to fill the vacancies on the bench, for the period from the date when the resignations take effect till the next general election.

FIRES.

FIRE IN THE EIGHTH-AVENUE.

About 12 o'clock Thursday night a fire broke out in the five-story brick building No. 496 Eighth-avenue, owned by James Miller—first story occupied by Albert Stinehaus as a cabinet waeroom, second and third stories by Frederick Blatt as a