W. Whitfield, holds his seat, was not held in pursuance of any valid law, and that it should be regarded only as the expression of the choice of those resident citizens who voted for him.

Fifth—That the election under which the contesting delegate, Andrew H. Reeder, claims his seat was not held in pursuance of law, and that it should be regarded only as the expression of the choice of the resident citiens who voted for him.

Sixth—That Andrew H. Reeder received a greater number of votes of resident citizens than John W. Whitfield, for delegate.

Seventh—That in the present condition of the territory a fair election can not be held without a new census, a stringent and well-guarded election law, the selection of impartial judges, and the presence of the United States troops at every place of holding elections.

Eighth—That the various elections held by the people of the territory preliminary to the formation of the State Government, have been as regular, as the disturbed condition of the territory would allow;—and that the constitution passed by the Convention, held in pursuance of said elections, embodies the will of a majority of the people.

As it is not the province of your Committee to suggest remedies for the existing troubles in the Territory of Kansas, they content themselves with the foregoing statement of facts. All of which is respectfull submitted.

WM. A. HOWARD,
JOHN SHERMAN.

July 1st, 1856.

☞ The testimony accompanying the foregoing Report, and on which all the facts set forth are fully substantiated, has been printed by order of Congress, and fills a volume of nearly *twelve hundred pages*—too large, of course, for general distribution. The following are the names of the principal witnesses—a large proportion of them being from the *pro-slavery party*:

Jordan Davidson,	J. N. Mace,	J. P. Blair,
J. C. Prince,	J. W. Mace,	S. P. Richardson,
John Scott,	S. Jones,	Richard Tuck,
J. H. Stringfellow,	G. W. Umberger,	Eli Hamilton,
W. P. Richardson,	Daniel Woodman,	John Landis,
O. C. Prince,	F. E. Lamy,	Luther Dickerson,
John A. Wakefield,	W. A. M. Vaughan,	J. W. Boettle,
Peter Bassinger,	M. J. J. Mitchell,	David Finer,
Thomas Hopkins,	Rev. B. B. Burgess,	F. Hamilton,
Robin Hackett,	Charles Jordan,	J. F. Foreman,
Perry Fuller,	James Hickey,	E. R. Zimmerman,
John F. Lucas,	L. O. Wilworth,	Joseph Potter,
James W. Wilson,	D. H. Howe,	H. Miles Moore,
Dr. B. C. Westfall,	J. M. Merrian,	A. McAuley,
S. C. Prince,	W. R. Baggs,	L. Keer,
Mathias A. Reed,	John Long,	David Brown,
Wm. F. Johnstons,	Geo. Holmes,	F. A. Hart,
Benjamin Harding,	A. W. Burgess,	G. F. Warren,
J. B. Crane,	D. H. Horne,	R. R. Rees,
Francis M. Potter,	Wm. Moore,	A. Russell,
John W. How,	J. F. Javens,	P. B. Orr,
Phineas Skinner,	Thos. Mockbee,	L. J. Eastin,
H. B. Gale,	Joseph M. Gearhart,	A. J. Pattie,
George H. Keller,	Jesse W. Wilson,	L. J. Farm,
John A. Lindsy,	Wm. Chesnut,	W. A. Adams,
L. L. Eastman,	James M. Arthur,	J. Eastin,
F. F. Vaughan,	S. W. Boulton,	A. T. Kyle,
Wm. Yates,	A. H. Reeder,	T. Pattie,
C. W. Babcock,	M. A. Garrett,	Amer Groom,
Dr. John Day,	Joseph Stewart,	D. H. Baker,
E. D. Ladd,	Isaac Hascall,	John Relew,
Norman Allen,	Augustus Baker,	Benj. Stater,
Wm. Yates,	J. E. D'Arcy,	Samuel C. Smith,
Wm. S. Hornsby,	J. B. Ross,	W. H. Chick,
G. W. Dietzler,	W. H. Goodwin,	M. Riddlebarger,
Lyman Allen,	Dr. James Noble,	Wm. Barbour,
S. N. Wood,	T. A. Minard,	Edward Oakley,
E. Chapman,	Chas. Barsh,	D. W. Field,
Robert Elliot,	A. B. Sharp,	Robert Morrow,
N. R. Blanton,	G. M. Dyer,	E. Jenkins,
Wm. Lymon,	O. B. Tebbs,	A. White,
J. H. Abbott,	R. Chandler,	T. Wolverton,
Ira W. Ackley,	Benj. Harding,	J. Reid,
A. B. Wade,	John H. Whitehead,	L. M. Cox,
John M. Banks,	Alfred Larzelier,	L. A. Prather,
H. W. Buckley,	Willard P. Hall,	E. R. Cook,
R. A. Cummins,	Dr. G. A. Cutter,	J. W. Stephens,
C. S. Pratt,	A. A. Jamieson,	Pat Laughlin,
John Dey,	J. R. Carter,	G. P. Lowry,
Charles Robinson,	B. H. Brock,	M. F. Conway,
Andrew White,	C. W. Stuart,	Wm. & Nichl's McKinney,
Dr. E. G. Macey,	A. M. Mitchell,	D. T. Jones and wife,
H. Murry,	H. S. Creel,	Thomas Brown,
Wm. Jessee,	G. W. Gillespie,	F. M. Coleman,
John A. Wakefield,	L. Dillon,	Jacob Brinson,
J. C. Dunn,		

THE

BORDER RUFFIAN CODE IN KANSAS.

WHO MAY NOT BE JURORS.

The thirteenth section of Chapter 92, entitled "*An Act Concerning Jurors,*" is as follows:

Sec. 13. No person who is *conscientiously opposed to the holding slaves*, or who does not admit the *right to hold slaves* in this Territory, shall be a juror in any cause in which the right to hold any person in slavery is involved, nor in any cause in which any injury done to or committed by any slave is in issue, nor in any criminal proceeding for the violation of any law enacted for the protection of slave property and for the punishment of crimes committed against the right to such property.

THE CHAIN AND BALL.

The second section of Chapter 24, entitled "*An Act Providing a System of Confinement and Hard Labor,*" is as follows:

Sec. 2. Every person who may be sentenced by any court of competent jurisdiction, under any law in force within this Territory, to punishment by confinement and hard labor, shall be deemed a convict, and shall immediately, under the charge of the keeper of such jail or public prison, or under the charge of such person as the keeper of such jail or public prison may select, be put to hard labor, as in the first section of this act specified; and such keeper or other person, having charge of such convict, shall cause such convict, while engaged at such labor, *to be securely confined by a chain six feet in length, of not less than four-sixteenths nor more than three-eighths of an inch links, with a round ball of iron, of not less than four nor more than six inches in diameter, attached, which chain shall be securely fastened to the ankle of such convict, with a strong lock and key*; and such keeper or other person, having charge of such convict, may, if necessary, confine such convict, while so engaged at hard labor, by other chains or other means in his discretion, so as to keep such convict secure and prevent his escape; and when there shall be two or more convicts under the charge of such keeper, or other person, such convicts shall be fastened together by strong chains, with strong locks and keys, during the time such convicts shall be engaged in hard labor without the walls of any jail or prison.

SUSPENDING THE WRIT OF HABEAS CORPUS.

The eighth section of Chapter 79, of "*An Act Regulating Proceedings on Writs of Habeas Corpus,*" is as follows:

Sec. 8. No negro or mulatto, held as a slave within this Territory, or lawfully arrested as a fugitive from service from another State or Territory, shall be discharged, nor shall his right of freedom be had under the provisions of this act.

The foregoing provision, suspending the writ of habeas corpus, is not only a violation of the Constitution of the United States, but of the Kansas-Nebraska Act itself, which provides as follows:

"Except also that a writ of error or appeal shall also be allowed to the Supreme Court of the United States, from the decision of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writ of habeas corpus, involving the question of personal freedom."

TEST OATHS.

The twelfth section of Chapter 66, entitled "*An Act to Regulate Elections,*" is as follows:

Sec. 12. Every person possessing the qualification of a voter, as hereinabove prescribed, and who shall have resided in this Territory thirty days prior to the election, at which he may offer himself as a candidate, shall be eligible as a delegate to the House of Representatives of the United States, to either branch of the legislative assembly, and to all other offices in this Territory, not otherwise especially provided for. *Provided, however*, That each member of the legislative assembly, and every officer elected or appointed to office under the laws of this Territory, shall, in addition to the oath or affirmation specially provided to be taken by such officer, take an oath or affirmation to support the Constitution of the United States, the provisions of an act entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," approved February 12, 1793; and of an act to amend and supplementary to said last mentioned act, approved September 18, 1850; and of an act entitled "An act to organize the Territories of Nebraska and Kansas," approved May 30, 1854.

The first section of Chapter 117, entitled "*An Act regulating Oaths, and prescribing the Form of Oaths of Office,*" is as follows:

Sec. 1. All officers elected or appointed under any existing or subsequently-enacted laws of this Territory, shall take and subscribe the following oath of office: "I, ——, do solemnly swear upon the holy evangelists of Almighty God, that I will support the Constitution of the United States, and that I will support and sustain the provisions of an act entitled 'An Act to organize the Territories of Nebraska and Kansas,' and the provisions of the law of the United States, commonly known as the 'Fugitive Slave Law,' and faithfully and impartially, and to the best of my ability demean myself in the discharge of my duties in the office of ——; so help me God,"

ATTORNEYS AT LAW—MORE TEST OATHS.

"*An Act concerning Attorneys at Law,*" Chapter 11, provides as follows:

Sec. 1. No person shall practice as an attorney or counsellor at law, or solicitor in chancery, in any court of record, unless he be a free white male, and obtain a license from the supreme court, or district court, or some one of the judges thereof, in vacation.

Sec. 3. Every person obtaining a license shall take an oath or affirmation to support the Constitution of the United States, and to support and sustain the provisions of an act entitled "An act to organize the Territories of Nebraska and Kansas," and the provisions of an act commonly known as "The Fugitive Slave Law," and faithfully to demean himself in his practice to the best of his knowledge and ability. A certificate of such oath shall be endorsed on the license.

Sec. 5. If any person shall practice law in any court of record, without being licensed, sworn, and enrolled, he shall be deemed guilty of a contempt of court, and punished as in other cases of contempt.

CRIMES AND PUNISHMENTS.

"*An Act in relation to the General Provisions regulating Crimes and Punishments,*" provides as follows:

Sec. 27. If any slave shall commit petit larceny, or shall steal any neat cattle, sheep or hog, or be guilty of any misdemeanor, or other offence punishable under the provisions of this act by fine or imprisonment in a county jail, or by both such fine and imprisonment, he shall, instead of such punishment, be punished if a male, by stripes on his bare back not exceeding thirty-nine; if a female, by imprisonment in a county jail not exceeding thirty-one days, or by stripes not exceeding twenty-one, at the discretion of the justice.

Sec. 28. Every slave charged with the commission of any of the offences, specified in the last section, shall be tried in a summary manner before a justice of the peace in the county where the offence is committed; and such justice (if a jury is not demanded as provided for in the next section) shall hear the evidence, examine the cause, and, on conviction, pronounce sentence, and order the same to be executed.

Sec. 29. If any slave or his master, in any case originating before a justice of the peace, shall require a jury, the justice shall cause such jury to be summoned, sworn, and empanneled, who shall determine the facts, and assess the punishment in case of conviction, and the justice shall enter judgment and execute the same to be executed.

Sec. 34. When any slave shall be convicted of a felony punishable by confinement and hard labor, the court before whom such conviction shall be had, shall sentence the offender to receive on his bare back, any number of stripes not exceeding thirty-nine.

CHAPTER 151.---SLAVES.

AN ACT TO PUNISH OFFENCES AGAINST SLAVE PROPERTY.

Section 1. Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, That every person, **bond or free**, who shall be convicted of actually raising a rebellion or insurrection of **slaves**, free negroes or mulattoes in this Territory, **shall suffer death.**

Sec. 2. Every free person who shall aid and assist in any rebellion or insurrection of **slaves**, free negroes or mulattoes, or shall furnish weapons or do any overt act in furtherance of such rebellion or insurrection, shall **suffer death.**

Sec. 3. If any free person shall by SPEAKING, WRITING or PRINTING, advise, persuade or induce any **slaves** to rebel or conspire against any citizen of this Territory, or shall bring into, print, write, publish or circulate, or cause to be brought into, printed, written, published or circulated, or shall knowingly aid or assist in the bringing into, printing, writing, publishing or circulating in this Territory, any book, paper, magazine, pamphlet or circular, for the purpose of exciting insurrection on the part of the **slaves**, free negroes or mulattoes, against the Territory, or any part of them, such person **shall be guilty of felony and suffer death.**

Sec. 4. If any person shall entice, decoy, or carry away out of this Territory, any **slaves** belonging to another, with the intent to deprive the owner thereof of the services of such slave, or with intent to effectuate the freedom of such slave, he shall be adjudged guilty of grand larceny, and, on conviction thereof, **shall suffer death, or be imprisoned at hard labor for not less than ten years.**

Sec. 5. If any person aids or assists in enticing, decoying, or persuading or carrying away or sending out of this Territory, any **slave** belonging to another, WITH INTENT TO PROCURE OR EFFECT THE FREEDOM OF SUCH SLAVE or with intent to deprive the owner thereof of the services of such slave, he shall be adjudged guilty of grand larceny, and, on conviction thereof, **shall suffer death, or be imprisoned at hard labor for not less than ten years.**

Sec. 6. If any person shall entice, decoy, or carry away out of any State or Territory of the United States, any slave belonging to another WITH INTENT TO PROCURE OR EFFECT THE FREEDOM OF SUCH SLAVE, or to deprive the owner thereof of the services or [illegible] into this Territory, he shall be adjudged guilty of grand larceny, [illegible] manner as if such slave had been enticed, decoyed or carried away out of the Territory, and in such case the larceny may be charged to have been committed in any county of this Territory, into or through which such SLAVE shall have been brought by such person, and, on conviction, shall the person offending **shall suffer death, or be imprisoned at hard labor for not less than ten years.**

Sec. 7. If any person shall entice, persuade or induce any SLAVE to escape from the service of his master or owner in this Territory, or shall aid or assist any SLAVE escaping from the service of his master within or shall assist, harbor or conceal any SLAVE who may have escaped from the service of his master or owner, he shall be deemed guilty of felony and PUNISHED BY IMPRISONMENT AT HARD LABOR FOR NOT LESS THAN FIVE YEARS.

Sec. 8. If any person in this Territory shall aid or assist, harbor or conceal any SLAVE who has escaped from the service of his master or owner in another State or Territory, such person shall be punished in like manner as if such slave had escaped from the service of his master or owner in this Territory.

Sec. 9. If any person shall resist any officer while attempting to arrest any SLAVE that may have escaped from the service of his master or owner, or shall rescue such SLAVES when in custody of any officer or other person, or shall entice, persuade, aid or assist such SLAVE to escape from the custody of any officer or other person who may have such SLAVE in his body, whether such SLAVE has escaped from the service of his master or owner in this Territory or in any other State or Territory, the person so offending SHALL BE GUILTY OF FELONY, AND PUNISHED BY IMPRISONMENT AT HARD LABOR FOR A TERM NOT LESS THAN TWO YEARS.

Sec. 10. If any Marshal, Sheriff, or Constable, or the Deputy of any such officer, shall, when required by any person, refuse to aid or assist in the arrest and capture of any slave that may have escaped from the service of his master or owner, whether such SLAVE shall have escaped from his master or owner in this Territory or any other State or Territory, such officer shall be fined in a sum of not less than one hundred nor more than [illegible] hundred dollars.

Sec. 11. If any person print, write, introduce into, publish or manufacture or cause to be brought into, printed, written, published or circulated in, or knowingly aid or assist in bringing into, printing, publishing, or circulating within this Territory, any book, paper, pamphlet, magazine, handbill or circular, containing any STATEMENT, ARGUMENT, OPINION, SENTIMENT, DOCTRINE, ADVICE OR INUENDO, calculated to promote DISAFFECTION among the SLAVES in this Territory, or to induce SLAVES to escape from the service of their masters, or resist the authority, HE SHALL BE GUILTY OF FELONY, AND BE PUNISHED BY IMPRISONMENT AT HARD LABOR FOR A TERM NOT LESS THAN FIVE YEARS.

Sec. 12. **If any free person, by speaking or writing assert or maintain that persons have not the right to hold slaves in this Territory**, or shall introduce into this Territory, **print, publish, write, circulate, or cause to be written, printed, published, or circulated in this Territory**, any book, paper, magazine, pamphlet, or circular **containing any denial of the right of persons to hold slaves in this Territory**, such person shall be deemed **guilty of felony, and punished by imprisonment at hard labor for a term not less than two years.**

Sec. 13. No person who is conscientiously opposed to holding SLAVES OR WHO DOES NOT ADMIT THE RIGHT TO HOLD SLAVES IN THIS TERRITORY, SHALL SIT AS A JUROR on the trial of any prosecution for the violation of any of the sections of this act.

This act to take effect and be in force from and after the 15th day of November, A. D. 1855.

Signed, J. H. Stringfellow, Speaker of the House; Attest, J. B. [illegible], Clerk. Thomas Johnson, President of the Council; Attest, J. A. Halloran, Clerk.