

AN ADDRESS

TO THE

PEOPLE OF THE UNITED STATES AND KANSAS.

BY THE

FREE-STATE CONVENTION.

From The St. Louis Democrat.

The committee appointed by the late Free-State Convention, held at Topeka, Kansas, on the 10th day of March, 1857, to whom was committed the charge of preparing an Address to the American People, have prepared and respectfully submit the following:

The Pro-Slavery Convention, which assembled at Leocompton January 12, 1857, have issued an "Address," which has been spread broadcast over the States. In this pamphlet an attempt is made to palliate the crimes and excuse the outrages of which the Pro-Slavery party—sailing under the colors of "democracy"—have been guilty in the Territory. Nay, more. It is sought to throw the entire blame and responsibility of the afflictions which have been visited upon the settlers and residents of Kansas on the Free-State men, and those active and earnest patriots who have labored with an energy that knows no defeat, and a will that knows no faltering, in behalf of Freedom and Free-Labor.

The burden of the Address is, that the Free-State party initiated and inaugurated revolutionary and incendiary proceedings, that they rallied against the enforcement of legal enactments, laughed to scorn the authorities, and beat back the officers of justice, thereby necessitating the "Law and order men" to take up arms for the preservation of peace and for the punishment of traitors. They brand Lane, Robinson and Reeder, and a host of other good men and true, as hired emissaries animated by a filibustering spirit, hostile to the Constitution, foes to the Union of the States, and enemies to the well-being of the Territory. They represent themselves to have been innocent, law-abiding and inoffensive, earnestly in favor of peace and repose in Kansas, and end their Address with a great rhetorical flourish, and bombastic assurances of patriotic devotion to their country, their party and their God.

To unmask the hypocrisy, to expose the falsehoods and reveal the contradictions and inconsistencies of this Address, would be superfluous, for the throes and the anguish, the indignities and the oppressions, which the Free-State men have suffered, are written in characters of blood, and burned into the memory of every honest citizen of our country. Subterfuge and deceit, brazen falsehood and base perjury, can avail nothing; for the great truths, in the gigantic wrongs of Kansas history, have been seen and known and pondered of all men, and will stand, like the Egyptian pyramids, to the surprise and wonder of coming generations.

The Free-State men have violated no law, for that which is not just is not law, and that which is devoid of justice should not be obeyed. The code attempted to be forced upon them was not enacted for proper legislation, for the regulation and protection of society, but to enslave the body and soul of every citizen, and to rivet the institution of Slavery upon a soil consecrated to Freedom. No honest man could indorse or subscribe to such a code, and the Free-State men did not. Yet they raised no arm, neither committed any violence against their oppressors. But when they were driven from their homes and their families treated with unheard-of cruelty by this self-styled "Law and Order" party, then it was that all the higher voices of their nature appealed to them to rise and protect their rights and liberties, or sink to the level of serfs. The blood and the manhood and the muscle of Northern Freemen could brook no more, for forbearance had ceased to be a virtue, and the time was come when they must vindicate their courage and establish their right to the title of men.

But when the invaders were driven back and the dissensions in a manner quieted, they once again returned to the more congenial pursuits of peace, and devoted themselves with activity and energy to the industrial occupations which they loved. It is our purpose to present a brief though comprehensive sketch of what has transpired in Kansas since the passage of the Kansas-Nebraska bill, and to let the American People judge for themselves whether or not the Free-State party have acted according to the dictates of justice and of right, whether or not they have been wronged and outraged, and whether they or the self-styled "Law and Order party" are responsible for the crimes and the blood which have stained the virgin soil of the Territory.

But in this cause we must take our proper position. The Free-State party of Kansas cannot act upon the defensive before a tribunal where the American People sit as judges. We arraign the self-styled "Law and Order party" of Kansas as guilty of high crimes and misdemeanors; we charge upon them the burden of guilt and of wrong; and we only ask a fair and honest verdict from the evidence and arguments we may adduce.

Although the Kansas-Nebraska bill was violently opposed, at the time of its presentation to Congress, by a decided majority of the Northern Representatives, backed by the opinion of their constituents, it was indorsed as "a law" by the citizens of Kansas, who desired only to have its principles and provisions faithfully carried out. A. H. Reeder was appointed Governor of the Territory under the bill, and a large Northern emigration poured into the Territory to test the question of "popular sovereignty," and secure Freedom for Kansas by a numerical preponderance.

The time came at last for electing a Territorial Legislature and a Delegate to Congress. How this election was carried is a matter of history. The Missourians poured into the Territory, violated the sanctity of the ballot-box, outraged all law and decency, and thwarted the voice and the will of the actual residents. This was on the 30th day of March, 1855—a day never to be forgotten—when the invading hordes, with insulting banners, on which were inscribed: "Death to the damned Abolitionists," "A Slave State for Kansas," "No quarter for Free-State Men," and other devices, and with bowie-knives and revolvers bore down upon the polls, ousted the judges and clerks of election, and stuffed the boxes with illegal ballots. In this mode, and by such means, the first so-called Legislature of Kansas was elected—4,908 illegal votes being polled by Missourians. Only four days had been allowed to protest against the returns of the election judges, and the formalities were returned to but in six districts, in which Gov. Reeder ordered new elections. At these elections—May 22, 1855—all the Free-State nominees were elected, except at Leavenworth City, where the Missourians played their old game of invasion and illegal voting; and on the 25th, a few days subsequently, a Pro-Slavery meeting was held at which the Missourians were indorsed, and the outrage on Mr. Phillips, a Free-State man, who had been taken into Missouri, tarred and feathered, and sold at auction to a negro—indorsed.

The first meeting of the Missouri-elected Legislature of Kansas took place at Pawnee, near Fort Riley. It appeared that there was but one Free-State man in the whole council, who immediately resigned his seat, and the Legislature ousted all the Free-State members of the House elected at the special elections ordered by Governor Reeder, and gave their seats to their Pro-Slavery opponents. An act was then passed for the removal of the seat of Government to Shawnee Mission, near the Missouri border, which was finally adopted over Governor Reeder's veto.

All Territorial offices were filled by these "legislators," or by Commissioners appointed by them, and Governor Reeder, who bravely stood up against the illegal Assembly and their enactments, was removed, the administration falling into the hands of Secretary Woodson, who actively cooperated with the Pro-Slavery party.

A code of laws was enacted by the bogus Legislature, pronounced by General Cass to be "a disgrace to the age," and having provided for another election, the fraudulent body adjourned sine die.

On the 1st of October Whitfield was returned as a Delegate to Congress by a vote of 2,800, four fifths of which was polled by Missourians, as the Free-State men refused to vote.

Wilson Shannon, having been appointed Governor of Kansas, acted with the Pro-Slavery organization, took part in their meetings, and subsequently, in response to a call from bogus Sheriff Jones, declared the Territory in a state of open rebellion, and issued orders for the enlistment of men to enforce the Territorial laws. An army of invaders marched toward Lawrence, scattering terror in their course, while Atchison and Stringfellow appealed for aid to the South—a Free-State printing-press was destroyed at Leavenworth, and all the horrors of a war of extermination visited upon the peaceful settlers. President Pierce lent his sanction to the invaders, and authorized Shannon to call out the United States troops. Companies from the purloined and grog-shops of the South, under a Major Buford, took an active part in outraging the Free-State citizens, and the Territory presented the awful spectacle of a region overrun by fire and sword.

In the meanwhile the actual residents of Kansas were adopting initiatory measures for the organization of a State Government, for the election of a Legislature, and for the protection of their lives and prop-

erty, as well as for the securing a voice in the legislative proceedings, and the filling of official posts. A Convention of the people assembled at Lawrence, August 14, 1855, repudiated the authority of the late Legislature, and recommended the election of delegates on the 25th, to meet at Big Springs September 5, for the consideration of public affairs. At this Convention the bogus laws were also repudiated, Ex-Gov. Reeder nominated as delegate to Congress, and a day appointed for the election. On the 17th of September another Convention was held at Topeka, to make arrangements for electing delegates for a Free-State Constitution. This Convention selected an Executive Committee, who were invested with the authority of a provisional government, to provide for the complete organization of a State Government. October 9, Reeder was elected Delegate to Congress, by a vote of 2,400, and Delegates at the same time were elected to the Constitutional Convention. This Convention assembled at Topeka on the 23d, and September 11 submitted a Constitution to the people, appointing the 4th of March, 1856, for organizing a State Government. December 15, 1855, the Topeka Constitution was voted upon by the people, with no outbreak, except at Leavenworth City, where the election was prevented and the poll-book stolen. On the 15th of January, 1856, officers were elected under the Topeka Constitution, and Robinson chosen Governor. On the 4th of March the State Legislature met at Topeka, Gov. Robinson and other officers sworn in, the Executive Committee discharged, and the Legislature then adjourned to meet at Topeka July 4.

Although these proceedings were in violation of no law, and demanded by the necessities of the occasion, and although precedent and authority could be found for them in the history of Michigan, Arkansas and California, the President of the United States issued a proclamation denouncing the formation of a State Government as an act of rebellion, and upholding and indorsing the Bogus Legislature. Acting upon this proclamation, and in accordance with his own base instincts, Judge Leecompte charged the Grand Jury to find indictments for high treason against all who had participated in organizing the State Government. The Jury succumbed, found indictments against Robinson, Lane, Reeder and many others, and presented the two Lawrence newspapers and the Free-State hotel as nuisances.

Thus affairs stood when the Congressional Investigating Committee arrived in the Territory. Many obstacles were thrown in their way by the Pro-Slavery party, and every means adopted by which a fair and just investigation of Kansas affairs might be prevented. But the Committee proved equal to the arduous responsibility which devolved upon them, and well performed a noble duty. The result of their labors and the character of their report are well known. It substantiated the illegality of every election held under the enactments of the Bogus Legislature, and corroborated the truth of all that the Free-State men of Kansas were reported to have undergone.

Up to this time the Pro-Slavery party had been guilty of committing crimes at which the blood curdles. J. W. B. Kelley had been beaten and shamefully abused at Atchison; the Rev. Pardee Butler had been lynched, tarred and feathered and sent down the Missouri on a frail raft; Collins had been cruelly murdered at Doniphan, and Dow at Hickory Point; Barber had been shot down by Major Clarke, a government official, and Brown tortured to death near Leavenworth. And yet the murderers ran at large, boasted of their exploits, and openly defied the law. Gov. Robinson was arrested, May 8, at Lexington, Missouri, and sent back to Kansas, where, with six others, he was thrown into prison and kept confined for four months.

On the 11th, Marshal Donaldson raised a force of ruffians, embracing Major Buford's "chivalric boys," and marched to destroy Lawrence, under the pretense that the citizens had aided Reeder in resisting his authority. Like the swarm of Egyptian locusts, this force carried desolation as they went. Jones and Stuart, harmless and excellent citizens, were shot down like beasts, and upon the 30th of May the Ruffians reached the City of Lawrence. The citizens were almost paralyzed with amazement as they looked upon the angry and demonic throngs by which their homes were surrounded. But they determined on mustering all, as in the days of Rome, from twelve to seventy, and resolved to beat back the ruthless invaders of their peace and prosperity, or fall like earnest men and patriots. The marauders, though outnumbering their opponents five to one, were yet afraid to risk a fair engagement, and sent Bogus Sheriff Jones to secure their arms and cannon by promising protection to life and property. Deceived and betrayed by these pledges, in an evil hour the Free-State men agreed to the terms, and the Ruffians were allowed to pour into their city, and then, regardless of their pledges and plighted faith, did they commence anew the work of ruin and plunder. Two presses were destroyed, together with a beautiful new hotel, and Gov. Robinson's private house, while Atchison incited them to other deeds of violence and wrong. Scattering from Lawrence, in foraging parties, Buford's men scoured the country like lawless pirates, as they were. Such was the policy of the "Law and Order party"—the "National Democracy" of Kansas.

When the Free-State men discovered how useless, how worse than useless, it was to appeal for protection to Shannon, the infamous Governor, to the National Administration, to the legal tribunals—when in their distant homes they found themselves forsaken, betrayed and deserted, surrounded by a relentless and bloodthirsty foe, bent on driving them from their fire-sides, or crimsoning the soil with their blood, then was it that they felt called upon to resort to arms and physical resistance. Inspired by a cause as pure and holy as that for which Washington fought and Warren fell, they rallied under a common banner, and went forth like the brave Magyars to defend those rights which are intuitive in the manly breast—rights and liberties which must be preserved by freemen at all hazards, if they would preserve their own self-respect. They did not "gird on their armor" out of revenge for their wrongs, neither out of any mercenary motive by which their interests might be advanced. They sought only to drive back the oppressive hordes of unprincipled invaders, and to vindicate a principle which was dear to them as life itself.

At the first engagement at Osawatimie, the ruffians were sorely beaten. At Palmyra or Black Jack, Captains Brown and Shore routed a band of plunderers under the lead of Pate from Missouri. The battle of Franklin followed, in which the Free-State men were also victorious. Whitfield, the bogus Delegate to Congress, who was advancing into the Territory with a large force, was unceremoniously sent back by Col. Sumner, commanding the United States Dragoons. The ruffians murdered a Free-State man, Central, in cold blood by way of revenge, and committed other heartless depredations. During the remainder of the month of June, the Territory was afflicted with all the horrors of a bloody civil war. Osawatimie was sacked by a large Pro-Slavery company, who destroyed or carried off everything of value, and shamefully abused the unarmed and defenseless citizens. Then followed the Missouri river outrages. The boats were stopped and searched—money, goods and arms stolen, and Northern emigrants sent back penniless. Governor Shannon, Colonel Sumner and Judge Leecompte refused to interfere, and the Administration openly encouraged the depredations.

Upon the 4th of July, the Free State Legislature convened at Topeka, pursuant to adjournment. It was a day memorable in the history of our government, upon which our forefathers declared their Independence in a Declaration which constitutes the noblest paper which graces the archives of any nation, and a marked correspondence existed between the two occasions, though separated by a long line of years. The Free-State men of Kansas met, like the Revolutionary patriots, in a dark and trying hour. They met, as lovers of liberty, to organize against an existing oppression. They met as men who felt the yoke of bondage, but who could not submit to the enslavement of body and soul. For peaceful deliberation they had convened, to consult the interests of their country, and to devote themselves to the administration of justice. They met in obedience to the will of a majority of the residents of Kansas, and they were intrusted with the hopes and the prayers of a suffering people. Then and there, in that sacred place, and on that solemn day, was an outrage committed, which must ever remain a blot upon the historic page—an outrage that mangles the cheek of every true American with shame, and paints with vivid colors the degeneracy and degradation of our Federal Government; for, when the Legislature was on the point of coming to order, the gleam of United States arms and the entrance of Federal troops were seen, and an officer of our Government ordered the Legislature to disperse. He spoke not for himself, but for a higher official—for him who occupied the most honorable position that this or any country knows. Cromwell Napoleon an refractory Parliament, and the Great Napoleon an angry Assembly; but these usurpations of authority were nothing in comparison to that executed by Pierce in ordering a Federal officer to disperse a Legislature convened in violation of no law or established principle in a country professing to be a free republic. It was the darkest of the many dark deeds that distinguished the last Administration, and consigned it to a grave of everlasting infamy.

When the report of what was transpiring in Kansas—of Shannon's treachery, the Ruffians' cruelty, and the Administration's duplicity—reached the Northern States, they were scarcely credited. Persons could not believe that the detailed cruelties had been committed, or that the Government could lend its sanction and indorsement to a set of ruffian invaders. But, as the reports were substantiated and the frightful accounts of existing affairs verified, the Northern People awoke to a realizing sense of their duty, and contributed men and means, as well as arms and provisions, for their friends and relatives in the Far West, with an alacrity and liberality that did them honor.

As Northern emigration on the Missouri River was interdicted, a new route was opened through Iowa,

and Lane took charge of a large body of emigrants, who reached Kansas during the month of August. The supplies they brought, together with the evidence they furnished to the Free-State men that their struggles and privations were not unappreciated, cheered and animated them with a new hope and a fresh courage. A short time previous to this, Mr. Day, the only Free-State Federal officer in the Territory, was cruelly murdered. Col. Sumner, who had exhibited some humanity toward the Free-State men, was superseded by Gen. Smith, of Louisiana, who was expected to side entirely with the Kansas invaders. On the 5th of August, another contest took place between the respective parties, near Osawatimie, and a set of Georgian marauders were driven from their post. At the same time Mr. Hoyt, of Lawrence, who had been sent single and alone to remonstrate with a prowling band of Southerners, under Col. Treadwell, was way-laid and murdered.

Important events followed in rapid succession, and various warlike encounters took place between the Free-State and Pro-Slavery parties, in which the latter were generally worsted. On the 18th of August a treaty of peace was concluded between the citizens of Lawrence and Governor Shannon. On the same day two Free-State men were murdered and scalped near Lawrence, while a German, who expressed his horror at the bloody work, was shot dead in the streets.

The leading Border Ruffians—Richardson, Atchison and Stringfellow—laboring under the hallucination that Lane was advancing into the Territory with an army as numerous as that of Xerxes, issued a proclamation to the Missourians which was promptly responded to, and numerous crowds gathered at Ward, Mo., chose Atchison commander-in-chief, and marched toward Lawrence. Shannon having been removed, Woodson assumed the reins of government, and raised another force in the West to act in concert with the army of Atchison, which styled itself, with sardonic irony, "the army of Law and Order in Kansas Territory." This "peaceful" army exemplified their "Law and Order" propensities by falling upon a Quaker Mission and treating the settlers with cannibalistic fury. Lawrence was again in danger, and was only saved from destruction by the prompt action of Lane, who organized a force of 300 Free-State men and drove Atchison across the Missouri, where he dispersed his troops, engaging them to rally again on the 13th September for "another march on the d-d Abolitionists."

Although we have recounted outrages at which the heart sickens, and which must shock the sense of every civilized community, a darker chapter yet remains unwritten. The annual Municipal Election in Leavenworth City took place September 1. That day, which is known as Bloody Monday, and the events which transpired upon it, in their revolting and distorted features, more resembled the "Reign of Terror," when the streets of Paris ran blood, than an American city of the nineteenth century. The Missourians, thirsting for revenge, and burning with hate and frenzy, poured into the city, cried

Have,  
And let slip the dogs of war.

Col. Emory led on the infuriated mob, who committed the most horrible acts of violence. Phillips was shot down at his own threshold, and bullets were fired to every part of the house. The leading citizens were driven from their homes, and their wives and daughters subjected to every species of indignity. In the agony of despair many appealed, as only the suffering can appeal, to General Smith, the commanding officer at Fort Leavenworth, for a detachment of troops to protect their families and property. But that appeal, which was enough to make "a marble statue weep," met no response from the icy-hearted commander. Though he might have quelled the disturbances in a moment no finger was lifted, and no order issued, except to command his sergeant to drive from the fort the afflicted citizens, who had there sought temporary refuge and protection. In that act the flag of our country was disgraced, and the character of our military officers stained. It would require volumes to enumerate the outrages that were subsequently perpetrated in Leavenworth—how houses and stores were burned—how the citizens were forced upon the boats at the point of the bayonet—how men were murdered in cold blood—how the sick and the weak, innocent women and harmless children, were treated with a cruelty almost beyond conception. Such were some of the more marked features which distinguished the reign of the Law and Order party in Leavenworth City. There may still be seen the charred and blackened ruins of many buildings that were destroyed—many are the residents who can give heart-rending accounts of what occurred during that sad period, and new-made graves upon Pilot Knob seem to plead, with a sad and mournful eloquence, against the cruel and untimely cutting off of those who sleep beneath.

During this month, Lane forced Woodson, the acting Governor, to release his Free-State prisoners, and disband his forces. Upon the 8th the Supreme Court met at Leocompton to try the political prisoners. The District Attorney not being ready to go on with the case, all the prisoners were admitted to bail, and on the same day Gov. Geary arrived in the Territory. Immediately upon assuming his office, he issued a proclamation commanding "all bodies of men combined, armed and equipped with munitions of war, without authority of Government, instantly to disband and quit the Territory."

In obedience to this proclamation, the Free-State forces disbanded, but the Border Ruffians, in open defiance of it, reassembled according to previous arrangement, at Weston, Mo., and to the number of 2,500 strong, with five pieces of artillery, marched toward Lawrence. It was with great difficulty that Gov. Geary, at the head of United States troops, by throwing himself between the invaders, and Lawrence, succeeded in saving the city, and prevailing upon the Missourians to retire. In their retreat, among other outrages, they shot down an unoffending Free-State man—Buffum—for remonstrating against the stealing of his horses.

The political Free-State prisoners, under indictments for treason and murder, were treated with revolting barbarity by Col. Titus and his Southern ruffians, and the citizens of Osawatimie were once again visited by new afflictions from fresh bodies of invaders. October 16, an election took place under bogus Legislature enactment, for Delegate to Congress, members of Territorial Legislature, and on the question of a Delegate Convention to adopt a State Constitution. In this election the Free-State men took no part, and the Border-Ruffians had it all their own way.

On the 13th, a Free-State Convention was held at Topeka, and a few days afterward another at Big Springs, where protests against Whitfield's election to Congress, and memorials to Congress were adopted, praying the admission of Reeder, as representing the real sentiments of a majority of the citizens of the Territory.

During the latter part of October the trial of the Free-State prisoners took place at Leocompton, before a packed jury of bitter Pro-Slavery partisans, and twenty-one were sentenced by the Kansas Juries to five years hard labor with bail and chain. These persons were guilty of no crime. They had acted purely in self-defense at Hickory Point, and would instantly have been acquitted by a fair and honorable tribunal. Their crime, in the eyes of the Court, was a devoted love of Liberty, and for that devotion they were treated as felons and murderers. But in that higher Court and by that higher law which exists in and is constituted by a just and generous people, they were not only proclaimed "not guilty," but crowned with honor and loaded with grateful testimonials, as a small acknowledgment of their labors and services in the cause of Freedom.

It will be remembered that while the Free-State men were being subjected to the severest penalties which an unholy tribunal could inflict, their oppressors and persecutors, with hands reeking with blood, that cried aloud for vengeance, were never called to account or made to answer for the laws they had outraged, and the barbarities they had perpetrated. The Judges of the Supreme Court, he it said to their eternal disgrace, threw off the spotless ermine, and cloaked themselves in the pointed garments of fanatical partisanship. Before such a tribunal, a charge against a Free-State man, no matter how base, how unfounded or how frivolous, was equivalent to conviction. Law was mockery, principles meaningless, and justice but a word. To illustrate the truth of what we affirm, we need but cite the murder of Buffum and the subsequent action of the Supreme Court, of which Governor Geary gives the following account: "When he reached Buffum, the poor fellow was lying upon the earth in his agonies, the blood streaming from his wounds, and the cold sweat of death upon his brow. He seized the Governor's hand, and declared that, as he hoped for mercy hereafter, he was innocent of all cause of offense—that it was a most foul and unprovoked murder. He asked his assassin why he sought for his life or desired to take his property? That upon his efforts depended the life of his father and mother, a deaf and dumb brother, and sister—that he himself was a cripple, and therefore harmless. To this appeal he was answered by a d-d Abolitionist, and that they intended to destroy the whole of them." Upon which Hayes, one of the gang, seized him by the collar and placing the pistol against his stomach, shot him. The Governor pledged himself while he held his cold hand in his own that he would use all in his power to bring his murderers to justice. "I spent," said the Governor, "to have his assassins arrested, and I would have spent \$5,000 to have done so had it been necessary." It is well known that the Governor had Hayes arrested, but scarcely was he put in prison when Leecompte issued a writ of habeas corpus and had him released and set at liberty upon straw bail. Hayes is now in Missouri, and is playing the gentleman. The Governor further states that, after the release of Hayes, Surveyor-General Cahoun took occasion, in a public speech upon the matter, to declare that the discharge of Hayes was perfectly legal, and that it was a mistake to suppose that the Territorial laws were enacted