

PALLADIUM--EXTRA.

READ AND CIRCULATE.

Kansas.

REPORT OF THE CONGRESSIONAL INVESTIGATING COMMITTEE.

The SPECIAL COMMITTEE appointed to investigate the troubles in the TERRITORY OF KANSAS, having performed the duties required by the House, beg leave to submit the following

REPORT.

A Journal of proceedings, including sundry communications made to and by the Committee, was kept, a copy of which is herewith submitted. The testimony is also herewith submitted; a copy of it has been made and arranged, not according to the order in which it was taken, but so as to present, as clearly as possible, a consecutive history of events in the Territory, from its organization to the 19th day of March, A. D. 1856.

Your committee deem it their duty to state, as briefly as possible, the principal facts proven before them. When the act to organize the Territory of Kansas was passed, on — day of May, 1854, the greater portion of its eastern border was included in Indian reservations not open for settlement, and there were but few white settlers in any portion of the Territory. Its Indian population was rapidly decreasing, while many emigrants from different parts of the country were anxiously waiting the extinction of the Indian title, and the establishment of a Territorial Government, to seek new homes in its fertile prairies. It cannot be doubted that if its condition as a free Territory had been less understood by Congress, a different result would have been reached, and the Territory, with its climate, soil, and its easy access to the older settlements, would have made it the favored course for the tide of immigration constantly flowing to the West, and, by this time, it would have been admitted into the Union as a Free State, without the least sectional excitement. If so organized, none but the kindest feelings could have existed between it and the adjoining States. Their mutual interests and intercourse, instead of, as now, endangering the harmony of the Union, would have strengthened the ties of national brotherhood. The testimony clearly shows that before the proposition to repeal the Missouri Compromise was introduced into Congress, the people of Western Missouri appeared indifferent to the prohibition of slavery in that Territory, and neither asked nor desired its repeal.

When, however, the prohibition was removed by the action of Congress, the aspect of affairs entirely changed. The whole country was agitated by the re-opening of a controversy which conservative men in different sections hoped had been settled in every State and Territory by some law beyond the danger of repeal. The excitement which has always accompanied the discussion of the slavery question, was greatly increased by the hope on the one hand of extending slavery into a region from which it had been excluded by law, and on the other by a sense of wrong done by what was regarded as a dishonor of a national compact. This excitement was naturally transferred into the border Counties of Missouri and the Territory, as settlers favoring free or slave institutions moved into it. A new difficulty soon occurred. Different constructions were put upon the organic law. It was contended by the one party that the right to hold slaves in the Territory existed, and that neither the people nor the Territorial Legislature could prohibit slavery—that that power was alone possessed by the people when they were authorized to form a State Government. It was contended that the removal of the restriction virtually established slavery in the Territory. This claim was urged by many prominent men in Western Missouri, who actively engaged in the affairs of the Territory. Every movement of whatever character which tended to establish free institutions, was regarded as an interference with their rights.

Within a few days after the organic law passed, and as soon as its passage could be known on the border, leading citizens of Missouri crossed into the Territory, held squatter meetings and then returned to their homes. Among their resolutions are the following:

"That we will afford protection to no Abolitionist settler of this Territory."

"That we recognize the institution of slavery as already existing in this Territory, and advise shareholders to introduce their property as early as possible."

Similar resolutions were passed in various parts of the Territory, and by meetings in several Counties of Missouri. Thus the first effect of the repeal of the restriction against slavery was to substitute the resolves of squatter meetings, composed almost exclusively of citizens of a single State, for the deliberate action of Congress, acquiesced in for thirty-five years.

This unlawful interference has been continued in every important event in the history of the Territory; every election has been controlled not by the actual settlers, but by citizens of Missouri, and as a consequence, every officer in the Territory, from constable to legis-

lators, except those appointed by the President, owe their positions to non-resident voters. None have been elected by the settlers, and your Committee have been unable to find that any political power whatever, however unimportant, has been exercised by the people of the Territory.

In October, A. D. 1854, Gov. A. H. Reeder and the other officers appointed by the President, arrived in the Territory. Settlers from all parts of the country were moving in, in great numbers, making their claims and building their cabins. About the same time, and before any election was or could be held in the Territory, a secret political society was formed in the State of Missouri. It was known by different names, such as "Social Band," "Friends Society," "Blue Lodge," "The Sons of the South." Its members were bound together by secret oaths, and they had pass-words, signs and grips, by which they were known to each other. Penalties were imposed for violating the rules and secrets of the Order. Written minutes were kept of the proceedings of the Lodges, and the different Lodges were connected together by an effective organization. It embraced great numbers of the citizens of Missouri, and was extended into other Slave States and into the Territory. Its avowed purpose was not only to extend slavery into Kansas, but also into other Territory of the United States, and to form a union of all the friends of that institution. Its plan of operating was to organize and send men to vote at the elections in the Territory, to collect money to pay their expenses, and if necessary to protect them in voting. It also proposed to induce pro-slavery men to emigrate into the Territory, to aid and sustain them while there, and to elect none to office but those friendly to their views. This dangerous society was controlled by men who avowed their purpose to extend slavery into the Territory at all hazards, and was altogether the most effective instrument in organizing the subsequent armed invasions and forays. In its Lodges in Missouri, the affairs of Kansas were discussed, the force necessary to control the elections were divided into bands, and leaders selected, means were collected and signs and badges were agreed upon. While the great body of the actual settlers of the Territory were relying upon the rights secured to them by the organic law, and had formed no organization or combination whatever, even of a party character, this conspiracy against their rights was gathering strength in a neighboring State, and would have been sufficient at their first election to have overpowered them, if they had been united to a man.

Your Committee had great difficulty in eliciting the proof of the details in regard to this secret Society. One witness, member of the Legislative Council, refused to answer questions in reference to it. Another declined to answer fully, because to do so would result to his injury. Others could or would only answer as to the general purposes of the Society, but sufficient is disclosed in the testimony to show the influence it had in controlling the elections of the Territory.

The first election was for a Delegate to Congress. It was appointed for the 29th of November, 1854. The Governor divided the Territory into seventeen Election Districts, appointed Judges, and prescribed proper rules for the election. In the 1st, 2d, 8th, 9th, 10th, 12th, 13th and 14th Districts, there appears to have been but little if any fraudulent voting.

The election in the 3d District was held at the village of Douglas, nearly fifty miles from the Missouri line. On the day before the election, large companies of men came into the District in wagons and on horses, and declared that they were from the State of Missouri, and were going to Douglas to vote. On the morning of the election they gathered around the house where the election was to be held. Two of the Judges appointed by the Governor did not appear, and other Judges were elected by the crowd. All then voted. In order to make a pretense of right to vote, some persons of the company kept a pretended register of squatter claims, on which any one could enter his name and then assert he had a claim in the Territory. A citizen of the District, who was himself a candidate for Delegate to Congress, was told by one of the strangers that he would be abused and probably killed, if he challenged a vote. He was seized by the collar, called a d-d abolitionist, and was compelled to seek protection in the room with the Judges. About the time the polls were closed, these strangers mounted their horses and got into their wagons, and cried out, "All aboard for Westport and Kansas City." A number were recognized as residents of Missouri, and among them was Samuel H. Woodson, a leading lawyer of Independence. Of those whose names are on the poll-books, 35 were resident settlers, and 226 were non-residents.

The election in the 4th District was held at Dr. Chapman's, over 40 miles from the Missouri State line. It was a thinly settled region, containing but 47 voters in February, 1855, when the census was taken. On the day before the election, from 100 to 150 citizens of Cass and Jackson Counties, Mo., came into this district, declaring their purpose to vote, and that they were bound to make Kansas a Slave State, if they did it at the point of the sword. Persons of the party on the way drove each a wake in the ground and called it a claim—and in one case several names were put on one stake. A party of strangers camped all night where the election was to be held, and in the morning were at the election polls and voted. One of their party got drunk, and to get rid of Dr. Chapman, a Judge of the election, they sent for him to come and see a sick man, and in his absence filled his place with another Judge, who was not sworn. They did not deny or conceal that they were residents of Missouri, and many of them were recognized as such by others. They declared that they were bound to make Kansas a Slave State. They insisted upon their right to vote in the Territory if they were in it one hour. After the election they again returned to their homes in Missouri, camping over night on the way.

We find upon the poll books 161 names; of these not over 30 resided in the Territory; 131 were non-residents.

But few settlers attended the election in the 5th District, the District being large and the settlement scattered. 82 votes were cast; of these between 20 and 30 were settlers; the residue were citizens of Missouri. They passed into the Territory by way of the Santa Fe road, and by the residence of Dr. Westfall, who then lived on the western line of Missouri. Some little excitement arose at the polls as to the legality of their voting, but they did vote for Gen. Whitfield, and said they intended to make Kansas a slave State—and that they had claims in the Territory. Judge Teasle, Judge of the Court in Jackson County, Mis-

souri, was present, but did not vote. He said he did not intend to vote, but came to see that others voted. After the election, the Missourians returned the way they came.

The election in the 6th District was held at Fort Scott, in the southeast part of the Territory, and near the Missouri line. A party of about 100 men from Cass and the Counties in Missouri south of it, went into the Territory, traveling about 45 miles, most of them with their wagons and tents, and camping out. They appeared at the place of election. Some attempts were made to swear them, but two of the Judges were prevailed upon not to do so, and none were sworn, and as many as chose voted. There were but few resident voters at the polls. The settlement was sparse—about 25 actual settlers voted out of 106 votes cast, leaving 80 illegal votes. After the voting was over, the Missourians went to their wagons and commenced leaving for home.

The most shameful fraud practiced upon the rights of the settlers at this election, was in the 7th district. It is a remote settlement, about 75 miles from the Missouri line, and contained in February, A. D. 1855, three months after ward, when the census was taken, but 53 voters; and yet the poll books show that 604 votes were cast. The election was held at the house of Frey McGee, at a place called "110." But few of the actual settlers were present at the polls. A witness who formerly resided in Jackson County, Mo., and was well acquainted with the citizens of that County, says that he saw a great many wagons and tents at the place of election, and many individuals he knew from Jackson County. He was in their tents and conversed with some of them, and they told him they had come with the intention of voting. He went to the polls intending to vote for Plennekin, and his ticket being of a different color from the rest, his vote was challenged by Frey McGee, who had been appointed one of the Judges, but did not serve. Lemuel Ralston, a citizen of Missouri, was sitting in his place. The witness then challenged the vote of a young man by the name of Nolan, whom he knew to reside in Jackson County. Finally the thing was hushed up, as the witness had a good many friends there from that County, and it might lead to a fight if he challenged any more votes. Both voted, and he then went down to their camp. He there saw many of his old acquaintances, whom he knew had voted at the election in August previous, in Missouri, and who still resided in that State. By a careful comparison of the poll lists with the census rolls, we find but twelve names on the poll book who were voters when the census was taken three months afterward, and we are satisfied that not more than 20 legal votes could have been polled at that election. The only residents who are known to have voted, are named by the witness, and are 13 in number—thus leaving 591 illegal votes cast in a remote district, where the settlers within many miles were acquainted with each other.

The total number of white inhabitants in the 11th District, in the month of February, A. D. 1855, including men, women and children, was 36, of whom 24 were voters—yet the poll lists in the District show that 245 votes were cast at this election; for reasons stated hereafter in regard to the election on the 30th of March, your Committee were unable to procure the attendance of witnesses from this District.

From the records it clearly appears that the votes cast could not have been by lawful resident voters. The best test in the absence of direct proof by which to ascertain the number of legal votes cast, is by a comparison of the census roll with the poll book, by which it appears that but 7 resident settlers voted, and 238 votes were illegally and fraudulently given.

The election in the 14th District was held at the house of Benjamin Harding, a few miles from the town of St. Joseph, Missouri. Before the polls were opened, a large number of citizens of Buchanan Co., Missouri, and among them many of the leading citizens of St. Joseph, were at the place of voting, and made a majority of the company present. At the time appointed by the Governor for opening the polls, two of the Judges were not there, and it became the duty of the legal voters present to select other Judges. The Judge who was present suggested the name of Mr. Waterson as one of the Judges—but the crowd voted down the proposition. Some discussion then arose as to the right of non-residents to vote for Judges, during which Mr. Bryant was nominated and elected by the crowd. Some one nominated Col. John Scott as the other Judge, who was then and is now a resident of St. Joseph. At that time he was the City Attorney of that place, and so continued until this spring, but he claimed that the night before he had come to the house of Mr. Bryant, and had engaged boarding for a month, and considered himself a resident of Kansas on that ground. The Judges appointed by the Governor refused to put the nomination of Col. Scott to vote, because he was not a resident. After some discussion, Judge Leonard, a citizen of Missouri, stepped forward and put the vote himself, and Mr. Scott was declared by him as elected by the crowd, and served as a Judge of Election that day. After the election was over he returned to St. Joseph, and never since has resided in the Territory. It is manifest that this election of a non-resident lawyer as a Judge, was imposed upon the settlers by the citizens of the State. When the board of Judges was thus completed, the voting proceeded, but the effect of the rule adopted by the Judges, allowed many, if not a majority of the non-residents to vote. They claimed that their presence on the ground, especially when they had a claim in the Territory, gave them a right to vote—under that construction of the law, they readily, when required, swore that they were "residents," and then voted. By this evasion, as near as your Committee can ascertain from the testimony, as many as 50 illegal votes were cast in this district out of 153, the whole number polled.

The election in the 15th District was held at Penseman's, on Stranger Creek, a few miles from Western Missouri. On the day of the election a large number of citizens of Platte County, but chiefly from Western and Platte City, came in small parties, in wagons and on horseback, to the polls. Among them were several leading citizens of that town, and the names of many of them are given by the witnesses. They generally insisted upon their right to vote, on the ground that every man having a claim in the Territory, could vote, no matter where he lived. All voted who chose; no man was challenged or sworn. Some of the residents did not vote. The purpose of the strangers in voting was declared to be to make Kansas a Slave State. We find by the poll books that 206 votes were cast—of them we find but 57 are on the census rolls as legal voters in February following. Your