

the part of the Council) to act in conjunction with a committee on the part of the House of Representatives, to inform his Excellency the Governor that the Legislative Assembly will adjourn this afternoon, to meet on Monday the 15th inst., at the Shawnee Manual Labor School, in the Territory of Kansas.

On the 16th of July the two Houses assembled, in pursuance of the adjournment at the Shawnee Manual Labor School, known as Shawnee Mission, and proceeded to the discharge of their legislative duties. In the meantime the Governor had also repaired to Shawnee Mission, it being the place of his residence in the Territory, and the seat of the executive offices as established and continued by himself during the whole period he exercised the Executive functions.

On the 21st of July, a message was received, from the Governor, by his private secretary, Mr. Lowry, directed "To the House of Representatives of the Territory of Kansas," in which he says:—

"I return, to your House, in which they originated, the bill, entitled, 'An act to prevent the sale of intoxicating liquors and games of chance within one mile of the Shawnee Manual Labor School, in the Territory of Kansas,' and the bill entitled 'An act to establish a ferry at the town of Atchison in Kansas Territory,' without my approval. I see nothing in the bills themselves to prevent my sanction of them, and my reasons for disapproval have been doubtless anticipated by you, as necessarily resulting from the opinion expressed in my message of the 6th instant."

The Governor then proceeds to argue the question at great length. "Whether the Legislature is now in session at a place which can be recognized as a seat of government, where the business of legislation can be legally or legitimately carried on."

He does not question the fairness and legality of the elections of the members composing the Legislature—nor the regularity and validity of their organization—nor their competency as a Legislature to pass all laws which they may deem necessary and proper for the best interest of the people of Kansas, provided it shall be done at the right place. Upon this point, he says:—

"It seems to be plain that the Legislature, now in session, so far as the place is concerned, is in contravention of the act of Congress, and where they have no right to sit, and make no valid legislation. Entertaining these views, I can give no sanction to any bill that may be passed; and if my reasons are not satisfactory to the Legislative Assembly, it follows that we must act independently of each other."

In conclusion, the Governor says:—

"If I am right in these opinions, and our Territory shall derive no fruits from the meeting of the present Legislative Assembly, I shall, at least, have the satisfaction of recollecting that I called the attention of the Assembly to the point before they removed, and that the responsibility, therefore, rests not on the Executive."

The Governor having thus suspended all official intercourse with the two branches of the Legislature, refusing to examine their acts, with a view of either approving or disapproving them, they appointed a joint committee of the two houses to draft a memorial to the President of the United States, asking his removal from the office of Governor, which memorial was signed by the presiding officers and members in joint session. The memorialists, after reviewing the cause which had led to such serious difficulties, and vindicating the right of the Legislature, under the organic act, to remove the seat of government from Pawnee City to Shawnee Mission, concluded as follows:—

"In conclusion we charge the Governor, A. H. Reeder, with wilful neglect of the interests of the Territory, with endeavoring, by all means in his power, to subvert the ends and objects intended to be accomplished by the 'Kansas and Nebraska bill'; by neglecting the public interests and making them subservient to private speculation; by aiding and encouraging persons in factious and treasonable opposition to the wishes of the majority of the citizens of the Territory, and the laws of the United States in force in said Territory; by encouraging persons to violate the laws of the United States, and set at defiance the commands of the general government; by inciting persons to resist the laws which may be passed by the present Legislative Assembly of this Territory."

For these and many other reasons, we respectfully pray your Excellency to remove the said A. H. Reeder from the exercise of the functions now held by him in said Territory; and represent that a continuance of the same will be prejudicial to the best interests of the said Territory. And as in duty bound we will ever pray, &c., &c.

Signed by the officers and members of both Houses. On the 15th of August, Gov. Reeder addressed a note to the Department of State, acknowledging the receipt of a communication from the acting secretary, under date of the 25th of July, in which he was notified that in consequence of

"Your (Governor Reeder) purchase of Kansas half breed lands, and more especially the undertaking of sundry persons, yourself included, to lay out new cities on military or other reservations, in the Territory of Kansas, and more particularly as you have summoned the legislative assembly of the Territory to meet at one of the places referred to, denominated in your official proclamation Pawnee city, I have, therefore, by the direction of the President, to notify you that your functions and authority as governor of the Territory of Kansas are hereby terminated."

On the 16th of August the Journal of the House of Representatives says:—

"The following message was received from Gov. A. H. Reeder, by Mr. Lowry, his private secretary:— To the honorable members of the Council and House of Representatives of the Territory of Kansas:—

Gentlemen.—Although in my message to your bodies, under date of the 21st instant, I stated that I was unable to convince myself of the legality of your sessions at this place, for reasons then given, and although that opinion still remains unchanged, yet, inasmuch as my reasons were not satisfactory to your body, and the bills passed by your houses have been up to this time sent to me for approval, it is proper that I should inform you that after your adjournment of yesterday, I received official notification that my functions as Governor of the Territory of Kansas were terminated. No successor having arrived, Secretary Woodson will, of course, perform the duties of the office of Acting Governor. A. H. REEDER."

Inasmuch as Governor Reeder dissolved his official relations with the Legislature, and denied the validity of their acts solely upon the ground that they were enacted in the wrong place, it becomes material to inquire whether it was competent for them, under the organic act, to remove the seat of government temporarily from Pawnee city to the Shawnee Mission. The 24th section of the organic act provides:—

"That the Legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the constitution of the United States and the provisions of this act."

That the location of the seat of government and the changing of the same whenever the public interests and convenience may require it is a "rightful subject of legislation," is too plain to admit of argument. Hence the power is clearly included in this general grant, and may be exercised at pleasure by the Legislature, unless it shall be made to appear that Congress, by some other provision, has imposed restrictions or conditions upon its exercise. The 31st section of the organic act provides:—

"That the temporary seat of government of said Territory is hereby located at Fort Leavenworth, and that such portions of the public buildings as may not be actually used and needed for military purposes may be occupied and used under the direction of the Governor and Legislative Assembly, for such purposes as may be required under the provisions of this act."

And the 22nd section of the same act provides:— "That the persons thus elected to the Legislative Assembly shall meet at such place and on such day as the Governor shall appoint for the first meeting."

These two provisions being parts of the same act, and having reference to the same subject matter, must be taken together and receive such a construction as will give full effect to each, and not render either nugatory. While therefore the Governor was authorized to convene the Legislature in the first instance, at such place as he should appoint, still he was required by that provision which made Fort Leavenworth the temporary seat of government with the view of using some of the public buildings, to designate as the place some one of the pub-

lic buildings within the military reservation of Fort Leavenworth.

Had not Congress in the meantime interposed and changed the law as here presented, the Governor would not have been authorized to have convened the Legislature at Pawnee city, or at any other place in the Territory, than some one of the public buildings at Fort Leavenworth, as provided in the organic act.

In view of the fact that the Secretary of War had intimated an opinion that all the public buildings at Fort Leavenworth were needed for military purposes, and that the location of the seat of government even temporarily within the lines of a military reservation, where the military law must necessarily prevail, would be inconvenient, if not injurious to the public service, the following provision was adopted in the appropriation bill of the 5th of August, 1854, for the purpose of enabling the Governor to erect buildings for the temporary seat of government at some more suitable and convenient point in the Territory:

"That in the event that the Secretary of War shall deem it inconsistent with the interest of the military service to furnish a sufficient portion of the military buildings at Fort Leavenworth for the use of the Territorial government of Kansas, the sum of \$25,000 shall be, and in that contingency is hereby appropriated for the erection of public buildings for the use of the Legislature of the Territory of Kansas, to be expended under the direction of the Governor of said Territory."

Under this provision, taken in connection with that clause of the organic act which authorized the Governor to convene the Legislature at such place as he should appoint, he would have had the right to establish the temporary seat of government, and erect the public buildings at Pawnee city, or any other place he might have selected in the Territory instead of Fort Leavenworth, but for the fact that on the 3d of March, 1855, and before any portion of the money had been expended or even the site selected, Congress made a further appropriation of \$25,000 for public buildings, with the proviso:—

"That said money, or any part thereof, or any portion of the money heretofore appropriated for this purpose shall not be expended until the Legislature of said Territory shall have fixed by law the permanent seat of government."

This provision did not confer upon the Legislature any power in respect to the location of the seat of government, either temporarily or permanently, which it did not previously possess, for the general grant extending to all rightful subjects of legislation, necessarily included the right to determine the place of holding its sessions. The object, as well as legal effect of this provision, was to restrain the Governor from expending the appropriation until the voice of the people of Kansas should be expressed through their Legislature in the selection of the place, leaving the Governor to perform his whole duty under section 22 of the organic act, by appointing the place and day of the first meeting of the Legislature, and of expending the money appropriated by Congress for the erection of public buildings at such place as the Legislature should designate for the permanent seat of government of the Territory.

Under this view of the subject it is evident that the Legislature was clothed with legitimate authority to enact the law, in obedience to which its session was adjourned from Pawnee city to Shawnee Mission, and that its enactments made at the latter place must have the same force and validity that they would have possessed had not the removal taken place. Those who seek to find some tenuous ground upon which to destroy the validity of the legislative acts of Kansas, seeing that they cannot safely rely upon the alleged irregularity of the elections nor upon the absence of legal authority in the Legislature to remove the seat of government, flatter themselves that they have recently discovered a new fact which will extricate them from their difficulty, and enable them to accomplish their purpose. It is that, by the treaties of Nov. 7, 1825, and of August 8, 1831, with the Shawnees of Missouri and Ohio, a large tract of land, including the Shawnee Mission where the Legislature held its session, and the Governor established the executive offices, was secured to those Indians, with the guarantee on the part of the United States that said lands shall never be within the bounds of any State or Territory, nor subject to the laws thereof; and that the 19th section of the Kansas-Nebraska act provides that

"Nothing in this act contained shall be construed to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries and constitute no part of the Territory of Kansas."

Upon the authority of these clauses of the treaties and of the act of Congress organizing the Territory, it is assumed that the Shawnee Mission, where the Legislature enacted those laws, was not within the limits or jurisdiction of the Territory of Kansas, and hence they were null and void. Without admitting, even by implication, that the place where the Legislature should enact its laws would to any extent impair their validity, it is proper to call the attention of the Senate to the fact recorded on its journals, that on the 10th of May, 1854, only a few days before the passage of the Kansas-Nebraska act, a treaty was made with these same Indians, by the first article of which all the lands granted to them by the said treaties of 1825 and 1831 were ceded to the United States, and being thus exempted from the operation of the guarantees in those treaties, were by the terms of the organic act of Kansas included within the limits, and rendered subject to the jurisdiction of said Territory.

The second article granted the house in which the Legislature afterwards held its sessions, and the land upon which the house stood, to the Missionary society of the Methodist Episcopal Church South, in these words:—

"Of the lands lying east of the parallel line aforesaid, there shall first be set apart to the Missionary Society of the Methodist Episcopal Church South, to include the improvements of the Indian Manual Labor School, three sections of land; to the Friends' Shawnee Labor School, including the improvements there, three hundred and twenty acres of land; and to the American Baptist Union, to include the improvements where the superintendent of the school now resides, one hundred and sixty acres of land; and also five acres of land to the Shawnee Methodist church, including the meeting house and graveyard; and two acres of land to the Shawnee Baptist church, including the meeting house and graveyard."

The other articles of the treaty provide for the survey of these lands and for granting two hundred acres to each Shawnee Indian, to be held as private property, subject to such conditions as Congress should impose, and recognize the right of the Legislature to lay out roads and public highways across the Indian lands, on the same terms as the law provides for their location through the lands of citizens of the United States. The Rev. Thomas Johnson, who was President of the Kansas Legislative Council, and also agent of the Missionary Society of the Methodist Episcopal church, to which the lands and improvements belong, authorized the Legislature to use and occupy such portion of the buildings of which he held the lawful possession, as they should find convenient in the exercise of their legislative functions.

Upon a careful review and examination of all the facts, laws and treaties bearing upon the point, your Committee are clearly of the opinion that the Shawnee Manual Labor School was a place to which the Legislature might lawfully adjourn and enact valid laws in pursuance of the organic act of the Territory.

We do not deem it necessary to inquire into the expediency of the removal of the seat of government, for the reason that it cannot affect the validity of the legislative proceedings. It is sufficient to state that the reasons assigned by the Governor against the expediency of the measure were, first,

"The loss of time (more valuable because limited) which our organic law allots to the Legislative session."

And, secondly,

"Because it will involve a pecuniary loss in view of the arrangements which have been made at this place for our accommodation."

As an offset to the unfortunate circumstance that the people of Kansas would be deprived, for the period of ten days, of all the advantages and protection which were expected to result from the wholesome laws which the Governor had recommended them to enact upon all rightful subjects of legislation, and to the pecuniary loss which would be sustained in consequence of the removal from Pawnee City; the members of the Legisla-

ture, in their memorial to the President of the United States, asking him to remove the Governor, state their reasons as follows for the allegation, that there was an unnecessary loss of three months' time, after the election, in convening the Legislature, and that Pawnee was not a suitable place for them to meet:—

"After the contest was over and the result known, he delayed the assembling of the body until the second day of July, more than three months afterwards, and that too, when the whole Union was convulsed on account of alleged outrages in Kansas Territory, and yet no law for the punishment or prevention of them. When at last they did meet upon the call of the Governor, at a point where they had previously, in an informal manner, protested against being called, with an avowal of their intention to adjourn to the point at which they are now assembled, for the reasons that the requisite accommodations could not be had; where there were no facilities for communication with their families or constituents; where they could not even find the common food to eat unless at an enormous expense, there being no gardens yet made by the squatters; where the house in which we were expected to assemble had no roof or floor on the Saturday preceding the Monday of our assembling, and for the completion of which the entire Sabbath day and night was consecrated by the continual labor of the mechanics; where at least one half of the members, employees, and almost all others who had assembled there for business or otherwise, had to camp out in wagons or tents during a rainy hot season, and where cholera broke out in consequence of the inadequate food and shelter, and where, under all these circumstances of annoyance, they finally passed an act adjourning to this point—Shawnee Manual Labor School—where ample accommodations are provided, and where the Governor himself had previously made it the seat of government—they were met by his veto, which is herewith transmitted."

Your committee have not considered it any part of their duty to examine and review each enactment and provision of the large volume of laws adopted by the Legislature of Kansas upon almost every rightful subject of legislation, and affecting nearly every relation and interest in life, with a view, either to their approval or disapproval by Congress, for the reason that they are local laws, confined in their operation to the internal concerns of the Territory, the control and management of which, by the principles of the federal constitution, as well as by the very terms of the Kansas-Nebraska act, are confided to the people of the Territory, to be determined by themselves through their representatives in their local Legislature, and not by the Congress in which they have no representation to give or withhold their assent to the laws upon which their rights and liberties may all depend. Under these laws marriages have taken place, children have been born, deaths have occurred, estates have been distributed, contracts have been made, rights have accrued which it is not competent for Congress to divest. If there can be a doubt in respect to the validity of these laws, growing out of the alleged irregularity of the election of the members of the Legislature, or the lawfulness of the place where its sessions were held, which it is competent for any tribunal to inquire into with a view to its decision at this day, and after the series of events which have ensued, it must be a judicial question, over which Congress can have no control, and which can be determined only by the courts of justice under the protection and sanction of the constitution.

When it was proposed in the last Congress to annul the acts of the Legislative Assembly of Minnesota, incorporating certain railroad companies, this committee reported against the proposition, and instead of annulling the local legislation of the Territory, recommended the repeal of that clause of the organic act of Minnesota, which reserves to Congress the right to disapprove its laws.—That recommendation was based on the theory that the people of the Territory, being citizens of the United States, were entitled to the privilege of self-government in obedience to the constitution, and if, in the exercise of this right, they had made wise and just laws, they ought to be permitted to enjoy all the advantages resulting from them; while, on the contrary, if they had made unwise and unjust laws, they should abide the consequences of their own acts, until they discovered, acknowledged and corrected their errors. It has been alleged that gross misrepresentations have been made in respect to the character of the laws enacted by the Legislature of Kansas, calculated, if not designed, to prejudice the public mind at a distance against those who enacted them, and to create the impression that it was the duty of Congress to interpose and annul them. In view of the violent and insurrectionary measures which were being taken to resist the laws of the Territory, a convention of delegates, representing almost every portion of the Territory of Kansas, was held at the city of Leavenworth on the 14th of November, 1855, at which men of all shades of political opinions, "whigs and democrats, pro-slavery men and free State men, all met and harmonized together, and forgot their former differences in the common danger that seemed to threaten the peace, good order and prosperity of this community. This convention was presided over by the Governor of the Territory, assisted by a majority of the Judges of the Supreme Court, and the address to the citizens of the United States, among other distinguished names bears the signature of the United States District Attorney and Marshal of the Territory.

It is but reasonable to assume that the interpretation which these functionaries have given to the acts of the Kansas Legislature in this address will be obvious in their official exposition and execution of the same. In reference to the wide spread perversion and misrepresentations of those laws, this address says:

"The laws passed by the Legislature have been most grossly misrepresented, with the view of prejudicing the public against that body, and as an excuse for the revolutionary movements in this Territory. The limits of this address will not permit a correction of all the misrepresentations, but we will notice some of them that have had the most wide-spread circulation."

It has been charged and widely circulated that the Legislature, in order to perpetuate their rule had passed a law prescribing the qualification of voters, by which it is declared that any one may vote who will swear allegiance to the Fugitive Slave law, the Kansas and Nebraska bill, and pay one dollar; such is declared to be the evidence of citizenship, such the qualification of voters. In reply to this, we say that no such law was ever passed by the Legislature. The law prescribing the qualification of voters expressly provides that to entitle a person to vote he must be twenty-one years of age, an actual inhabitant of this Territory and of the county or district in which he offers to vote, and shall have paid a territorial tax. There is no law requiring him to pay a dollar tax as a qualification to vote. He must pay a tax, it is true, (and this is by no means an unusual requirement in the States) but whether this tax is levied on his personal or real property, his money at interest, or as a poll tax, makes no difference—the payment of any Territorial tax entitles the person to vote, provided he has the other qualifications provided by law. The act seems to be carefully drawn with the view of excluding all illegal and foreign voters. The voter must be an inhabitant of the Territory and of the county or district in which he offers to vote, and he must have paid a Territorial tax. The judges and clerks are required to be sworn, and to keep duplicate poll books; and ample provision is made for contesting elections and purging the polls of all illegal voters.

It is difficult to see how a more guarded law could be framed for the purpose of protecting the purity of elections and the sanctity of the ballot box. The law does not require the voters to swear to support the Fugitive Slave law, or the Kansas and Nebraska bill, unless he is challenged. In that case he is required to take an oath to support each of those laws. As to the dollar law, so called, it is merely a poll tax, and has no more connection with the right of suffrage than any other tax levied by the Territorial authority, and is to be paid whether the party votes or not. It is a mere temporary measure, having no force beyond this year, and was resorted to as such to supply the Territorial treasury with the necessary means to carry on the government.

It has also been charged against the Legislature that they elected all the officers of the Territory for six years. This is without any foundation. They elected no officer for six years, and the only civil officers they retain the election of, that occur to us at present, are the Auditor and Treasurer of State, and the District Attorneys, who hold their offices for four and not six years. By the organic act, the commissions issued by the Governor to the

civil officers of the Territory all expired on the adjournment of the Legislature. To prevent a failure in the local administration, and from necessity, the Legislature made a number of temporary appointments, such as Probate Judge, and two county commissioners and a sheriff of each county. The Probate Judge and county commissioners constitute the tribunal for the transaction of county business, and are invested with the power to appoint justices of the peace, constables, county surveyors, recorder and clerk, &c.

Probate judges, county commissioners, sheriffs, &c., are all temporary appointments, and are made elective by the people at the first annual election in 1857. The Legislature could not have avoided making some temporary appointments. No election could have been held without them. There were no judges, justices of the peace, or other officers to conduct an election of any kind, until appointed by the Legislature. It was the exercise of a power which the first Legislative Assembly in every Territory must, of necessity, exercise, in order to put the local government in motion. We see nothing in this to justify revolution, or a resort to force. The law for the protection of slave property has also been much misunderstood. The right to pass such a law is expressly stated by Gov. Reeder in his inaugural message, in which he says:

"A Territorial Legislature may undoubtedly act upon the question to a limited and partial extent, and may temporarily prohibit, tolerate or regulate slavery in the Territory, and in an absolute or modified form, with all the force and effect of any other legislative act, binding until repealed by the same power that enacted it. There is nothing in the act itself, as has been charged, to prevent a free discussion of the subject of slavery. Its bearing on society, its morality, or expediency, or whether it would be politic or impolitic to make this a slave State, can be discussed here as freely as in any State in this Union, without infringing any of the provisions of the law. To the right of a person to hold slaves under the law in this Territory is made penal; but beyond this there is no restriction to the discussion of the slavery question in any aspect in which it is capable of being considered.—We do not wish to be considered as approving of all the laws passed by the Legislature; on the contrary, we would state there are some that we do not approve of, and which are condemned by public opinion here, and which will no doubt be repealed or modified at the meeting of the next Legislature. But this is nothing more than what frequently occurs both in the legislation of Congress and in that of the various State Legislatures. The remedy for such evils is to be found in public opinion, to which, sooner or later, in a government like ours, all laws must conform."

A few days after Governor Reeder dissolved his official relations with the Legislature, on account of the removal of the seat of government, and while that body was still in session, a meeting was called by "many voters" to assemble at Lawrence on the 14th or 15th of August, 1855, "to take into consideration the propriety of calling a Territorial Convention, preliminary to the formation of a State government, and other subjects of public interest." At that meeting the following preamble and resolution were adopted, with but one dissenting voice:—

"Whereas, The people of Kansas Territory have been since its settlement, and now are, without any lawmaking power, therefore, be it

Resolved, That we the people of Kansas Territory, in mass meeting assembled, irrespective of party distinctions, influenced by a common necessity, and greatly desirous of promoting the common good, do hereby call upon and request all bona fide citizens of Kansas Territory, of whatever political views or predilections, to consult together in their respective election districts, and in mass conventions or otherwise elect three delegates for each representative to which such district is entitled in the House of Representatives of the Legislative Assembly, by proclamation of Governor Reeder, of date 10th March, 1855, said delegates to assemble in convention at the town of Topeka, on the 19th day of September, 1855, then and there to consider and determine upon all subjects of public interest, and particularly on that having reference to the speedy formation of a State constitution, with an intention of an immediate application to be admitted as a State into the Union of the United States of America."

This meeting, so far as your committee have been able to ascertain, was the first step in that series of proceedings which resulted in the adoption of a constitution and State government, to be put in operation on the 4th day of the present month, in subversion of the Territorial government established under the authority of Congress. The right to set up the State government in defiance of the constituted authorities of the Territory, is based on the assumption "that the people of Kansas Territory have been, since its settlement, and now are, without any law-making power" in the face of the well known fact that the Territorial Legislature was then in session, in pursuance of the proclamation of Governor Reeder, and the organic law of the Territory.

On the 6th of September, a "Territorial Delegate Convention" assembled at the Big Springs, to take into consideration the present exigencies of political affairs, at which, among others, the following resolutions were adopted:—

"Resolved, That this convention, in view of its recent repudiation of the acts of the so-called Kansas Legislative Assembly, respond most heartily to the call made by the People's Convention of the 14th ult., for a delegate convention of the people of Kansas, to be held at Topeka on the 19th inst., to consider the propriety of the formation of a State constitution, and such matters as may legitimately come before it."

Resolved, That we owe no allegiance or obedience to the tyrannical enactments of this spurious Legislature—that their laws have no validity or binding force upon the people of Kansas, and that every freeman amongst us is at full liberty, consistently with his obligations as a citizen and a man, to defy and resist them if he choose so to do.

Resolved, That we will endure and submit to these laws no longer than the best interests of the Territory require, as the least of two evils, and will resist them to a bloody issue as soon as we ascertain that peaceful remedies shall fail and forcible resistance shall furnish any reasonable prospect of success, and that in the meantime we recommend to our friends throughout the Territory the organization and discipline of volunteer companies and the procurement and preparation of arms."

With the view to a distinct understanding of the meaning of so much of this resolution as relates to the "organization and discipline of volunteer companies and the procurement and preparation of arms," it may be necessary to state that there was at that time existing in the Territory a secret military organization, which had been formed for political objects prior to the alleged invasion at the election on the 30th of March, and which held its first "encampment at Lawrence, Feb. 8, 1856."

Your committee have been put in possession of a small printed pamphlet, containing the "constitution and ritual of the grand encampment and regiments of the Kansas Legion of Kansas Territory, adopted April 4, 1856," which, during the recent disturbances in that Territory, was taken on the person of one George F. Warren, who attempted to conceal and destroy the same by thrusting it into his mouth and biting and chewing it. Although somewhat mutilated by the "tooth prints," it bears internal evidence of being a genuine document, authenticated by the original signatures of "G. W. Hutchinson, Grand General," and "J. L. Goodwin, Grand Quartermaster." On the last page was a charter of the "Kansas Legion," authorizing the said George F. Warren, from whose mouth the document was taken, to form a new regiment, as follows:—

#### CHARTER OF THE KANSAS LEGION.

"United States of America, Territory of Kansas.—Know all men by these presents, that We the Grand Encampment of the Kansas Legion, of Kansas Territory, have created, chartered and empowered, and by these presents do create, charter and empower, Geo. F. Warren to be—, Regiment—, No.— of the Kansas Legion, and as such they are hereby invested with all and singular the authority and privileges with which each and every regiment is invested, working under a charter from the Grand Encampment. In witness whereof we hereunto set our hands this sixteenth day of August, one thousand eight hundred and fifty-five."

G. W. HUTCHINSON, Grand General.  
Attest—F. Goodwin, Grand Quartermaster."