

The following note is self-explanatory:

MAJOR ABBOTT'S APPLICATION.

LAWRENCE, KAS., Feb. 9, 1881.

HON. SAMUEL KIMBALL, *President of the Council of Lawrence*—*Dear Sir*: I have been requested by the Hon. F. G. Adams, Secretary of the Kansas Historical Society, and also by a number of the early Free-State settlers of our State, to try and make arrangements to have the mountain howitzer, (purchased with the donations of money made by gentlemen in New York city, in July and August, A. D. 1855,) placed in the State Historical room at the Capitol, with a brief history of said gun to be engraved thereon.

Knowing that you were one of the early settlers, as well as one of the earnest workers in the Free-State cause, and must therefore be in sympathy with this movement, I therefore take the liberty, in behalf of those I represent, as well as for myself, to request that you lay this matter before the Council of your city, (who, I understand, have said gun in custody,) and if possible obtain permission to have the same sent to Secretary Adams, for the purpose above mentioned, by to-morrow, so that mention can be made of the fact in the Historical Report, now going to press. If this request is granted, I am authorized to say that all expense of transportation, repairs and engraving will be borne by the Historical Society.

Hoping for a favorable consideration and action in this matter, I remain,

Very truly yours,

JAS. B. ABBOTT.

Mr. Kimball promptly responded to this request—procured the consent of the members of the City Council and of City Marshal Sam. Walker, and shipped the gun to the Historical Society. In common with many others, Mr. Kimball and Marshal Walker have a personal interest in this old relic. When it was carried off by Capt. Titus and others of Sheriff Jones's posse, at the sacking of Lawrence, on the 21st of May, 1856, Capt. Walker pledged himself to its recovery within six months from that time. Less than three months thereafter, on the 16th of August, he stormed Titus's fort, captured its commander, and then extorted from Governor Shannon a stipulation that this howitzer should be given him in exchange for his prisoner. Mr. Kimball rode in the posse with Walker when the stipulation was redeemed.

The papers which follow refer more or less to events connected with this howitzer.

RICHARD B. FOSTER'S STATEMENT.

The following account is here given, for the object of making clear the connection of the events which are mentioned in the papers which follow it, as well as some of those which precede it. It was written by Rev. Richard B. Foster, who has been for years past a prominent and well-known citizen of Osborne county. The account is extracted from a letter written by Mr. Foster to his brother, the Rev. Daniel Foster, and was published in the Lowell (Massachusetts) *Journal and Courier*, of August 30, 1856. It was written from Lawrence, and dated August 19th. It is found in that mine of materials of Kansas history, the Webb scrap-books, in the collection of our Society:

I was a participant in three glorious affairs which took place in this Territory last week, to wit: At Franklin on the 12th, at Washington on the 15th, and at Titus's camp,

near Lecompton, on the 16th. First, let me say that war is a terrible thing. I have before heard of it: I have now seen it. I have heard the balls whistling about my ears. I have stood where men were shot down as you would shoot wild beasts. I have heard the groans of the wounded and dying. I have seen the bloody corpses of the dead, and truly war is a terribly cruel thing. Still, war is preferable to slavery. But to the facts: Since the cessation of hostilities in June, Buford's gang, who came to "see Kansas through," have been busy fortifying themselves at different points in block-houses, in squads of from twenty-five to fifty in a place. These gentry are above working for a living. They depend upon the contributions of Southern aid societies—they have eked out their means of subsistence by depredations upon the Free-State men. Their most common mode is stealing horses, which they run off to the border counties of Missouri and sell. Any kind of plunder, however, when the odds are ten to one in their favor, is in their line. The most outrageous and reckless of these bands was collected in a camp and log fort near Lecompton, under Col. Titus, of the Territorial militia, who is, with good reason, suspected of having been formerly a pirate on the coast of Florida. The Free-State boys had for some time brooded over a plan for breaking up these dens of thieves. Last Tuesday, the 12th of August, Maj. Hoyt, one of the most highly esteemed and honorable citizens of Lawrence, went into one of the camps on Washington creek, which was under the command of Capt. Saunders. He went without any arms, as a Free-Mason, upon the invitation of Saunders, a brother Mason. He was received with apparent kindness, and on leaving was accompanied by two men, who shot him in a piece of woods. They lodged two balls in his body, and then shot him after he had fallen, through the head. They put some corrosive substance upon his face to disfigure him, and returned with his horse and effects.

This act set the train on fire. The Lawrence boys determined to disperse these scoundrels, and recover some of their stolen property. That evening we started from Lawrence, *i. e.*, 25 horsemen and 56 footmen. On arriving at Franklin, the first point of attack, we found the enemy had been apprised of our expedition, and were prepared to give us a warm reception. Their log fort was flanked on the one side by another log building, in which was kept the post office, and on the other by a large hotel. We could make no impression upon them with our rifles, and they refused to surrender. We were determined, however, to recover our cannon, which we wanted for routing these nests of land pirates. We accordingly surrounded the fort, and commenced a brisk firing with Sharp's rifles, which they vigorously returned. This continued about three hours. One of our men was killed, and several wounded. We then loaded a wagon with hay, backed it against the post office, and set it on fire. When the flames burst forth, the poltroons cried lustily for quarter. We then extinguished the fire, the enemy in the meantime making good their escape. They left in our hands the cannon, and upwards of fifty muskets. We took our own arms again, and emptied upon the ground several barrels of whisky, and went on our way. The citizens of Franklin took no part in this attack.

The night had passed in this engagement at Franklin. We had now to prepare balls for the cannon, and we were not ready to proceed to Saunders's till Friday. We marched upon his fort to the number of nearly 400. When about three miles distant, they could see us on a hill, and they at once fled. We found their flag in the bushes, with the motto, "Enforce the laws." Some arms, ammunition and tents fell into our hands here. We reduced the fort to ashes.

That night Col. Titus was out with his desperadoes, engaged in his favorite pastime of stealing horses, and intending, as it is supposed, to attack Judge Wakefield's house, which, however, he found too strongly guarded. They stole three or four horses and went back to their fort, little dreaming how hard retribution was treading on their heels. In the morning his fort was surrounded, and the firing commenced. One of our best men, Capt. Shombre, was mortally wounded before our cannon arrived. That was soon

brought up, and planted forty rods from the fort. It was loaded with balls run from the type metal of the *Herald of Freedom* press, which Col. Titus had destroyed last May. When the first shot was fired the Lawrence boys shouted, "*The Herald of Freedom is issued again!*" The cannon was fired six times. At the sixth fire they surrendered. One of their men was killed, and Col. Titus badly wounded. We took nineteen prisoners and a quantity of arms and ammunition. Some of the tents were identified as belonging to the Chicago company. I had the good fortune to receive the sword of Col. Titus, a very nice article which I mean to transmit to my children. The United States troops were within a mile of us, in camp, but they did not interfere. The fort was destroyed, and Titus and his gang were marched to Lawrence.

The following day (Sunday) Gov. Shannon and Major Sedgwick came to Lawrence, and held a consultation with the Committee of Safety. It was agreed that the five Free-State prisoners arrested by the troops should be released, and the property taken at the sacking of Lawrence returned, and that then our prisoners should be set free.

The men of Kansas have struck a noble blow. In the moment of victory they have shown great moderation. They are no longer to be trodden in the dust. Money contributed to help them will no longer benefit the Border-Ruffians. Kansas needs men and money. Kansas can never be made a slave State if the friends of freedom are true to their duty at this time. The men and women now here will suffer great privations, be stripped of everything, and many of them slain, unless immediate aid in men and money is furnished. They may be overborne, but they cannot be driven away. Could you have seen the spirit of the men, and of the women, too, as the last few days have called it forth, you would agree with me, that these pioneers for American freedom will stand firm to the last, be the odds against them what they may.

I have seen the State prisoners—most noble men are they. They are in prison because they are the best men in Kansas.

Yours, fraternally, for freedom and justice, R. B. F.

#### CAPTURE OF COL. TITUS—THE TREATY—THE EXCHANGE.

The following account of the capture of Fort Titus, and subsequent events, is from correspondence of the *New York Times*, dated Lawrence, Sunday, Aug. 17, 1856. It is found in the Webb scrap-books. It is believed to have been written by Col. Sam. F. Tappan. Mr. Kimball and Maj. Abbott vouch for the general correctness of the statements, and they are corroborated by cotemporary records:

When the advance guard of the Free-State forces arrived at Judge Wakefield's, on the California road, they were fired upon by a company of Pro-Slavery men under Col. Titus. The fire was returned, and Titus and his men retreated, leaving one of their number dead behind them.

Colonel Titus's cabin was within two miles of Leocompton, and like the other brigand leaders, he had fortified it against attack. Early in the morning a party of the Free-State cavalry made a charge upon some tents near the cabin, the inmates of which ran for the cabin, and were followed by the horsemen, who went too near the cabin, when they were fired upon by those inside, wounding four—one, Capt. Shombre, from Indiana, mortally. The cannon was then brought up, and Capt. Bickerton coolly brought his piece to bear upon it. Seven balls had been fired into it, when Col. Titus showed the white flag, and surrendered. Seventeen prisoners, twenty-five stand of arms and a quantity of provisions were taken; the cabin was then burned. During the attack, the