The Beaver County Argus.

VOLUME XXXIV---NO 2. BEAVER, PA., WEDNESDAY, DECEMBER 30, 857. ESTABLISHED 1818.

BEAVER ARGUS.

M. WEYAND, Editor & Proprietor.

TERMS—One Dollar and Fifty Cents, per annum, in advance; otherwise Two Dollars will be charged. No paper discontinued, until all arrearages are settled, except at the option of the Editors.

Advertisements inserted at the rate of 50 cts. per square, of fifteen lines for one insertion—each subsequent insertion 25 cents. A liberal discount made to yearly advertisers.

☞ Letters and communications, by mail, shall have prompt attention.

THE SEER.

BY J. G. WHITTIER.

"I Lean the far off voyage's toil—
I see the Yankee's trail—
His foot on every mountain pass,
On every stream his sail.

He's whittling 'round St. Mary's Falls,
Upon his loaded wain:
He's tearing on the pictured rocks
His fresh tobacco stain.

I hear the mattock in the mine,
The axe-stroke in the dell,
The clamor in the Indian lodge,
The Jesuit's chapel bell.

I see the swarthy trappers come
From Missis—'s springs;
And war-chiefs, with their painted brows,
And crests of eagles' wings.

For [illegible] squaw's canoe
The beaver [illegible] and paves;
The city lots are staked for sale,
Above old Indian graves.

By forest lake and waterfall,
I see the railroad blow;
The mighty meeting with the mean,
The lofty with the low.

I hear the tread of pioneers
Of nations yet to be;
The first low wash of waves, where soon
Shall roll a human sea.

The rudiments of empire here
Are plastic yet and warm;
The chaos of a mighty world
Is rounding into form.

Each rude and jostling fragment soon
Its fitting place shall find—
The raw material of a State,
Its muscle and its mind.

And westward, with the star which leads
The New World in its train,
Equipped with all the arts of old,
Go sweep the mountain chain.

The snowy cones of Oregon
Are blushing on its way;
And California's golden sands
Gleam brighter in its ray.

Hon. R. J. Walker's Resignation

OF THE

GOVERNORSHIP OF KANSAS.

STARTLING REVELATIONS.

Sending Back Order to the Administration.

WASHINGTON CITY Dec 15, 1857.

Hon. Lewis Cass, Secretary of State:

SIR:—I resign the office of Governor of the Tefritary of Kansas. I have been in a reluctantly forced to this conclusion, after an anxious and careful con-ideration of my duty to the country, to the people of Kansas, to the President of the United States, and to myself. The grounds assumed by the President in his late message to Congress, and in recent instructions, in connection with the events now transpiring here and in Kansas, admonish me that as Governor of that Territary, it will be no longer in my power to preserve the peace, or promote the public welfare.

At the earnest solicitation of the President, after repeated refusals, the last being in writing, I finally accepted this office upon his letter showing the danger and difficulties of the Kansas question, and the necessity of my undertaking the task of adjustment. Under these circumstances, notwithstanding the great sacrifices to me, personal, political and pecuniary, I felt that I could no more refuse such a call from my country, through her chief magistrate, than a soldier, in battle, who is ordered to command a forlorn hope. I accepted, however on the express condition that I should advocate the submission of the Constitution to the vote of the people for ratification or rejection.

These views were clearly understood by the President and all his Cabinet. They were distinctly set forth in my letter of acceptance to this office, on the 26th of March last, and reiterated in my inaugural address, on the 27th of May last as follows: "Indeed, I cannot doubt that the Convention, after having framed a State Constitution, will submit it for ratification or rejection, by the then actual *bona fide* resident citizens of Kansas." With these views, well known to the President and the Cabinet, and approved by them, I accepted the appointment of Governor of Kansas.

My instructions from the President, thro' the Secretary of State, under date of the 15th March last, sustains "the regular Legislature of the territory in assembling in Convention to form a Constitution," and they express the opinion of the President that "when such Constitution shall be submitted to the people of the Territory they must be protected in the exercise of their right of voting, for or against the instrument. And the expression of the popular will must not be interrupted by fraud or violence."

I repeat, then, as my clear conviction that unless the Convention submit the Constitution to the vote of all the actual settlers in Kansas, and the election be fairly and justly conducted, the Constitution will be, and ought to be rejected by Congress. This inaugural most distinctly asserted that it was not the question of slavery merely (which I believed to be of little practical importance then in its application to Kansas) but the entire Constitution, which shall be submitted to the people for their ratification or rejection. These were my words on that subject in my inaugural:—"It is not merely, shall slavery exist or disappear from Kansas, but shall the great principles of self-government and State sovereignty be maintained or subverted."

In my inaugural I proceed further to say, "the people may, by a subsequent vote, defeat the ratification of the Constitution." I designate this as a "great constitutional right," and add that the Convention is the servant, and not the master of the people.

In my official despatch to you of the 2d of June last, a copy of that inaugural address was transmitted to you, for further information of the President and his Cabinet. No exception was ever taken to any portion of that address. On the contrary, it is distinctly admitted by the President in his Message, with commendable frankness that my instructions in favor of the submission of the Constitution to the vote of the people were "general and unqualified."

By that inaugural, and subsequent addresses, I was pledged to the people of Kansas, to oppose by all lawful means, the adoption of any Constitution which was not fairly and fully submitted to their vote for ratification or rejection. These pledges I cannot recall so. Violate, without personal dishonor, and the abandonment of fundamental principles, and therefore, it is impossible for me to suppose what is called the Lecompton Constitution, because it is not submitted to the vote of the people for ratification or rejection.

I have until recently maintained the principle that sovereignty is vested exclusively in the people of each State, and that it performs its first and highest function in forming a State Government and State Constitution. This highest act of sovereignty, in my judgement, can only be performed by the people themselves, and cannot be delegated to conventions or other intermediate bodies. Indeed the whole doctrine of the sovereignty of conventions, as distinct from that of the people—of conventional or delegated sovereignty, as contradistinguished from State or popular sovereignty—has ever been discarded by me, and was never heard of, to my knowledge, during the great canvas of 1856. This is the great principle of State right and State sovereignty maintained in the Virginia and Kentucky resolutions of the years '98 and '99 sustained by the people in the great political revolution of the year 1800, and embraced in that amendment to the Federal Constitution, adopted under the auspices of Mr Jefferson, declaring that "the powers not delegated to the United States by the Constitution nor prohibited by the States, are reserved to the States respectfully, or to the people." The reservation to the States is as separate States, in exercising the powers granted by their State Constitutions; and the reservation to "the people" is to the people of the several States admitted, or inchoate, in exercising the sovereign right of framing or amending their State Constitution.

This view was set forth in my printed address, delivered at Natchez Mississippi, in January, 1833, against nullification, which received the complimentary sanction of the great and good Madison, the principle founder of the Constitution, as shown by a letter of Hon. Charles J Ingersoll, of Philadelphia, as published in the *Globe*, at Washington, in 1836. By this clause of the Federal Constitution, the sovereignty of the people of each State, is clearly reserved and especially their own exclusive right to form, in all its entirety, their own State Constitution.

I shall not enter fully into the argument of this question at this period, but will merely state that this is the position I have ever occupied, and my reasons for entertaining this opinion are clearly and distinctly set forth in the printed pamphlet, published over my signature, on the 13th of June, 1856, and then extensively circulated, from which I quote as follows:—Under our confederate system sovereignty is that highest political power which, at its pleasure, creates governments and delegates authority to them. Sovereignty grants powers, but not sovereign powers; otherwise it might extinguish itself by making the creature of its will the equal or superior of its creator Sovereignty makes constitutions, and through them establishes governments, distributing the exercise of the granted power among the legislative, executive and judicial departments.

"The Constitution is not sovereign, because it is created by sovereignty, the government is not sovereign for the same reason, much less any department of that Government. Having defined sovereignty, we must not confound the power with its source or exercise. That is, sovereignty is one thing; where it resides or how it is to be exercised, is another. Under the system of European despotism, sovereignty was claimed to reside in Kings and Emperors under the sacreligious idea of the Divine Right of Kings, and the blasphemous doctrine was that Sovereigns, in legitimate succession—although stained with crimes and blackened with infamy—were clothed by the Deity with absolute power to rule their subjects, who held nothing but the privilege granted by the Crown.

Such were the absurd and impious dogmas, to which the people of Europe, with few exceptions, have been compelled to submit, by the bayonet sustained by the potent authority of superstition. Under this theory, the people were mere ciphers, sub-deities—the sole representatives on earth of the governing power of the Almighty. Our doctrine is just the reverse, making the people the only source of sovereign power. But what people? With us, sovereignty rests exclusively with the people of each State. By the revolution, each colony, acting for itself alone, separated from Great Britian, and sanctioned the Declaration of Independence. Each colony having thus become a State, government acted for itself alone, under the Continental Congress.

Each State acted for itself alone, in acceding to the Articles of Confederation in 1778. And each State acted for itself alone, in framing and ratifying, each for itself, the Constitution of the United States Sovereignty then, with us, rests with, rests exclusively with the people of each State. The Constitution of the United States is not sovereign, for it was created by the States, each exercising for itself the highest political power called sovereignty. For the same reason the Government of the United States is not sovereign, nor does it exercise any sovereign powers. It exercises only "delegated powers," as declared by the Constitution, and those powers only which are granted by that instrument.—Delegated powers are not sovereign powers, but are powers granted by sovereignty; sovereignty being the highest political power, cannot be delegated. It is indivisible. It is a unit, incapable of partition. Hence the great error of supposing that sovereignty is divided between the States, and the United States. The Constitution of the United States is the supreme law and obligatory as such. But a law is not sovereignty, but an act of sovereignty. All laws imply law makers, and in this case those who framed and ratified this supreme law, were those sovereignties called the States, each acting exclusively for itself, uncontrolled by any sister State, except by the moral force of its influence and example.

The Government of the United States, possessing, as we have shown, no sovereignty, but only delegated powers, to them alone it must look for the exercise of all constitutional authority in the Territories, as well as in the States. For there is not a single power granted by the Constitution to this Government, in a Territory, which is not granted in a State, except the power to admit new States into the Union, which, as shown by the Madison papers, the framers of the Constitution, as first demonstrated in my Texas papers, refuse to limit to our then existing Territories.

"In the Territories, then as well as in the States, Congress possesses no sovereignty and can exercise only the powers delegated by the Constitution, and all the powers not thus granted are dormant or reserved powers, belonging in common to all the States as co-equal joint tenants there of that highest political power called sovereignty."

It will be perceived that this doctrine that "sovereignty makes Constitutions," that "sovereignty rests exclusively with the people of each State, that "sovereignty cannot be delegated," that "it is inalienable, indivisible," a "unit incapable of partition," are doctrines ever regarded by me as fundamental principles of public liberty, and of the Federal Constitution. It will be seen that these views which I have entertained were not framed to suit any emergency in Kansas, but were my life long principles, and were published over my own signatures twelve months before my departure to that Territory, and when I never thought of going to Kansas.

These rights I have ever regarded as fully secured to the people of "all the territories" in adopting their State Constitution by the Kansas and Nebraska Bill. Such is the construction given to that act by Congress in passing the Minnesota bill, so lately applauded by the President. Such is the construction of this Kansas act by its distinguished author, not only in his late most able argument, but in addresses made and published by him long antecedent to that date, showing that this sovereign power of the people in acting upon a State Constitution is not confined to the question of slavery, but includes all other subjects embraced in such an instrument. Indeed, I believe the Kansas and Nebraska bill would have violated the rights of sovereignty reserved to the people of each State by the Federal Constitution, if it had denied them, or Congress should now deprive them, of the right of voting for or against their State Constitution.

The President, in his message, thinks that the rights secured by this bill to the people, in acting upon their State Constitution, are confined to the slavery question, but I think, as shown in my address before quoted, that "sovereignty is the power that makes Constitutions and Governments," and that not only the slavery clause in a State constitution, but all others, must be submitted.

The President thinks that sovereignty can be delegated, at least in part. The President believes that sovereignty is divisible between conventions and the people, to be exercised by the former on all subjects but slavery, and by the latter only on that question. Whereas, I think that sovereignty is 'inalienable' and 'indivisible'—a unit incapable of partition; and "that it cannot be delegated" in whole or in part. It will not be denied that sovereignty is the only power that can make State Constitutions, and that it rests exclusively with the people; and if it is inalienable, and cannot be delegated, as I have shown, then it can only be exercised by the people themselves.

Under our own Government, we know no sovereigns but the people. Conventions are composed of 'delegates.' They are mere agents or trustees, exercising, not a sovereign, but a delegated power, and the people are the principals. The power delegated to such conventions can properly only extend to the framing of the Constitution, but its ratification or rejection can only be performed by the power where sovereignty alone rests, namely, the people themselves. We must not confound sovereign with delegate powers. The proper office of authority of a Convention to frame a Constitution, and submit it to the people, is a delegated power; but sovereignty alone, which rests exclusively with the people can ratify and put in force that Constitution. And this is the true doctrine of popular sovereignty, and I know of no such thing as does the Federal Constitution recognize as delegated or conventional sovereignty.

The President in a very lucid passage in his able message, gives unanswerable reasons why the people, and not conventions, should decide the question of slavery, in framing a State Constitution. He says very truly, that from the necessary division of the inchoate State districts, a majority of the delegates may think one way and the people another, and that the delegates, as was in the case of Kansas, may violate their pledges, or fail to execute the will of the people. And why does not this reasoning apply with equal force to all other questions embodied in the State Constitution? And why should the question of slavery alone override and extinguish the doctrine of popular sovereignty, and the right of self government?

Most fortunately this is no sectional question, for it belongs alike to the States, admitted, or inchoate, of the South as of the North.

It is not a question of slavery but of States rights, and of State and popular sovereignty; and my objections to the Lecompton Constitution are equally strong, whether Kansas, under its provisions, should be made a free or a slave State. My objections are based upon the violation of the right of self-government, and of forcing any constitution on the people against their will, whether it recognized freedom or slavery. Indeed the first question which the people ought to decide in forming a government for any inchoate State, is whether they will change or not from a territorial to a State Government.

Now, as no one, who with me denies federal or territorial sovereignty, will contend that a territorial Legislature is sovereign, or represents sovereignty; or that such a Legislature—a mere creation of Congress—can transfer sovereignty, which it does not possess, to a Territorial Convention, this change from a Territorial to a State Government can only be made by the power where sovereignty rests, namely—the people. Yet a State Government is forced upon the people of Kansas, by the Lecompton Constitution, whether they will or not—for they can only vote for the Constitution, and not against it.

But besides the change from a Territorial to a State Government, which the people of Kansas alone have the right to make, in the framing of a State Constitution, there are many momentous questions included in that instrument. It covers all the powers of State Government. There is the Bill of rights, the *Magna Charta of the liberties of a free people*, the Legislative, Executive and Judicial functions, the taxing power, the elective franchise, the great question of education, the sacred relations of husband and wife, parent and child, guardian and ward, and all the rights affecting life, liberty and property. There is also the question of State debts, of banks and paper money, and whether they shall be permitted or prohibited. As all free Governments, as stated by Mr. Jefferson, in the Declaration of Independence, depend upon "the consent of the governed," how can it be known who her the people would assent to the Constitution, unless it is submitted to their vote for ratification or rejection?

But if acquiescence can be presumed in any case, surely it cannot be in that of Kansas; where so many of the delegates violated their pledge to submit the Constitution itself to the vote of the people; when the delegates who signed the Constitution, represented scarcely one-tenth of the people, and where nearly one-half of the counties of the Territory were disfranchised, and, by no fault of theirs, did not, and could not give a single vote at the election of delegates to the Convention.

I have heretofore discussed this subject mainly on the question that Conventions are not sovereign, and cannot rightfully make a State Constitution without its submission to the vote of the people, for its ratification or rejection. Yet, surely, even those who differ with me on this point, must concede, especially under the Kansas-Nebraska Bill, it is only such Conventions can be called sovereign as have been truly elected by the people and represent their will. On reference, however, to my address of the sixteenth of September last, on the tax qualification question, (a copy of which was immediately transmitted for the information of the President and Cabinet,) it is evident that the Lecompton Convention was not such a body. That Convention had vital—not technical—defects, in the very substance of its organization, under the territorial law, which could only be cured, in my judgment, as set forth in my inaugural and other addresses, by the submission of the constitution for ratification or rejection by the people.

On reference to the Territorial law under which the Convention was assembled, thirty-four regularly organized counties were named as election districts for delegates to the Convention. In each and all these counties, it was required by law that a census should be taken, and the voters registered. And when this was completed, that delegates to the Convention should be apportioned accordingly. In nineteen of these counties there was no census taken, and therefore there could be no such apportionment there of delegates based upon such census. And in fifteen of these counties there was no registry of voters.

These fifteen counties, including many of the oldest organized counties of the Territory, were entirely disfranchised and did not give, and (by no fault of their own) could not give, a solitary vote for delegates to the Convention. This result was superinduced by the fact that the Territorial Legislature had appointed all the Sheriffs and Probate Judges in all these counties, to whom was assigned the duty, by law, of making this census and registry. These officers were political partizans, dissenting from the views of the people of these counties, as proved by the election of October last. These officers, from want of funds as they allege, neglected or refused to take any census, and make any registry in these counties, and therefore they were entirely disfranchised, and could not, and did not give a single vote at the election for delegates to the Constitutional Convention—And here I wish to call attention to the distinction, which will appear in my inaugural address, in reference to those counties where the voters were fairly registered, and did not vote. In such counties, where a full and free opportunity was given to register and vote, and they did not choose to exercise that priviledge, the question is very different from those counties where there was no census or registry, and no vote was given or could be given, however anxious the people might be to participate in the election of delegates to the Convention. Nor could it be said these counties acquiesced, for whatever they endeavored, by subsequent census or registry of their own to supply this defect occasioned by the previous neglect of the Territorial officers, the delegates thus chosen were rejected by the Convention. I repeat, that in nineteen counties out of the thirty-four, there was no census, and in fifteen counties out of thirty-four there was no registry, and not a solitary vote was given for delegates to the Convention in any of these counties.

Surely, then, it cannot be said that such a Convention, chosen by scarcely more than one-tenth of the present voters of Kansas, represented the people of that Territory, and could rightfully impose a constitution upon them without their consent. These nineteen counties, in which there was no census, constituted a majority of the Counties of the Territory and these fifteen counties in which there was no registry, gave a much larger vote at the October election, even in the six month's qualification, than the whole vote given to the delegates who signed the Lecompton Constitution on the 7th of November last. If, then, sovereignty can be delegated, and Conventions, as such, are sovereign, which I deny, surely it must be only in such cases as when such Conventions are chosen by the people; which we have seen was not the case as regards the late Lecompton Convention. It was for this, among other reasons, that, in my inaugural and other addresses, I insisted that the constitution should be submitted to the people by the Convention, as the only means of curing the vital defect in its organization. It was, therefore, among other reasons, when, as you know, the organization of the so-called Topeka State Government, and as a consequence an inevitable civil war and conflict with the troops must have ensued, these results were prevented by my assuring, not only the abolitionists, as has been erroneously stated—for my address was not to them but to the people of Kansas—that in my judgment the constitution would be submitted fairly and freely for ratification or rejection by their vote, and that if this was not done, I would unite with them, the people, as I now do, in "lawful opposition" to such a procedure.

The power and responsibility being devolved exclusively upon me by the President, of using the Federal army in Kansas to suppress insurrection, the alternative was distinctly presented to me by the question propounded at Topeka of arresting revolution by the slaughter of the people or of preventing it, together with that civil war which must have extended throughout the Union, by the solemn assurance then given, that the right of the people to frame their own government, so far as my power extendeded, should be maintained. But for this assurance it is a conceded fact that the Topeka State Government there assembled in legislative session, would have been put into immediate and actual operation, and that a sanguinary collision with the Federal army and civil war must have ensued, extending, it is feared, throughout the Union.

Indeed the whole idea of an inaugural address originated in the alarming intelligence which had reached Washington city of perilous and incipient rebellion in Kansas. This insurrection was rendered still more formidable on my reaching the Territory, by the near approach of the assembling of the revolutionary State Legislature, and the very numerous mass conventions by which it was sustained. In truth I had to choose between arresting that insurrection, at whatever cost of American blood, by the Federal arms, or to prevent the terrible catastrophe, as I did, by my pledges to the people, of the exertion of all my power to obtain a fair election; and a submission of the Constitution to a vote of the people, for ratification or rejection.

My inaugural and other addresses were therefore really in the nature of proclamations so often issued by Presidents and Governors with the view to prevent, as they did in this case, civil war and insurrection:

Now, by my oath and office, I was sworn to support the Constitution of the United States, which I have shown in my judgment, required the submission of the Constitution to the vote of the people. I was sworn also to take care that the Kansas and Nebraska bill should be faithfully executed, which both in my judgment, as heretofore stated, required that the Constitution should be submitted to the vote of of the people, and I was therefore only performing a solemn duty when as Governor of the Territory, to whose people my first obligations were due, I endeavored to secure to them these results.

The idea entertained by some that I should see the Federal Constitution and the Kansas Nebraska bill overthrown and disregarded, and that, playing the part of a mute in a pantomime of ruin, I should acquiesce, by my silence, in such a result, especially where such acquiescence involved, as an immediate consequence, its disastrous and sanguinary civil war, seems to me most preposterous. Not a drop of blood has been shed by the Federal troops in Kansas during my administration.—But insurrection and civil war, extending I fear, throughout the country, were alone prevented by the course pursued by me on these occasions, and the whole people abandoning revolutionary violence, were induced by me to go, for the first time, into a general and peaceable election.

These important results constitute a sufficient consolation for all the unjust assaults made upon me on this subject. I do not understand that these assaults have ever received the slightest countenance from the President—on the contrary, his Message clearly indicates an approval of my course up to the present most unfortunate difference about the so-called Lecompton Constitution. Inasmuch, however, as this difference is upon a vital question, involving practical results, and new instructions, it is certainly much more respectful to the President on my part, to resign the office of Governor, and give him an opportunity of filling it, as is right under the Constitution, with one who concurs with him in his present opinions, than to go to Kansas and force him to remove me by disobedience to his instructions.

This latter course, in my judgment, would be incompatible with a proper respect for the Chief Magistrate of the Union, inconsistent with the rules of moral rectitude or propriety, and could be adopted with no other view than to force the President to remove me from office.—Such a course, it is alleged, would present me to the public as a political martyr in defence of the great principle of self-government, but to go to Kansas with any such purpose, or with a certain knowledge that such a result would follow, would be alike unjust and improper. My only alternative then, is that of a respectful resignation, in the hope that Kansas and our beloved country may be shielded from that civil war with which I fear both are threatened by any attempt to force the so-called Lecompton Constitution upon the people of Kansas.

I state it as a fact, based on a long and intimate association with the people of Kansas, that an overwhelming majority of that people are opposed to that instrument, and my letters state that but one out of twenty of the Press of Kansas sustains it. Some oppose it because so many counties were disfranchised and unrepresented in the convention. Some who are opposed to paper money, because it authorises a bank of enormous capital for Kansas, nearly unlimited in its issues, and in the denomination of its notes from one dollar up and down. Some, because of what they consider a Know Nothing clause, by requiring that the Governor shall have been twenty years a citizen of the United States.—Some, because the elective franchise is not free, as they cannot vote against the constitution, but only on the single issue whether any more slaves may be imported, and then only upon that issue by voting for the constitution to which they are opposed.

They regard this but as a mockery of the elective franchise, and a perilous sporting with the sacred rights of the people. Some oppose it because the constitution distinctly recognizes and adopts the Oxford fraud, in apportioning the legislative members for Johnson county upon the fraudulent and ficticious returns, falsely so called, from that precinct, which recognition of that fraud in the constitution is abhorrent to the moral sense of the people. Others oppose it, because although in other cases the Presidents of conventions have been authorized to issue writs of election to the regular Territorial or State officers with the usual Judges; with the assistance of precincts and adjudication of returns, in this case unprecedented and vice-regal powers are given to the President of the Convention to make the precincts, the Judges, and to decide finally upon the returns. From the grant of these unusual and enormous powers, and from other reasons connected with the fraudulent returns from Oxford and McGee, an overwhelming majority of the people of Kansas have no faith in the validity of these returns, and therefore will not vote. Indeed, disguise it as we may to ourselves, under the influence of present excitement, the facts will demonstrate that any attempt by Congress to force this constitution upon the people of Kansas, will be an effort to substitute the will of a small minority for that of an overwhelming majority of the people of Kansas; that it will not settle the Kansas question, or localize the issue; that it will, I fear, be attended by civil war, extending, perhaps, throughout the United States, bringing this question back again upon Congress and before the people in its most dangerous and alarming aspect.

The President takes a different view of the subject in his message, and from the events occurring in Kansas, as well as here, it is evident that the question is passing from theories into practice, and that as Governor of Kansas, I should be compelled to carry out new instructions differing on a vital question from those received at the date of my appointment. Such instructions I could not execute consistently with my view of the Federal Constitution, of the Kansas-Nebraska bill, or with my pledges to the people of Kansas. Under these circumstances no alternative is left me but to resign the office of Governor of the Territory of Kansas.

No one can more deeply regret than myself this necessity, but it arises from no change of opinion on my part. On the contrary, I should most cheerfully have returned to Kansas to carry out my original instructions and thus preserve the peace of the Territory and finally settle the Kansas question by redeeming my pledges to the people. It is not my intention to discuss at this time the peculiar circumstances and unexpected events which have modified the opinions of the President upon a point so vital as the submission of the Constitution for ratification or rejection by a vote of the people, much less do I desire any controversy with the President on this subject.

Yet, however widely my views may differ from those entertained by him on this question—views which I have held all my life, and which, as involving fundamental principles of public liberty and of the Constitution, are unchangeable—yet as regards all those great Democratic measures which I trust will constitute the policy of his Administration in other respects, it will give me pleasure, as a private citizen, to yeild my cordial support. I have said that the slavery question, as a practical issue, had disappeared from Kansas long before my arrival there, and the question of State government had been substantially settled in that place.

On some future occasion I shall disabuse the delusion which has prevailed upon the subject, and show that after three years' experiment, when I arrived in Kansas, there were less than three hundred slaves there, and the number constantly diminishing; that as proved by the official records of Congress, published and authenticated by those distinguished Southern statesmen, John C. Calhoun and Jefferson Davis, the winter climate of Eastern Kansas, is colder than that of New England, and that the Pro-Slavery Territorial Convention of Kansas, consolidated with the Pro-Slavery Territorial Legislature on the 4th of January, 1857, nearly five months before my arrival there, did distinctly abandon the slavery issue, because, as set forth by me, the Pro-Slavery party was in a small and admitted minority, and the co-operation of the Free State Democrats was invited as the only hope of success, not to make Kansas a Slave State, which was conceded to be impossible, but to make it a conservative Democratic Free State.—Even as late as the 3d of July 1857, when the Democratic Territorial Convention assembled at Lecompton, in consequence of the laws of climate and the well known will of the people, none contented that slavery would be established there.

Nor was it until my Southern opponents interfered in the affairs of Kansas, and by denunciation, menace and otherwise, aided at a critical period by several Federal office holders of Kansas, including the Surveyor general, the President of the Convention with his immense patronage, embracing many hundred employees, intervened, and, as I believe without the knowledge or approbation of the President of the United States, producing the extraordinary paper called the Lecompton Constitution. Yet this act of intervention by Federal office holders to defeat the will of the people, seems to be sustained by my opponents, whilst my intervention, as it is called, in obedience to my duty and oath of office to support the Federal Constitution, and to take care that our organic law should be fairly executed by endeavoring to secure to the people of Kansas their rights under that act is denounced and calumniated.

It is still more extraordinary that the hypothetical remarks made by me as regards the climate, in its connection with its influence upon the question of slavery in Kansas, after that issue had been abandoned there, which views were consolidating the union between the conservative Free State and Pro-Slavery Democrats, so as to prevent the confiscation of the small number of slaves then held in Kansas, have been denounced by many distinguished Southern Senators, who, when the Kansas-Nebraska bill was pending in Congress, and when such remarks from them, if ever, might affect Southern emigration, were the loudest in proclaiming that [illegible] of its climate, Kansas could never become a slave State. Indeed, it seems that all persons, in and out of Kansas, whether in public or private life, may publish what opinion they please, in regard to these questions, except the Governor of that Territory, who has so little power and no patronage.

And now be pleased to express to the President my deep regrets as regards our unfortunate difference of opinion in relation to the Lecompton constitution, and to say to him that as infallibility does not belong to man, however exalted in intellect, purity of intention or position, yet if he has committed any errors in this respect, may they be overruled by a superintending Providence for the perpetuation of our Union and the advancement of the honor and interest of our beloved country.

In now dissolving my official connection with your department, I beg leave to tender you my thanks for your constant courtesy and kindness.

Most respectfully, your obedient servant.

(Signed) R. J. WALKER.

A Rich Puff.

A manufacturer and vender of patent medicines (says the Cincinnati *Gazette*,) recently wrote to a friend living out West for a good strong recommendation of his, the manufacturer's "Balsam." In a few days he received the following, which we call pretty strong:

"Dear sir:—The land composing my farm has hitherto been so poor, that a Scotchman could not get a living off it, and so stony that we had to slice the potatoes and plant them edgeways, but hearing of your balsam, I put some in a ten acre lot surrounded by a railroad fence, and in the morning I found that the rock had entirely disappeared, a neat stone wall encircled the field, and the rails were split into oven wood, and piled up symmetrically, in my back-yard.

I put half an ounce into the middle of a huckleberry-swamp—in two days it was cleared off, planted with corn and pumpkins, and a row of peach trees in full blossom through the middle.

As an evidence of its tremendous strength I would say that it drew a striking likeness of my eldest son out of a mill-pond, drew a load of potatoes to market, and eventually drew a prize of $97 in a lottery."