

LETTER OF  
HON. ROBERT J. WALKER,  
Resigning the Office of Governor of Kansas.

WASHINGTON CITY, Dec. 15, 1857.

Hon. LEWIS CASS, Secretary of State:  
Sir:—I resign the office of Governor of the Territory of Kansas.

I have been most reluctantly forced to this conclusion, after anxious and careful consideration 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 Territory, it will no longer be 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 dangers 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 the country, through her Chief Magistrate, than the 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 of this office of the 26th of March last, and reiterated in my Inaugural address of 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 a majority of the then actual bona fide resident settlers of Kansas.

"With these views well known to the President and Cabinet, and approved by them, I accepted the appointment of Governor of Kansas. My instructions from the President, through the Secretary of State, under date of the 30th of March last, sustain the regular Legislature of the Territory in assembling a Convention to form a Constitution, and they express the opinion of the President, that when such a Convention shall be submitted to the people of the Territory, they must be protected in the exercise of their right of voting for or against that instrument; and the fair 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 resident settlers of 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 should be submitted to the people for 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 that Inaugural I proceeded further to say, that 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 dispatch to you of 2d June last, a copy of that Inaugural Address was transmitted to you for the 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 or violate without personal dishonor and the abandonment of fundamental principles, and therefore it is impossible for me to support what is called the Leocompton Constitution, because it is not submitted to a vote of the people for ratification or rejection.

I have ever uniformly 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 judgment, 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 canvass of 1856. Indeed this is the great principle of State rights and State sovereignty maintained in the Virginia and Kentucky resolutions of 1798-9, sustained by the people in the great political revolution of 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 it to the States, are reserved to the States respectively 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 several States admitted or inchoate, in exercising their 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 speech received the complimentary sanction of the great and good Madison, the principal founder of our Constitution, as shown by the letter of Hon. Charles J. Ingersoll, of Philadelphia, as published in the Globe, at Washington, in 1836. What adds much to the force of his opinion is the statement then made by Mr. Madison that these were also the views of Mr. Jefferson. By this clause of the federal Constitution the sovereignty of the people of each State is clearly reserved, and especially their own exclusive sovereign 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 a printed pamphlet published over my signature, on the 13th 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. It delegates certain powers to these 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 to be exercised is another. Under the system of European despotisms, sovereignty was claimed to reside in kings and emperors, under the sacrilegious 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 Deity with absolute power to rule their subjects, who held nothing but privileges 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 more potent authority of ignorance and superstition. Under this theory, the people were mere ciphers, and crowned head subsidies—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 Britain, and sanctioned the Declaration of Independence."

"Each colony having thus become a State, and each adopting for itself its separate State government, acted for itself alone under the old Continental Congress. Each State acted for itself alone in according 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 exclusively with the people of each State. The Constitution of the United States is not sovereign, for it was created by States, each exercising for itself that highest political power called sovereignty. For the same reason the government of the U. S. is not sovereign, nor does it exercise any sovereign powers. It exercises only "delegated power," 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 this 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 U. 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 Territories as well as in 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 letter) refused to limit to our then existing Territories. In the Territories, then, as well as 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 territory, 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 make 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 ever entertained, were not framed to suit any emergency in Kansas, but were my life-long principles, and were published and promulgated by me, in an elaborate argument over my own signature, 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 justly 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 deprived 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. I think sovereignty cannot be delegated at all. 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," "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 a State Constitution, 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 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 sovereignty with delegated powers. The provisional 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, nor does the Federal Constitution recognize it, as delegated or conventional sovereignty. The President, in a very lucid passage of his able message, gives an answerable reason 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 into districts, a majority of the delegates may think one way, and the people another, and that the delegates (as was the case in 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 great questions embodied in a 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 State rights and of State and popular sovereignty, and my objections to the Leocompton Constitution are equally strong, whether Kansas under its provisions should be made a free or slave State. My objections are based upon a violation of the right of self-government and of State and popular sovereignty, and of forcing any Constitution upon 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 an 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 legislature (a mere creature 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 Leocompton Constitution, whether they will it 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 alone have a right to make, in framing a State Constitution, there are many other momentous questions included in that instrument. It involves 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 executive 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 government, as stated by Mr. Jefferson in the Declaration of Independence, depends upon "the consent of the governed," how can it be known whether 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 a vote of the people, where the delegates who signed the Constitution represented scarcely one-tenth of the people, and where nearly one-half 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 for delegates to the convention?

I have heretofore discussed this subject mainly on the question that the Conventions are not sovereign, and cannot rightfully make a State Constitution without submission to the vote of the people for 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 10th September last, on the tax qualification question—a copy of which was immediately transmitted to you for the information of the President and Cabinet—it is evident that the Leocompton 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 of these counties, it was required by law that a census should be taken and the voters registered; and when this was completed, the delegates to the Convention should be apportioned accordingly. In nineteen of these counties there was no census, 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 (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 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 partisans, dissenting from the views and opinions of the people of these counties, as proved by the election in October last. These officers from want of funds, as they allege, neglected or refused to take any census or make any register 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 those voters were fairly registered and did not vote. In such counties, where a full and fair opportunity was given to register and vote, and they did not choose to exercise that privilege, 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 wherever they endeavored by a subsequent census or registry of their own to supply this defect occasioned by the previous neglect of the Territorial officers, the delegates thus created were rejected by the Convention. I repeat, that in nineteen counties out of thirty-four, there was no census. In fifteen counties out of thirty-four there was no registry, and not a solitary vote was given, or could be given for delegates to the Convention in any one 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 with the six months qualification, than the whole vote given to the delegates who signed the Leocompton Constitution on the 7th November last. If, then, sovereignty can be delegated, and Conventions, as such, are sovereign, which I deny, surely it must be only such cases as when such Conventions are chosen by the people, which we have seen was not the case as regards the late Leocompton 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 this 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 the abolitionists, as has been erroneously stated—for my address was not to them, but 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, 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 questions 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 extended, should be maintained. But for this assurance, it is a conceded fact, that the

Topeka State government then assembled in legislative session would have been put into immediate 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 the 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 army, 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 the submission of the constitution to the 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 a view to prevent, as they did in this case, civil war and insurrection.

Now, by my oath of 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 bill, in my judgment, as heretofore stated, required that the Constitution should be submitted to the vote of the people, and I was therefore only performing a solemn duty, when, as Governor of the Territory, to those 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 overturned and discharged, 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, a 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 those occasions, and the whole people, abandoning revolutionary violence, were induced by me to go, for the first time, into a general peaceful 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 Leocompton 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 his right under the Constitution, with one who concurs with him in his present opinions, rather 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 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 the 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 must 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 my attempt to force the so-called Leocompton 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 20 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 authorizes a Bank of enormous capital for Kansas, nearly unlimited in its issues and in the denunciation 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 as but a mockery of the elective franchise, and a serious sporting with the sacred rights of the people. Some oppose it because the convention distinctly recognises and adopts the Oxford frauds in apportioning legislative members for Johnson county, upon the fraudulent and fictitious so-called returns from that precinct, which recognition of that fraud in the Constitution is abhorrent to the moral sense of the people. Others oppose because, altho' 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 established 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 fraudu-

lent returns from Oxford and McGeo, 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 the 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; 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 Union; thus 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 views 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 yield 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 self-government had been substituted in its place. On some future occasion I shall dissipate the delusion which has prevailed on this 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, even of Eastern Kansas, is colder than that of New England, and that the pro-slavery Territorial Convention of Kansas, convened 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 one of their number, "the pro-slavery party was in a small and admitted minority," and the 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 Leocompton, in consequence of the laws of climate and the well known will of the people, none contended that slavery could be established there. Now we find 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, established there. Now we find the President of the United States, produced the extraordinary paper called the Leocompton Constitution. Yet this act of intervention by federal officers 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 faithfully 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 climate in 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 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 then loudest in proclaiming that, because 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 in private life, may publish what opinions they please as regards 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 regret as regards our unfortunate difference of opinion in relation to the Leocompton Constitution, and to say to him, that as infidelity does not belong to man, however exalted in intellect, or position, or station, yet if he has committed any error in this respect, may they be overruled by a superior power, 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 to you my thanks for your constant courtesy and kindness.

Most respectfully, your obedient servant,  
R. J. WALKER.

Advices from Florida state that there have been more battles with the Indians.—Captain Parkhill has been killed and several soldiers wounded.

AN INDIAN POLICY.—The President's message presents a measure of internal policy in regard to the Indians which ought to receive the prompt attention of Congress.—The adoption of this measure will be the most economical as well as the most Christian and efficacious mode of disposing of our restless and troublesome tribes, and stopping Indian aggressions on our frontier settlements. Our whole past history sustains the wisdom of Mr. Buchanan's proposed policy—"to locate the Indians in suitable localities, where they can receive the rudiments of education, and gradually induced to adopt the arts of industry." These locations will be scattered along the lines of military posts and white settlements, in such a manner as to keep them under the supervision of the supreme law, but not interfere with each other. The money now wasted in rum and useless presents, will build them quarters and fence in corn-fields, which will, under the directing care of their agents, give them bread, and win them by degrees to value and cultivate their property. This plan of colonizing the Indians is the last and only hope of the race, and we trust it will receive the thoughtful consideration of the press and people of the United States.

STILL ANOTHER ARCTIC EXPEDITION.—Doctor Hayes, the surgeon of Kane expedition, has published in the New York Tribune his plan for another attempt to reach the North Pole. He adopts the geographical ideas of his lamented commander as a basis of operations, proposes to follow the east line of the continent, instead of that of Greenland, in a journey to the North. He thinks that a vessel of only a hundred tons, with fourteen men, equipped according to his ideas of what is necessary to health, security, and rapid exploration, will be sufficient to accomplish purposes of the highest interest to science. He asserts that it is possible to greatly diminish the dangers of the journey by the proper equipment of an expedition. Scurvy is the most terrible enemy to be feared, and the Doctor thinks that the methods of preserving meats and vegetables in all their first freshness, which have recently been discovered, have furnished a preventative for the dreaded disease. The extreme cold, he further contends, can be withstood with attention to clothing, fuel, food, snow-houses, and vigorous exercise.—Besides the scientific results to be obtained, Dr. Hayes says that it would be an act of true humanity to rescue the one hundred and fifty Esquimaux from their perilsous life at Smith's Sound, and bring them southward, to where existence is easier, and Christianity may spread its blessed influence among the benighted ones.

Prof. Charles De Grath's Electric Oil.—Take it to the cottage of the lowly, and relieve the pains of accident or disease—take it to the mansion of the rich, to soothe the suffering that neither station nor wealth can mitigate; take it everywhere through the wide world, and say it my "Electric Oil" is not on its benign mission, healing, soothing, and relieving, as has been done since the day the Good Samaritan anointed the weary pilgrim. The deaf shall hear, the trembling limb be strong, and shall march merrily into song. This Oil may be relied on for all ailments, to be had of all chemists, or sent direct to another column. For sale at Fritchard's, Dec. 8. 2m

PROVIDENCE ACADEMY  
12 miles south of Charlotte.  
The exercises of the 17th Session of this School will commence (Divine Permission permitting) the first Monday in January next.  
Terms of Session of 21 weeks: \$12.50  
Classics and Mathematics, \$12.50  
English Grammar, Geography & History, 6.00  
Students will be received at any time during the session, but no deduction will be made for late admission. For catalogue, see advertisement in another column. For sale at Fritchard's, Dec. 15, 1857. 3m

To Hire.  
On the 1st of January next, at the public square in Charlotte,  
15 or 20 Negroes,  
belonging to Mary A., minor heir of the late Rev. J. M. Williamson. J. M. HUTCHINSON, Guardian.  
Dec. 15, 1857. 3m

Negro Hiring.  
On Thursday the 31st of Dec., I will hire out at my residence, all the negroes belonging to the minor heirs of the late Dr. J. M. Harris, for the term of twelve months.  
J. M. STRONG, Guardian  
Dec. 15, 1857. 3m

VALUABLE PROPERTY for Sale.  
I will expose to public sale on Tuesday the 1st of next January Court at the Court House in Charlotte, my House & Lot situated on Tryon street, opposite to the Presbyterian church and joining the lots of R. M. Johnson and Robert Sterling, and lot being 36 feet front and running back 399 feet. On it is a first rate Dwelling and Store House and out-houses and a Well of excellent water. Persons wishing to buy such property would do well to call on J. C. MOORE, H. H. HARRIS, or J. C. MOORE.  
Also, at the same time and place, I will offer for sale the PLANTATION formerly owned by Capt Isaac Campbell, de'd, lying 5 miles east of Charlotte, on the Patrons and Lawyers' road, joining the lands of Wilson Wallcut, M. D. Johnson and others, containing 32 acres. On the place is a good Dwelling and out-houses, and some first rate mow land.  
This place will be sold subject to the Widow's dower. Any of the above property will be sold privately if desired, at any time between the 1st and 31st of January. Persons desiring to purchase can see me in Charlotte.  
Terms made known on day of sale.  
Dec. 15, 1857. 3m J. C. MOORE.

Trustee's Sale.  
By virtue of a Deed of Trust executed by Wm. C. Beatty, I will sell on Tuesday, the 2d day of February, 1858, at the residence of said Beatty, two miles south of Charlotte,  
177 Acres of Land, more or less;  
2 head of horses, 1 mule, 4 cows, stock of hogs and farm implements, household and kitchen furniture; 4 road wagon and a small wagon; a quantity of wheat, corn, fodder, hay, &c.  
Terms made known on day of sale.  
G. W. WILLIAMSON, Trustee.  
Dec. 15, 1857.—87-7c

Dr. J. M. HAPPOLDT,  
OF SALISBURY, N. C.  
Offers his professional services in the different branches of his Profession, not only to the citizens of Salisbury and the contiguous country, but would respectfully notify the citizens of Mecklenburg and Cabarrus counties, and more especially those in whose families he had practiced for nearly twenty years, whilst a resident of Mecklenburg county and the town of Charlotte, and with many of them maintained for years, the endearing relation as family Physician, that his services can be as easily obtained (by the facilities of Railroad travel) now, and in many instances more so than when he lived among them. Applications made by mail, or the "Veranda House," Salisbury, N. C., will meet with prompt attention.  
Salisbury, N. C., Dec. 15, 1857. 4m