

PRESIDENT'S MESSAGE.

To the Senate and House of Representatives of the United States.

I have received from J. Calhoun, Esq., President of the late constitutional convention of Kansas a copy dated by himself, of the constitution framed by that body, with the expression of a hope that I would submit the same to the consideration of Congress...

A great delusion seems to pervade the public mind in relation to the condition of parties in Kansas. This arises from the difficulty of inducing the American people to realize in a state of rebellion against the government under which they live...

From this statement of facts, the reason becomes palpable why the enemies of the government authorized by Congress have refused to vote for delegates to the Kansas constitutional convention, and also afterwards on the question of slavery submitted by it to the people...

In the governor's despatch of July 15th he informs the Secretary of State, "that this movement at Lawrence was the beginning of a plan, originating in that city, to organize insurrection throughout the Territory; and especially in all towns, cities, or counties where the republican party have a majority..."

And again: "In order to send this communication immediately by mail, I must close by assuring you that the spirit of rebellion pervades the great mass of the republican party of this Territory, instigated, as I entertain no doubt they are, by eastern societies, having in view results most disastrous to the government and to the Union; and that the continued presence of Gen. Harney here is indispensable, as originally stipulated by me, with a large body of dragoons and several batteries."

On the 20th July, 1857, Gen. Lane, under the authority of the Topeka convention, as Gov. Walker informs us, "to organize the whole so-called free State party into volunteers, and to take the names of all who refuse enrollment." The professed object is to protect the polls, at the election in August, of the new insurgent Topeka State legislature.

"The object of taking the names of all who refuse enrollment is to terrify the free-State conservatives into submission. This is proved by recent atrocities committed on such men by Topekites. The speedy location of large bodies of regular troops here, with two batteries, is necessary. The Lawrence insurgents await the development of this new revolutionary military organization," &c., &c.

laws, and counsel a total disregard of these enactments."

Without making further questions of a similar character from other despatches of Gov. Walker, it appears by a reference to Mr. Stanton's communication to Gen. Cass, of the 9th December last, that the important step of calling the legislature together was taken after I [the President] had become satisfied that the election ordered by the convention on the 21st inst., could not be conducted without collision and bloodshed."

The truth is, that, up till the present moment, the enemies of the existing government still adhere, to their Topeka revolutionary constitution and government. The very first paragraph of the message of Gov. Robinson, dated on the 7th December, to the Topeka legislature now assembled at Lawrence, contains an open defiance of the constitution and laws of the U. States. The Governor says: "The Convention which framed the Constitution at Topeka originally met with the people of Kansas Territory."

They have adopted and ratified the same twice by a direct vote, and also indirectly thro' two elections of the State officers and members of the State legislature. Yet it has pleased the administration to regard the whole proceeding revolutionary."

Such being the unfortunate condition of affairs in the territory, what was the right as well as the duty of the law-abiding people? Were they silent and patiently submit to the Topeka usurpation or adopt the necessary measures to establish a constitution under the authority of the organic law of Congress?

It is impossible that any people could have proceeded with more regularity in the formation of a constitution than the people of Kansas have done. It was necessary, first, to ascertain whether it was the desire of the people to be relieved from their territorial dependence and establish a State government. For this purpose, the territorial legislature, in 1855, passed a law "for taking the sense of the people of the Territory upon the expediency of calling a convention to form a State constitution."

In pursuance of this decision of the people in favor of a convention, the territorial legislature, on the 27th day of February, 1857, passed an act for the election of delegates on the third Monday of June 1857, to frame a State constitution. This law is as fair in its provisions as any that ever passed a legislative body for a similar purpose.

And again: "In order to send this communication immediately by mail, I must close by assuring you that the spirit of rebellion pervades the great mass of the republican party of this Territory, instigated, as I entertain no doubt they are, by eastern societies, having in view results most disastrous to the government and to the Union; and that the continued presence of Gen. Harney here is indispensable, as originally stipulated by me, with a large body of dragoons and several batteries."

The governor also clearly and distinctly warns them that should be the consequences if they should not participate in the election. "The people of Kansas, then, (he says,) are invited by the highest authority known to the constitution to participate, freely and fairly, in the election of delegates to frame a constitution and State government. The law has performed its entire appropriate function when it extends to the people the right of suffrage, but it cannot compel the performance of that duty. Through our whole Union, however, and wherever free government prevails, those who abstain from the exercise of the right of suffrage, and those who do vote, to act for them in that capacity, and the absentees are as much bound, under the law and constitution, where there is no fraud or violence, by the act of the majority of those who do vote, as if all had participated in the election. Otherwise, as voting must be voluntary, self-government would be impracticable, and monarchy or despotism would remain as the only alternative."

It may also be observed, that at this period any hope, if such had existed, that the Topeka constitution would ever be recognized by Congress, must have been abandoned—Congress had adjourned on the 31st of March previous, having recognized the legal existence of the territorial legislature in a variety of formal which I need not enumerate. Indeed, the delegate elected to the House of Representatives under a territorial law, had been admitted to his seat, and had completed his term of service in the regular session of the territorial legislature in Kansas. This was the time for abandoning the revolutionary Topeka organization, and for the enemies of the existing government to conform to the laws, and to unite with its friends in framing a State constitution. But this they refused to do, and the consequences of their refusal to submit to lawful authority and vote at the election of delegates, may yet prove to be of a most deplorable character. Would that the respect for the laws of the land which so eminently distinguished the men of that generation could be revived! It is a disregard and violation of law which has for years kept the territory of Kansas in a state of almost open rebellion against its government. It is the same spirit which has produced actual rebellion in Utah. Our only safety consists in obedience and conformity to law. Should a general spirit against its enforcement prevail, this will prove fatal to us as a nation. We acknowledge no master but the law; and should we cut loose from its restraints, and every one do what seemeth good in his own eyes, our case will indeed be hopeless.

The enemies of the territorial government determined still to resist the authority of Congress. They refused to vote for delegates to the convention not because, from circumstances which I need not detail, there was an omission to register the comparatively few voters who were inhabitants of certain counties in Kansas in the early spring of 1857, but because they had predetermined at all hazards to adhere to their revolutionary organization, and defeat the establishment of any other constitution than that which they had framed at Topeka. The election was, therefore, suffered to pass by default; but of this result the qualified electors who refused to vote, can never justly complain.

From this review, it is manifest that the Lecompton convention according to every principle of constitutional law, was legally constituted, and was invested with power to frame a constitution. The sacred principle of popular sovereignty has been invoked in favor of the enemies of law and order in Kansas. But in what manner is popular sovereignty to be exercised in this country, if not through the instrumentality of established law? In certain small republics of ancient times, the people did assemble in primary meetings, passed laws, and directed public affairs. In our country this is manifestly impossible. Popular sovereignty can be exercised here only through the ballot-box and if the people will refuse to exercise it in this manner, as they have done in Kansas at the election of delegates, it is not for them to complain that their rights have been violated.

The Kansas convention, thus lawfully constituted, proceeded to frame a constitution, and having completed their work, finally adjourned on the 7th day of November last. They did not think proper to submit the whole of this constitution to a popular vote; but they did submit the question whether Kansas should be a free or slave State, to the people. This was the question which had convulsed the Union and shaken it to its very centre. This was the question which had lighted up the flames of civil war in Kansas; and had produced sectional parties throughout the confederacy. It was of a character so paramount in respect to the condition of Kansas, as to rivet the anxious attention of the people of the whole country upon it, and it alone. No person thought of any other question. For my own part, when I instructed Governor Walker, in general terms, in favor of submitting the constitution to the people, I had no object in view except the all-absorbing question of slavery. In what manner the people of Kansas might regulate their other concerns, was not a subject which attracted any attention. In fact, the general provisions of our recent State constitutions, after an experience of eighty years, are so similar and so excellent, that it would be difficult to go far wrong at the present day in framing a new constitution.

I then believed, and still believe, that under the organic act, the Kansas convention were bound to submit this all-important question of slavery to the people. It is only of this act that my opinion that it is not for them to submit any portion of the constitution to a popular vote in order to give it validity. Had I entertained such an opinion this would have been in opposition to the principle which pervades our institutions and which is every day carried out into practice that the people have the right to delegate to representatives, chosen by themselves, their sovereign power to frame constitutions, enact laws and perform many other important acts, without requiring that these should be subject to their subsequent approbation. It would be a most inconvenient limitation of their own power, imposed by the people upon themselves to exclude them from exercising their sovereignty in a lawful manner they think proper. It is true that the people of Kansas might, if they had pleased, have required the convention to submit the constitution to a popular vote; but this they have not done. The only remedy therefore in this case, is that which exists in no other similar cases, that the delegates who framed the Kansas constitution have in any manner violated the will of their constituents the people always possess the power to change their constitution or their laws, according to their own pleasure.

The question of slavery was submitted to an election of the people of Kansas on the 21st of December last in obedience to the mandate of the constitution. Here again, a fair opportunity was presented to the adherents of the Topeka constitution if they were the majority to decide this exciting question "in their own way," and thus restore peace to the distracted territory; but they again refused to exercise their right of popular sovereignty and again suffered the election to pass by default. I heartily rejoice that a wiser and better spirit prevailed among a large majority of these people on the first Monday of January, 1858, that they did on that day, vote under the Lecompton constitution for governor and other State officers, a member of congress, and for members of the legislature. This election was warmly contested by the parties, and a larger vote was polled than at any previous election in the territory. We may now reasonably hope that the revolutionary Topeka organization will be speedily and finally abandoned, and this will go far towards the final settlement of the unhappy differences in Kansas. If friends have been committed at this election, either by one or both parties the legislature and the people of Kansas, under their constitution, will know how to redress themselves and punish these detestable but too common crimes without any outside interference.

The people of Kansas have then, "in their own way," in strict obedience to the organic law, framed a constitution and State government, have submitted the all-important question of slavery to the people, and have elected a governor, a member to represent them in Congress, members of the State legislature, and other State officers. They now ask admission into the Union under this constitution, which is republican in its form. It is to the people who have the right to admit or reject the State which has thus been created. For my own part, I am decidedly in favor of its admission, and thus terminating the Kansas question. This will carry out the great principle of non-intervention recognized and sanctioned by the organic law, in express language in favor of "non-intervention by Congress with slavery in the States or Territories," leaving "the people thereof perfectly to regulate their domestic institutions in their own way, subject only to the constitution of the United States." In this manner by localizing the question of slavery, and confining it to the people who are immediately concerned, we are not anxiously expected that this question will be banished from the halls of Congress, where it has always exerted a baneful influence throughout the whole country.

It is proper that I should briefly refer to the election held under the act of January last, on the Lecompton constitution. This election was held after the Territory had been prepared for admission into the Union, as a sovereign State, and when no authority existed in the territorial legislature which could possibly destroy its existence or change its character. The election, which was conducted under my instructions, involved a strange inconsistency. A large majority of the persons who voted against the Lecompton constitution, were at the very same time and place recognising its valid existence in the most solemn and authentic manner, by voting under its provisions. I have received no official information of the result of this election.

As a question of expediency, after the right has been maintained, it may be wise to reflect upon the benefits to Kansas and to the whole country which would result from its immediate admission into the Union, in a trade which would follow its rejection. Domestic peace will be the happy consequence of its admission, and that fine Territory, which has hitherto been torn by dissensions, will rapidly increase in population and wealth and speedily realize the blessings and the comforts of a free and happy and peaceful and prosperous industry. The people will then be sovereign, and can regulate their own affairs in their own way. If a majority of them desire to abolish domestic slavery within the State, there is no other possible mode by which this can be effected so speedily as by prompt admission. The will of the majority is the law, and it is not for them to complain that their rights have been violated. They can make and change constitutions at pleasure. It would be absurd to say that they can impose fetters upon their own power which they cannot afterwards remove. If they could do this they might be their own masters for ever. These are fundamental principles of American freedom, and are recognised, I believe, in some form or other, by every State constitution; and if Congress, in the act of admission, should think proper to recognise them, I can perceive no objection to such a course, and it is not for them to complain that their rights have been violated. It declares in the bill of rights that "all political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit, and therefore they have at all times an inalienable and indefeasible right to alter, reform, or abolish their government, in such manner as they may think proper." The great State of New York is at this moment governed under a constitution framed and established in direct opposition to the mode prescribed by the previous constitution. If therefore, the provision changing the Kansas constitution, after an experience of eighty years, had not been closed against the people and property of nearly half the nation, it would be a most extraordinary and a most unjust change previous to that period, this prohibition should be wholly unavailing. The legislature already elected may, at its very first session, submit the question to a vote of the people whether they will or will not have a constitution of their own, and if they do, adopt all necessary means for giving effect to the popular will.

It has been solemnly adjudged by the highest judicial tribunal known to our laws, that slavery exists in Kansas by virtue of the constitution of the United States, and that therefore, at this moment as much a slave State as Georgia or South Carolina. Without this the equality of the Sovereign States composing the Union would be violated, and the use and enjoyment of a territory acquired by the common treasure of all the States, would be closed against the people and property of nearly half the nation. Slavery, therefore, can never be prohibited in Kansas except by means of a constitutional provision, and no other manner can this be obtained so promptly, if a majority of the people desire it, as by admitting it into the Union under its present constitution.

On the other hand should Congress reject the constitution, under the idea of affording the disaffected in Kansas a third opportunity of prohibiting slavery in the State, which they might have done twice before, the majority, no man can foretell the consequences. If Congress, for the sake of those men who refused to vote for delegates to the convention when they might have excluded slavery from the constitution, and who afterwards refused to vote on the 21st December last, when they might, as they claim, have stricken slavery from the constitution, should now reject the State because slavery remains in the constitution, it is manifest that the agitation upon this dangerous subject will be renewed in a more alarming form than it has ever yet assumed.

Every patriot in the country had indulged in the hope that the Kansas and Nebraska acts would terminate the slavery question at least in Congress, which had for more than twenty years convulsed the country and endangered the Union. This act involves great and fundamental principles and if fairly carried into effect will settle the question. It would be necessary for the people of the sister States to be again estranged from each other with more than their former bitterness, this will arise from a cause, so far as the interests of Kansas are concerned, more trifling and insignificant than has ever stirred the elements of a great and dangerous commotion. To the people of the sister States, the only practical difference between admission or rejection, depends simply upon the fact whether they can themselves more speedily change the present constitution if it does not accord with the will of the majority, or frame a second constitution to be submitted to Congress and the people. Even if this were a question of mere expediency, and not of right, the small difference of time, one way or the other, is of not the least importance when contrasted with the evils which must necessarily result to the whole country from a revival of the slavery question.

In considering this question, it should never be forgotten that, in proportion to its insignificance, the virtue of prosperity is temperance; the virtue of adversity is fortitude.

et the decision be what it may, so far as it may affect the few thousand inhabitants of Kansas who have from the beginning resisted the constitution and laws, will be so much the more keenly felt by the people of fourteen of the States of the Union, where slavery is recognised under the constitution of the United States.

Again: The speedy admission of Kansas into the Union would restore peace and quiet to the whole country. Already the officers of the Territory have expressed an undue proportion of public attention. They have sadly affected the friendly relations of the people of the States with each other, and alarmed the fears of patriots for the safety of the Union. Kansas, once admitted into the Union, the excitement becomes localized, and will soon die away for want of outside aliment. Then every difficulty will be settled at the ballot-box. Besides, this is no trifling consideration—United States from Kansas, and employ them on branches of service where they are much needed. They have been kept there, on the earnest importunity of Gov. Walker, to maintain the existence of the territorial government and secure the execution of the laws. He considered that at least two or three regular troops, under the command of Gen. Harney, were necessary for this purpose. Acting upon his reliable information, I have been obliged, in some degree, to interfere with the expedition to Utah, in order to keep down rebellion in Kansas. This has involved a very heavy expense to the government. Kansas once admitted, it is believed there will no longer be any occasion there for troops of the United States.

I have thus performed my duty on this important question with a deep sense of responsibility to God and my country. My public life will terminate within a brief period, and I have no other object of earthly ambition than to leave my country in a peaceful and prosperous condition, and to live in the affections and respect of my countrymen. The dark clouds which now hang over our country, impending over the Union, I conscientiously believe may be dissipated with honor by every portion of it, by the admission of Kansas during the present session of Congress; whereas if she should be rejected, I greatly fear these clouds will become darker and more ominous than any which have ever yet threatened the constitution and the Union.

JAMES BUCHANAN.

Washington, February, 2, 1858.

Democratic Meeting in Mecklenburg.

Pursuant to previous notice, a portion of the Democrats of Mecklenburg county assembled at the Court House in Charlotte on the 26th ult., for the purpose of appointing delegates to the Democratic State Convention to be held in Charlotte on the 14th April next.

On motion, John Walker, Esq., was called to the chair, and Wm. J. Yates, appointed Secretary. The object of the meeting, having been explained, on motion of R. P. Waring, Esq., the Chairman was requested to appoint a committee of five to prepare resolutions for the action of the meeting. The chairman appointed W. M. Matthews, J. M. Hutchison, J. M. Potts, R. P. Waring and Wm. J. Yates, who after consultation, reported the following preamble and resolutions:

Resolved, That the Democratic State Convention have selected Charlotte as the place for the assembling of the Democratic State Convention of North Carolina to nominate a candidate for Governor, therefore.

Resolved, That the Democracy of Mecklenburg, extending to their brethren in all parts of the State a cordial invitation to meet them in Convention on the 14th of April next.

Resolved, That the Chairman of this meeting appoint 100 delegates to represent the county of Mecklenburg in said Convention.

Resolved, That, respecting entire confidence in the Convention, and believing that it will select none other than an honest, capable and faithful Democrat to bear the democratic standard in the approaching canvass, we pledge our hearty support to the nominee of the Convention.

Resolved, That we adhere to the ancient landmarks of the Democratic faith—to State Rights and strict construction—to those principles which we have for so long a time, and so often, received the approbation and endorsement of the American people, and that we declare our unalterable opposition to any and all schemes tending to divert the public domain from the purposes contemplated by the Federal Constitution; believing that the public lands, and the revenue derived therefrom; should be applied exclusively to defraying the legitimate expenses of the General Government.

Democratic Meeting in Catawba County.

At a Democratic Meeting held in Newton, at the January County Court, on motion of J. P. Rowe, Capt. T. W. Braddern was called to the Chair, and G. M. Yoder was appointed Secretary.

Upon a call from the Chairman, Wm. Lander, Esq., in his usual eloquent manner, explained the object of the meeting.

The following resolutions, which were introduced by George Setzer, Esq., and upon which David Scheuch, Esq., of Gaston, being called by the meeting, delivered a highly appropriate address, were unanimously adopted.

Resolved, That the Chairman of this meeting appoint one hundred delegates to represent us in said Convention.

Resolved, That we heartily endorse the Administration of President Buchanan, and that we will do all in our power to aid him in carrying out the principles of the Cincinnati and Baltimore platforms.

Resolved, That Governor Bragg has patriotically and faithfully performed the responsible duties devolved upon him, and that he deserves the thanks of every true North Carolinian, on his retirement of office.

Resolved, That the Hon. John W. Ellis by his unswerving devotion to the principles of our party and the true interests of the State, as well as by his ability, patriotism, and integrity, has endeared himself to the Democracy of North Carolina; and that, while we are willing to support any true Democrat, we suggest his name as a candidate for our first choice for the nomination.

Resolved, That these proceedings be published in the Republican Banner; and that the other Democratic papers of the State be requested to copy.

In compliance with the first resolution, the following delegates were appointed:

- H. Sherrill, C. A. Willing, A. G. Milligan, James Cline, Daniel Cline, Sen. John Hoke, Sen. Frank Hoke, Sen. Frank Hoke, Jr., Dr. P. Young, H. Young, Esq., Lafayette Young, F. Young, Joshua Little, M. Moser, G. G. Hartzel, H. Ingold, Esq., Eli Sigman, David Miller, C. W. Herman, Esq., Capt. Wm. Herman, Henry Herman, James Setzer, C. Henkel, Wm. Long, Esq., J. J. Stanford, L. Stanford, F. Turner, Dr. Powell, Jos. Lawrence, Esq., John Roy, Dr. Gibson, Dr. Sherrill, J. Caldwell, Esq., Wm. Caldwell, Thos. Wilkinson, Esq., G. W. Routh, J. J. Wilson, Frank Setzer, Dr. H. W. Conner, John Kilgus, John Whiteaker, J. Lutes, N. Lutes, M. J. Host, P. Burns, Esq., C. Frazier, Abel Fox, A. S. Robinson, H. Reinhardt, D. Babel, Geo. Setzer, Sr., G. Setzer, Jacob Yoder, J. Yoder, P. Warlick, J. Mosteller, J. Hall, Isaac Johnson, W. Bandy, A. Mull, J. Rhoney, D. Muller, John Ward, D. Seitz, G. D. Whiteaker, J. J. Sigmon, M. M. Wilson, G. H. Wilson, D. Seitz, D. Leonard, Robert Helton, T. L. Lowe, John H. Robinson, F. D. Reinhardt, R. Setzer, D. Setzer, John Wilfong, G. M. Wilfong, Jethro Robinson, David Robinson, D. H. Whiteaker, H. A. Forney, J. W. Gaither, D. Lowe, P. Rowe, M. Herman, Lawson Fry, M. Cline, Henry Cline, D. Sawyer, Ed. Smyer.

On motion the President and Secretary were added to the list of delegates.

T. W. BRADBURN, President.

G. M. YODER, Secretary.

Superior Courts—Spring Circuits.

The Judges of the Supreme Courts of this State will ride the Spring Circuits as follows:

- Edenton Circuits, Judge Dick. Newbern, " Caldwell. Raleigh, " Ellis. Hillsboro, " Saunders. Wilmington, " Manly. Salisbury, " Bailey. Mountain, " Person.

Col. Standard.

If nobler sentiments than the following, says the New York Mirror, which were uttered by Daniel Webster, ever fell from human lips, we have yet to see them. They are, indeed, pearls of the rarest value, which should be cherished in the very heart of hearts by every one: It is only shallow minded pretenders who make distinguished origin either a matter of personal honor or personal reproach. A man who is not ashamed of himself need not be ashamed of his early condition. It did happen to me to be born in a log cabin, raised among the snow drifts of New Hampshire at a period so early that when the smoke first rose from its chimney, and curled over the frozen hills there was no similar evidence of a white man's habitation between it and the settlement on the rivers of Canada. Its remains still exist; I make it an annual visit. I carry my children to it, and teach them the hardship endured by the generation before them. I love to dwell on the tender recollections, the kindred ties, the early affections, and the narrations and incidents which mingle with all I know of this primitive family abode. I weep to think that none of those who in hapited it are now among the living; and if ever I fall in affectionate veneration for him who raised it and defended it against savage violence and destructions, cherished all domestic comforts beneath its roof, and through the fire and blood of seven years' revolutionary war, shrunk from no toil, no sacrifice to serve his country and to raise his children for a condition better than his own may name and the name of posterity be blotted from the memory of mankind.

THE GOLD COINAGE OF THE UNITED STATES.—Since the establishment of the Mint in 1792, according to the American Almanac, the amount of gold coin issued to the close of 1849, was \$74,923,293; from 1850 to the close of 1857, it was \$425,889,738; making a total gold coinage of \$500,812,941.

At the commencement of 1850, the amount of specie in the United States was estimated to be \$114,000,000; the amount of gold received from California, to the close of 1857; has been estimated to be \$630,000,000; the amount of specie brought into the country by emigrants during the last eight years is estimated to be 100,000,000; making a total of \$884,000,000. Within the last eight years according to the Report of the Secretary of the Treasury, there have been exported in specie (less imports) \$200,953,850; leaving the amount existing, at the present time, in the United States, in the shape of coin, bullion, plate, jewelry, &c., of \$683,046,150.

Prior to the discovery of the California mines, the United States were importers of the precious metals; but since that event the position has been reversed.

"Who knows what a day may bring forth?" as the man said, when he woke up in the morning and found himself in the gutter.