popular voice might be interrupted by fraud or violence. I beg you to remember, gentlemen, that then, on the 30th of March, 1857, the President of the United States and Gen. Cass, in making out their instructions to Gov. Walker and myself, seem to have some not very obscure idea that things were managed not altgether fairly in that distant Territory [sensation]; that some wrong had been or would be done to the people of Kansas. Well, now, gentlemen, it is not necessary for me to go further than this. It would perhaps be improper for me to refer to any verbal understandings that might have taken place between the President and Gov. Walker and myself, or Gen. Cass. These written instructions are sufficient; and I can say here to-night that there was not a word written or uttered either by the President or Gen. Cass, or any member of the Cabinet, that was not as distinct in character as the words I have read you here to-night. There was our commission to go forth to the people of Kansas, and see that, free from all foreign interference, relieved from all fears of force or fraud, they should be permitted to work out their own destiny—to establish their own institutions—to vote upon their own Constitution. [Prolonged cheering.] You are all aware that I preceded Gov. Walker, arriving in the Territory about the middle of April. I found the condition of the people very different from what I had expected to find it. I found the state of the questions in the Territory, which I had supposed were uppermost in the minds of the people altogether different from that which I had previously entertained in regard to them. Why, I had supposed that there was no question calculated to disturb their peace or to interfere with the operations of the Territorial Government, except that of Slavery, and that this being settled, everything else would necessarily be settled, and as a consequence of it. I found that the dissatisfaction went altogether beyond this. I found the whole people almost at war with the Territorial Government, as the President in his recent Special Message declares, continually in a state of rebellion, and ready to overthrow it at any moment, if they had not been kept in obedience by the power of the army of the United States! [Sensation]. It seemed to me, gentlemen, to be a very strange state of affairs; and, as you may naturally suppose, I was extremely anxious to ascertain the causes of this. I was perfectly well satisfied that in this Government no such great phenomenon as this could take place among a people so intelligent as those of Kansas, without some cause, and that some good cause, either real or imaginary. I felt it to be my duty, and when Governor Walker came into the Territory he felt it to be his; and acted upon that sense of duty to go out among the people in order to hear their complaints, and ascertain, as far as possible, their desires and wants. To my utter astonishment, gentlemen, I found them declaring their determination never to obey the laws which had been passed by the Territorial Legislature, because they stated they had had no participation in the passage of those laws. They said to us that the Legislatures which had pretended to represent them did not actually represent them; that they had been elected in some instances by intruders from a neighboring State, and in other instances by fraud and violence too monstrous at that time to be credited by me. It seemed to me altogether impossible that the charges they made against their fellow-citizens, and especially the officers of the Territory, could be true to the extent they made them. And I must confess I never did altogether believe it until I saw with my own eyes similar transactions attempted by the same people, which satisfied me that the complaints of those people were in great measure just and true. [Continued cheering.] The policy pursued by Gov. Walker, it seems to me, gentlemen, was a wise policy; it was a benign policy. His object was to persuade the people temporarily to submit to the government, until, by the due operation of the existing laws and by the exercise of the elective franchise they could establish laws for themselves. The people, in answer to his persuasions, and to my persuasions—for I was generally with him—would say, "You invite us to go to the ballot-box. We know that it will be perfectly useless for us to go there." "Why?" "Because we shall be overrun by our neighbors." Gov. Walker said: "We have the army at our command in order to prevent the intrusion of foreigners." They replied, "If you prevent them, you cannot prevent the officers from cheating and defrauding us, so that it will at last amount to the same thing." [Sensation.] Well now, gentlemen, shortly after I arrived in the Territory the process of taking the census was completed, and the returns were made by the Sheriffs of the different counties to the Probate Judges of those counties, in order that the census returns might be corrected. That law which had been passed at the previous session of the Legislature of the Territory had provided that every voter in the Territory should be registered, and no man should be entitled to vote for Delegates to the Convention unless he was registered. Going through the Territory, I heard, on all sides, charges of great wrong and injustice; I heard the great mass of the people proclaiming that the officers of the Territory had utterly disregarded right and justice in the performance of this duty—in fact, they had not performed the duty at all. They said in many instances men of high character, residents of long standing, men whose residence could not possibly have been unknown to the officers, had been left off the register. I said to them, Gentlemen, you might have gone to the Probate Judges and had those names put on the lists. But they said it was not their duty to go, it was the duty of the officers to register their names. Now it is useless for any of us to disguise the truth. The great mass of the Free-State people didn't care a fig whether their names were registered or not, they were opposed to the Convention; they were opposed to all the laws and all the proceedings under it. ["Good!" applause]. On the other hand, gentlemen, I have not the slightest doubt that the officers of the Territory, or at least some of them, were perfectly willing that their names should be left off, and I am very well satisfied that the officers didn't fairly perform their duty, even in the 18 counties in which an imperfect registry was obtained. In some instances I know that they didn't do their duty. I had a correspondence with them, and in some instances they refused to do it. In the county of Shawnee, a large and populous county, the Sheriff wrote to me that he had not time to take the census, and would not do it. There are 38 counties, gentlemen, in the Territory of Kansas, including the distant county of Arapahoe. In nineteen of these counties an imperfect register was obtained, giving a vote of 9,251. In the other eighteen counties there was no census and no registration. I think it very probable, although I do not know the fact, that in some of these counties the officers were deterred and discouraged by the people from the duty of taking the census. In others I believe that the officers utterly refused to do their duty. I know it was the case with regard to some of them, and I know that the people of some of those counties ardently desired to be represented in the Convention, for they afterward, under the statement from Gov. Walker and myself, that probably they would be admitted, elected delegates and sent them up to the Convention; but they did not get seats. Now, the Free-State men, believing that they had been wronged and outraged in the election of the Legislature, were not disposed to submit to any laws, were not disposed to go into any election—were not disposed to give any assistance in taking the registration of the voters for the Convention under the act of the Legislature. On the other hand, the Pro-Slavery party having all the legal offices in their hands, and having had the two Legislatures which had sat in the Territory, having had the whole organization from the beginning, were equally willing that the other party should be entirely left out. [Laughter.] I doubt not, gentlemen, that some of those officers who were alleged to have been mere partisan tools in the hands of the leaders, did actually neglect to take the census of these interior counties with the view of preventing the representation of the Free-State people in the Convention. At the same time, I have no doubt it is true, that the great majority of the Free-State people did not wish to be represented, and did not intend to be represented at all. They determined to hold off from it. That is the whole state of the case with regard to that Convention. I could not know what was the population of these interior and distant counties. I was not even informed correctly, whether there was any considerable population in them which might claim a representation in the Convention. I waited with great anxiety when the returns began to come to me, as Secretary and acting Governor, for the returns from the nineteen counties, that had been wholly neglected. I had not been informed whether, in those counties, the officers had taken the census or not, except, perhaps, in relation to one or two of them, and I had no power to force the officers to do their duty; I had no power to appoint officers where there were none to perform those duties, and the people in those counties, whatever might have been their disposition, were absolutely deprived of the opportunity of representation in that Convention. Now, I have been denounced, especially by some of the papers in the Territory, and perhaps out of it, for having made the apportionment when I did. I have said, and I repeat it again, that if I had then known what I have since ascertained, and what I now believe and know to be true, I should have hesitated before I should have made an apportionment which should have brought about the state of things that now exists. [Applause.] I should have suffered the whole law to fail. I would have had no convention, representing one-half of the Territory—although, gentlemen, that half undoubtedly represented much the larger portion of the population, but I would have had no such Convention; I would have been the instrument of bringing about no such meeting, if I had supposed or dreamed for a single moment that they could have attempted to carry out the plan which they subsequently adopted, and are now endeavoring to force upon that people. [Cheers.] But under the circumstances, without information, supposing, as I did then, that the people who had refused to go into this election, or to go into the process of registration, were in some measure factious and not justified in what they were doing, and not knowing the character of the population in the other counties, or whether they had any population at all, or any considerable population, and being under the necessity of acting by a particular time, (for the returns were to be made on the 1st of May, in my office, and the election was to take place on the 15th of June,) I say—under the pressure of these circumstances, I could do nothing but what I did. I waited until the very last moment, somewhere about the 21st of May, before I made the apportionment, in order to give notice that might go to the distant part of the Territories, for a part of the law required ten days' notice before the election could take place; and I waited, with the expectation that Gov. Walker would come, so that I could have the benefits of his advice; for if he were there, it would have been his duty, and not mine, to make the apportionment. The most important facts which bear upon the case have come to my knowledge since the act by which I apportioned the Territory for the election of the sixty delegates who composed the Constitutional Convention. Now, gentlemen, although Gov. Walker and myself endeavored to persuade the people of the Territory to go into that election, and although I thought then and still think, that it was unfortunate that the people who were registered did not go into that election and get control of the Convention; yet it was impossible, under the state of things then existing, with the state of feeling then prevailing in the minds of the people, to persuade them to participate in that election. There had not been sufficient time; the confidence of the people had not been obtained either by Governor Walker or myself. We felt it to be our duty to enforce the law for the time being, but only so far as to enable them to have a quiet and peaceable election, "free "from fraud or violence," to use the language of the Secretary of State. In this process of persuasion, gentlemen, Gov. Walker in his celebrated speech at Topeka, in order to induce the people there to go into an election for delegates to this Convention, said to them that in his judgment "the Constitutional Convention would submit the "Constitution to the votes of the people of the "Territory." Almost as one man the large crowd which surrounded him proclaimed that he was mistaken. Then it was that Gov. Walker uttered his celebrated declaration, that "if the Constitutional "Convention did not submit the Constitution to the "vote of the people, he would join them in all lawful "means to oppose it." [Loud cheers.] In all the speeches made before and after that time, by Gov. Walker or myself, similar declarations were made. Both he and I pledged ourselves in every possible manner, our honor, character, everything, to the people of the Territory that we would contrive at no fraud—that we would suffer no trick, no legerdemain, no device of any sort, to deprive them of their dearest rights. [Applause.] And we said more, gentlemen; we said, in making those pledges, that we had the authority and support of the President of the United States and his whole Cabinet. [Laughter and applause.] I think, gentlemen, we were authorized to make this declaration. I think a fair interpretation of the instructions of the President of the United States to Gov. Walker, a copy of which Gen. Cass gave to me when I went to the Territory as Acting-Governor, will warrant me in saying that no other construction can fairly or honestly be put upon them. [Applause.] It is an important fact in this connection for me to state to you that the President of the United States and his whole Cabinet were advised of the proceedings of Gov. Walker and myself in the Territory—fully advised of them. And more than that, he was fully advised of what were believed to be the consequences that would follow if any other course of policy should be pursued. You will pardon me, gentlemen, if I refer you to the documents in this respect. [Applause.] In Gov. Walker's dispatch to Gen. Cass, dated the 2d of June, 1857, he wrote:

"On one point, the sentiment of the people is almost unanimous—that the Constitution must be submitted for ratification or rejection to a vote of the people who shall be bona fide residents of the Territory next Fall."

As early as the 2d June Gov. Walker wrote to the President of the United States that no other policy would succeed in restoring peace and quiet to the people; and this was the tenor of all his letters. He communicated to the President of the United States the speech he made at Topeka, to which I have already referred. In the dispatch of the 15th of July he informed Gen. Cass "that without his assurances "that the Constitution would be submitted, the Ter-"ritory would have been immediately involved in a "general and sanguinary civil war." [Applause.] Such is the tenor of the whole correspondence. Every intelligent reading man in this whole audience knows that it was the assurances given in that speech at Topeka, and similar assurances previous to that time, which prevented the Topeka Government from being organized at that very moment, and perhaps put in actual operation in direct opposition and hostility to the Territorial Government. I do not know, gentlemen, that I am justified in asserting that this would positively have been the case, but I do know that there was a long contest in that body itself, and in the Convention of the people of the Territory that assembled at Topeka on that occasion, upon the question whether that Government should immediately be put in operation, or whether a different course should be pursued, and owing to the persuasive policy of Gov. Walker, a milder and safer course was adopted. [Applause.] Now, gentlemen, I do not know what view the President of the United States now entertains of the course of proceedings adopted by Gov. Walker during his period of service in Kansas, to which I have referred, as embodied in the dispatches read to you to-night. [A Voice—He don't know himself.] I do not know what view the President of the United States entertains with regard to them, but this I have to say, that not one word of reproof or dissent was ever written either to Gov. Walker or myself from the time we went first to the Territory until we came away. [Loud applause.] The President of the United States heard Gov. Walker proclaim to the people that they were entitled to vote upon the Constitution—that he would oppose its acceptance by Congress if it were not submitted to that vote; the President heard him pledge his character, his honor, his reputation, and everything for the prosecution of this policy, and he never uttered one word of dissent. [Applause.] I leave it for you to determine whether, under these circumstances, the President was not fully committed to the policy which had been inaugurated under his auspices. [Applause.] I leave you to determine whether his honor was not pledged, as ours was, to this measure of justice for the people of Kansas. [Applause.] Well, gentlemen, I have said to you that when the people of the Territory told the tale of the wrong, oppression, and violence that had been committed, and the frauds that had been perpetrated, I did not believe the story credible. I did not believe it possible that such things could have actually taken place in this land of liberty and justice, and as I have already stated, it was not until I had seen some things with my own eyes that I did really come to comprehend the true nature of the feelings that controlled the masses of the people with whom we came in contact. Now, as the October election began to approach, it became perfectly evident that the policy pursued by Gov. Walker was about to succeed, and that the people had resolved almost unanimously to try the thing, and ascertain whether Gov. Walker would really stand by his pledges. They had determined to vote in the October election. "It is true," they said, "Governor, that we "will try you, but you don't know these officers "as we do. They will cheat you to your face; they "will cheat you out of your eyes, and you can't help "yourself." What is still more strange, and what looked to me at that time to be the very hight of impudence, they said, "If you do undertake to do "right, the President of the United States will desert "you." [Laughter and applause.] "He will not "let you." [Continued applause.] Why, this was a common saying in the Territory. I heard it repeatedly. I laughed at it. I did not think it possible that my oldfriend James Buchanan, whom I have respected and supported, and honored so long—I did not think it possible that he would ever make such a declaration as this at all applicable to himself. But the people did tell us, that if we attempted to do right our heads would fly from the block instantly. But, nevertheless, they said they would try the thing. Well, when our friends of the Pro-Slavery party saw what was coming on, when they saw that the people had actually determined to go into the election, it was perfectly evident to them that their power would be gone, that they would no longer hold the power in the Territory, for it was conceded before I left Washington to go to Kansas, by many of the Pro-Slavery men whom I found there, that the Free-State men had a large majority in the Territory, and when I went there, to my entire satisfaction I found that it was true. [Applause and laughter.] I mean I was satisfactorily convinced that it was true. [Cheers and laughter.] I do not mean to say, gentlemen, that the information which I actually obtained was very satisfactory to myself, for when I went there I went a regular Border-Ruffian; and I may say to you here to-night, that if the majority had been on the other side—on the side of the South—I would have fought for them. [Applause.] I would have stood up for their rights [applause] as earnestly, and with the same exertions, with the same sacrifices with which I felt it to be my duty to adhere to the rights of the other side, when I found that they so greatly preponderated in numbers. But when the minority, gentlemen—and it was a very small one—ascertained that the great mass of the people had determined to vote, and that a consequent exposure of their weakness would take place, they resorted to a device known to all of you, for the purpose of excluding the votes of the great mass of the people. There had been previously existing in the Territory a law requiring the payment of a tax as a qualification for voting, but the preceding Legislature, that of 1857, had repealed the law by the plainest and most unequivocal implication. In the judgment of the best lawyers in the Territory, and it afterward appeared in the judgment of the President of the United States and his whole Cabinet, there was not a shadow of difficulty with regard to the repeal of that law; yet one of the distinguished Judges of the United States in the Territory [laughter], Judge Cato [renewed laughter], and another high functionary, the United States District-Attorney, wrote elaborate and learned opinions [laughter] to prove the contrary of what it seemed to me every intelligent lawyer must have known was the plain and simple exposition of the law. These opinions were sent broadcast over the Territory for the purpose of preventing the mass of the people from voting; for in many of the counties no assessment had been made, and where the assessments had been made the great mass of the Free-State party had refused to pay their taxes and support a government which was not of their own selection. [Loud applause.] You must not understand me, gentlemen, as giving any opinion as to the propriety of the conduct of those people who refused to pay their taxes. That is not the question I will undertake to discuss to-night; but they did refuse to pay their taxes. They were not forced to pay them—in a great many instances they had no opportunity to pay them; and the effect of this construction of the law, if it had been maintained, would have been to exclude the great mass of the people, and let the whole Government remain in the hands of an inconsiderable minority of the people. I thought, gentlemen, and so did Gov. Walker, that it would be extremely unfortunate if this same difficulty should be kept up by those positively in the way of a peaceable settlement through the ballot-box, and accordingly, we exerted ourselves in every lawful manner, by speech, by writing, and Gov. Walker by his celebrated proclamation, to spread abroad among the people, and especially among the judges of election, that had been appointed under the Territorial authorities an exposition of the law, which, in our judgment, and which in the judgment of the President and whole Cabinet was the true exposition, giving the whole people, without regard to taxation, or payment, or any imposition by the Territorial Government, the right to participate in the election. Well, the minority who had all the machinery of the Territorial Government, was in this way defeated. The people did go forward and vote, and when they found out that this result was inevitable, the minority resorted to another means to frustrate the will of the majority, and that was by those celebrated returns from Oxford, in Johnson Co., and from three precincts in McGee County. I had heard intimations prior to the elections that these things were about to take place, but I could scarcely believe, and, in fact, I did not for a moment anticipate, that anything of the kind could be attempted by men whom I believed to be respectable and honest. Why, gentlemen, when the returns were coming in from the different parts of the Territory, I was amazed one day, when from an unexpected quarter a roll of paper was handed to me, said to contain the returns from Oxford precinct, Johnson County. It was a large roll of paper, and when I tore off the envelope I found it consisted of repeated sheets pasted together, written closely with names, and rolled up like a bolt of dry goods; and like a dry-goods man upon his counter, I took it through along the floor of the office, and I found it extended from one end of the building to the other—from the front door to the back door—a distance of 45 or 50 feet. It contained 1,628 names from the celebrated Oxford precinct, the census of which has been recently taken by a commission established by the Legislature, and what do you think is the actual population? You would imagine there would be certainly a thousand voters there, or at least seven hundred and fifty, or five hundred; but the fact is, there are just thirty-three! [Loud laughter.] Well, it now became my duty to give the certificates upon these returns, or to withhold, them to the members of the Legislature. This Johnson County borders on the State of Missouri, and was connected with Douglas County, a well-settled county, which is really able to poll somewhere in the neighborhood of 2,000 votes, for every-quarter section of land in the whole county has bona fide occupants. Johnson County was connected with Douglas County in the apportionment, and the two together were entitled to eight representatives in the lower House. These returns turned the scale, as these gentlemen very well knew. If these returns from Oxford were allowed as genuine and true, the legislative power was thrown into the hands of the minority. I did not suppose for a moment that the gentlemen who had concocted this fraud would seriously insist upon their being recognized by Gov. Walker and myself; but we found that they did insist upon them; that they insisted upon them with violence and menaces, and we felt it our duty to look into the matter. We went down into Johnson County a distance of fifty or sixty miles, for the purpose of satisfying ourselves and seeing with our own eyes what were the facts; and I tell you here to-night that we traveled some places a distance of eight or ten miles without seeing a single house on the road. [Laughter.] When we did come to houses in various parts of the county, many of them were without roofs, without doors, and without chimneys even, though in that inclement season of the year. We went to the little village of Oxford, and to the neighboring village of Santa Fe in Missouri, and we ascertained certainly, beyond all question, that this whole affair was a fraud and forgery from beginning to end, with the exception of the few names with which the list commenced. It was fortunate for us, and fortunate for justice and the rights of the people of Kansas that the affair was so unartificially gotten up, and the returns so imperfectly made out that without any injustice, without going behind the returns, without exceeding the powers conferred upon us by law, we could feel ourselves perfectly justified in rejecting these returns. [Loud applause.] When I received that celebrated paper, Gov. Walker happened to be in Fort Leavenworth. It was his duty to give a certificate to the Delegate in Congress, and it was mine under the law to give certificates to the representatives in the Council and lower house of the Legislative Assembly. I had made up my mind upon the first receipt of this fraudulent paper, that rather than sign any certificate upon it, if I should be compelled to do so, I would resign my place [applause], in order to signify the sense of wrong and outrage I felt—not only a wrong and outrage against the people of Kansas, but against myself, in the supposition that I could be made the instrument of accomplishing so great a fraud. [Loud applause.] Then, gentlemen, the returns came from McGee County in a short time afterward—1,200 votes in a county in which there were but few or no inhabitants. Like Johnson County, McGee County consisted almost entirely of an Indian reservation. It had but few white inhabitants. I believe there were some 25 or 30 voters in the whole county. Gentlemen, I am sorry to say that from the time that these returns were rejected, and the power in the Territory thrown where it properly belonged—in the hands of the majority—there was a most significant silence at Washington. [Loud laughter.] We saw occasionally strange outgivings of what was coming. We heard singular mutterings, and the telegraphic dispatches here and there would announce that "the President and Cabinet have had Gov. "Walker and Secretary Stanton under conside-"ration. They will not dismiss them, but they will "censure them both." Just about that time I had prepared a letter, of some two or three lines, addressed to Gen. Cass, proposing to resign the post of Secretary on the 31st of December. I had a particular object in view. I supposed that about that time the difficulties would all be settled, the troubles would be over, and that I could be relieved from service there. A few days afterward I saw these outgivings from Washington City. I instantly sat down, wrote to the President of the United States (you will find the document among other letters and public documents of Gov. Walker and myself to Gen. Cass), in which I stated to the President directly that I had seen various letters from Washington, in newspapers, a statement that it was the purpose of the Administration either to dismiss Gov. Walker and myself or censure us for rejecting those returns. I said I did not believe it to be true; nevertheless, if there was truth in it, I desired to withdraw my resignation, that I might stand on the merits of the act, and take my full share of the responsibility. [Loud cheers.]

But what I wish to call your attention to particularly is, the fact that there was a most ominous silence in reference to both these letters. [Laughter.] Neither the President nor Gen. Cass ever acknowledged my letter of resignation or the subsequent letter recalling it, or ever said one word in reference to my rejection of the Oxford and McGee returns—at least so far as I am concerned—so far as I know anything about the correspondence, or otherwise; and from that day to this I have never received a line of any kind either from the President or from the Secretary of State, or anybody else, in reference to any of these transactions. [Applause and laughter.] I have not even received any official information, addressed to me directly, of my removal. [Laughter.] I suppose it was intended to perform the operation as some of those celebrated executioners do sometimes, with so sharp a sword as not even to let the victim know his head is cut off. [Laughter.] Just in that way mine was cut off, and I do not know it officially to this day [Laughter], except that I have seen the commission of my successor. It was the occurrence of these facts which tended to open my eyes as to what had previously existed in the Territory. I have said that I did not believe the statements that had been made. I could not believe that such outrages had ever been perpetrated. I was disposed at first to believe that some unprincipled persons had been engaged in these affairs for mere individual or party purposes; but when I saw afterward the manner in which the whole party treated the affair—when I saw that we were denounced by the whole Pro-Slavery party in the Territory, small as it was, with few exceptions—when I saw that we were thus denounced, and that the whole party, with a few honorable exceptions, made them selves participants in the crime—I understood in a moment what was the foundation of the complaints that had been previously made by the people. [Applause.] The President of the United States, up to about the time of the Oxford fraud, or a little previous to that time, had faithfully adhered to the policy upon which he sent Gov. Walker and myself to Kansas. About the last of August or the 1st of September it seemed to me that a great change suddenly came over the Pro-Slavery leaders in the Territory. Up to that time they had been comparatively quiet; they had even in a great measure began to acquiesce in the policy which had been in augurated by Gov. Walker, and was about to be so successfully carried out; and if the Administration had remained true and firm in the position which it set out, there is no doubt that at this hour there would have been peace and harmony in the Territory. [Applause.] But I could see a change in the whole tone of conversation, in the whole bearing of the leading men in the Territory. Some of them did not scruple to tell me that the President of the United States was with them. Jefferson Davis, in one of his speeches in Mississippi, in the most significant language proclaimed that he had the most undoubted information that President Buchanan did condemn Gov. Walker, and was with him (Davis) and his party in reference to the Kansas policy; and these Pro-Slavery leaders would occasionally let out the fact that they were in correspondence with those Southern men, and I am sorry to say, with Northern men, too, for it was a boast repeatedly made by them that even if President Buchanan did send Gov. Walker's name or mine to the Senate, they had the men counted and numbered, and their names could be given, who would be sufficient to defeat our confirmation. [Cries of "Shame," and hisses.] That was proclaimed over and over again in the Territory, and these gentlemen distinctly said that they counted upon the support of the President and his Cabinet. What secret information they had at that time I do not know; but I will call your attention to one fact—it is very well to note it as we go along—that up to the 15th of August, the date of the celebrated letter to Prof. Silliman and the Connecticut clergymen, the President evidently continued to approve the policy of Gov. Walker; for in that letter he justifies himself for employing the Army in Kansas in these words:

"It is my imperative duty to employ the troops of the United States, should it become necessary, in defending the Convention against violence while framing the Constitution, and in protecting the bona fide inhabitants qualified to vote under the provisions of this instrument in the free exercise of the right of suffrage when it shall be submitted to them for their ratification or rejection." [Loud applause.]

Up to the 15th of August the President of the United States justified himself before the people of the whole country for keeping the Army in Kansas upon the distinct ground, that it was his duty to protect the people in their right of voting for or against the Constitution when it should be submitted to them. Gentlemen, is not this a clear indication on the part of the President that he was at least up to that period, fully and unequivocally committed to all the declarations and the whole line of policy which had been adopted by Gov. Walker in the Territory, assuring the people that they had a right to adopt their own institutions by their own votes, and especially that the Constitution should be submitted for their ratification or rejection? [Applause.] It is the strongest possible form in which the President could have given this assurance, for he there defends and justifies himself for employing the Army in that service upon this very ground. I will proceed a little further with this narrative of events, which is necessary in order to enable you to see precisely the position in which I was placed there and the circumstances under which I performed certain acts and adopted the line of policy which I pursued when it became my duty to adopt any policy as the Acting Governor of the Territory. A little before the October election the Convention met. It represented a very considerable minority of the people. While there were 9,251 registered voters under the census law, there were but about 2,200 that voted for members of the Convention, and only 1,800 of those voted for the members of that Convention who were actually chosen and took their seats. Sixty members elected by 1,800 votes—each delegate actually representing only thirty individuals! This Convention met, and without attempting to do anything adjourned over the October election, for the express purpose, for the purpose of ascertaining what would be the result of that election, and also to save their friends from any embarrassment which might result from their action upon the grave questions which were submitted to their decision. After the election had transpired, and the Convention reassembled, the violence of that body was almost unexampled. Leading members of it denounced Governor Walker and myself in the most unmeasured terms for the course we had taken in reference to the returns from Oxford and McGee. I will give you one little incident to show you what was the character and disposition of that body of men. It happened after they reassembled. It was necessary for them to elect an additional or assistant clerk or secretary, and the name of a certain Mr. Hand was proposed. Some gentleman in the Convention remarked that Mr. Hand was not one of the sixty at the polls in Oxford, from which this immense return was made. Another gentleman arose and proposed that he should be elected clerk by acclamation, and they actually did elect him by acclamation. [Applause and expressions of indignation.] I was not present myself, but I had it from a gentleman who heard it with his own ears and saw it with his own eyes. He was elected by acclamation because it was suggested that he was one of the clerks at Oxford. This was a very significant indication of what the Convention intended or was likely to do before it adjourned. Now I want to show you exactly what it did. It adopted a Constitution. [Laughter.] The great body of that instrument, Gentlemen, as the President of the United States says, is so similar to the constitutions of the other States of this Union that it is hardly possible there should be any mistake in it. [Laughter.] But they did make a little variation [laughter] and there was a very considerable difference effected by this little variation. Let us look at it. At one time, I believe—that is, before the adjournment in October, before these Oxford returns, and before it was distinctly and perfectly well understood that the President and his Cabinet were with them—I say at one time I believe the Convention would have submitted the Constitution to a direct vote of the people. But, by some secret influence—I know not what—a different disposition soon manifested itself; and I do know that the Secretary of the Interior had a certain agent who was very busy among the members of that Convention. It was said that he was sent down to represent the opinions of not of the President, at least of some members of the Cabinet. But, gentlemen, I know nothing of this except as I have heard it, and, therefore, I do not undertake to say it. I only say this—that some secret influence was at work, and that this Convention, when at one time was prepared to submit the Constitution to the people, pursued altogether a different course. Now, I propose to read to you the manner in which this Constitution was to be executed by the people. The 7th section of the schedule of the Constitution provides in these words:

"Before this Constitution shall be sent to Congress asking for admission into the Union as a State, it shall be submitted to all the white male inhabitants of this Territory for approval or disapproval, as follows:"

Now, that is very strong. Nothing could be clearer. Then it goes on and repeats the same thing, in different language:

"At such election, the Constitution framed by this Convention shall be submitted to all the white male inhabitants of the Territory." It says, in all Territories are that day over the age of 21 years, for ratification or rejection, in the following manner and form:"

First, it is to be submitted for approval or disapproval, and then it is to be submitted for ratification or rejection—but thereby hangs a story [laughter]—in the following form:

"The ballots cast at the said election shall be indorsed 'Constitution with Slavery,' or 'Constitution with no Slavery.'" [Laughter.]

Now, gentlemen, one would suppose that at least one question was fairly settled. They set out in the first part of this section by submitting it for the approval or disapproval of the people, and then again they submit it for the ratification or rejection of the people, and they finally come down to a ballot for the Constitution with Slavery or the Constitution with no Slavery. One would naturally suppose that as they had come down to so small a point as that they would at least give you that fairly and frankly; but if the No Slavery ticket prevails, the schedule goes on to say:

"The rights of property in slaves now in the Territory shall in no manner be interfered with." [Great laughter.]

That is, you may vote for the Constitution with Slavery or for the Constitution with no Slavery, but at all events it shall still be the property of the United States, you know, tells you that it is just as much a Slave State as South Carolina or Georgia. It is true that there are very few slaves there; at that time there were very few slaves there, and at this time there are very many fewer. [Great laughter and loud applause.] Yes, gentlemen, the number is growing small and beautifully less by degrees. [Laughter.] But, to be serious, I have to say, as a Southern man—as a man who never resided during any part of his life except within a slaveholding community—I have to say it to you here to-night, as I would say it to that generous and magnanimous people whom I represented on the floor of Congress ten consecutive years, that I should blush to present such a question as this to the people of any State in this Union, and say that it fairly presented to them the question of a Free or a Slave State. [Loud cheers.] I have no doubt that some heated partisans in Washington or elsewhere in my section of country will find serious fault with me for making this declaration; but I do not know why, as a Southern man dealing with this question, I should not be as frank and as honest as if I were not a Southern man. [Applause.] If the people of that Territory had been in favor of making it a Slave State I would have been with them—I should have stood by them—I should have insisted upon their right to do so; but, on the other hand, it was acknowledged at the time the Kansas-Nebraska bill was passed that the people had the right to make it a Free State, and I maintain that there, as I maintain it now here, that they were entitled to the privilege of making it a Free State in reality. [Applause.] I have no idea—indeed, I know the contrary—that the great mass of the people of that Territory would have been disposed to confiscate the property of the few slaveholders in the Territory. And what is one remarkable fact, that every holder of property of that kind to any considerable amount, was fair, honest, and ready to submit the question to the people. [Applause.] And it was chiefly those political persons who had been sent into the Territory for the purpose of operating upon the institutions of the new State with a view to acquire reputation in the distant States of the Union—it was chiefly those individuals, many of whom have now left the Territory, and will probably never go back [applause], who were in favor of this violent, unreasonable course. Now, gentlemen, what probably any honest man can say to the false pretenses which have been made upon the face of this article in the Schedule, which repeats the proposition to submit the Constitution to the approval or disapproval of the people, and finally comes down to another question very different from that? What then to the provisions and equivocation in the actual question which is presented when they come down to determine the character of the ballots that shall be deposited in the box? Well, may that distinguished son of Virginia, Henry A. Wise [loud cheers], proclaim to the people of the South that this Schedule is an exploded fraud. Well may he call upon the people of the South to come up in a frank and manly manner and acknowledge the truth. Why, gentlemen, if you will go to the papers in the South that have some reputation for candor and fairness—take *The Charleston Mercury* for instance, whose views are extreme, and at the same time so sincerely expressed that it can well afford to tell the truth—you will hear them proclaiming without any hesitation that it is false that this Constitution submits the question of Slavery to the people. It submits nothing, says *The Charleston Mercury*, but the question whether slaves shall subsequently be introduced into the Territory. With that indomitable Virginian, I think that this of itself is sufficient to induce the rejection of the Constitution by Congress. But when we come to look a little further into this instrument, and see what else they have done—what else they have attempted to impose upon the people—it seems to me that not a shadow of doubt can remain upon the mind of any honest, intelligent, honest, patriotic gentleman. In the first place, they have made a very unjust—aye, I will say a very iniquitous—apportionment for the new State Legislature. They have based the apportionment for the County of Johnson upon those false and forged returns which I have already described to you. They have given to that county no less than four Representatives and two Senators, while the County of Shawnee, in the interior, a Free-State county, with a much larger population—I believe with double or treble the actual population of Johnson County—has but two Representatives and one Senator. Now, gentlemen, remember what I have told you about the election of Clerk by acclamation because he was a clerk at the Oxford Precinct in the election of October, and then see what they have done in reference to the representation of that county. I say if there were nothing else than this, it is sufficient to consign the whole instrument to everlasting infamy. [Great applause.] I should hold myself branded for ever if, knowing the facts as I do know them, I could ever consent, under any circumstances, to favor an instrument which contains so foul a blot as that. [Applause.] It is an outrage that taints and corrupts the whole thing. It is so rank that it smells to heaven, and would call down its curses upon any man who knowingly would give his sanction to it. [Applause.] That is one of the things for which I oppose the Lecompton Constitution, and for which I hope the people will reject it. But again, this, and for which I think Congress ought to reject it. But again, it was very evident to my mind, as soon this schedule was adopted, that it was but a part and parcel of the whole course of proceeding that had been adopted by the minority who were in the Territory from the beginning, and that they had artfully laid their plans for the purpose of carrying out the same system of fraud and wrong. They did a thing when no never dare before done before by any Convention under similar circumstances. They authorized the President of the Convention, John Calhoun [hisses], to appoint all the officers of the election throughout the Territory. It is true that other Conventions have authorized their Presidents to issue writs of election to the regular officers of the Territory, but this Convention authorized John Calhoun to employ his own creatures for the purpose of conducting this election, throughout a Territory extending over 35 degrees of latitude and 5 degrees of longitude, setting aside the officers that had recently been elected by the people throughout the whole Territory. Remember, gentlemen, the October election had just taken place, the Pickets Judges, the Sheriffs and Magistrates, all the officers had been elected by the people in every county, and yet this Convention authorized Calhoun to set them all aside, dispersed the will of the people, overlook the men in whom the people had reposed confidence, and appoint just such men as he chose for the important purpose of conducting this election—and then the returns were all to be made to himself! [Suppressed laughter.] There there is no provision in this schedule for any oaths of office, either by Calhoun himself or by any of the officers appointed under him. Now, that is a very remarkable thing. Whatever may be said of the propriety and general policy of exacting oaths under these circumstances, certainly these gentlemen of the minority in Kansas had never been scrupulous upon that point, for they had adopted test oaths from the beginning of the history of the Territory down to the ending of their power, and yet when they come to give all power into the hands of their own officer, they do not require an oath to be taken by any one of his subordinates. Again, you all remember that when Gov. Walker, in his inaugural address and in his Topeka speech, and other written and spoken addresses, took the ground that the Constitution was to be submitted to the bona fide inhabitants of the Territory, a great outcry was raised over the whole country, especially by the Pro-Slavery party within the Territory. They said this Gov. Walker intended to submit the Constitution to any man that might happen to be in the Territory on the day of submission, and that the Emigrant Aid Society would pour in its instruments for the purpose of voting upon it. Well, when Gov. Walker was called upon in reference to these expressions, he never failed to say that he did think, if the bona fide residency of any man could be actually ascertained, though he had been in the Territory but a single day, he ought to be entitled to vote upon the Constitution under which he expected to live; but inasmuch as it could not be fairly ascertained, he thought that some reasonable length of time—three or six months—should be required as proof of the bona fide character of that inhabitancy. Now, one would hardly suppose that these gentlemen, after having denounced Gov. Walker for an intention he never entertained, would themselves set to work and actually do the very thing which they denounced. And yet, they proved that every bona fide inhabitant who may be in the Territory on the day of election shall be entitled to vote. [Laughter.] Now, gentlemen, if they had not found fault with Gov. Walker—if they had not charged him with a fraudulent intention, based on a mere suspicion we might not perhaps be justified in dwelling upon this point and drawing this inference from it; but while they charge the fraud upon him, they resort to the same thing in a worse form. Taken in connection with all the other facts, it is perfectly plain to my mind that they intended to do the thing which they suspected Gov. Walker intended. [Applause.] And, as another proof of this fact, they hurried on the election in midwinter, the most inclement season of the year, when the Missouri River might well be expected to be closed, and when the Emigrant Aid Society could not bring in its voters at all, so that they could have the thing all their own way. On the 21st and 24th of Dec., the general election was to take place, when emigrants could not come in from a distance, but when they could easily step over from the adjoining State, as we know some of them did. Now, gentlemen, all these things to which I have referred might possibly have been incorporated in this Constitution without any fraudulent design. I could hardly believe that so many things looking to such a design could be incorporated in one instrument without such an intention having been entertained by the framers of it, and when we come to look at the facts which actually occurred afterward, when we find the frauds which were anticipated under this instrument actually perpetrated in the most extraordinary manner, it is impossible for any man to hesitate in the belief that it was the object and purpose of these men in the beginning, and that the election of this Oxford Clerk by acclamation was no unmeaning indication of the intentions of that body. [Applause.] What did they do? In this celebrated precinct of Oxford, where the commissioners established by the legislature were recently in session, they found the Territorial Legislature found 33 inhabitants; they returned 1,290. In the precinct of Shawnee, in Johnson County, where I suppose they may give a hundred legal votes, they returned between seven and eight hundred. At the Delaware Crossing, in Leavenworth County, a county that has eight representatives under the apportionment of this Constitution, some one, I know not who, altered the return from 43 votes to something like 400, for the purpose of thro