THE KANSAS IMBROGLIO.

The New Constitution and the New Government,

&c., &c., &c.

The Constitutional Convention.

[From the Lecompton Democrat, Nov. 5.]

The following bills have been passed. They will be open to amendment, upon the final vote upon the entire constitution, but it is supposed that any alteration that may be made will be comparatively slight and unimportant:—

MAJORITY REPORT ON SCHEDULE.

Section 1. That no inconvenience may arise by reason of a change from a Territorial to a permanent State government, it is declared that all rights, actions, prosecutions, judgments, claims and contracts, as well of individuals as of bodies corporate, shall continue as if no such change had taken place, and all processes which may have issued under the authority of the Territory of Kansas shall be as valid as if issued in the name of the State of Kansas.

Sec. 2. All laws now in force in the Territory of Kansas, which are not repugnant to this constitution, shall continue and be of force until altered, amended or repealed by a Legislature assembled by the provisions of this constitution.

Sec. 3. All fines, penalties, and forfeitures, accruing to the Territory of Kansas, shall enure to the use of the State of Kansas.

Sec. 4. All recognizances heretofore taken shall pass to and be prosecuted in the name of the State of Kansas; and all bonds executed to the Governor of the Territory, or to any other officer or court, in his or their official capacity, shall pass to the Governor of the State authority, and his successors in office, and for the use therein expressed, and may be sued for and recovered accordingly; and all the estates or property, real, personal, or mixed, and all judgments, bonds, specialties, cases in action, and claims or debts of whatsoever description of the Territory of Kansas, shall enure to, and rest in the State of Kansas, and be sued for and recovered in the same manner, and to the same extent as the same could have been by the Territory of Kansas.

Sec. 5. All criminal prosecutions and penal actions which may have arisen before the change from a Territorial to a State government, and which shall then be pending, shall be prosecuted to judgment in the name of the State; all actions at law, and suits in equity which may be pending in the courts of the Territory of Kansas at the time of the change from a Territorial to a State government, may be continued and transferred to any court of the State which shall have jurisdiction of the subject matter thereof.

Sec. 6. All officers, civil and military, holding their offices under the authority of the United States, or the Territory of Kansas, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the State.

Sec. 7. The first Legislature of the State of Kansas shall be held on the — day of ——, at the seat of government of the State.

Sec. 8. All county and township officers shall continue to hold their respective offices, unless removed by a law of the Legislature provided for by this constitution.

Sec. 9. The President of this Convention, or in his absence by reason of his death, resignation or otherwise, the President *pro tem.*, shall by proclamation declare that on the 21st day of December, 1857, at the different election precincts now established by law in the Territory of Kansas, an election shall be held, over which shall preside three judges, to be appointed by the President of this Convention, or in his absence by reason of death, resignation or otherwise, the President *pro tem.*, at which election the constitution framed by this Convention shall be submitted to all the male citizens of the Territory of Kansas, over the age of twenty-one years, for ratification or rejection, in the following manner and form:—The voting shall be by ballot. The judges of said election shall cause to be kept two poll books by —— clerks, by them appointed; the ballots cast at said election shall be endorsed, "Constitution with slavery," or "Constitution without slavery."

One of said poll books shall be deposited with the President of this Convention, or in his absence, by reason of his death, resignation or otherwise, the President *pro tem*, with the other members of this Convention, shall examine said poll books, and if it shall appear upon said examination that a majority of the votes cast at said election be in favor of the "constitution with slavery," he shall immediately have transmitted the constitution so ratified to the Congress of the United States, for admission into the Union as a sovereign State, under said constitution. But if upon such examination of said poll books it shall appear that a majority of the votes cast at said election be in favor of the "constitution without slavery," then the article providing for slavery shall be stricken from this constitution by the President of this Convention, or in his absence by reason of death, resignation or otherwise, by the President *pro tem*, and slavery shall no longer exist in the State of Kansas, (except that the right of property in slaves now in this Territory shall in no manner be interfered with,) and he shall immediately have transmitted the constitution so ratified to the Congress of the United States for admission into the Union as a sovereign State under the said constitution.

Sec. 10. There shall be a general election upon the first Monday in ——, 185—, at which election there shall be chosen a Governor, Lieutenant Governor, members of the Legislature, and also a member of Congress.

Sec. 11. Until the Legislature elected in accordance with the provisions of this constitution shall otherwise direct, the salary of the Governor shall be —— per annum; and the salary of the Lieutenant Governor shall be double the pay of a State Senator; and the pay of members of the Legislature shall be — dollars until otherwise provided by the first Legislature, which shall fix the salaries of all officers other than those elected by the people at the first election.

Sec. 12. This constitution shall take effect and be in force from and after its ratification by the people as hereinbefore provided.

HUGH M. MOORE,
J. T. HEREFORD,
J. S. RANDOLPH, } Committee.

MINORITY REPORT ON SCHEDULE.

Section 1. That no inconvenience may arise from the change from a Territorial to a permanent State government, it is declared by this convention that all rights, suits, actions, prosecutions, claims and contracts, both as it respects individuals and corporations, (except the bill incorporating banks by the last Territorial Legislature, which is hereby declared null and void,) shall continue as if no change had taken place in this government.

Sec. 2. All fines, penalties and forfeitures due the Territory of Kansas, shall enure to the use of the State created by this constitution. All bonds executed to the Governor or any other officer in his official capacity in this Territory, shall pass over to the Governor and the officers of the said State and their successors in office, for the use of the State, by him or by them to be respectively assigned over to the use of those concerned, as the case may be.

Sec. 3. The Governor, Judges, and all other officers under the Territorial government shall continue in the exercise of the duties of their respective departments until the said officers are superseded under the authority of the constitution, by the election and qualification of their successors.

Sec. 4. All laws now in force in this Territory which are not inconsistent with this constitution, shall continue and remain in full effect until altered or repealed by the State Legislature.

Sec. 5. Every male inhabitant who is a citizen of the United States at the time of the first election, and is above the age of twenty-one years, shall be deemed an elector at the first election to be holden in this State; and any elector qualified as aforesaid shall be entitled to be elected to any office or place under this State constitution at such election; anything in this constitution to the contrary notwithstanding.

Sec. 6. The President of this Convention shall issue writs of election to three householders in —— the several counties, requiring them to cause an election to be held for Governor, Lieutenant Governor, —— Representative to Congress of the United States, members of the State Legislature, and all other officers elective under this constitution, in their respective counties, districts and places of election, on the first Monday and day following of January, in the year eighteen hundred and fifty-eight, which election shall, in all other respects, be conducted in the manner prescribed by the now existing law in the Territory of Kansas; and all returns of said elections shall be made to the President of this Convention, who is hereby authorized to receive, examine, and count the votes and to declare who is elected; and all officers thus duly elected shall enter upon and continue in the discharge of the duties of their respective offices until their successors are elected and qualified.

Sec. 7. This constitution shall be submitted to the Congress of the United States at its next ensuing session, and as soon as official information has been received that it is approved of the same, by the admission of the State of Kansas as one of the sovereign States of the United States, the President of this Convention shall issue his proclamation, to convene the State Legislature at the seat of government, within thirty days after its publication. Should any vacancy occur by the death, resignation or otherwise, in the Legislature or other office, he shall order an election to fill such vacancy: Provided, however, in case of refusal, absence or disability of the President of this Convention to discharge the duties herein imposed on him, the President *pro tem.* of this Convention shall perform said duties, and in case of absence, refusal or disability of the President *pro tem.*, a committee consisting of ——, or a majority of them, shall discharge the duties required of the President of this Convention.

Sec. 8. The Governor and all other officers shall enter upon the discharge of their respective duties as soon after the admission of the State of Kansas, as one of the independent and sovereign States of the Union, as may be convenient.

Sec. 9. Oaths of office may be administered by any Judge, Justice of the Peace, or clerk of any court of record of the Territory or State of Kansas, until the Legislature of the State may otherwise direct.

Sec. 10. That after the year one thousand eight hundred and sixty-four, whenever the Legislature shall think it necessary to amend, alter and change this constitution, they shall recommend to the electors at the next general election, two-thirds of the members of each house concurring, to vote for or against calling a convention; and if it appear that a majority of all the citizens of the State have voted for a Convention, the Legislature shall at its next regular session call a convention, to consist of as many members as there may be in the House of Representatives at the time, to be chosen in the same manner, at the same places, and by the same electors that choose the representatives; said delegates so elected shall meet within three months after said election, for the purpose of revising, amending or changing the constitution. But no alteration shall be made to affect the right of property in the ownership of slaves.

B. LITTLE,
D. VANDERSLICE, } Committee.

The following bills have been passed. They will be open to amendment upon the final vote upon the entire constitution, but it is supposed that any alteration that may be made will be comparatively slight and unimportant:—

REPORT OF THE COMMITTEE ON THE LEGISLATIVE DEPARTMENT.

Sec. 1. The legislative authority of this State shall be vested in a Legislature, which shall consist of Senate and House of Representatives.

Sec. 2. No person holding office under the authority of the United States, or any lucrative office under the authority of this State, shall be eligible to, or have a seat in the Legislature; but the provision shall not extend to township officers, justices of the peace, notaries public, or militia officers.

Sec. 3. No person who has been or may hereafter be convicted of a penitentiary offence, or of an embezzlement of the public funds, shall hold any office in this State, nor shall any person holding public money for disbursement, or otherwise, have a seat in the Legislature, until he shall have accounted for and paid such money into the treasury.

Sec. 4. The members of the House of Representatives shall be elected by the qualified electors, and shall serve for the term of two years from the close of the general election, and no longer.

Sec. 5. The Senators shall be chosen for the term of four years, at the same time, in the same manner, and at the same places were they vote for members of the House of Representatives.

Sec. 6. At the first session of the General Assembly the Senators shall by lot divide their Senators into two classes, and the seats of the Senators of the first class shall be vacated at the expiration of the second year, and of the second class at the expiration of the fourth year, so that one-half, as near as may be, may be chosen, thereafter, every two years for the term of four years.

Sec. 7. The number of Senators shall not be less than thirteen nor more than thirty-three, and at any time when the number of members is increased, they shall be annexed by lot to one of the two classes, so as to keep them as nearly equal in number as possible.

Sec. 8. The number of members of the House of Representatives shall not be less than thirty-nine, nor more than one hundred.

Sec. 9. The style of the laws of this State shall be, "Be it enacted by the Legislature of the State of Kansas."

Sec. 10. Each house may determine the rules of its own proceedings, punish its members for disorderly behavior, and with the consent of two-thirds expel a member, but not a second time for the same offence; the names of the members voting on the question shall be spread upon the journal.

Sec. 11. Each house, during the session, may punish, by imprisonment, any person not a member, for disrespectful or disorderly behavior in its presence, or for obstructing any of its proceedings, in its discretion, provided such fine shall not exceed two hundred dollars, or such imprisonment shall not extend beyond the end of the session.

Sec. 12. Each house of the Legislature shall keep a journal of its proceedings, and cause the same to be published as soon after the adjournment as may be provided by law; and the yeas and nays of the members on any question, shall, at the desire of any five of them, be called and entered on the journal.

Sec. 13. Neither house during the session of the General Assembly shall, without the consent of the other, adjourn for more than three days, (Sundays excepted,) nor to any other place than that in which they may be sitting.

Sec. 14. The Senate, when assembled, shall choose its officers; and the House of Representatives shall choose a Speaker and its other officers, and each branch of the General Assembly shall be judge of the qualifications, elections, and returns of its members.

Sec. 15. A majority of each house of the Legislature shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner as each branch may prescribe.

Sec. 16. Each member of the Legislature shall receive from the public treasury such compensation for his services as may be fixed by law; but no increase of compensation shall take effect during the term for which the Representatives were elected when such law passed.

Sec. 17. Bills may originate in either house, but may be attested, amended, or rejected by the other, and all bills shall be read by sections on three several days, except on an extraordinary occasion two-thirds of the members may dispense with such reading, but in no case shall a bill be passed without having once been read, and every bill having passed both houses shall be signed by the Speaker and President of their respective houses.

Sec. 18. The Legislature shall provide for filling all vacancies that may occur in either house, by the death, resignation or otherwise, of any of its members.

Sec. 19. The doors of each house shall be open except on such occasions as in the opinion of the houses the public safety may require secrecy.

Sec. 20. Every law enacted by the Legislature shall embrace but one object, and that shall be expressed in its title; and any extraneous matter introduced in a bill that shall pass shall be void and no law shall be amended by its title, but in such case the act or section amended shall be re-enacted and published at length.

Sec. 21. Every act and joint resolution shall be plainly worded, avoiding, as far as practicable, the use of technical terms.

Sec. 22. The Legislature shall meet every two years, at the seat of government, until altered by law.

Sec. 23. The Legislature shall provide for an enumeration of inhabitants, in such manner as shall be directed by law. An apportionment of representatives in the Legislature shall be provided by law according to population, as nearly equal as may be.

Sec. 24. The Legislature shall have no power to grant divorces, to change the names of individuals, or direct the sales of estates belonging to infants or other persons laboring under legal disabilities by special legislation, but by general laws shall confer such powers on the courts of justice.

LUCIAN J. EASTIN, Chairman.

REPORT OF THE COMMITTEE ON FINANCE.

Sec. 1. The rule of taxation shall be uniform, and taxes shall be levied upon such property as the Legislature shall from time to time prescribe.

Sec. 2. The Legislature shall provide for an annual tax sufficient to defray the estimated expenses of the government for each year; and whenever the expenses of any year shall exceed the income, the Legislature shall provide for levying a tax for the ensuing year, sufficient with the other sources of income to pay the deficiency, as well as the estimated expenses of such ensuing year.

Sec. 3. For the purpose of defraying extraordinary expenditures the State may contract public debts, but such debts shall never in the aggregate exceed —— dollars. Every such debt shall be authorized by law for some purpose or purposes to be distinctly specified therein, and a vote of a majority of all the members elected to both houses, shall be necessary to the passage of such law, and every such law shall provide for an annual tax to be levied, sufficient to pay the interest upon such debt created, and such appropriation shall not be repealed nor the taxes postponed until the principal and interest of such debt shall have been wholly paid.

Sec. 4. The Legislature may also borrow money for the purpose of repelling invasion, suppressing insurrection and defending the State in time of war; but the money thus raised shall be applied exclusively to the purposes for which it was raised.

Sec. 5. No scrip, certificate, or other evidence of State debt shall be issued, except for such debts as are authorized by the third and fourth sections of this article.

Sec. 6. The property of the State and counties, both real and personal, and such other property as the General Assembly may deem necessary, for school, religious or charitable purposes, may be exempted from taxation.

Sec. 7. Whenever grants of land or other property shall have been made to the State, especially dedicated by the grant to particular works of internal improvements, the State may carry on such particular works and shall devote them to the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion.

Sec. 8. No money shall at any time be paid out of the treasury except in pursuance of an appropriation by law.

JAMES DONIPHAN, Chairman.

The Labors of the Constitutional Convention.

[From the Chicago Times—Organ of Senator Douglas.]

The Convention assembled in Kansas to frame a State constitution is in session, and has framed a large portion of an instrument. The committee upon the subject of slavery has reported a provision, which has been adopted by the Convention though it has yet to be voted on as forming part of the whole.

As there seems to be no doubt of this provision becoming a part of the constitution, and as there is a majority of the Convention in favor of submitting the constitution to the people for ratification or rejection, we think there can be but little doubt as to the fate of such constitution before the people. The provision, as it is reported, recognises slavery as existing legally and in fact in Kansas; it provides that the Legislature shall not emancipate those slaves now there, or which may hereafter be brought to the Territory, without compensation to the owners. These are trifling matters compared with the next provision, which prohibits the Legislature from passing any law for the prevention of the introduction of slaves by emigrants to the Territory.

This amounts to a perpetual invitation and protection to the introduction of slavery into Kansas. It is virtually an establishment of slavery as an institution of the State, not to be disturbed by any legislative act. We regard such a proposition as fatal to the constitution. The people of Kansas have recently, in a most emphatic manner, decided that they are in favor of the exclusion of slavery from Kansas. It is idle for the Convention to disregard that decision; they cannot hope that the people of Kansas will accept from such a convention a constitution making slavery a perpetual institution over which the people through the Legislature can never exercise any control. We say the fate of that constitution is already sealed; the people of Kansas are in favor—in the proportion of three to one—of a free State; they want a constitution making Kansas a free State, and they will vote down any constitution which does not clearly establish their expressed will.

Regarding the constitution as prepared by this Convention as beyond all possibility of adoption, the question is, what will be done next? Kansas has a population justifying an admission into the Union; she has been disturbed for years by the agitation of the question which can only be settled by her admission into the Union. A convention to frame a constitution was called, but the people refused to participate in the election of delegates; and a handful of voters elected the handful of men who compose the present Convention. The free State men, had they resorted to the polls, could have elected a convention which would have carried out the wishes of the people, and today Kansas might have a constitution for ever disposing of the slavery question. That failure to vote in June last has caused a year's delay. What is to be done?

We suppose that upon the meeting of Congress an act will be introduced—an act in the very words of the Minnesota act—authorizing a convention to form a State constitution. If that act be passed at once, as it should be, Kansas may be a State on the first of May next. If no such act be passed by Congress, or should be delayed, the present Legislature will provide for a convention. At all events, a constitution such as will be acceptable to the people will be prepared and ratified by the people, and will be presented to Congress early in the spring. Upon that constitution thus ratified and approved by the people, Kansas will be admitted. The democratic party stands pledged to admit Kansas without questioning her decision on the slavery question. That decision must be made by the people, and once perfectly made, that decision must be regarded as final.

Those men throughout the Union who have so long and earnestly desired the admission of Kansas as a free State must now see the consequences of the mad career of Lane and his associates. The refusal to vote at the election of delegates has postponed the admission of Kansas, and endangered her freedom. Had these men voted then, as they did in October, the State of Kansas would now be prepared for admission with a free State constitution, and a democratic party in power pledged to her admission. She has now to commence where she did in June last, and elect a convention in 1857 that might have been elected in 1856.

Southern Account of the Johnson County Vote.

[Correspondence of the Mobile Register.]

KANSAS, Oct. 18, 1857.

Our election has resulted as I anticipated. Walker has succeeded in defeating us. Parrott, the black republican candidate for Congress, has been elected by about three thousand majority. We have succeeded, by the returns, however, in electing twenty-two members of the thirty-nine in the lower house of the Legislature, and seven of the thirteen members of the Council.

Put now to Walker. This county (i. e. Douglas) and Johnson county are attached in an election district, for the purpose of electing members of the Legislature, and are entitled to three members of the Council and eight members of the House. Douglas county gave 1,100 free State majority, Johnson "saw that and went 100 better," giving us 1,200 majority, thus electing all eleven.

But so soon as the anti-black republican majority in Johnson reached here, even by report, Stanton commenced denouncing it as a fraud. Walker was then in Leavenworth. He reached Lecompton last Wednesday night, and next morning he, Stanton, Lieutenant Carr, and the executive generally, set out to investigate this alleged fraud. They returned Friday night, having gone to Lawrence, the free soil headquarters, and took with them Babcock and two or three other Lawrence guides to show them where to inquire. Stanton, on being asked what he would do in reference to the certificates, said he would see his right arm cut off" before he would sign the certificates of a man elected by that Johnson county vote.

Bear in mind that this Johnson county is the one between Douglas and the Missouri river. It lies on the river partly, and is bounded on the east altogether by Missouri. Its lands are universally conceded to be the best in the Territory, with better timber and water, on the river, and as rich as soil can be. It is twenty-three miles square, as you may calculate the number of quarter sections in it. There cannot be found a vacant claim. I know that two months ago men hunted the county for a claim and could not find one—a company of Mississippians. Besides this, there are eight towns in the county. As corroborative proof, I cite from an article written by G. W. Brown in the *Herald of Freedom* last spring, when he was dissuading the abolitionists from voting at the election for delegates to the Convention, because, he says, there was poured into Johnson county 3,000 men from Missouri, and they will control the election. Recollect, also, as a reason for its recent settlement, that it was what was constituted the "Shawnee Reserve," and was not open to settlement until January last, when it was immediately filled up, as the *Herald of Freedom* says, with 3,000 settlers, nearly all pro-slavery men. And yet, with these facts staring them in the face, Walker and Stanton say the returns are a fraud, and at the instigation of Parrot, the black republican candidate for Congress, and G. W. Brown, who waited on him from Lawrence, he went over to investigate the matter. Several of the members elect have met and resolved to go in the morning and formally demand their certificates, and when he refuses immediately serve upon him a mandamus.

Returns have come in from remote counties in which everybody knows not fifty men live, showing a vote as follows:—260 free soilers to no pro-slavery, and 335 to 2 pro-slavery. Many such returns have come in, and yet Walker and Stanton can see in this no evidence of fraud. Lawrence sent over into Leavenworth 150 votes, into Jefferson 70, into Doniphan 100, and in those remote counties companies of from 20 to 30 to bring in those 260 and 335 and 290 vote returns, and yet this town of Lawrence polled 917 votes—906 free soilers to 11 democratic. In all this they see no fraud!

The result will be, if the pro-slavery members elect from Johnson and Douglas do not get their seats, the Legislature will stand 14 democratic and 25 free soil, and in the Council 4 democratic to 9 free soil; and besides this, if they thus get a majority it is their avowed intention to rule out the Leavenworth members, thus gaining eight more members and five councilmen. The Legislature will then stand 35 free soilers to 4 democratic in the House, and 12 free soilers to 1 democrat in the Council. A beautiful body it will be!

The Latest from Kansas.

[Correspondence of the Missouri Democrat.]

LECOMPTON, Nov. 7, 1857.

The labors of the Convention are evidently drawing to a close. The final adjournment will probably take place this week.

On Thursday the majority and minority reports on schedule were submitted to the Convention. The Convention has since been occupied in discussing the reports themselves, and also amendments to them which were offered, providing for a submission of the whole constitution to the people. It is needless to say that the amendments were lost. The majority report, at first submitted, provided for an election, at which the people were to vote for "constitution with slavery," or "the constitution without slavery." The minority report urges the submission of the constitution to Congress without offering it to the people for ratification or rejection.

The Convention passed resolutions for internal improvements, along with which was an ordinance by which they, as the State of Kansas, agreed with Congress to relinquish the right of taxing the public lands, in consideration that Congress would grant certain lands to the State. These grants were four sections of each township for school purposes; five per cent of the proceeds of all the lands sold in Kansas, and each alternate section of land in two tracts twelve miles wide, for railroads; one from the northern boundary to the southern in the direction of Galveston bay, and the other from the eastern boundary on the Missouri river to the western boundary of Kansas. The object of these magnificent grants is to reconcile the people to a pro-slavery constitution and the usurpations of the bogus Legislature.

The constitution has several proscriptive features in it, one of which is that no one shall be Governor who has not been a citizen of the United States for twenty years.

In the constitution there is a provision for a complete banking system. It decides that the capital shall be $3,000,000, and that there shall be four branches, two on each side of the Kansas river. The Convention declared the bank charter granted for banks in Kansas, last winter, as null and void. In debating this proposition, it came out that in making up a bank at Lecompton last summer, it was necessary, in accordance with the charter, to exhibit a cash capital of $50,000. This was done by borrowing two thousand dollars and putting it in two bags. While the Governor counted one bag at a time, the other was carried out and brought in again, and this was done until $50,000 were counted and certificates obtained.

The State election under the constitution is to be held on the first Monday in January, for State officers and a State Legislature.

The apportionment for State representation was made by five of the most ultra pro-slavery men in the Convention. It pretended to be based on the registered list of voters, but it is not. The list of votes puts down a small number for many counties in which no census was taken whatever.

The following is the apportionment:—

Dis.	Counties.	Votes.	Reps.	Sen'rs.
1	Doniphan	1,091	4	1
2	Atchison	681	3	1
3	Leavenworth	2,411	9	3
4	Brown	136	2	
	Nemaha	154		
	Marshall	161		1
	Pottawatamie and Clay	160	2	
5	Riley and Washington	359		
6	Calhoun	244	1	
7	Jefferson	533	2	1
8	Johnson	450	2	
9	Lykins	307	1	1
10	Lynn	392	1	
11	Bourbon	450	2	2
	McGee	100	2	
12	Douglas	1,869	7	2
13	Franklin	255	1	
	Anderson	263		1
14	Allen	95	1	
	Dorn	18		
15	Shawnee and Wel'r	810	3	1
16	Coffee, Woodson and Wilson	313	1	
17	Richardson	127	1	
	Davis	156		1
	Breckinridge	273		
	Madison, Wise	96	2	
	Greenwood, Godfrey, Butler and Hunter	29		
Total		11,980	45	15

Amongst other things they have done, this Convention makes its President, Mr. Calhoun, a sort of Governor, or, as he is ironically called, "Regent." He has power to appoint county commissioners for each county, to appoint judges of election, and exercise other powers—even issue proclamations.

During the last session of the Convention Lecompton has exhibited more than the usual amount of drunkenness and rowdyism. Street brawls and drunken rows have been of almost daily occurrence. On last Wednesday morning a man from Lawrence—a stage driver—was assaulted by several ruffians, who held him while Lykes, a Lecompton lawyer, and one of the chivalry, beat him over the head with a cane. Mr. Boling, one of the members of the Convention, also rushed upon the man with a bowie knife, and was only prevented from stabbing him by the interference of friends.

Theatrical and Musical Affairs.

BROADWAY THEATRE.—Mr. Charles Mathews will again appear this evening in two of his very amusing characters, viz: Lavater in "Not a Bad Judge," and Cloudsley in the "Practical Man." The afterpiece is the laughable "Conjugal Lesson."

NIBLO'S GARDEN.—Gabriel is to appear in "Jeannette and Jeannot," this evening; after which M'lle Zanfretta will go through her marvellous performances on the cord. The spectacle pantomime of "Boreas" is to be the closing piece.

BOWERY.—Mr. Eddy is to play "Virginius" to-night, and will be ably seconded by Miss St. Clair and the chief artists of his large company. "Oliver Twist" and "The Sea" follow—Miss St. Clair personating Nancy Sykes in the former.

BURTON'S.—Mr. Burton is to perform his very comical characters of Pillicoddy in "Poor Pillicoddy" and Piccadilly in the "New York Directory," this evening. Miss Maria Quinn, the juvenile actress, is also to appear in the "Spoiled Child."

WALLACK'S.—The new comedy entitled the "Maiden Wife" is to be enacted for the second time this evening; after which comes Mr. Bourcicault's very successful adaption styled the "Invisible Husband," which is having a fine run.

LAURA KEENE'S.—The romantic play called the "Sea of Ice" is still on the bills of this house. The gorgeous scenery, charming music and unsurpassed acting in this piece render it one of the most popular spectacles ever produced here.

ACADEMY OF MUSIC.—Mme. Ia Grange will this evening represent Gilda and Mme. D'Angri the part of Magdalena in the opera of "Rigoletto," Signori Bignardi, Taffanelli, Rocco and Dubreux sustain the chief male characters.

THE NAGLE JUVENILES, at 444 Broadway, bid fair to become great favorites, particularly with the juvenile portion of our community. To-night they are to play in the drama of "Ben Bolt" and the whimsical farce of "Charcoal Sketches."

AMERICAN MUSEUM.—Mrs. C. Howard, Mr. H. Watkins and other popular members of the dramatic company, are to perform this afternoon and evening in the exciting domestic play called the "Hidden Hand."

GEO. CHRISTY AND WOOD'S MINSTRELS propose to entertain their patrons in the new hall this evening with various laughable and sentimental songs, &c., and the amusing farce of "Peter Piper Pepper Podge."

BRYANT'S MINSTRELS, at Mechanics' Hall, tender various new burlesques, dances and songs, including the "Shaking Quaker" scene, and the characteristic dance styled "Life Among the Cotton-heads of Alabama."

Mr. C. W. CLARKE, who was announced to play at the Broadway Theatre last week with Mr. Buchanan, ruptured a blood vessel while fencing during the rehearsal of "Macbeth." Mr. Clarke was unable to play, and we regret to learn that he lies very ill at his residence in Twenty-ninth street.

The Woodman Case.

LETTER FROM MR. OLIVER OTIS WOODMAN, THE HUSBAND OF MRS. CAROLINE WOODMAN.

NEW ORLEANS, Nov. 9, 1857.

I have heretofore refrained from any notice of the numerous publications, false and libellous as some of them have been, respecting the unfortunate relation which has existed between Mrs. Caroline Woodman and Mr. Gardner Furniss, of New York. I should continue silent on this subject were it not for the publication of the scandalous proceedings by writ of habeas corpus gotten up by this heartless villain before a Judge of the Supreme Court of New York, under the pretence of rescuing Mrs. W. from confinement, but really with the view of again obtaining possession of her person.

I believe that the letters exhibited at the trial of this cause, and published in this evening's *Delta*, purporting to be letters from Mrs. W. to Mr. F., are forgeries. They are not characterized either by her habitual language or style of composition. If in her handwriting, they must have been prepared by Mr. F. or his attorneys, and copied by her at their instance. So far as they report remarks as having been made by me to Mrs. W., they are false.

It is difficult for one placed as I have been to reconcile the exercise of a husband's legal authority with that degree of humanity due to a deceived and guilty wife. It was my misfortune that she should have erred, but it would have been my crime had I abandoned her to the fate which, without the exercise of my legal authority, must have befallen her. I therefore took such steps as would place her under the protection of her kindred so soon as mine should be withdrawn. That I adopted the only effectual course of effecting this end, the following statement will show:—

On the day after I had detected the guilty connection between Mr. F. and Mrs. W., at the New York Hotel, a friend, whose family were absent from the city, kindly received Mrs. W. beneath his roof, where she enjoyed every comfort. Her brother reached New York the next day and had a long interview with her—her declaration to the contrary, in one of the published letters referred to, notwithstanding. She then disclosed the fact that Mr. Furniss' presence at the New York Hotel, and his having followed her up wherever she had gone, had in view the extortion of money from her. The affidavit made by her a few days afterward, and now published verbatim in the *Delta*, will disclose at once the villany of Mr. F. and the sufferings of his unhappy victim.

At this time she did not appear to realize her position; and although I urged her immediately to accompany her brother to Mississippi and remain with her parents, she refused to go. Her brother promised, however, to take ladies then under his charge to Virginia, and then return for his sister. Mrs. W. had been in the habit of taking opiates to excess, and having procured laudanum at this time, indulged in such free use of it as to be quite unmanageable, as well as incapable of realizing her condition. After consultation with her brother, I resolved, with his approval, and after having advised her parents of my design, to place her temporarily in a private asylum, where she would receive medical treatment suitable to her nervous derangement, and be protected from future contamination. What else could I have done? I could not abandon her. I had kept her four weeks at the house of my generous friend, greatly to his inconvenience, and could not any longer abuse this privilege. The result has justified my course. Deprived of opiates, and properly treated, she improved so much that, upon consultation with her physician, I promised her that she should be sent to her parents in the month of November.

I saw her but once after she was placed at Sanford Hall, and then no allusion was made to the past; no word of reproach was uttered by me. She expressed herself satisfied to remain until I could send for her, according to my promise. All her letters were sent to her father, mother and brother, and I consulted them. I had not only their approval but their gratitude.

On my return from New York I visited her parents in Mississippi and made arrangements with her brother to go to New York and bring her to her parents. He accordingly left Mississippi on the 24th of last month, previous to the commencement of the proceedings in New York, and without any knowledge of there having been any interference with his sister, and should have reached New York by the 4th of November. I have to-day learned that she left New York with him on the 5th of November.

While I remained in New York, after placing her at Sanford Hall, her physician visited the city twice a week. I invariably called on him, and received from him a note from her, in which she as invariably acknowledged the kind treatment she was receiving. I specially instructed him to spare no expense in making her comfortable, and to permit her to ride out in a carriage when she was desirous of doing so, but always in company with an attendant. Having done this, I thought I had performed my whole duty.

After I had left New York, her self-constituted protector, not satisfied with having destroyed her peace and reputation, having for several years kept her in a state of distraction and extorted from her large sums of money by violence and threats of exposure in a series of letters now in my possession, endeavored to retrieve his character by affecting to be the champion of her whom he had so basely injured. Had my aim been more successful at New York his death would have been a just retribution and a public blessing; but the greatest punishment to such a wretch is to have gained safety through flight and to remain through life an object of contempt and aversion among all those who scorn depravity.

O. O. WOODMAN.

A Romance at Sea.

[From La Cronica, Nov. 17.]

The Secretary of State at Madrid has communicated to the Minister Plenipotentiary of the United States in Spain the following declaration, transmitted through the Minister of Marine and made before the Captain of the Port at Tarragona, by D. Jose Bosch, captain of the Spanish brig Jacinta:—

On the 22d of July last, at seven o'clock in the morning, in north latitude 37 deg. 8 min. and west longitude 34 deg. 30 min., being bound for Spain from New Orleans, after being out thirty-three days, I perceived a boat with people who were waving a white handkerchief and pulling in the direction of my brig. Believing they were shipwrecked I instantly gave orders to bear down to them, and, being side by side, they told me that two days before, being out in pursuit of a whale, they, during a squall, had lost sight of their bark, in which they had left behind the wife of the captain, who was the man that was speaking to me, adding that she was in an interesting position, having with her besides a little boy and two other persons.

A little further north I perceived two other boats, all belonging to the American bark Alto, Capt. Thomas H. Lawrence, of New Bedford, whence he had sailed 43 days before. The men of the said boats, numbering in all eighteen, having been taken on board, exhausted from fatigue, were provided with food and clothing, and seeing the despair of the captain on account of the loss of his family and his vessel in the midst of the sea, I resolved at any hazard to go in quest of them. The stormy weather, the foreign idiom of the captain—which did not permit me to clearly understand the direction where the bark might be found—the time which had passed since they had lost sight of their ship, and my own obligations to continue my course, after having experienced thirty-three days of bad weather—all these powerful reasons did not induce me to give up my resolution of aiding those unfortunate men and consoling them in their affliction; and trusting to Providence and my good cause I steered to the north.

We passed the day without perceiving any vessel, and the night overtaking us without having attained our purpose, we passed it with the utmost vigilance, the captain being in a state of extraordinary prostration and anxiety, which increased my determination to continue my enterprise. The dawn of the 23d came on, and my vigilance was redoubled; at 10 A. M. the watch at the masthead descried a sail bearing N. N. E. I immediately stood for it, and with a freshening wind, at eleven o'clock I distinguished a bark. I induced the captain to go aloft, encouraging him and trying to console him in every possible manner, to see whether he could make her out; and at half-past eleven God had crowned my undertaking and fulfilled my wish—it was the bark Alto. The transports of Captain Lawrence were unbounded; he embraced me and offered me a large amount of money when he should get on board, which I refused, for I would not crown my act by accepting money.

When a short distance from her I lowered the boats and carried the crew and their captain to their bark, where, in fact, I found a poor young lady, with a babe in her arms, breathless and in the greatest agony.

The captain, after the first effusions of his joy, repeated his offers, insisting upon my accepting them, but which I refused as before, and having received the benedictions of all on board, I returned to my ship to continue my voyage.

Personal Intelligence.

Sir Gore and Lady Ouseley have been the guests of Judge Roosevelt while in this city, *en route* to Washington. Lady Ouseley is sister of Judge Roosevelt's wife.

Ex-President Pierce is in Boston.

Mr. Joseph Rodney Croskey having resigned the office of American Consul at Southampton, England, the duties of which are now discharged by Mr. William Thomson, the merchants and tradesmen of the town are about to present Mr. Croskey with a testimonial in appreciation of the services he has rendered to the shipping interests of the port from time to time during the number of years he has acted as Consul.

ARRIVALS.

At the Everett House—James McClelland, Glasgow; Commander Calhoun, U. S. N.; S. H. Morse and wife, Boston; R. Remington, N. Y.; A. G. Camp, Ohio; Dr. A. M. Holmes and lady, Aurnesville; Thos. Tobin, Philadelphia; Major Buell, U. S. N.; Mrs. Buell, two Misses Mason and servant; G. W. Newell, Albany; F. D. Hall and lady, Miss Hickman, Ohio; Thos. Chadwick, England; S. Bushnell, Westbrook, Mass.; W. F. Kimzing, Philadelphia; Peter Wendell, Albany; Edmund Twigg, Boston; R. B. Griffing, Louisville, Ky., and Mrs. Frenholm, three children and servant, Charleston, S. C.; Mr. Edwards, Philadelphia; C. Smith, wife and child, Portchester, N. Y.; Louis Wanfelaer, N. Y.; Mr. and Mrs. J. H. Cunningham, Georgh Vandenhoff, Boston; F. A. Packard, Philadelphia; A. H. Barney, wife, two children and servant, Mrs. J. E. Taylor, N. Y.; H. F. Emerson, Lafayette, Ind.; A. M. Burt and wife, N. Y.; John Rotharham, England; Miss Otis, Miss Mallery, Philadelphia; S. W. Greene, Providence; A. C. Washburn, Boston.

From Bremen and Southampton, in the steamship Ariel—Mrs Captain Lucinchard, C Wilson, T Pisco, John Weik, J S Seemidt, G Wilmer, A Grunsfeld, J T Knoblach, Miss Horinse, Mrs C Hellwig, Mr Roeschs, W Weessinhoen, H Wanhier, T Comman, wife and child, W Reeling, M and W Harman, G Paul, H G Richard, C Wellenweber, T Wilbreck and lady, F A Roth, T Keiner, —— Loring and lady, Mrs Mason, V Jose, Mr Carn, R D Ward, Tannenfelser and lady, Trouett and lady, A Roving, Mason Pietro, Fribourg, Mrs Gentel, Heicher, Miss Verour, Miss Vogle, Vogle, P Mourhol, Tipp, G Brown and lady, Mrs. Adams and infant, T Richardson, W G Brown, Captain Mason, T H Carrowe and lady, Lammels M, Mi