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THURSDAY MORNING, FEBRUARY 4, 1858.

The President's Message on Kansas Affairs will be read with interest in all parts of the country. The questions connected with the subject are discussed in a clear and forcible manner, which cannot fail to have its effect. We trust that its views may be regarded without passion or prejudice on either side.

The reception of the Message, in the Senate, was followed by an assault upon it by Mr. Trumbull, of Illinois--followed by a vindication of its principles, by Mr. Toombs, Mr. Douglas reserved his comments until another occasion--offering, however, a memorial, signed by the Governor, Lieutenant-Governor, and other officers elected under the constitution framed for the State at Leecompton, reconstituting in very urgent terms against the admission of Kansas under that constitution.

In the House of Representatives, after the Message was read, a motion was made to refer it to a select committee; pending which motion, and after a speech from Mr. Hughes, of Indiana, in support of the Message, the House adjourned.

In the Senate, on Tuesday, Mr. Seward avowed his intention to support the Army bill. For this, he was taken to task by Mr. Hale--he did not see how a "Republican" Senator could be found sustaining the policy of the administration. Mr. Seward replied to Mr. Hale in a speech of considerable power, and with decided effect. He declared his views to be those of a statesman, bounded by no such prejudices as those indicated by the Senator from New Hampshire.

The Fredericksburg Herald ably seconds the Richmond Whig in opposition to the proposed "Free Negro bill." It regards the bill as unjust and cruel, and proposes that our present laws be faithfully executed, instead of passing one like that now brought forward.

Richmond will not only be visited by military companies and masonic lodges from Washington at the coming inauguration of the Washington monument, but by a delegation from the "regular correspondents" of distant journals, who constitute a feature of metropolitan life.

Arrangements are about to be made for an extra train of cars from Fredericksburg, for Richmond on the morning of the 22d inst., for such as may attend the inauguration of the State of the Washington Monument. It is probable that the Masonic Lodges will attend in a body.

Raney, the famous American horse tamer, has lately been exhibiting successfully his wonderful power over vicious horses, before the Queen, Prince Albert, and the royal family, at Windsor.

The bill for making appropriations to supply deficiencies for the printing of the last two Congresses, has been rejected in the House of Representatives, by a vote of 135 to 67.

Mayor Tiemann has punished another Peter Funk auctioneer in New York, by making him dig the amount out of which he had swindled an unsuspecting German from Iowa, and also taking away his license to sell.

It is said that quite a strife prevails in Richmond between the inspectors on the one hand and the merchants on the other, as to the amount of draft flour that should be taken from each barrel.

The authorities of the Powhatan Steamboat Company are about making application to the Legislature of Maryland for the purpose of having their capital stock increased from \$100,000 to the amount which the present charter allows them to issue, to \$200,000, and it will, no doubt, be granted.

The first forty miles of the Norfolk and Petersburg Railroad were formally opened for travel last week, the first train being that of an examining committee, embracing two of the members of the Board of Public Works, Messrs. Holladay and Boyd.

The Bedford Sentinel says that the court of that county has changed the time of holding the February term, to afford those who desire to be present at the celebration of Washington's birthday, in Richmond, on the 22d, an opportunity of doing so.

The Postmaster General has recently decided that if Postmasters do not give publishers of newspapers notice that their papers remain in the post office without being taken out by the subscribers, within five weeks, they are liable for pay.

The electric and insulating properties of gutta serena are among the most remarkable facts which pertain to this useful substance--the degree of such insulating property depending upon the quality of the article.

There were 75,000 bushels of corn in the Norfolk market on Tuesday and Wednesday, the whole of which was purchased at 75 cents for white, and 60 for yellow.

Some of the farmers in Fauquier are in favor of changing their staple crop from wheat to tobacco. The same may be said to be true in both Stafford and Spotsylvania.

The Grand Jury, at New Orleans, has refused to find a true bill against Gen. Walker, and he is free from arrest.

A fire in New Orleans, on the 1st inst., destroyed the Magazine market store. Loss \$50,000.

A merchant in Toronto, Canada, died on Monday, whilst sitting in a dentist's chair, under the influence of chloroform.

The counsel of Tuckerman, the mail robber, contend that three of the four counts against him must be set aside, as the Government cannot fix upon the place where the robbery took place, nor designate the jurisdiction that has cognizance of the offence. It is clear that the mails were robbed four times between New York and Springfield; but in three cases (Mr. Holbrook identifying the spot where one of them took place) the question arises, did the robbery take place in the State of New York, Connecticut or Massachusetts? This is an interesting question, as the robbery took place on the cars when they were going at the rate of 40 miles an hour. Perhaps some further legislation will be necessary in order that mail robberies on the cars may be placed within the jurisdiction from whence the mails start, or through which they pass.

Advices from Montevideo to the 18th of November, state that remarkable events had taken place there. The President dissolved Congress by force, and banished without trial twenty persons belonging to the opposition. The House of Representatives was invaded by a force of one hundred men and two pieces of artillery, and the members were ordered to close their session. The cause of these disturbances was the treaty of commerce and limits with Brazil, which Government desired should be approved.

The Boston Traveller says of the shipping interest in the State of Maine:--"The prospects of the business of this State are, at the present time, particularly gloomy. Ship-building is completely prostrate, and no new contracts are made. The whole seaboard community, so extensively engaged in shipping interests, are daily paying drafts from their ships, barges, brigs, and schooners, instead of remittances; for, let a vessel go to any port, her freight does not pay her expenses."

The 71st regiment of the New York volunteer militia has recently given evidence of great proficiency in drill and discipline, equalling (if not surpassing) the famous 7th. A meeting of its members was recently called, with a view of organizing a force of such as were disposed to make an excursion in the course of the ensuing spring to Philadelphia, Baltimore, and Washington. From the spirit manifested, it was thought that the party would number at least 150 muskets.

Rev. Messrs. Leonidas Resser and George W. Carter, of the Methodist church, addressed the people of Salem, Va., last week on the questions that divide that church in the United States, and in defense of the M. E. Church, South. Mr. R. spoke nine hours, and Mr. C. four and a half. Their speeches are said to have been characterized by great ability and eloquence. Rev. B. H. Naylor ably defended the M. E. Church and the Baltimore conference.

The editors of papers published in the State of Ohio, recently held a convention at Cleveland, which was generally attended by the fraternity. Festivities, addresses, and business rendered the meeting one of very great pleasure to all. The advanced pay system for subscription was strenuously insisted on. The business considered related principally to the local interests of the press of that State.

A bust of Chief Justice Rutledge, ordered for the Supreme Court-room at the Capitol has been commenced at Florence, by Mr. Alexander Galt, a young Virginian. He is yet on the sunny side of thirty, and from the work he has already accomplished has reflected honor on his native State, which has paid him the high compliment of ordering from him a life-size statue of Thomas Jefferson.

The Bulletin of the United States Agricultural Society, for February, has been promptly issued, and will be gratuitously distributed to all who may call for it at the secretary's office, No. 365 Pennsylvania avenue, in Washington. It contains a condensed report of the proceedings of the recent annual session of the society, at which the sorgho, imphee, and other interesting topics were discussed.

The Monthly Table of Marine Losses for the past month shows an aggregate of eighteen vessels, of which five were ships, three were barques, two were brigs, and eight were schooners. The total value of property lost was four hundred and ninety-three thousand five hundred dollars. This is the value of property totally lost, exclusive of damage to vessels not amounting to a total loss, and of partial losses of cargo.

The last New York Courier says that "the spirit of speculation is such, even at this early hour, after the depression of a few weeks since, that capitalists are again eager to enter the stock arena, and purchase bonds and shares offering from 7 to 8 per cent. interest." Here is a text pregnant with significance, and calculated to fill every reflective mind with uneasiness about the future.

In Boston, on last Thursday, Jerome Ravel, while performing in a piece which obliged him to pass through the air on a wire about six feet from the stage, fell by the parting of the wire, and broke two of his ribs. He continued to perform his part notwithstanding the accident, but it will probably be a fortnight before he is again able to appear and resume the duties of his vocation.

The Rev. Beverly Waugh, Senior Bishop of the Methodist Episcopal Church, is now quite ill, at his residence in Baltimore. The Baltimore Patriot of Tuesday evening says that the Bishop was attacked on Saturday morning with apoplectic symptoms, which, in the opinion of his family physician, are calculated to excite apprehensions. Bishop Waugh is about 70 years of age.

It is chronicled that one John Hopkins, who was so evil-disposed as "to be concerned with a party of riotous men in entering a house near Georgetown, and sprinkling snuff and cayenne pepper on the floor where persons were dancing, was fined \$8 and costs." Fiat justitia, ruat cælum!

The American public will learn with regret that this line of steamers will probably soon cease to exist. The Journal of Commerce says:

There have been various rumors current in this city, for several days, in regard to the Company owning these American steamships, associated with an extensive system of internal improvements. Beautifully located harbors, deep rivers and noble roads, instead, await but little for railroads and canals coming down to the sea, and the great elements of commerce and agents of industry must be made to correspond, and move and set in harmony in order to effect the ends for which they were designed.--Rich. Eng.

The Virginia Railroads. It is said that less than three millions of dollars will meet the wants of all the internal improvement companies now applying for appropriations. We are gratified to learn from the best sources, that the expected appropriations can be confined within such moderate limits. We are sure that expenditures within these limits will not only be justified, but required by the enlightened public sentiment of the State. The simple question to be settled by the Legislature is, whether the large investment of the State in our public works is to be preserved or destroyed. Whether it is right or wrong, originally, to make that investment, we cannot change the fact that it has been made. We have to act upon that fact like rational men, and not like petulant children. A small additional investment will render the whole available--an abandonment of the investment will render the whole useless. If the Government will expend three, four, or five hundred thousand dollars to give a fair return not only upon the new investment, but refund a million already expended, is it not the height of folly to withhold the appropriation? As an illustration, we will refer to an existing case. The State has subscribed nearly one million of dollars to the Orange and Alexandria Railroad. The Company, unaided by the State, in addition to its original road to Gordonsville, has made three-fourths of the road to Lynchburg. The financial crisis has arrested the prosecution of the work on the resources of the Company. A half million more will complete it. It will then be one of the most profitable roads in the United States. The Company undertake to pay the annual interest to the State and one per cent. as a sinking fund. Upon this loan of half a million the State gets back her seven per cent. and makes one million of unproductive or Railroad stock yield 6, 8 and 10 per cent. per annum to the Treasury. Besides, the value of the State's interest in the stock of the Virginia and Tennessee Railroad will be heavily increased. We do not know of any measure being so much to the advantage of the State Treasury as this proposed loan to the Orange and Alexandria Railroad Company. The tax-payers of the Commonwealth have a right to require the Legislature to take the necessary measures to place this road in a condition where such large returns are so certain to be made.

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PRESIDENT'S MESSAGE.

To the Senate and House of Representatives of the United States: I have received from J. Calhoun, ex-President of the late Constitutional Convention of Kansas, a copy, duly certified by himself, of the constitution framed by that body, with the expression of a hope that I would submit the same to the consideration of Congress, with the view of the admission of Kansas into the Union as an independent State. In compliance with this request, I herewith transmit to Congress, for their action, the constitution of Kansas, with the ordinance respecting the public lands, as well as the letter of Mr. Calhoun, dated at Leecompton on the 14th ultimo, by which they were accompanied. Having received but a single copy of the constitution and ordinance, I send this to the Senate.

A great delusion seems to pervade the public mind in relation to the condition of parties in Kansas. This arises from the difficulty of inducing the American people to realize the fact that any portion of them should be in a state of rebellion against the government under which they live. When we speak of the "Free State" of Kansas, we refer to the territory of Kansas, the existence of two violent political parties in that Territory, divided on the question of slavery, just as we speak of such parties in the States. This presents no adequate idea of the true state of the case. The dividing line there is not between two political parties, but acknowledging the lawful existence of the government; but between those who are loyal to this government, and those who are endeavoring to destroy its existence by force and by usurpation--between those who sustain and those who have done all in their power to overthrow the territorial government established by Congress. The government established by the law have, in fact, been overthrown, and the territory has been subjected to the troops of the United States. Such has been the condition of affairs since my inauguration. Ever since that period, a large portion of the people of Kansas have been in a state of rebellion against the government, with a military leader at their head, of a most turbulent and dangerous character. They have never acknowledged, but constantly renewed and defied the government to which they owe allegiance, and have been all the time in a state of resistance against the authority of the law. In the very first draft to the Secretary of State, dated June 2, 1857, he says: "The most alarming movement, however, proceeds in the assembly, on the 9th of June, of the so-called Topeka legislature, with a view to the enactment of an entire code of laws. Of course, it will be my endeavor to prevent such a result, as it would lead to inevitable and disastrous collision, and, in fact, renew the civil war in Kansas." This was with difficulty prevented by the efforts of Governor Walker; but soon thereafter, on the 14th of July, we find him requesting Gen. Harney to furnish a regiment of dragoons to proceed to the city of Lawrence, and that for the reason that he had received authentic intelligence, verified by his own actual observation, that a dangerous rebellion had occurred, involving an open defiance of the laws and the establishment of an insurgent government in that city."

In the Governor's despatch of July 15th, he informs the Secretary of State "that this movement at Lawrence was the beginning of a plan, originating in that city, to organize an insurrection throughout the Territory; and especially in all towns, cities, or counties, where the republican party have a majority. Lawrence is the hot bed of all the abolition movements in this Territory. It is the town established by the abolition societies of the East, and whilst there are respectable people there, it is filled by a considerable number of mercenaries, who are paid by abolition societies throughout Kansas, and prevent a peaceful settlement of this question. Having failed in their so-called Topeka State legislature to organize this insurrection, Lawrence has commenced it herself, and, if not arrested, the rebellion will extend throughout the Territory."

On the 20th July, 1857, Gen. Lane, under the authority of the President, issued an order, as Governor Walker informs us, "to organize the so-called Free-State party into volunteers, and take the names of all who refuse enrollment. The professed object is to protect the polls, at the election in August, of the new insurgent Topeka State legislature." "The object of taking the names of all who refuse enrollment, is to terrify the Free-State conservatives into submission. This is proved by recent atrocities committed on such men by Topekaists. The speedy location of large bodies of regular troops here, with the necessary military organization, is the only means of preventing the development of this insurrectionary military organization."

In the Governor's despatch of July 27th, he says that "Gen. Lane and his staff everywhere deny the authority of the territorial laws, and of counsel a total disregard of these enactments." "Without making further quotations of a similar character from other despatches of Gov. Walker, it appears by a reference to Mr. Stanton's communication to Gen. Lee, of the 9th December last, that the important step of calling the legislature together was taken after I [the President] had become satisfied that the order ordered by the convention on the 21st instant could not be conducted without bloodshed. So intense was the disloyal feeling against the enemies of the government established by Congress, that an election which afforded them so opportunity, if in the majority, of making Kansas a free State, according to their own professed desire, could not be conducted without collision and bloodshed."

The truth is, that, up till the present moment, the enemies of the existing government still adhere to their Topeka revolutionary constitution and government. The very first paragraph of the message of Governor Robinson, dated on the 7th December, to the Topeka legislature now assembled, is in substance, "I have the honor to inform you that the Topeka legislature now assembled, in violation of the laws, and in defiance of the friends in framing a State constitution. But this they refused to do, and the consequences of their refusal to submit to lawful authority and vote at the election of delegates, may yet prove to be of a most deplorable character. Would that the respect for the laws of the land which so eminently distinguished the men of the past generation could be revived! It is a disregard and violation of law which have for years kept the Territory of Kansas in a state of almost open rebellion against its government. It is the same spirit which has produced actual rebellion in Utah. Our only safety consists in obedience and con-

formity to law. Should a general spirit against its enforcement prevail, this will prove fatal to us as a nation. We acknowledge no matter but the law; and should we cut loose from its restraints, and every one do what cometh good in his own eyes, our case will indeed be hopeless.

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

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

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

I then believed, and still believe, that, under the organic act, the Kansas convention were bound to submit this all-important question of slavery to the people. It was never, however, my opinion that, independently of this act, they would have been bound to do so. In my opinion, the people of Kansas are bound to regulate their other concerns, was not a subject which attracted any attention. In fact the general promise of our recent State constitutions, after an experience of eighty years, are so similar, and so excellent, that it would be difficult to go far wrong at the present day in framing a new constitution.

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could possibly destroy its existence, and its character. The election which was conducted under my instructions, involved a strange inconsistency. A large majority of the persons who voted against the Leecompton constitution, were at the same time in a place re-organizing the same constitution, and in the same manner, by voting under its provisions, have yet received no official notice of the result of this election.

As a question of expediency, after the right has been maintained, it may be said to redound upon the benefits to Kansas to the whole country, which would result from its immediate admission into the Union, as well as the disasters which may follow its rejection. Domestic peace will be the consequence of its admission, and that of the Territory, which has hitherto been torn by discussions, will rapidly increase in population and wealth, and specially result in blessings and comforts which follow the admission of a new State into the Union. The people will then be enabled to regulate their own affairs in their own way. If a majority of them desire to abolish domestic slavery within the Territory, there is no other possible mode by which this can be effected so speedily as by prompt admission. The will of the majority is a power irresistible when expressed in an orderly and lawful manner. They can make and unmake constitutions at pleasure, and would be absurd to say that they can injure others upon their own power which they cannot afterwards remove. If they could do this they might set their own hands to a hundred as well as for ten years. These fundamental principles of American freedom are so recognized, I believe, in some form or other, by every State constituting itself a member of the Union, and in the act of admission, Congress, in the act of admission, is bound to recognize them. I can perceive no objection to such a course. This has been done emphatically in the constitution of Kansas. It declares in the bill of rights that "all political power is inherent in the people, all free governments are founded on their authority and instituted for their benefit, and therefore they have at all times an inalienable and indivisible right to reform, or abolish their form of government, or such manner as they may think proper. The State of New York has, in the same manner, governed under a constitution, and established in direct opposition to the mode prescribed by the previous constitution. If, therefore, the provision changing the Kansas constitution, after the year one thousand eight hundred and sixty-four, could be prohibited by a constitutional provision, to make such a change previous to that period, this prohibition would be wholly unavailing. The legislature already elected may, at its very first session, submit the question to the people whether they will or will not have a convention to amend their constitution, and if they do not, they may give effect to the popular will by a majority vote. It has been solemnly adjudged by the highest judicial tribunal known to our law, that slavery exists in Kansas by virtue of the constitution of the United States. Kansas is, therefore, at this moment as much a slave state as Georgia or South Carolina. Without the equality of the sovereign States composing the Union would be violated, and the use and enjoyment of a territory acquired by the common treasure of all the States, would be closed against the people and the property of nearly half the members of the confederacy. In Kansas, except by means of a constitutional provision, and in no other manner can this be obtained so promptly, if a majority of the people desire it, as by admitting it into the Union under its present constitution.

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

Every patriot in the country had indulged the hope that the Kansas Nebraska act would put a final end to the slavery agitation, at least in Congress, which had for more than twenty years convulsed the country and endangered the Union. This act involved great and fundamental principles, and if fairly carried into effect will settle the question. Should the agitation be again revived, should the people of the sister States be again estranged from each other with more than their former bitterness, the will arise from a cause, so far as the interests of Kansas are concerned, more trifling and insignificant than has ever stirred the elements of a great people into opposition. To the cause of slavery can therefore never be practical divisions between admission and rejection, depends simply upon the fact whether they can themselves more speedily change the present constitution if it does not accord with the will of the majority, or frame a second constitution to be submitted to Congress hereafter. Even if this were a question of mere expediency, one way or the other, is of no less importance when contrasted with the evils which must necessarily result to the whole country from a revival of the slavery agitation.

In considering this question, it should never be forgotten that, in proportion to its significance, let the decision be what it may, so far as it may affect the few thousand inhabitants of Kansas who have from the beginning resisted the constitution and laws, for this very reason the rejection of the constitution will be so much the more keenly felt by the people of fourteen of the States of the Union, where slavery is recognized under the constitution of the United States. Again: The speedy admission of Kansas into the Union would restore peace and quiet to the whole country. Already the fruits of this Territory have engrossed an undue proportion of public attention. They have sadly affected the friendly relations of the people of the States with each other, and almost the fear of patriots for the safety of the Union. Kansas once admitted into the Union, the excitement becomes local, and will soon die away for want of outside aliment. Then every difficulty will be settled at the ballot-box.

Besides--and this is no trifling consideration--I shall then be enabled to withdraw the troops of the United States from Kansas, and employ them on branches of service where they are much needed. They have been kept there on the earnest importunity of G. W. Walker, to maintain the existence of the territorial government and secure the execution of the laws. He considered that at least two thousand regular troops, under the command of General Hating, were necessary for this purpose. Having upon reliable information, I have been obliged, in some degree, to interfere with the expedition to Utah, in order to keep down rebellion in Kansas. This has involved a very heavy expense to the government. Kansas once admitted, it is believed there will no longer be any occasion there for troops of the United States.

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