

which it was delegated, an attempt to abridge its powers and the efficiency of its action, and giving aid and countenance to a body of men whose purposes were treasonable, who had set at defiance all legal authority, and who for upwards of three years had promoted discord and civil war. It was tantamount to saying to them, "Slavery cannot exist in Kansas, and consequently all attempts to introduce it into the territory are wrong, and against the laws of God. You can go on in your career of resistance and violence. The constitutional convention amounts to nothing unless it submits its action back to the people, and if all other efforts fail in your lawless course, you will then have a chance of defeating it." Nor can his views be abstractly defended on the ground that sovereignty resides in the people, and is in itself indivisible. Admitting this proposition to be true, the people have certainly the right to determine the manner in which they will exercise their sovereignty, and with this, the people of Kansas were clearly invested by the terms of the territorial act, which declared that they should settle their domestic institutions in their own way. They choose to do this through a convention, and under our republican system of government, according to all recognized opinions, such a convention was invested with the sovereign will and authority. The question of submitting its action to the people for ratification, was a mere question of propriety which that body had the sole and exclusive right to determine. To assume any other position, is to say, that the people are incapable of delegating their authority; it is to confound the idea of sovereignty, with the mode of exercising sovereign powers. If Gov. WALKER'S position be correct, a constitutional convention would not be warranted in submitting a Constitution in its entirety, for ratification or rejection, to their constituents; for that would be to confound alike its