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Nebraska Advertiser

"LIBERTY AND UNION, ONE AND INSEPARABLE NOW AND FOREVER."

RATES OF ADVERTISING table with columns for ad type and duration.

VOL. X. BROWNVILLE, NEBRASKA, THURSDAY, MARCH, 1, 1866 NO. 23

BUSINESS CARDS.

Dr. Henry J. Churchman, M.D. SURGEON U. S. VOL.

Graduate of the Medical Department of the University of College, Philadelphia.

FRANZ HELMER, Wagon Maker.

OPPOSITE DEUSER'S TIN SHOP, BROWNVILLE, NEBRASKA.

PHYSICIANS AND SURGEONS OFFICE

EDWARD W. THOMAS, ATTORNEY AT LAW.

AMERICAN HOUSE, D. ROBINSON, PROPRIETOR.

Mrs. M. W. Bennett, Millinery & Fancy Goods STORE.

G. M. HENDERSON, GENERAL DEALER

STAPLE AND FANCY DRY GOODS, BOOTS & SHOES, GROCERIES

J. B. JOHNSON, DENTIST

MARSH & CO., General News Agents and Stationers

C. W. WHEELER, CABINET-MAKER AND CARPENTER

J. A. HEWES, ATTORNEY AT LAW

BROWNVILLE HOUSE, COR. MAIN AND 2ND STS.

R. W. PEDICORD, Proprietor

LOUIS WALDTER, House-Sign & Ornamental PAINTER

Richard F. Barret, GENERAL LAND AGENT

RESTAURANT AND OYSTER SALOON, WILLIAM ROSSELL

BACK TO THE OLD STAND! CLOCK, WATCHES, AND JEWELRY!!

CHOICE LIQUORS, Wholesale and Retail

Union Saloon, BROWNVILLE

New Store, Deary & Co

GROCERIES, SUGARS, TEAS, COFFEE, RICE, TOBACCO

Grocery store in, WHITNEY'S BLOCK, Main Street

TO BE SOLD DURING October, November, December,

\$45,000 Worth of Merchandise

Consisting of DRY GOODS, GROCERIES, FURNITURE, CARPETING, QUEENSWARE

WOODEN-WARE, GLASSWARE, &c., &c.

THEODORE HILL'S Wholesale and Retail Store Room on Main Street, Brownville, Nebraska.

These Goods have been purchased with an especial view to satisfying the demands of this market; and at prices which will enable him to defy competition.

SWAN & BROTHER (Successors to McLaughlin & Swan.)

We respectfully announce to the Public that they have now in store, a New and Large Stock of FAMILY GROCERIES, AND PROVISIONS

To which they invite the attention of purchasers.

YOU WILL FIND THE BEST Sugars, Teas, Rio and Java Coffee, Pure Cider Vinegar and Coal Oil at

SWAN & BRO. Canned Fruits in great variety and of the best quality; Catsup, pickles, Oysters, Sardines, Clams, French Mustard, Worcestershire Sauce and Western Reserve Cheese at

SWAN & BROS, Swan and Brother, desire to call particular attention to their large and varied Stock of

Tobacco, consisting of Natural Leaf and Netarine and other favorite brands of Plug Tobacco and best qualities of Fine cut and Smoking Tobacco.

Wrought and Cut Nails, of all size, Spades, Shovels, Brooms, Sewing Twine, and Scoop Shovels at

SWAN & BROS. The highest price paid for Butter, Eggs, and country produce at

SWAN & BRO. Consult your interest by examining Swan & Bro's. Goods and prices before buying elsewhere.

v-10-n-4 ly. Ayer's Ague Cure.

CONSTITUTION OF THE STATE OF NEBRASKA.

§ 3. The returns of every election, for the officers named in the foregoing Section, shall be sealed up and transmitted to the seat of government, by the returning officers, directed to the President of the Senate, who, during the first week of the session, shall open and publish them, and declare the result, in the presence of a majority of the members of each house of the Legislature.

§ 4. The person having the highest number of votes shall be declared duly elected; but if any two or more shall be the highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses.

§ 5. No person except a citizen of the United States and a qualified elector of the State, shall be eligible to any office provided for by this Constitution.

§ 6. Should there be no session of the Legislature in January next after an election for any of the officers aforesaid, the returns of such election shall be made to the secretary of State, and opened, and the result declared by the Governor, in such manner as may be provided by law.

§ 7. He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices; and shall see that the laws are faithfully executed.

§ 8. He shall communicate at every session, by message to the Legislature, the condition of the State, and recommend such measures as he shall deem expedient.

§ 9. He may, on extraordinary occasions, convene the Legislature by proclamation, and shall state to both houses, when assembled, the purpose for which they have been convened.

§ 10. In case of disagreement between the two houses in respect to the time of adjournment, he shall have power to adjourn the Legislature to such time as he may think proper, but not beyond the regular meetings thereof.

§ 11. He shall be commander-in-chief of the military and naval forces of the State, except when they shall be called into the service of the United States.

§ 12. He shall have power, after conviction, to grant reprieves, commutations and pardons, for all crimes and offences, except treason and cases of impeachment, upon such conditions as he may think proper; subject, however, to such regulations as may be prescribed by law.

§ 13. Upon conviction for treason, he may suspend the execution of the sentence, and report the case to the Legislature, at its next meeting, when the Legislature shall either pardon, commute the sentence, direct its execution, or grant a further reprieve.

§ 14. He shall communicate to the Legislature at every regular session, each case of reprieve, commutation, or pardon granted; stating the name and crime of the convict, the sentence, its date, and the date of the commutation, pardon, or reprieve, with his reasons therefor.

§ 15. There shall be a seal of the State, which shall be kept by the Governor, and used by him officially; and shall be called "The Great Seal of the State of Nebraska."

§ 16. All grants and commissions shall be issued in the name, and by the authority of the State of Nebraska, sealed with the Great Seal, signed by the Governor, and countersigned by the Secretary of State.

§ 17. No member of Congress, or other person holding office under the authority of this State, or United States, shall execute the office of Governor, except as herein provided.

§ 18. In case of the impeachment of the Governor, his removal from office, death, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Secretary of State, until disability shall cease, or the vacancy be filled.

§ 19. If, during the vacancy of the office of Governor, the Secretary of State shall be impeached, displaced, resign, die, or be absent from the State, the powers and duties of the office of Governor shall devolve upon the President of the Senate; and should a vacancy occur by impeachment, death, resignation, or absence from the State, of the President of the Senate, the Speaker of the House of Representatives shall act as Governor till the vacancy be filled.

§ 20. The Governor shall receive during his continuance in office an annual compensation of one thousand dollars; the Secretary of State, six hundred dollars; the State Treasurer, four hundred dollars; and the State Auditor, eight hundred dollars.

§ 21. Every bill which shall have passed the Legislature, shall before it becomes a law, be presented to the Governor. If he approve, he shall sign it; but if not, he shall return it with objections, to that house in which it shall have originated upon the journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law. But in such cases, the votes of both houses, shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, unless the Legislature shall by their adjournment prevent its return, in which case it shall not be a law.

§ 22. The Secretary, Auditor and Treasurers of State, shall severally perform such duties, as shall be prescribed by law.

JUDICIARY. § 1. The judicial power of the State shall be vested in a Supreme Court, District Courts, Probate Courts, Justices of the Peace, and such inferior courts as the Legislature may from time to time establish.

The Supreme Court shall consist of a Chief Justice and two associate Justices, any two of whom shall constitute a quorum, and shall hold a term of the Supreme Court at the seat of government of the State annually. Said Supreme Justices shall be elected by the qualified electors of the State, at such time, and in such manner as may be provided by law. Said Justices of the Supreme Court shall hold their office for the term of six years from the time of their election and until their successors shall have been elected and qualified.

§ 2. The State shall be divided into three judicial districts, and the District Courts shall be held at such times and places as may be provided by law, and the Legislature shall by law assign the Justices to hold District Courts in the several districts: Provided, that until the Legislature shall have provided by law, the Governor shall have authority to make such assignment.

§ 3. The Supreme Court shall have appellate jurisdiction only except in cases relating to revenue, mandamus, quo warranto, habeas corpus, and such cases of impeachment as may be required to be tried before it; and both the Supreme and District Courts shall have both chancery and common law jurisdiction.

§ 4. The jurisdiction of the several courts herein provided for, both appellate and original shall be as fixed by law. Provided, that Probate Courts, Justices of the Peace or any inferior court that may be established by the Legislature shall not have jurisdiction in any matter wherein the title or boundaries of land may be in dispute. Nor shall either of the courts mentioned in this provision have power to order or decree the sale or partition of real estate: and provided, further, that Justices of the Peace, and such inferior courts as may be established by the Legislature, shall not have jurisdiction when the debt or sum claimed shall exceed one hundred dollars, and the jurisdiction of the District and Probate courts, and Justices of the Peace shall be uniform throughout the State.

§ 5. Probate Judges, Justices of the Peace, and persons holding inferior courts, herein authorized to be established by the Legislature, shall be elected by the electors of the several districts for which they may be elected in the manner and time fixed by law.

§ 6. The salary of the Justices of the Supreme Court shall be two thousand dollars each per annum and no more;

and all other judicial officers shall be paid for their services in fees to be prescribed by law.

§ 7. The Legislature shall by law provide that on the entry or commencement of any suit in the District Court, the party so commencing or entering such suit, shall, before the same is so commenced or entered, pay to the clerk of said District Court the sum of five dollars; and in like manner on the entry or commencement of any suit in the Supreme Court, shall pay the sum of ten dollars to the clerk thereof, which money so paid, shall be for the use of the State, and shall be paid by said clerks to the proper officers designated by law, as by law may be required; which money so received shall be held and esteemed as a judicial fund, and to be applied in payment of the salaries of the Justices of the Supreme Court. Which amounts so paid shall be taxed as costs against the unsuccessful party, and collected as other costs: Provided, the Legislature may provide by law for dispensing with the payment of said sums of money in cases where the party so commencing or entering suit shall be really unable to pay the same, and the amount shall in all cases be taxed and collected as other costs: Provided, also, that the Legislature shall have power whenever the amount so received shall exceed the salaries of the Judges of the Supreme Court, to reduce the amount to be paid so that the gross amount will not exceed such salaries.

§ 8. The Legislature may, after the year one thousand eight hundred seventy-five, increase the number of Justices of the Supreme Court, and the judicial districts of the State.

§ 9. In all cases heard before the Supreme Court, as an appellate court, the Justice who may have tried such cause in the court below shall not participate in the decision thereof until the other two Justices, if present, shall have failed to agree in the decision of such cause.

§ 10. All process, writs, and other proceedings shall run in the name of "The People of the State of Nebraska."

CORPORATIONS. § 1. The Legislature shall pass no special act conferring corporate powers.

§ 2. Corporations may be formed under general laws.

§ 3. The property of corporations, now existing or hereafter created, shall forever be subject to taxation on the same as the property of individuals.

§ 4. The Legislature shall provide for the organization of cities and incorporated villages by general laws; and restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credits, so as to prevent the abuse of such power.

AMENDMENTS. § 1. If at any time a majority of the Senate and House of Representatives shall deem it necessary to call a convention to revise or change this Constitution they shall recommend to the electors to vote for or against convention at the next election for members of the Legislature; and if it shall appear that a majority of the electors voting thereon have voted for a convention, the Legislature shall at its next session provide for calling such convention.

BOUNDARIES. § 1. The State of Nebraska shall consist of all the territory included within the following boundaries, to-wit: Commencing at a point formed by the intersection of the western boundary of the State of Missouri, with the fortieth degree of north latitude; extending thence due west along said fortieth degree of north latitude, to a point formed by its intersection with the twenty-fifth degree of longitude west from Washington; thence north along said twenty-fifth degree of longitude, to a point formed by its intersection with the twenty-seventh degree of longitude west from Washington; thence east along said twenty-seventh degree of longitude, to a point formed by its intersection with the forty-third degree of north latitude; thence east along said forty-third degree of north latitude to the Neva Pahs river; thence down the middle of the channel of said river, with its meanderings, to its junction with the Niobrara River; thence down the middle of the channel of said Niobrara River, and following the meanderings thereof to its junction with the Missouri River; thence down

EDUCATION. § 1. The principal of all funds arising from the sale, or other disposition of lands or other property, granted or entrusted to this State for educational and religious purposes, shall forever be preserved inviolate and undiminished; and the income arising therefrom shall be faithfully applied to the specific objects of the original grants or appropriations. The Legislature shall make such provisions by taxation or otherwise, as with the income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the State; but no religious sect or sects, shall ever have any exclusive right to, or control of any part of the school funds of this state.

§ 2. The University lands, school lands, and all other lands which have been acquired by the Territory of Nebraska, or which may hereafter be acquired by the State of Nebraska for educational or school purposes, shall not be aliened or sold for a less sum than five dollars per acre.

FINANCE. § 1. No money shall be paid out of the treasury, except in pursuance of an appropriation by law.

§ 2. The credit of the State shall never be given or bound in aid of any individual, association, or corporation.

§ 3. The Legislature shall provide for an annual tax sufficient to defray the expenses of the State 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 other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing year.

§ 4. For the purpose of defraying extraordinary expenditures, the State may contract public debts; but such debts shall never in the aggregate exceed fifty thousand dollars. Every such debt shall be authorized by law, for some purpose or purposes to be distinctly specified therein; and the vote of a majority of all the members elected to each House, to be taken by yeas and nays, shall be necessary to the passage of such laws; and every such law shall provide for levying an annual interest of such debt, and the principal within ten years from the passage of such law, and shall specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation shall not be repealed, nor the taxes be postponed or diminished until the principal and interest of such debt shall have been wholly paid.

§ 5. The Legislature may also borrow money to repel invasion, suppress insurrection, or defend the State in time of war; but the money thus raised shall be applied exclusively to the object for which the loan was authorized, or to the repayment of the debts thereby created.

§ 6. The State shall never contract any debt for works of internal improvement, or be a party in carrying on such works; but whenever grants of land or other property shall have been made to the State especially dedicated by the grant to particular works of internal improvement, the State may carry on such particular works, and shall devote there to the avails of such grants, and may pledge or appropriate the revenues derived from such works in aid of their completion.

EMINENT DOMAIN. § 1. The State shall have concurrent

jurisdiction on all rivers bordering on this State, so far as such rivers shall form a common boundary to the State, and any other State or Territory now or hereafter to be formed and bounded by the same. And the river Missouri, and the navigable waters leading into the Missouri, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the State as to the citizens of the United States, without any tax, impost, or duty therefor.

§ 2. The title to all lands and other property, which have accrued to the Territory of Nebraska, by grant, gift, purchase, forfeiture, escheat or otherwise, shall vest in the State of Nebraska.

§ 3. The people of the State, in their right of sovereignty, are declared to possess the ultimate property in and to all lands within the jurisdiction of the State; and all lands the title to which shall fall from a defect of heirs, shall revert, or escheat to the people.