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Nebraska Advertiser.

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

VOL. X. BROWNVILLE, NEBRASKA, THURSDAY, MARCH, 8, 1866 NO. 24

RATES OF ADVERTISING table with columns for advertisement type and duration, and corresponding rates.

BUSINESS CARDS.

Dr. Henry J. Churchman, LATE SURGEON U. S. VOL. Graduate of the Medical Department of the University of Va., and Jefferson Med. College, Phila., Pa.

FRANZ HELMER, Wagon Maker, OPPOSITE DEUSER'S TIN-SHOP, BROWNVILLE, NEBRASKA.

WAGONS, BUGGIES, FLOWS, CULTIVATORS, &c., repaired on short notice, at low rates, and warranted to give satisfaction.

C. F. STEWART, M.D. A. S. HOLLADAY, M.D. PHYSICIANS AND SURGEONS. OFFICE South East corner of Main and First Streets BROWNVILLE, NEBRASKA.

EDWARD W. THOMAS, ATTORNEY AT LAW, SOLICITOR IN CHANCERY, Office corner of Main and First Streets, BROWNVILLE, NEBRASKA.

AMERICAN HOUSE L. D. ROBINSON, PROPRIETOR, Front Street, between Main and Water, BROWNVILLE, NEBRASKA.

Mrs. M. W. Hematt, Millinery & Fancy Goods STORE, Main Street one door west of the Post Office BROWNVILLE, NEBRASKA.

G. M. HENDERSON, GENERAL DEALER IN STAPLE AND FANCY DRY GOODS, BOOTS & SHOES, GROCERIES, Main Street between First and Second, Brownville, Neb., 37-7.

J. B. JOHNSON, DENTIST, OFFICE WITH L. HOADLEY, Corner Main and First Streets, BROWNVILLE, NEBRASKA.

MARSH & CO., [SUCCESSORS TO MARSH & ZOOK.] General News Agents and Stationers, Post Office Building, BROWNVILLE, NEBRASKA.

C. W. WHEELER, CABINET-MAKER AND CARPENTER, Having opened up permanently on Main Street, BROWNVILLE, NEBRASKA.

J. A. HEWES, ATTORNEY AT LAW, AND SOLICITOR IN CHANCERY, LAND AND COLLECTING AGENTS, BROWNVILLE N. T. March 13, 1866.

BROWNVILLE HOUSE, COR. MAIN AND 2ND STS., Brownville, Nebraska.

H. W. PEDICORD, Proprietor. This House has been refurnished and newly fitted up and refurnished under the present enterprising Proprietor, who guarantees satisfaction to all who patronize his House.

LOUIS WALTER, Just his post year, ready to perform all work, pertaining to his business. House and sign painting, glazing, and paper hanging, etc., at short notice, and the most approved style. Terms cash. Give him a call. Shop on Main Street, east of Atkinson's Clothing Store.

White Washing and WALL COLORING in the best and cheapest style for cash. Brownville, April 7, 1866.

LOUIS WALTER, House-Sign & Ornamental PAINTER, Glazier, Gilder, Grainer, PAPER HANGER etc. All work done in a workman-like manner, and on strictly CASH TERMS.

RICHARD F. BARRET, GENERAL LAND AGENT, AND DEALER IN LAND WARRANTS & LAND SCRIPT, Personal attention given to making Locations. Office in J. L. Carson's Banking House, BROWNVILLE, NEBRASKA.

G. M. DORSEY, R. M. RICH, DORSEY & RICH, Attorneys at Law, And COMMERCIAL COLLECTORS. Office S. E. corner Main and First Streets, BROWNVILLE, NEBRASKA.

RESTAURANT AND OYSTER SALOON. WILLIAM ROSSELL, a Restaurant and Oyster Saloon. Also, Confectionaries, Canned Fruits, Dried Fruit, Spices of all kinds, Tea, Coffee, Sugar, Tobacco, Potatoes, sweet Potatoes and everything usually kept in a retail grocery store.

BACK TO THE OLD STAND! CLOCK, WATCHES, AND JEWELRY!! JOSEPH SHUTZ, Would respectfully inform his old customers that he has again opened his Jewelry Shop in his old stand on Main Street, south side, two doors east of the Brownville House.

CHOICE LIQUORS. Wholesale and Retail Evan Worthing, OF THE Union Saloon BROWNVILLE, Has Just received the largest and best stock of Liquors and Cigars ever offered in this market, and will sell them as low as any House in the Territory.

WHITNEY'S BLOCK, Main Street, Brownville, Feb. 4, '64.

New Store Deary & Co Have just opened a splendid Stock of GROCERIES, CONSISTING OF Sugars, Teas, Coffee, Rice, Tobacco Cigars, Soap, Dried Fruit of all kinds, Nuts, Candies, Molasses, Salt, Wooden Ware of all kinds, Canned Fruit, Oysters, Pickles, and every Article usually kept in a first class Grocery store in WHITNEY'S BLOCK, Main Street, Brownville Nebraska, Invites the public to call and examine their Stock, before purchasing elsewhere as they are confident. August 31st 1865.

Poetry. For the Advertiser A Memory Rare.

Out from the depths of the faded years I rescue a gem of that bygone time, A memory rare—that with hallowed care I weave in a string of golden rhyme.

A room in a farm house, large and old, Where the Angel, Death seemed to hover awhile, Two watchers pale, heard the faint low wail From the suffering couch of a little child.

The midnight waned, and the angel passed And the child was lulled in a sweet repose. And there by the light, in the still midnight They sat till the beautiful morning rose.

One sweet watcher, was a maiden fair Whose soul till the glorious stars shall ebb— Till dies the light, in the last midnight My heart can never, no never forget I

We strung sweet stories in happy verse Further soul with treasured gems was rife Like fairflowers pressed, on a snow white breast I saw the bloom of a beautiful life.

The midnight waned, and the morning broke And wringing our forms from the chilly air We stole away, in the early grey I, and the maiden, so sweet and fair.

The dawn crept faint from the hills afar, And the stars in their beauty softly set It was early spring, of the time I sing, And the flowers with a tender dew were wet.

A ball of woodland skirted the field, The spring was white with a dash of bloom From the wild plum trees, and the wandering breeze Was heavy with a wealth of sweet perfume.

The wild plum blossoms scented the earth, The violet bloomed in the sleepy dell, As wraps, we stood, in the slumbering wood, While morn from the beautiful universe fell.

We culled some blooms from the wild plum tree And some fresh violets, deep and blue, Then turned again, to the couch of pain I and the maiden who once I knew.

O wandering breeze, O sweet perfume I I woo you o'er the lapses of years, And the memory rare, of the maiden fair Grows bright and fresh, with the rain of tears.

And this is why from the faded years I rescue a gem of that bygone time, A memory rare, that with hallowed care I weave in a string of golden rhyme.

MOLLIE.

VETO MESSAGE. WASHINGTON, February 20.

The following is the message of President Johnson, vetoing the Freedman's Bureau bill: To the Senate of the United States:

I have examined with care the bill which originated in the Senate and has been passed by both Houses of Congress, to amend an act entitled an act to establish a bureau for the relief of freedmen and refugees, and for other purposes.— Having with much regret come to the conclusion that it would not be consistent with the public welfare to give my approval to the measure, I return the bill to the Senate, with my objections to its becoming a law. I might call to mind, that there is no immediate necessity for the proposed measure. The act to establish a bureau for the relief of freedmen and refugees, which was approved in the month of March last, has not yet expired. It was thought stringent and extensive enough for the purpose in view. Before it ceases to have effect, further experience may assist to guide us to wise conclusions as to the policy to be adopted in time of peace.— I have, with Congress, the strongest desire to secure to freedmen the full enjoyment of their freedom and their property, and their entire independence and equality in making contracts for their labor, but the bill before me contains provisions which, in my opinion, are not warranted by the Constitution, and are not well suited to accomplish the end in view. The bill proposes to establish, by authority of Congress, military jurisdiction over all parts of the United States containing refugees and freedmen. It would by its very nature apply with more force to the freedmen most abundant, and it expressly extends the existing temporary jurisdiction of the Freedmen's Bureau, with greatly enlarged powers, over those States in which the ordinary course of judicial proceedings has been interrupted by the rebellion. The source from which this military jurisdiction is to emanate is none other than the President of the United States, acting through the War Department and the Commissioner of the Freedmen's Bureau. The agents to carry out this military jurisdiction are to be selected either from the army or civil life. The country is to be divided into districts and sub-districts, and the number of salaried agents to be employed may be equal to the number of counties or parishes in all the United States where

freedmen and refugees are to be found. The subjects over which this military jurisdiction is to extend, in every part of the United States, include protection to all employees, agents and officers of this bureau in the exercise of the duties imposed upon them by the bill in eleven States. It is further to extend over all cases affecting freedmen and refugees discriminated against by local tax, custom or prejudice in these eleven States: The bill subjects any white person, who may be charged with depriving a freedman of any civil rights or immunities belonging to white persons, to imprisonment or fine, or both, without however defining the civil rights and immunities which are thus to be secured to Freedmen by military law. This military jurisdiction also extends to all questions that may arise respecting contracts. The agent who is thus to exercise the office of a Military Judge may be a stranger, entirely ignorant of the laws of the place, and exposed to errors of Judgment to which all men are liable. The exercise of a power over which there is no legal supervision, by so vast a number of agents as is contemplated by the bill, must by the very nature of man be attended by acts of caprice, injustice and passion. The trials having their origin under this bill, are to take place without intervention of a jury and without any fixed rules of law or evidence. The rules on which offense are to be heard and determined by the numerous agents are such rules and regulations, as the President through the War Department shall prescribe. No previous presentment is required, nor any indictment charging the committing of a crime against the law, but the trial must proceed on charges and specifications. The punishment will not be as the law declares, but such as a court martial may think proper, and from these arbitrary tribunals there is no appeal, nor of error to any of the Courts in which the Constitution of the United States vests exclusively the judicial power of the country, while the territory and the class of actions and offenses, that are made subject to this measure are so extensive that the bill itself, should it become a law, will have no limitation in point of time, but will form a part of the permanent legislation of the country.— I cannot reconcile a system of military jurisdiction of this kind, with the words of the Constitution, which declare that no person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or while in actual service in time of war or public danger, and that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State or district where the crime shall have been committed. The safeguards which the wisdom and experience of ages taught our fathers to establish as securities for the protection of the innocent, the punishment of the guilty, and the equal administration of justice, are to be set aside, and for the sake of a more vigorous interposition in behalf of justice we are to take the risk of the many acts of injustice that would of necessity follow from an almost countless number of agents, established in every parish of the country in nearly a third of the states of the Union, over whose decision there is to be no supervisory control by the Federal courts. The power that would thus be placed in the hands of the President is such as on time of peace the country ought never to entrust to any one man. If it be asked whether the creation of such a tribunal within a State is warranted as a measure of war, the question immediately presents itself whether we are still engaged in war. Let us not unnecessarily distract the commerce, the credit and industry of the country by declaring to the American people and to the world that the United States are still in a condition of civil war. At present there is no part of our country in which the authority of the United States is disrupted. Offenses that may be committed by individuals should not work a forfeiture of the rights of the same community. The country has entered, or is returning to a state of peace and industry, and rebellion is in fact at an end. The measure, therefore, seems to be as inconsistent with the actual condition of the country as it is at variance with the Constitution of the United States.

If, in passing from general considerations, we examine the bill in detail, it is open to weighty objections. In time of

war it was eminently proper that we should provide for those who were passing suddenly from a condition of bondage to a state of freedom, but this bill proposes to make the freedmen's bureau, established by the act of 1865, as one of the many great and extraordinary military measures to suppress a formidable rebellion, a permanent branch of the administration, with its power greatly enlarged. I have no reason to suppose, and I do not understand it to be alleged that the act of March, 1865, has proved deficient for which it was passed, although at that time, and for a considerable period thereafter, the Government of the United States remained unacknowledged in most of the States whose inhabitants had been involved in the rebellion. The institution of slavery, for the military destruction of which the freedmen's bureau was called into existence as an auxiliary has been already effectually and finally abrogated throughout the whole country by an amendment of the constitution of the United States, and practically its eradication has received the assent and concurrence of most of those States which at any time had existed. I am not therefore able to discern how the powers and agencies of the freedmen's bureau which were effective for the protection of freedmen and refugees during the actual continuation of hostilities and of African servitude, will now in a time of peace and after the abolition of slavery prove inadequate to the same proper ends. If I am correct in these views there can be no necessity for the enlargement of the powers of the bureau for which provision is made in the bill.

The third section of the bill authorizes a general and unlimited amount of support to the destitute and suffering refugees and the freedmen and their wives and children. The succeeding sections make provision for the rent or purchase of landed estates for the freedmen, and for the erection for their benefit of suitable buildings for asylums and schools, the expenses to be defrayed from the treasury of the whole people. The Congress of the United States has never heretofore thought itself competent to establish any laws beyond the limits of the District of Columbia, except for the benefit of our disabled soldiers. It has never founded schools for any class of our own people, not even for the orphans of those who have fallen in defense of the Union, but has left the care of their education to the much more competent control of States, of communities, of private associations and of individuals. It has never deemed itself authorized to expend public money for rent or purchase of houses for the thousands, not to say millions of the white race, who are honestly toiling from day to day for their subsistence. A system for the support of indigent persons in the United States was never contemplated by the authors of the constitution, nor can any good reason be advanced why, as a permanent establishment, it should me, and for one class or color of our people more than for another. Pending the war many refugees and freedmen received support from the government, but it was never intended they should henceforth be fed, clothed, educated and sheltered by the United States. The idea on which the slaves were assisted to freedom was that on becoming free they would be a self-sustaining population, and any legislation that shall imply that they are not expected to attain a self-sustaining condition must have a tendency injurious alike to their character and their prosperity. The appointment of an agent for every county and parish will create an immense patronage, and the expense of the numerous officers and their clerks to be appointed by the President, will be great in the beginning, with a tendency steadily to increase.— The appropriations asked by the Freedmen's Bureau, as now established, for the year 1866, amount to \$11,745,000. It may be safely estimated the cost to be incurred under the pending bill will require double that amount, more than the entire sum expended in any one year under the administration of the second Adams. In the presence of agents in every parish and county it is to be considered a war measure. Opposition or even resistance might be provoked, so that to give effect to their jurisdiction troops would have to be stationed within reach of every one of them, and thus a large standing force be rendered necessary. Large appropriations would therefore be required to sustain and enforce military jurisdiction in every coun-

ty and parish from the Potomac to the Rio Grande. The condition of our fiscal affairs is encouraging, but in order to sustain the present measure of public confidence it is necessary that we practice not merely customary economy, but as far as possible secure retrenchment. In addition to the objections already stated, the fifth section of the bill proposes to take away land from its former owners, without any legal proceedings being first had, contrary to that provision of the Constitution which declares that no person shall be deprived of life, liberty or property, without due process of law. It does not appear that the land to which this section refers may not be owned by minors or persons of unsound mind, or by those who have been faithful to all their obligations as citizens of the United States. If any portion of the land is held by such persons, it is not competent for any authority to deprive them of it. If, on the other hand, it be found that the property is liable to confiscation even then it cannot be appropriated to public purposes until by due process of law it shall have been declared forfeited to the Government. There are still further objections to the bill on grounds seriously affecting the class of persons to whom it is designed to bring relief.— It will tend to keep the mind of the freedman in a state of uncertain expectation and restlessness, while to those among whom he lives it will be a source of constant and vague apprehension.— Undoubtedly the freedmen should be protected, but they should be protected by the exercise of all the Constitutional powers of the Courts of the United States and of the States. His condition is not so exposed as at first, may be imagined he is in a portion of the country where his labor cannot well be spared. Competition for his services from planters from those who are constructing in his vicinity, or from other States, will enable him to command almost his own terms. He also possesses a perfect right to change his place of abode and if therefore, he does not find in one community or state, a mode of life suited to his desires, or proper remuneration for his labor, he can move to another, where labor is more esteemed, and better rewarded. In truth, however, each state induced by its own wants and interest will do what is necessary and proper to retain within its borders all the labor that is needed for the development of its resources. The laws that regulate, supply and demand, will maintain their force and the wages of the laborer will be regulated thereby. While there is no danger that the great demand for labor will not operate in favor of the laborer, neither is sufficient consideration given to the ability of the freedmen to protect and take care of themselves. It is no more than justice to them to believe that as they have received their freedom with moderation and forbearance, so they will distinguish themselves by their industry, and they will soon show the world that in a condition of freedom, they are self sustaining and capable of selecting their own employment, and their own places of abode, of insisting for themselves on a proper remuneration, and of establishing and maintaining their own asylums and schools. It is earnestly hoped that instead of wasting away, they will by their own efforts establish for themselves a condition of respectability, and industry. It is certain they can attain that condition only through their own merits and exertions. In this condition, the query presents itself whether the system proposed by the bill will not when put into complete operation, practically transfer the entire care, support and control of four millions of emancipated slaves, to agents, overseers or taskmasters, who appointed at Washington, are to be located in every county and parish throughout the United States containing freedmen and refugees. Such a system would inevitably tend to such a concentration of power in the Executive which would enable him if so disposed to control the action of a numerous class, and use them for the attainment of his own political ends. I cannot but add another very grave objection to this bill. The Constitution imperatively declares in connection with taxation that each State shall have at least one representative, and fixes the rule for the members in future times each State shall be entitled. It also provides that the Senate of the U. S. shall be composed of Senators from each State, and adds with peculiar force, that no State without its consent shall be

deprived of its suffrage in the Senate. The original act was necessarily passed in the absence of the States chiefly to be affected because their people were then contumaciously engaged in the rebellion. Now the case is changed, and some at least of the States are attending Congress by loyal representatives and soliciting the allowance of the constitutional right of representation. At the time, however, of the consideration and passing of the bill there was no Senator or Representative in Congress from the 11 States which are to be mainly affected by its provisions. The very fact that reports were and are made against the good disposition of the country is an additional reason why they need and should have representatives of their own in Congress to explain their condition, especially to accusations, and assist by their local knowledge in the perfecting of a measure immediately affecting themselves while the liberty of deliberation would then be free and Congress would have full power to decide according to its judgment. There could be no objection urged that the States most interested had not been permitted to be heard. The principle is firmly fixed in the minds of the American people that there could be no taxation without representation.— Great burdens are now to be borne by all the country, and we may best demand that they shall be borne without a murmur when they are voted by a majority of the representatives of all the people. I would not interfere with the unquestionable right of Congress to judge each house for itself of the election returns and qualifications of its own members. But that authority cannot be construed as including the right to put out in time of peace any State from the representation to which it is entitled by the constitution. At present all the people of eleven States are excluded—those who were most faithful during the war not less than others. The State of Tennessee for instance, whose authorities were engaged in rebellion was restored to all her constitutional relations to the Union by the patriotism and energy of her injured and betrayed people before the war was brought to a termination. They had placed themselves in relation with the general government; had established a state government of their own and as they were not included in the emancipation proclamation, they, by their own act, have amended their constitution so as to abolish slavery within the limits of their State. I know of no reason why the State of Tennessee, for example, should not fully enjoy her constitutional relations to the United States. The President of the United States stands toward the country in a somewhat different attitude from that of any member of Congress chosen from any single district or State. Eleven States are not at this time represented in either branch of Congress. It would seem to be his duty on all proper occasions to present their just claims to Congress. There always will be differences of opinion in the community and individuals may be guilty of violations of the law, but these do not constitute valid objections against the right of States to representation. It would in no wise interfere with the decision of Congress with regard to the qualifications of members.— But I hold it my duty to recommend to you in the interests of peace and interests of the Union, the admission of every State to its share of public legislation, when, however, insubordinate, insurgent or rebellious its people may have been, it presents itself in an attitude of loyalty and harmony, but in the persons of representatives whose loyalty cannot be questioned under the existing constitutional and legal test. It is plain that an indefinite permanent exclusion of any part of the country from representation must be attended by a spirit of disgust and complaint. It is unwise and dangerous to pursue a course of measures which will unite any large section of country, no matter how much the latter may predominate. The course of immigration, development of industry and business and natural causes will raise up at the South men as devoted to the South as devoted to the Union as those of any other part of our land; but if they are excluded from Congress, if in permanent status they are declared not to be in full constitutional relations to the country, they may think they have cause to become a union in feeling and sentiment against the Government. Under the political education of the American people the idea is inherent and irradicable that the consent of the majority of the whole