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_3rd War

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Smith, 1st Primary; Mrs, Carrie Johnson, 2d Pr Temple of Honor. Brownville Lodge, No. — meets every Mon-day evening field Fellow Hall. Visiting broth-ers conflally welcomed. Jno L. Carson, W.C.T; Win, H. Hoover W. Rec.; T. C. Hacker, L. D.

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Kuights of Pythins.

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Davison, M. E. H. P. R. T. Rainey, Sec. Mt. CarmelCommandery No. 3, K.T.-Stated Furnas, E. C.; A. W. Nickell, Rec. Rose and Lily Conclave, No. 63, K. R. C. R. &C.-Meets at Masonic Hall on the cital and days. R. W. Furnas, M. P. Sov. R. T. Rain

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Brownville Lodge No. 69, I O. of G. T gers of our order visiting the city are invited to meet with us. Thos Richards, W. C. T. Mis Mattle Kauffman, Sec. G.W.Fairbrother, Sr.L.I. Nemaha City Lodge No. 109,-Meets every Manday evening. Phillp Crother, W. P. Crother, Sec. D. A. Morton, L. D. Aspinwall Ledge No. 168, Meets every Saturday evening, John S. Minick, W. C. T. T. J. Hitt, Sec.

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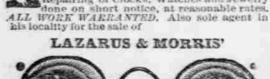
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THE PRESIDENT'S VETO.

OF THE BILL FORBIDDING THE USE OF THE ARMY FOR STATES LAWS ON DAYS OF Jefferson: ELECTION.

Incontrovertible Facts, Unanswers ble Arguments, Impregnable Position.

To the House of Representatives: After a careful consideration of th bill entitled 'An act to prevent mili tary interference at elections,' I return it to the House of Representatives, in which it originated, with the following objections to its approv-

In a communication sent to the House of Representatives on the 29th of last month returning to the House without my approval the bill entitled 'An act making appropriations for the support of the army for the fiscal year wednesday evening in Masonic Hall. Visiting Knights cordially invited. E. Huddart, C.C. brief statement of facts in regard to to time, to adapt it to the existing the recent elections in several States, United States.

The fact was presented in that communication that at the time of the passage of the act of June 18, 1878, in relation to the employment of the army as posse comitatus, or otherwise, It was maintained by its friends that Adah Chapter No. 2. Order of the Eastern Star. it would establish a vital and fundamental principle which would secure to the people protection against a standing army.

> The fact was also referred to, that since the passage of this act, Congressional. State and municipal elections had been held throughout the Union, and that in no instance has complaint been made of the presence of United

Holding, as I do, the opinion that any military interference whatever at the polls is contrary to the spirit of our institutions, and would tend to destroy the freedom of elections, and sincerely desiring to concur with Congress in all of its measures, it is with very great regret that I am forced to the conclusion that the bill before me is not only unnecessary to prevent posed to abrogate it on certain days, such interference, but is a dangerous departure from long settled and important constitutional principles.

The true rule as to the employment of military forces at elections is not hour, at any place in any of the States doubtful. No intimidation or coercion should be allowed to control or teachings of experience in the course influence citizens in the exercise of of our history are in favor of sustaintheir right to vote, whether it appears ing its efficiency unimpaired on every in the shape of combinations of evildisposed persons, or of armed bodies of militia of a State, or of the milita- the perpetuity of our institutions imy forces of the United States.

The elections should be free from all forcible interference, and as far as practicable from all apprehension of such interference. No soldiers, either of the Union or of the State mili-Other lodges in the county that desire a place in tia, should be present at the polls to take the place or to perform the duties of an ordinary civil police force. There has been and will be no violation of this rule under the orders from me during this administration. But there should be no denial of the right of the National Government to employ its military force on any day at any place, in case such employment is necessary to enforce the Constitution and laws of the United States.

The bill before me is as follows: are himself cheaply, privately and radically.

any place where a general or special Lincoln issued his call for troops to CHARLES HELMER, Address the Pudlishers. any part of the army or navy of the ous other occasions of less signifimade in pursuance thereof, on the and almost without attracting public application of the Legislature or the attention. WAGON MAKING, Repairing, Executive of the State where such

> hereby repealed.' organization of the Government un- elections if the bill before me should der the constitution, and was approv- become a law.

1792. It is as follows: acted, that whenever the law of the debates on this measure. They re-United States shall be opposed, or the late to extradition, to crimes against execution thereof obstructed, in any the election laws, to quarantine reg-

be suppressed by the ordinary course ervations, to civil rights of citizens, of judicial proceedings, or by the pow- and to other subjects. In regard to ers vested in the Marshals by this act, them all it may be safely said that the same being ratified to the Presi- the meaning and effect of this bill is dent of the United States by an As- to take from the general government sociate Justice or District Judge, it an important part of its power to enshall be lawful for the President of force the laws. the United State to call for the mili- Another grave objection to the bill tia of such States to suppress such is its discrimination in favor of the combinations and to cause the laws State and against the national authorto be duly executed, and if the militia ities. The presence or employment of of a State where such combinations the army or navy of the United States may happen, shall refuse, or be insuf- is lawful under the terms of this bill lawful for the President, if the Leg- ing held in a State to urhold the auislature of the United States be not thority of a State government. Then such numbers of the militia of any itary intervention, but unlawful to other State or States most convenient uphold the authority of the Governthereto as may be necessary; and the ment of the United States, then and may be continued, if necessary, until vention. Under his bill the presence

MORE PRECEDENTS. In 1795 this provision was substantially re-enacted in a law which re-

sion.'

pealed the act of 1792. In 1807 the following act became the THE ENFORCEMENT OF UNITED law, by the approval of President

> 'That in all cases of insurrection or obstruction to the laws, either of the United States or of any individual State or Territory where it is lawful for the President of United States to call forth the militia for the purpose of suppressing such insurrection, or of causing the law to be duly executed, it shall be lawful for him to employ for the same purpose such part of the land or naval force of the United States as shall be judged necessary, having first observed all the prerequisites of the law in that respect.

By this act it will be seen that the scope of the law of 1795 was extended so as to authorize the National Government to use, not only the militia, but the army and navy of the ending June 30, 1880, and for other United States in causing the laws to purposes,' I endeavored to show, by be duly executed. The important quotation from the statutes of the provision of the acts of 1792, 1795, and 1808, modified in its terms from time that no additional legislation was need an act approved by President Lincoln, ed to prevent interference with elec- July 26, 1861, it was re-enacted subtions by military or naval forces of the stantially in the same language in which it is now found in the Revised Statutes, viz:

Section 5,293. Whenever any reason of unlawful obstructions, combinations or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable in the judgment of the President, to enforce by the ordinary course of judicial proceedings, the law of the United States within any State or Territory. it shall be lawful for the President to call forth the militia of any or all the States, and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion, in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution thereof forcibly obstructed.

This ancient and fundamental law has been in force from the foundation of the government. It is now proand in certain places. In my judgment no fact has been produced which tends to show that it ought to be repealed or suspended for a single or Territories of the Union. All the occasion when the supremacy of the Constitution has been resisted, and periled. The principle of this siatute enacted by the fathers has enabled the Government of the Union to maintain its authority and to preserve the integrity of the nation at the most critical periods of our history.

My predecessors in the executive office have relied on this great principle. It was on this principle that President Washington suppressed the whisky rebellion in Pennsylvania in 1794. In 1806, on the same principle, President Jefferson broke up the Burr conspiracy, by issuing orders for the employment of such force, either of the regulars or of the militia, and by such proceedings of the civil authorities, as might enable them to suppress effectually the further progress of the enterprize. It was under the same authority that President 'Be it enacted, etc., that it shall not Jackson crushed nullification in be lawful to bring to or to employ at South Carolina, and that President election is being held in the State, save the Union in 1861. On numer- U United States, unless such force be cance, under probably every adminisnecessary to repel armed enemies of tration, and certainly under the presthe United States, or to enforce Sec- ent, this power has been usefully extion 4 of Article 4 of the Constitution erted to enforce the laws without obof the United States, and the laws jection to any party in the country,

The great elementary constitutional force is to be used; and so much of all principle which was the foundation laws as is Inconsistent herewith is of the original statute of 1792, and which has been its essence in the va-It will be observed that the bill ex- rious forms it has assumed since its empts from the general prohibition first adoption, is that the government Clocks, Watches, Jewelry against the employment of a milita- of the United States possesses, under ry force at the polls two specified cases. | the Constitution, in full measure, the Reeps constantly on hand a large and well assorted atock of genuine articles in his line Repairing of Clocks, Watches and Jeweiry code the soundness of the principle agencies altogather independent of ness in this county. Address with refrances, J. E. cede the soundness of the principle agencies altogether, independent of that military forces may properly and the State authority, and, if need be, constitutionally be used at places of against the hostility of the State govelection when such use is necessary ernments. It should remain embodto enforce the constitution and laws, led in our statutes unimpaired, as it but the excepted cases leave a prohi- has been from the origin of the govbition so extensive and far-reaching ernment. It should be regarded as that its adoption will seriously im- hardly less valuable or less sacred than pair the efficiency of Executive De- a provision of the Constitution itself. partment of the Government. The There are many other important first act expressly authorizing the statutes containing provisions that use of military power to execute the are liable to be suspended or annulled laws was passed almost as early as the at the times and places of holding

ed by President Washington, May 2, I do not undertake to furnish a list of them. Many of them, perhaps 'SECTION 2. And be it further en- most of them, have been set forth in SAMPLE ROOM ON FIRST FLOOR. State, by combinations too powerful to ulations, to neutrality, to Indian res- pare time at this business. Address Stinson & Co. 5131

ficient to suppress the same, it shall be at the place where an election was bein session, to call forth and employ and there the need of such miluse of the militia so to be called forth | there in need of such military interthe expiration of thirty days after the and employment of the army or navy commencement of the ensuing ses- of the United States would be lawful, and might be necessary to maintain the conduct of a State election against the domestic violence that would overthrow it, but would be unlawful to maintain the conduct of a national election against military power resorted to for the execution of the constitutional powers in support of the State or national authority. Both functions of the government were put upon the same footing. By theact of 1807 the employment of the army and navy was authorized for the performance of both constitutional daties in utes on the same subect matter, the same measure of authority to the government has been accorded for the CITY BAKERY. performance of both tiese duties. No precedent has been found in any previous legislation and no sufficient reason has been given or the discrimination in favor of he State and against the national athority which this bill contains. Unler the sweeping terms of the bill thenational government is effectually but out from exercise of right and fron a discharge of an imperative dut, to use its whole executive power thenever and wherever required for the enforce-

ment of its laws. where its elections are bld, the employment of its organizedarmed force for any such purpose wold be an offense against the law unles called for by and therefore upon prmission of the authorities of the Stat in which the occasion arises. What is this but the substitution of the decretion of the State governments fo the discretion of the Government othe United States as to the performace of its own duty.

In my judgment this is a abandonment of its obligations by he national government-a suborcnation of national authority and an atrusion of State supervision over ntional duties, which amounts, in spirit and tendency, to State supremacy. Although I believe that the existing statutes are abundantly adquate to completely prevent militaryinterference with the elections in he sense in which the phrase is useda the title of this bill, and is empoyed by the people of this country, I hall find no difficulty in concurring it iny additional legislation limited tobat object which does not in terfere with the indispensable exercise of theoowers of the government and the custitu-

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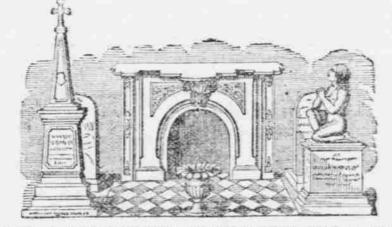
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