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JONAS SEELY, ATTORNEY AND COUNSELLOR AT LAW, Omaha, Nebraska.

WILLIAM N. BYERS, DEALER IN REAL ESTATE and General Business. Agent, Conveyancer and Notary Public. Office on corner west of the County Recorder's Office, on Park street, Omaha, N. B.

JESSE LOWE, LAND AGENT, OMAHA, NEBRASKA.—Office on Park street.

NOTICE. IS HEREBY GIVEN, that Sealed Proposals will be received at the office of the County Clerk, of Dakota County, at Dakota City, until the 1st day of February next, until 10 o'clock of said day, for the erection of a Brick Court House for said County at Dakota City. The plan and specifications for said building can be seen at the office of the County Clerk.

GOVERNOR'S MESSAGE, VETOING THE SLAVERY BILL.

EXECUTIVE CHAMBER, OMAHA, Jan. 9, 1860. To the Honorable, the Council of Nebraska Territory:— I have the honor to return to you "An Act to prohibit Slavery," unsigned and with my objections.

This Act, necessarily, involves the whole question of power or jurisdiction over the subject matter. If slavery exists here in law or in fact, to prohibit it is to abolish it. If it does not exist, where is the need for legislation? But I do not stop to measure the relative value of mere words, which may be used, indifferently, and for the same object.

For the purpose of considering the question with distinctness, I will first examine it, as it may or may not be affected by the treaty with France. This Territory was part of Louisiana, and all agree that when we acquired Louisiana in 1803, it was slave Territory and slaves were property. The third article of the treaty by which Louisiana became acquired to the United States, is important at this point.

It is a stipulation in the treaty "that the inhabitants of the ceded territory shall be incorporated in the Union of the United States," and it is every whit as strong a stipulation that "in the mean time" they shall be protected in "the free enjoyment of their liberty, property and the religion which they profess."

It is written in the bond, and however I may lament that it was ever so written, I must faithfully perform its obligations. "N. B. what was written in the bond?" "as it not that the people of the ceded territories are to be secured in their rights of property, person and religion, as well as that they should be admitted into the Union, on an equal footing with the original States?"

In the Dred Scott case Mr. Justice Catron says, "Louisiana was a province, when slavery was not only lawful, but where property in slaves was the most valuable of all personal property. The Province was ceded as a unit, with an equal right pertaining to all its inhabitants, in every part thereof, to own slaves."

Judiciary is not that department of the Government to which the assertion of its interests against foreign powers is confined. But under the third article, individual rights of person, property, and religion are guaranteed, and may not be swept away by legislation.

It is also said that, "the stipulation was temporary, and ceased to have any effect when the then inhabitants of the Territory of Louisiana, in whose behalf the stipulation was made, were incorporated into the Union."

And yet, what does this opinion amount to, except, as so far as the State of Louisiana itself was concerned, the stipulation ceased to operate, because the state had passed beyond "the mean time" mentioned in the third article of the treaty; and its inhabitants were admitted to the "enjoyment of all the rights, advantages and immunities of the citizens of the United States."

It is then a fair and irresistible conclusion, that the third article of the treaty did include the whole of the Louisiana purchase; and it is an undeniable truth, that the citizens of the several States might go into any of the Territories carved out of the acquisition, and carry with them their property.

The Federal Government is a government of States, and not of individuals or of masses. People make up the States and States make the Confederacy. Through the general Government acts on individuals, within and without the States, it is only in the exercise of powers, delegated by the States and conferred in the Constitution.

All territory is required to become a State; but it is likewise required for the common benefit of the existing States. It is theirs, and the Federal Government holds it as their trustee. Consequently, every citizen of every State has a share in it. It is his in the first instance, because he is a citizen of some one of the "United States," and he has a right to enter into the territory, clothed with his rights as a citizen of the State.

Who recognizes slaves as property, is settled beyond a doubt. And though it carries slavery to the law of Kentucky, escapes into Ohio; under the Constitution, he is still as much property as he was before. The law of Kentucky does not follow him, nor can it hold him within the State where slavery is prohibited; but the Constitution can, and does.

It is also said that, "the stipulation was temporary, and ceased to have any effect when the then inhabitants of the Territory of Louisiana, in whose behalf the stipulation was made, were incorporated into the Union."

This brings us to the question of power in the Territorial Legislature. Have we the power to manage our domestic affairs in our own way, and exercise the rights of legislation as a free people? I answer we have, beyond peradventure or doubt. But communities, like individuals, have relative duties, as well as absolute and relative rights; we must use our own rights, so that we do not injure or take away the rights of others.

It should be remembered that the restrictive line against slavery, known as 36° 30', was designed, not only to control the Territory north of that line but to exclude slavery forever from all States to be formed between that line and the 49th degree; thus making the act of Congress to operate on States as well as Territories. I say this was the design in the act of 1820, and Mr. Clayton proved it in the Senate. Indeed the great object was, "to have no more slave States."

At the organization of Kansas and Nebraska, the Missouri restriction was blotted out and declared inoperative and void: "it being the true intent and meaning of this act not to legislate Slavery into any Territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

I intend the utmost respect, but I must say "the people" mentioned in the 14th section of the organic act, never did mean and never was intended to mean "the Territorial Assembly."

creation." This is true. When the people of this Territory meet in Convention to frame a Constitution for a State, they will then, for the first time, form their domestic institutions. This is creative power, and implies permanency. They will likewise form and regulate their domestic institutions, in their own way, subject only to the Constitution of the United States.

But not so when "the People" are referred to. They are subject only to the Constitution of the United States. In creating their own Constitution, and thus preparing to form and regulate their domestic institutions, in their own way, (not the way prescribed by Congress for the mere Territorial Government,) they are not subject to the "provisions of this act," but only to the Constitution of the United States.

And in thus forming their own institutions, in their own way, and entering the Union, with or without slavery, as they themselves may determine, the People vindicate the great doctrines of State Sovereignty and Popular Sovereignty together, and illustrate the harmonious workings of a perfect and complete system.

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case, that a majority of all the votes upon the question of State Government have been given in favor thereof, it shall be deemed and considered that the people of this Territory do not desire the admission of Nebraska as a State at this time and do not further authorize under or by virtue of this act, shall be had.

Sec 7 The sum of three thousand dollars hereby appropriated out of the Territorial Treasury to pay the members of each national convention, and the independent expenses of said body which may be incurred in the order of the convention.

Sec 8 Every white male person who shall be of the age of twenty-one years who shall possess the qualifications of a voter as prescribed by the laws of this Territory shall be a qualified elector in the election herein provided for, and every such person who shall have been a citizen of the Territory or of any State which he may be voted for, shall be eligible as a delegate from such county or district provided that no person who is by any statute of this Territory disqualified to vote or hold office therein in consequence of having been convicted of crime, or having violated any law of this Territory, shall be entitled to vote or be eligible as a delegate under this act.

Sec 9 The returns of each precinct or elector's district shall be made to the Clerk of the County in which it is situated, if there be such a Clerk or if not, then to the Clerk of the county first named in the clause of this act making such organized county a delegate district or a part thereof.

Sec 10 The County clerk to whom such returns shall be made, shall forthwith send by mail the abstract of the votes "for" or "against" State Government directed to the Secretary of the Territory of Nebraska and by any such clerk shall fail to transmit such abstract by the earliest mail between the county seat of such county and Omaha, he shall be deemed guilty of misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment at the discretion of the Court.

Sec 11 The votes of which abstract shall be received by the Secretary, shall be immediately canvassed by the Governor, Chief Justice and Secretary, and if it shall be found that a majority of all the votes cast shall be in favor of a State Government, the Governor shall forthwith make known by proclamation in at least two newspapers in the Territory, one which shall be published in Omaha, the result of the vote on the question of State Government, and as soon as the proclamation shall become known to the various county clerks, they shall proceed to canvass the vote for members of said convention, and shall issue certificates of election to the persons having respectively the highest number of votes for delegates from the several districts, and in case of a tie between two persons who have a sufficient number of votes to make it necessary the contestants shall in the presence of the canvassers, determine by lot which of them shall be the delegate, and the county clerk shall issue a certificate of election so accordingly.

Sec 12 All the provisions of the Act, concerning elections, approved January 28, A. D. 1856, and of the act entitled an act to amend an act in relation to elections approved Jan. 28th, 1856 which are not inconsistent with this act shall apply to the holding of the election, making returns and procuring returns when they shall not be duly received and the provisions of this act, and the Judges and Clerks of the last general election, shall conduct the election hereto provided for, provided that the county clerk in each of the counties of the Territory, shall have power, in the case of vacancies to appoint one or more electors as Judges of the election, as provided in this act when, when so appointed, shall have power to appoint in case of vacancy, Clerks of such elections.

Sec 13 This act shall take effect and be in force from and after its passage. Approved Jan'y 11 1860.

ROY ROGER B. TERRY. The Washington correspondent of the Philadelphia Gazette, referring to the resolutions of Judge Taft says: "At his advanced age every such a loss is a sad and serious apprehension; though he was withdrawn when hope was almost abandoned for many years past his health has been firm and sometimes critical. Yet he has formed great labor, and has been an attendant of the terms of the Supreme Court his powers of endurance and recuperation have excited surprise with casual observers who have only noticed his feeble and frame, indicating anything but the basis to disease which he has exhibited."

By the failure of Cook & Sargent, at I park, Iowa, some six hundred laborer \$60,000. The Pittsburgh True Press, was so by the Sheriff of that County on last Tuesday \$200. Gen. Johnson's Utah army and is so by the Mexican War, died in Washington, 1846. Col. Johnson's Utah army and is so by the Mexican War, died in Washington, 1846. To Judge of the speeches in Congress '59's. Which seem every day to grow viable or. If longer the choice of the House led I will be harder to find, than elect, Speaker. —N. Y. L.

A mass meeting of the Sons of Mal held in Buffalo, to respond to that of the President's Message recommending acquisition of the Island of Cuba.

There are in the United States forty Catholic Archbishops and Bishops, two Abbots, and two hundred and twenty secular and religious priests.

What! but this glorious country! Accused be thy tongue!— Her stars and stripes shall float! Long after you are hung!