

**BELLEVUE GAZETTE.**

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**BELLEVUE, N. T.**

**THURSDAY, DEC. 17, 1857.**

**Nebraska Legislature.**

The Fourth Legislative Assembly, of Nebraska Territory, convened at Omaha City, on Tuesday, Dec. 8, 1857.

**COUNCIL.**

Tuesday, Dec. 8th.  
Council was called to order, by Mr. Allen of Sarpy.

Gen. L. L. Bowen was chosen President *pro tem.*, Warshburn Safford, Clerk, *pro tem.*, when the Council proceeded to permanently organize, by the election of Geo. L. Miller, President, Washburn Safford of Otoe, Chief Clerk, Sam'l H. Elbert, Asst. Clerk, John Reck, Sergeant-at-Arms, and Joseph R. Cromwell, Door Keeper, Rev. Mr. Watson, Chaplain.

Wednesday, Dec. 9th.

The President announced the Standing Committees.

The Council repaired to the Hall of the House of Representatives, to hear the Governor's Message, after which, adjourned.

Thursday, Dec. 10th.

Mr. Reeves, Chairman of Select Committee, reported that the Government would pay the postage of the members and Chief Clerk of the Council.

The following Bills were introduced:  
An Act to locate a Territorial road from Omaha to Elkhorn River.

An Act to incorporate the City of Washington, in Dakota County.

An Act to incorporate the town of Omaha, in Dakota County.

An Act to repeal an act, entitled an act to restrain sheep and swine from running at large, in Dakota County.

An Act to provide for the better regulation of schools in Nebraska.

An Act amending the charter of Nemaha City.

An Act incorporating the Nemaha Hydraulic Company.

On motion of Mr. Bowen, a Committee was appointed to inquire into the condition of the Capitol building, its cost and to whom it belonged.

Messrs. Bowen and Rogers, were appointed such Committee. Adjourned.

Friday, Dec. 11th.

The following Bills were introduced:  
An Act consolidating the corporations of Nebraska City, South Nebraska City, and Kearney City.

An Act to incorporate the town of Greengrass.

Geo. A. Graves was elected enrolling and engrossing Clerk.

Messrs. Bradford and Rogers were appointed a Committee of two, on part of the Council, to confer with a like committee, on the part of the House, to report a criminal code. Adjourned.

Saturday, Dec. 12th.

The following Bills were introduced:  
An Act regulating fees and salaries.

An Act regulating the sale of spirituous liquors.

Mr. Bowen moved that a Committee of two be appointed on the part of the Council, to confer with like Committee from the House, to inquire into the condition of Banks in the Territory, and also to inquire into the expediency of enacting a general banking law, similar to the banking law of Wisconsin or Illinois.

Messrs. Bowen and Salisbury, were appointed such Committee.

Mr. Safford, by leave, introduced the following Bill:  
An Act exempting the homestead from forced sale.

On motion of Mr. Kirkpatrick, the Council went into the Committee of the whole, on the Governor's Message. Mr. Bowen in the Chair.

**HOUSE.**

Tuesday, Dec. 8th.

The House temporarily organized by electing S. A. Strickland of Sarpy, Speaker; S. M. Curran of Washington, Chief Clerk; Hudson George of Nemaha, Assistant Clerk; John E. Dailey of Douglas, Sergeant-at-Arms; Isaac K. Fisher of Douglas, Door Keeper.

On motion of Mr. Armstrong, a Committee of five was appointed to examine the credentials of Members. Messrs. Holloway, Hail, Stewart of Washington, Marquette and Taggart, were elected such Committee.

Wednesday, Dec. 9th.

The Committee on credentials reported that they had examined the credentials of members, and find the following members duly elected, and entitled to seats:

*Burl and Cuming.*  
William B. Beck.  
*Cass.*  
Lawson Sheldon, T. M. Marquette, E. A. Donelan.  
*Dakota.*  
William G. Crawford, Edward C. Jones.

*Douglas.*  
George Armstrong, James Stewart, Joseph W. Paddock, W. R. Thrall, Geo. Clays, John Steinberger, Andrew J. Poppleton, Michael Murphy.  
*Dodge and Platte.*  
John W. Taggart.  
*Nemaha and Johnson.*  
Albert J. Benedict, Samuel A. Chambers.

*Richardson and Pawnee.*  
Wingate King, A. F. Cromwell.  
*Sarpy.*  
Amos Gates, Charles Holloway, James Davidson, Silas A. Strickland.

*Washington.*  
Parris G. Cooper, P. C. Sullivan, James S. Stewart.  
*Otoe.*  
Wm. B. Hail, Joshua G. Abbe, J. C. Campbell, J. Sterling Morton, James C. Decker, D. B. Robb.

Which Report was received and adopted.  
On motion of Mr. Benedict, the name of Mr. Minch of Nemaha, was added to the list.  
Mr. Poppleton moved that the House now proceed to ballot for permanent officers. Carried.

Mr. Decker moved the House now proceed to elect officers, *visa voce*.  
Mr. Poppleton challenged motion.  
The Speaker decided House could only vote *visa voce* under rule.  
An appeal was taken, and the ayes and nays being demanded, resulted in the chair being sustained.

Mr. Poppleton moved suspension of rules. Carried.  
Mr. Poppleton moved that the House now proceed to ballot for permanent officers. Carried.  
Messrs. Paddock and Holloway were appointed tellers, for Speaker.

Mr. Holloway nominated Mr. Decker of Otoe. Mr. Paddock nominated Mr. Morton of Otoe.  
Mr. Decker was elected on first ballot by a vote of twenty to twelve.  
The House then proceeded to ballot for Chief Clerk. Messrs. Curran of Washington and J. Howard of Cass, were nominated.

Mr. Curran was elected on first ballot, by a vote of nineteen to fourteen.  
The House then proceeded to elect other permanent officers. Mr. Howard of Dakota was elected Assistant Clerk. Mr. Mathias of Sarpy, Sergeant-at-Arms. Mr. Fisher of Douglas, Door Keeper, and Rev. Mr. Chivington, Chaplain.

The Secretary then came within the bar and administered the oath of office to officers and members.  
The Council and House then met in joint Session, and received Governor's Message.  
On motion it was Resolved, That the Territorial Printer be directed to publish 3000 copies of Governor's Message.

Thursday and Friday.  
The greater part of these two days was occupied in a discussion of the propriety of electing a Page. The opponents of the measure, based their opposition upon the ground, that, as the United States Government had made no provision for the payment of such an officer, it was not right for the Legislature to saddle the expense upon the Territory. That it was the duty of the Legislature to retrench expense. That we had done without a Page last year, and could do without this year. However, after much and eloquent debate, the House decided to elect a Page.

Clarence Clark of Douglas was elected.  
The following notices of Bills were given:  
By Mr. Armstrong: A Bill to incorporate the Grand Lodge of Free and Accepted Masons of Nebraska.

By Mr. Steinberger: A Bill to repeal all the Bank Charters in the Territory.  
By Mr. Abbe: A Bill to incorporate the town of Brooklyn, in Otoe County. Also a Homestead Bill.  
By Mr. Poppleton: A Bill to provide a criminal code for Territory of Nebraska.

By Mr. Paddock: A Bill to incorporate the Omaha Library Association.  
By Mr. Taggart: A Bill to amend the charter of the city of Fontenelle.  
By Mr. Hail: A Bill granting a charter for a Ferry across Missouri River at Nebraska City.

By Mr. Martin: A Bill to consolidate Kearney City, Nebraska City and South Nebraska, under one municipal charter.

By Mr. Strickland: A Bill to incorporate an Agricultural Society, for the County of Sarpy.  
By Mr. Holloway: A Bill to repeal Act incorporating Leau qui court company.  
By Mr. Sullivan: A Bill amending attachment Law. Also, a Bill repealing exemption law.

By Mr. Campbell: A Bill to regulate traffic in intoxicating liquors.  
By Mr. King: A Bill to authorize arbitration of causes pending in District Courts.  
Notices of a number of other Bills of minor importance were given, which we will notice in their proper place.

Mr. Armstrong presented the petition of Alonzo Perkins, claiming a right in Perkins to sit as a Delegate from Washington County, which was referred to a Committee on Privileges and Elections.  
The Committee on Credentials reported that they had examined the credentials of Joseph Van Horn; and that he was entitled to a seat in the House as Delegate from Cass.

Mr. Van Horn was sworn in.  
The House then determined that their daily sessions should commence at 9 o'clock, A. M.

Saturday, Dec. 12th.

On motion of Mr. Holloway, the Clerk was instructed to furnish each member of the House with twenty copies per week, of some newspaper or newspapers, published in the Territory, to be selected by each member.  
The Committee on Rules and Regulations, for the Government of the House, reported that they had examined Rules of last House, and recommended their adoption.

Report received and adopted; and 150 copies of said rules ordered to be printed for use of members.  
Mr. Stewart of Douglas, presented Report of Superintendent of Com. Schools; which was received and adopted, and 500 copies ordered to be printed for use of members.

House went into Committee of the whole on Governor's Message. Mr. Paddock in the Chair.  
Mr. Strickland gave notice of a Bill to regulate manner, and change day of holding general election.

Messrs. Bowen and Salisbury of Council, and Messrs. Armstrong, Strickland, and Donelan of the House, were appointed a joint Committee, to investigate the condition of Banks in the Territory.  
The greater part of the afternoon session, was spent in an exhibition of the country members, to the inspection and scrutiny of the urbane ladies. Said exhibition was highly satisfactory to the ladies. But one incident transpired to mar the harmony of the occasion. Several of the members from the outer districts, would indulge in raising a cloud of smoke, caused by burning of the Virginia weed. At this the ladies became disgusted, and left in high dudgeon.

**Standing Committees.**

**COUNCIL.**

*Judiciary.*—Messrs. Bradford, Rogers and Kirkpatrick.  
*Finance, Ways and Means.*—Messrs. Kirkpatrick, Reeves and Allen.  
*Education.*—Messrs. Furnas, Bowen and Paett.  
*Military Affairs.*—Messrs. Bowen, McDonald and Clancy.

*Highways, Bridges and Ferries.*—Messrs. Safford, Furnas and Salisbury.  
*Expenditures.*—Messrs. McDonald, Safford and Bowen.  
*Incorporations.*—Messrs. Salisbury, Kirkpatrick and McDonald.

*Territorial Library.*—Messrs. Clancy, Allen and Bradford.  
*Public Buildings.*—Messrs. Rogers, Salisbury and Paett.  
*Elections.*—Messrs. Rogers, Clancy and Safford.  
*Counties.*—Messrs. Paett, Salisbury and Safford.

*Printing.*—Messrs. Kirkpatrick, Rogers and Paett.  
*Agriculture.*—Messrs. Reeves, McDonald and Furnas.  
*Enrolling and Engrossing Bills.*—Messrs. Allen and Reeves.

**HOUSE.**

*Privileges and Elections.*—Messrs. Campbell, Strickland, Chambers, Paddock and Beck.  
*Ways and Means.*—Messrs. Thrall, Steinberger, Beck, Jones, and King.  
*Judiciary.*—Messrs. Crawford, Poppleton, Marquette, Campbell and Sullivan.  
*Accounts and Expenditures.*—Messrs. Abbe, Armstrong, Benedict, Rogers and Sheldon.

*Agriculture.*—Messrs. Chambers, Cromwell, Vanhorn, Murphy and Morton.  
*Roads.*—Messrs. Stewart, of Douglas, Robb, Jones, Thrall, and Minch.  
*Militia.*—Messrs. Gates, Cooper, Clays, Thrall, and Sheldon.  
*Public Buildings and Grounds.*—Messrs. Hail, Donelan, Holloway, Poppleton, and Benedict.

*Internal Improvements.*—Messrs. Clays, Davidson, Robb, Minch, and Rogers.  
*Federal Relations.*—Messrs. Donelan, Stewart of Washington, Murphy, Gates, and Crawford.

*Engrossed and Enrolled Bills.*—Messrs. Paddock, Davidson, Abbe, Vanhorn, and Cooper.  
*County Boundaries, and County Seats.*—Taggart, Hail, Holloway, Vanhorn, and Beck.  
*Corporations.*—Messrs. Holloway, Steinberger, Cooper, Hail, and Benedict.

*Library.*—Messrs. King, Thrall, Minch, Morton, and Davidson.  
*Banks and Currency.*—Messrs. Strickland, Sullivan, Robb, Stewart of Douglas, and Steinberger.  
*Common Schools, Colleges, and Universities.*—Messrs. Stewart, of Washington, Murphy, Sheldon, Armstrong, and Cromwell.

*Public Printing.*—Messrs. Marquette, Davidson, Taggart, Morton and Armstrong.  
**Governor's Message.**  
*Gentlemen of the Council and House of Representatives:*

We are assembled, to-day, under the most favorable auspices. The Territory of Nebraska has, thus far, achieved all that her friends could ask. Her early organization and rapid progress have signally illustrated the safety and expansive force of the principles of the federal compact, from which naturally, sprang her Organic Act.  
The imprint of her "Great Seal" has been genuine. "POPULUS SOVEREIGNUS" has been vindicated; "PROGRESS," verified. Peace and good order, practical vigor and manly observance of constitutional obligations have characterized the conduct of our people. No dangerous agitations or political heresies have been permitted to take root; but the seeds of industry, education and law, planted at the commencement, by enterprising and practical men, have yielded the legitimate fruit of a safe and efficient self government.

Under such circumstances, and inhabiting a country of such vast extent, natural beauty and productive wealth—although lamentable dissensions have given to our sister territory a wider notoriety—we may well congratulate each other, to-day, upon our verification of the political truth,—"Happy is that people whose annals are tranquil."

We have assuredly, no ordinary cause of gratitude to Him who rules over all things, for the opportunities vouchsafed us—the advantages of geographical position—on the great natural line of commerce—a foremost place in the race of Territories—and the facilities of modern improvements and great enterprises to promote our advancement in every department of industry and art. By a continued adherence to wise and moderate councils—by earnest and real public spirit and internal harmony, immigration will be rapidly increased—our new counties speedily populated—the great cities of the sea board will identify with ours their commercial interests—and capital once more liberated from financial paralysis will find its safe and more profitable investment in the fee-simple of our fertile woodlands, prairies and valleys.

Reposing entire confidence in the integrity and intelligence of the representatives of a great people, convened to deliberate for the general good, I cordially unite with you in a deep sense of the responsibilities devolved and a sincere desire to co-operate with you in meriting the good opinion of our constituents at large. To protect most effectually their interests; to elevate public character; to foster industry, temperance and virtue; to build up institutions of charity; to educate those who are to follow us; to stimulate to public spirit and moral manliness; to systematize and adapt the duties of Territorial, County and Township officers; to consolidate and perfect a code of practice; to develop our natural and mineral wealth; in a word, to direct the Supreme power to the best good of the governed—and achieve for Nebraska that sterling name and conspicuous place which her natural resources and the spirit of her people deserve and demand—and to effect all this in the short space of forty days, in an assembly of two Houses and conflicting interests, is a manner satisfactory to any of us, is certainly a task requiring conscientious and constant application, regardless of considerations of personal or local gratification or advantage.

We meet to-day, for the fourth time, at the place first chosen for the Territorial Capitol, and in the spacious and imposing edifice now nearly completed under the appropriation by the General Government, and through the public spirit of the City of Omaha. The cost of the structure having far exceeded the estimates and the deficit having been promptly contributed for the general good, there can be no doubt that justice of an earnest appeal for the reimbursement of the amount (\$50,000) will be recognized by every citizen; nor can we refrain from the belief that Congress will not be reluctant to defray the additional requisite expense.

The actual necessities of the Territory require the services of a Surveyor General, and assurances have been received encouraging the hope that an effort to secure such an appointment will be successful.

The memorial for the proper distribution of troops along the emigrant line should also be renewed, in connection with an application for grants of land for railroads. The propriety of such assistance from the General Government is unquestionable. We are on the direct line of communication between the great ports of the Atlantic and Pacific. The commerce of the lakes swells the tide with the mineral and agricultural wealth of the north, and if to-day the wisdom of the federation should be called upon to fix the most feasible and profitable national route, it would seem that a determination in favor of this natural line between the depots of the far east and west, along the Valley of

the Platte, would be coerced by the necessities of trade, with the force of mathematical truth applied to experimental practice.  
Private enterprise cannot be relied upon to undertake so stupendous a project. Under the social and business system of this country, there is no monopoly. Individuals, with or without money, credit or position, may project railroads and other internal improvements, barter in shares and at last abandon their schemes to their own advantage and the ruin of others. The fluctuations and uncertainties of private speculations will not be seriously entertained in the action of the General Government upon a matter of such admitted military necessity and national importance. Provisions for a railroad to the Pacific, along the route above mentioned should be urgently sought from Congress at its present session, before the most valuable land shall have been secured by speculators or settlers.

We may congratulate each other however, on the actual commencement of a work of approximate and preliminary importance. The arrangements for the completion of the second Division of the Atlantic and the Pacific Telegraph—from the Missouri River to the Pacific, have been perfected under the direction of Messrs. Henry O. Reilly, John J. Speed and other eminent contractors and practical telegraphers. While the public pulse has been so quickened by the hope of an Oceanic communication between the old and new worlds, comparatively little has been said in respect to a line of more direct benefit to our own country—to be built without either money or favor from the Government—and requiring only such protection as the interests of the country demand for the security of Emigrants. The proprietors solicit only a proper distribution of Government Troops, in garrisons separated by a reasonable distance—and having a certain and daily communication by means of detachments. By troops thus apportioned, the letter mails could be regularly transmitted, travelers protected, railroad projects advanced, the country colonized and the telegraph line completed in a short space of time, without addition expense to the General Government. The citizens of the West can not regard with indifference so public spirited an effort and in which the only encouragements asked is that protection of intercourse which should long since have been conceded, in justice to western interests.

A memorial should also be forwarded, praying for an appropriation for a military bridge across the Platte River. Every good citizen ardently desires that in fruitless sectional alienation heretofore existing between the two sections of the territory should cease forever, and will heartily approve the endeavors of your honorable body to contribute to such a result. The importance of the earliest transmission of these memorials to Congress should elicit immediate action.

To the country at large the past has been truly an eventful year. A disastrous monetary revulsion—delayed for a time by the great supplies of gold from Western discoveries—has befallen us at last—prostrating credit—destroying confidence—ruining individual and associated capitalists—disclosing monstrous frauds, and bringing distress, penury and beggary to the doors of tens of thousands of the industrious classes, all over the Union. In the public prints are long lists of broken or suspended banks. The immense influx of coin has only stimulated to an increased manufacture of paper promises. It is estimated that about two thirds of the currency of the country is *Debt*.—The crisis was inevitable, and it remains only to profit by its severe and emphatic warnings.

It may be urged that specie is again returning to its former channels, and that public trust will soon revive. Yet what an amount of coin will repair the injury already wrought or afford a basis of security against human avarice, stimulated to extravagant speculation, and unscrupulous excesses, by the facilities afforded by an insecure Banking System. The history of "profitable" banking is inevitably the history of alternate depression, overaction and ruinous expansion. May we not hope that the events of the year will lead to a general reform, and to the restriction of paper to the use of commercial men? Believing, as I do, that the whole system of Banking is insecure—even when based on State Stocks and Securities—where one promise to pay is made the basis of another—both, perhaps, equally falacious—and being especially convinced that the institution of banks in this Territory was impolitic, and that there are imperfections in the Charters—I respectfully urge that some adequate means be taken to remedy the evil, and protect our citizens in future. Many persons who have realized from such systems, advantage to themselves, may have heretofore been no danger to others. But the experiment has now, at last, been fully tried, and none can be so far deluded by the transient stimulus and temporary vigor imparted to business transactions by traffic in expanded credit, as to fail to see the necessity of additional protection of labor and of the great agricultural and other producing interests, upon which our true prosperity depends. The action of the first few years is apt to fix the character of the future State; and, in the important respect of the financial policy, to be pursued, no timidity or indifference or interested motives should be permitted to prevent or postpone a determined effort to avert in future, calamities such as those from which the country is just emerging.

The Banks now in existence in the Territory are perhaps as safe as most of such institutions—prudently managed in their infancy, but few of the community have suffered loss; yet it is equally true, that

the profits are to be made hereafter. In the mean time, gold and silver, withdrawn from Eastern adventurers and depositors, may be expected in sufficient quantities for the ordinary purposes of trade. Although, therefore, Paper Money is now so identified with the business habits of the community, that the prospect of its abolition perhaps for a long time to come seems impracticable, and to many absurd; yet, within our own jurisdiction, by proper safeguards and restrictions, we may approximate such a result; and may now provide that the full specie equivalent of all circulated bank paper shall be at all times within the reach of every citizen.—By a monthly, or at least quarterly inspection of the Banks, by sworn and responsible officers, it can be known that specie means, are actually held, fairly proportionate to paper issues. The circulation of bank notes of a smaller denomination at first than five dollars; and afterwards of ten dollars, should be prohibited, and it may be provided that Commissioners shall assume the direction of the affairs of suspended banks, on the first day of their suspension. It seems also worthy of consideration whether the excessive importation of foreign bank bills should not be restricted by requiring the additional endorsement of such Banking Houses—chartered or private, as may issue them.

The institution of Bankrupt and Relief laws has been urged by many—for the purpose of augmenting our Federal Wealth—the first for the accommodation of insolvent debtors, reducing to embarrassment by unlooked for disasters—the last for the security of encumbered capitalists against foreign liabilities. Under no such laws can a just discrimination be made between the unfortunate delinquent and the successful and unprincipled swindler. Their necessary effect is to ignore the faith of contracts and demoralize society without conferring ultimate benefit. Considerations of policy as well as of morals, dictate that our real welfare can only be consulted by occupying and retaining a safe, elevated, and honorable position, the experience of communities, as well as of individuals having abundantly taught that true happiness and greatness have no friends as sure as Integrity and Honor.

Our code of practice is universally regarded by the bar as meagre and defective. The statutes are limited, confused and contradictory: in consequence both the bar and the public are unable to determine the correct mode of procedure in cases of frequent occurrence; and the judges being left without a definite statutory guide in their decisions, have too great a latitude of discretion—as little desirable to them, as annoying to parties.—To accomplish the desired amendments, one or more practical and experienced lawyers should be appointed, and such reasonable compensation allowed as will induce them to devote to the work the necessary time and study. It is impossible for a committee of the legislature, amid the pressing duties crowding upon them in a brief session to contribute the required ability and attention. There are needed steady and faithful comparison of one part of the code with another, and careful examination of analogous statutes of other states and of the decisions of the courts.

In August, 1856, Congress passed an act for the purpose mainly of reducing the expenses of the Territorial Courts, thrown upon the federal treasury. Under this law the judges are required to fix the times and places of holding the courts, but are restricted to three points in the Territory, or one in each district.—Hence, parties, jurors and witnesses are compelled to attend from remote parts of the district—or the judges must assume the responsibility of delaying proceedings. An effort should be made to amend the act by a provision allowing each county to assume and defray the additional expense necessary for the public convenience.—The necessity of passing an act permitting the payment by the counties of the extra expenses—in case the law of Congress should be amended—is obvious and imperative.

The increase and changes of our population seem to demand a new arrangement of Judicial Districts. The recent and rapid settlements northward of Dakhota extending to Niobrara, have imposed an undue proportion of labor on the judge of the Third District. A modification of the present division is therefore suggested—by attaching one or more counties north, to the Capitol District and uniting the counties south of the Platte in the allotment to the second District.

In the action of nearly all Legislative assemblies and communications from executives, the highest importance has been attached to the faithful administration of an efficient common school system. In a country founded on the absolute equality of the people it is vitally necessary that the character of the district school should favorably compare with the grade of select Academies—thus placing the means of thorough education within the reach of all. Our Territorial assembly has provided an adequate law, the provisions of which have been almost entirely unheeded.—Many County Superintendents have failed to qualify as prescribed in Sec. 19 and 20, Chap. 15, 2d Statutes; and the County Clerks have provided no substitutes; nor has the forfeit been collected by the prosecuting attorney as provided in Sec. 23. Others have neglected to report to the Superintendent of Public Instructions on the first of November, as ordered in Sec. 32, thus the law has been rendered virtually a dead letter. In many, if not all the counties, no districts have been formed, no taxes levied—no teachers employed, and no steps taken in respect to school lands. The act of Congress of 1857, providing for the selection of other sections in lieu