THE ASHLAND UNION.

The Ashland Union.

C. W. BUSHNELL......Editor.

ASHLAND:
Wednesday Morning, Jan. 30, 1856.

Democratic Presidential Electors.

SENATORIAL ELECTORS.

WILLIAM KENNON, Jr. of Belmont.
ALEXANDER P. MILLER, of Butler.

CONGRESSIONAL ELECTORS.

1st. Sheldon I. Kellogg, of Hamilton.
2d. Henry F. Sedam, of Hamilton.
3d. David Clark, of Montgomery.
4th. J. H. Thomas, of Darke.
5th. Edward Foster, of Williams.
6th. Michael H. Davis, of Clermont.
7th. William Crossen, of Warren.
8th. William Kebshner, of Clark.
9th. George E. Seena, of Seneca.
10th. Levi Dungan, of Jackson.
11th. Alfred McVeigh, of Fairfield.
12th. Jacob Slyh, of Franklin.
13th. John Tift, of Huron.
14th. John C. Myers, of Ashland.
15th. Joseph Burns, of Coshocton.
16th. James M. Gaylord, of Morgan.
17th. Benjamin P. Spriggs, of Noble.
18th. Alphonso Hart, of Portage.
19th. Henry H. Dodge, of Cuyahoga.
20th. George G. Gillett, of Ashtabula.
21st. George Cook, of Harrison.

DEMOCRATIC STATE TICKET FOR 1856.

For Judge of the Supreme Court
RUFUS P. RANNEY,
OF TRUMBULL COUNTY.

For Member of the Board of Public Works,
WAYNE GRISWOLD,
OF PICKAWAY COUNTY.

For State Commissioner of Common Schools.
H. H. BARNEY,
OF HAMILTON COUNTY.

ANOTHER MESSAGE.

We lay before our readers another Message from President PIERCE, on Kansas affairs. No one knew of the President's intention to communicate an extra Message on the Kansas question outside of his cabinet, and Congress was as much surprised as the people generally will be, when the President's private Secretary presented it. In the Senate the Message was courteously received, read and referred to the Committee on Territories. In the House, however, when the Message was announced, a scene of the wildest confusion and uproar ensued. It was finally ordered to be read at the Clerk's desk, by a close vote. The fusion press the Union over have denounced the Message as a bid for the Presidency, notwithstanding every one must see that if the measures recommended by the President are adopted, Kansas must inevitably be a free State. This Message spikes nearly all the fusion guns, and takes the Black Republicans all aback. We hope our readers will give it a careful perusal.

THE TIMES.

Our neighbor of the *Times* seems to be in the fog in regard to which were the genuine resolutions passed at the Democratic State Convention; the resolutions published by us two weeks ago or those in our last issue, and asks us to enlighten him. The resolutions published in our last, we have no doubt, are the same that were actually passed in the convention. We may here state, however, that there was nothing in the first resolution as published by us two weeks ago, inconsistent with our notions of Democracy. We have always understood that the Democratic doctrine has always been, that slavery *is* the creature of positive law and cannot exist without it. It is a common law doctrine, and consistent with common sense. We hope we are understood.

As our neighbor is in the humor for asking questions just now, we hope he will pardon us for putting a single question to him. As Bro. LOCKE has thus far failed to give us his views on Know Nothingism, we should be happy to hear from him on that subject. Now, neighbor, no dodging—let's have a fair and unequivocal answer. "An open confession is good for the soul," you know.

THE ASHLAND TIMES AND THE SPEAKERSHIP.

Some four weeks ago we took occasion to make some remarks upon the political acts of Mr. BANKS, the Black Republican candidate for Speaker of the House, and called upon neighbor LOCKE, of the *Times*, to state whether he approved of those acts or not. The reply of the *Times* was long, and contained many matters which we desired to notice, but the Messages and the news so filled up our space as to exclude any reply. There are one or two points which we will notice, however, even at this late day. Among other things our neighbor put forth the following:

"Mr. Banks' course was entirely different, and whatever may have induced him to vote for the postponement of the Pacific Railway Bill, he was well known to be an earnest opponent of the Nebraska fraud from beginning to end. Mr. Greeley who has been at Washington during this session, says that 'a great majority of the anti-Nebraska men centered upon him because they believe him the man for the place—one whose capacity and fitness are universally conceded—and whose unwavering support will strengthen and consolidate the cause of hostility to Slavery extension.'"

In thus quoting Mr. GREELEY to back up his approval of the course of Mr BANKS, our neighbor is extremely unfortunate. He who shapes his political course after that of HORACE GREELEY's, will find himself involved in a variety of strange inconsistencies. Now it so happens that Mr. GREELEY was one of those who denounced the vote of Mr. BANKS to postpone the Pacific Rail Road Bill in unmeasured terms. In the New York *Daily Tribune*, of May 24, 1854, in an article headed "HOW THEY DID IT," we find the following:

"The resolution of the great majority of the defenders of public faith, not, to let the supporters of the Nebraska iniqity postpone the special order for Wednesday of last week, and thus obtain power to pass their bill, was maintained to the last. It is not THEIR fault that the bill has been driven through—or rather over the House. But on Monday of last week, Colonel Richardson moved and carried, by a vote of 137 to 66, a proposition to suspend the rules, (for which purpose a concurrence of two thirds of the members voting is required,) and thus enable him to postpone the special order for Wednesday, close the debate on the Nebraska bill, AND THUS SECURE ITS PASSAGE. The members from free States, previously voting against the repeal of the Missouri restriction, and who were understood to desire to maintain that attitude before their constituents, but who, nevertheless, voted with the repudiators on this occasion, and THUS RENDERED FURTHER RESISTANCE FRUITLESS, ARE THOSE NAMED AND LOCATED AS FOLLOWS: Maine, Thomas J. D. Fuller; Massachusetts, Nathaniel P. Banks, Jr., &c., &c. Total—eighteen. All professed Democrats. We merely state the fact that these votes crippled the opposition to the bill, AND RENDERED ITS PASSAGE INEVITABLE. Why they were thus given may appear more plainly hereafter."

The above extract sufficiently shows what was Mr. GREELEY's opinion of the course of Mr. BANKS *at that time*. We believe it is also generally understood that Mr. BANKS is *not* GREELEY's *first* choice for Speaker now. But as our neighbor was very profuse in his extracts from Southern papers in reply to us, we give for his special benefit the following extract from a letter to the New York *Daily Times*, written at Washington City the evening of the same day on which the Pacific Rail Road Bill was postponed, which shows up the course of Mr. BANKS in its true light:

"The first grand battle in the Nebraska campaign is over, and the friends of freedom and the public faith are beaten—vanquished as the champions of a holy cause often have been before, by treachery within their own ranks—treachery of those who had gone with them heretofore, it would now appear, only that their desertion at the critical hour might work a greater disaster to the cause. The fight, nevertheless, was a glorious one. Overseer Richardson lost three days' time in his ill advised effort, and then only succeeded in making traitors enough to give success to his schemes by adding another week for debate to whatever other terms of a confidential nature he or the administration found it necessary to make. There is no use of talking any more about conciliation with a set of men who have once again betrayed the North into the hands of the slaveocracy. To day should be made memorable in their lives by its indelible stain upon their future political characters. "Faithless," "NOT TO BE TRUSTED with the honor and interests of free men," should be branded upon each, and every man be shelved as curiosities, as extraordinary illustrations of the faithlessness of Locofocoism. (I cannot profane the term "Democracy," by using it in such a connexion,) and the folly which can lead men to forfeit the confidence and respect of their friends and neighbors for the blandishments or the bribes of a political Administration. It is difficult to find terms sufficiently strong to express the abhorrence with which the conduct of Dean, Hughes, Wentworth, Banks, Edgerton and Kittredge, is viewed by those whom they betrayed. I say BETRAYED, because no other word in the English language expresses their conduct, and THAT hits it exactly. On Sunday—after they had held their caucus, it will be remembered—they were profuse in their voluntary assurances that they would stand firm; and they even professed an axious solicitude as to the probable firmness of their ruling allies! I saw Mr. Banks, of Massachusetts, myself late last evening, and asked him what was the programme for to-day. His answer was, "Unyielding, uncompromising resistance." I ventured an expression of fear that the opponents of the bill on his (the Democratic) side of the House would falter; but he assured me that, now they were in the fight, they would listen to NO proposition from the majority that had the gag at the end of it. His course to-day is a strange commentary on his protestations of last evening. Friends of freedom in Massachusetts, these are not days for doubtful men—look to it—remember that TWO VOTES to-day would have prevented the accomplishment of the fraud upon your rights! and remember that the vote of Nathaniel P. Banks, Jr., taken from the majority with which he voted, and given to the minority, AGAINST whom he voted, would have been equal to those two votes—WOULD HAVE SECURED THE VICTORY TO THE NORTH."

In the same article to which we are now replying, our neighbor makes the following remarks:

"The charge that the Republicans have expended so much money in this contest is simply unfair, when the truth is, the administration party themselves are to blame for the delay. The Republicans have a plurality but not a majority of the votes and were the same rule observed in the House that is observed in Ohio elections, there would have been a Speaker several weeks since. It was by a union of anti-Banks men of all hues that the resolution to elect by a plurality vote, as done six years ago, was laid on the table. Would it be just for the plurality to give up to a majority? Not even our neighbor will answer that directly in the affirmative—we believe he has too much Democracy left for that—yet the two minorities, the Democratic and Know Nothing factions, have united to postpone, to defeat and adjourn until more than a month has been wasted. Upon the Democratic party, then, is where the blame must rest for the useless expenditure of the people's money and the wilful neglect of important public business."

We entertain for our neighbor feelings of the most profound respect, but if we should give him credit for honesty in taking the above position, we fear we should be seriously calling in question his good sense. Our neighbor well knows that the Democrats are in a hopeless minority in the House, and yet he would hold that minority responsible for the non-election of a Speaker! He well knows that there is a clear majority of members who were elected as Anti-Nebraska men, and if a part of those members have not proven true to the people, ought not the Republican party to be held responsible for the delay? The position of our neighbor, to our mind, is simply ridiculous, and we will not further argue the question. We close by giving the following extract from the Ohio State *Journal*, the State Organ of Black Republicanism in Ohio, which sufficiently refutes the absurd position taken by our neighbor:

"We cheerfully agree that the administration members are not in any respect responsible for this delay. The majority of the House is largely against them. They have selected their man and on every ballot they give him their entire strength—seventy-five votes. It belongs to the opposition to organize that body. The country expects, and has a right to expect it from them. They will be held to a strict accountability for the delay."

OHIO LEGISLATURE.

Our readers need not be surprised that we present them with no legislative news, for the simple reason that we have yet to find anything of interest in the proceedings to publish. The reports in the Columbus papers are very meagre. No bills of importance have yet been passed, although several are pending. Mr. KELLY, the father of our State Banking System, is endeavoring to push through another bantling, only a little more hideous in its features. The ten per cent. interest law will probably be repealed or materially changed. The everlasting printing question has again been brought up, and occupies the largest space in the reports.

CONGRESS.

The House is still unorganized, though there have been some important steps taken towards an organization since our last issue. Mr. RICHARDSON withdrew his name on Wednesday last, giving as his reason for so doing that he had no hopes of being elected nor did he desire to be. He had been nominated and balloted for against his wishes. He believed that there were other men on whom the House could unite better than on him, and he did not wish to stand in the way of an organization. The Democrats held a caucus the same day, and *unanimously* nominated Mr. ORR, of South Carolina, as their candidate for Speaker in place of Mr. RICHARDSON, and re-affirmed the resolutions passed at their first caucus. The Know Nothings also went into caucus, and agreed to stand by their candidate, Mr. FULLER. The Republicans also held a caucus, and declared their determination to stand by Mr. BANKS until the 4th of March, 1857. The Republicans are hopelessly divided, and every day only lessens the prospects of an organization. They deliberately charge each other with duplicity, political trickery and wholesale lying, and furnish the most incontestible proofs of the truthfulness of their charges. We see it stated in several letters from Washington, that the expenses of this Congress thus far amounts to OVER THREE HUNDRED THOUSAND DOLLARS. Let the people not forget how the Black Republicans boasted of their overwhelming majority in the House last year, and the promises they made of retrenchment and reform. Let it also be recollected that this contest is not with the South, but among themselves. The Anti-Nebraska men have a clear majority over both the Democrats and Know Nothings, and can at any time elect a Speaker without the adoption of the plurality rule, if they will only agree among themselves. Who, then, but the Black Republicans, should be held responsible for this extravagant expenditure of money. We agree with a cotemporary that these men should go where it is said the Tories of the Revolution were sent, to wit: "Being neither fit for heaven nor fit for h—ll, they were conveyed beyond the bounds of either."

Wretched Condition of the Inhabitants of Kars.

A correspondent of the London *Times* says of the militia and Bashi Bazouks who aided in the defence of Kars:

"Numbers have been frozen to death, and the villages along the road from Kars are filled with their miserable comrades, who have sunk exhausted upon the way. We see them staggering all day along the principal thoroughfares into the city, haggard and footsore, their countenances half idiotic from cold, hunger and fatigue.

Their condition, even before leaving Kars, was as wretched as could be; so much so (I quote word for word from an eye-witness) that it was positively painful to stir out of doors. They were lying about in all directions, groaning piteously, watching the Russian provision-wagons, which, as if to add to their misery, passed almost all day within their ken. Townspeople and soldiers alike suffered all the horrors of famine. The former crowded around the General as he rode out of his quarters, and prayed him with all the eloquence of despair, to seek some means of putting an end to their misery. Women forced their way into his very rooms, and. throwing their starving children at his feet, implored him rather to kill them at once than let them perish thus piecemeal for want of sustenance.

The hospitals were crowded with sick; on the Thursday before the surrender 80 men died in one day. Many went mad or became idiots from sheer hunger and hard work. Those who preserved a remnant of health, half-starved as they were, and scarcely clothed, were obliged to mount sentry almost every night up to the ancles in snow. Since the battle of the 29th there had been no animal food to issue to the troops. Horses had indeed been killed in the General's stables secretly by night, but the meat was sent to the hospitals for the sick. A pittance of bread or flour made into weak broth was all that the soldiers had to subsist upon. Discipline was almost at an end.

Niagara in Winter.

The Buffalo *Express* publishes a communication from a correspondent at Niagara Falls. The following is an extract:

"Niagara is never so grand as in midwinter, and even for that season its present aspect is one of unwonted grandeur. The river, no longer moving under the warm shadows and soft smiles of summer, which disrobed it of half its sternness, wears now a bleakness which repels discursive movements, and concentrates it with overwhelming effect upon the sublime spectacle of the cataract itself. The spray, drifting over the adjacent shores, has transformed the commonest objects into shapes of such fairy-like beauty as is elsewhere only conceived in dreams. All things are enveloped in gleaming ice. The islands are laid with a pavement as pure and as solid as the most stainless Parian. The rocks that shoot up from the far depths of the precipice are hooded and wraped in vast breadths of ice, like monks doing homage to the genius of Peace. The trees are bowed down to the earth with their snowy vestments, like a worshiping choir of white-robed nuns. Everywhere but in the immediate channel of the swollen and surging river, the Ice King reigns supreme. Under his magic touch nature is visibly idealized. Stalactite groves and towers of crystal, and forests glittering with brilliant, and pearls, seem no longer a figment of genius, but a living and beaming reality. If you would witness this dazzling scene, come, by all means, soon. The visit will not be regretted."

KANSAS AFFAIRS.

PRESIDENT'S MESSAGE.

Gentlemen of the Senate and House of Representatives:

Circumstances have occurred to disturb the course of governmental organization in the Territory of Kansas, and produce there a condition of things which renders it incumbent on me to call your attention to the subject, and urgently recommend the adoption by you of such measures of legislation as the grave exigencies of the case appear to require.

A brief exposition of the circumstances referred to, and of their causes, will be necessary to the full understanding of the recommendations which it is proposed to submit.

The act to organize the Territories of Nebraska and Kansas was a manifestation of the legislative opinion of Congress on two great points of constitutional construction: One, that the designation of the boundaries of a new Territory. and provision for its political organization and administration as a Territory, are measures which of right fall within the powers of the General Government; and the other, that the inhabitants of any such Territory, considered as an inchoate State, are entitled, in the exercise of self-government, to determine for themselves what shall be their own domestic institutions, subject only to the Constitution and the laws duly enacted by Congress under it, and to the power of the existing States to decide, according to the provisions and principles of the Constitution, at what time the Territory shall be received as a State into the Union. Such are the great political rights which are solemnly declared and affirmed by that act.

Based upon this theory, the act of Congress defined for each Territory, the outlines of republican government, distributing public authority among the lawfully created agents—executive, judicial and legislative—to be appointed either by the General Government or by the Territory. The legislative functions were intrusted to a Council and a House of Representatives, duly elected and empowered to enact all the local laws which they might deem essential to their prosperity, happiness and good government. Acting in the same spirit, Congress also defined the persons who were in the first instance to be considered as the people of each Territory; enacting that every free white male inhabitant of the same above the age of twenty-one years, being an actual resident thereof, and possessing the qualifications hereafter described should be entitled to vote at the first election, and be eligible to any office within the Territory; but that the qualifications of voters and holding office at at all subsequent elections should be such as might be prescribed by the Legislative Assembly; Provided, however, that the right of suffrage and of holding office should be exercised only by citizens of the United States, and those who should have declared on oath their intention to become such, and have taken another to support the Constitution of the United States and the provisions of the act: And provided, further, that no officer, soldier, seaman or marine, or other person in the army or navy of the United States, or attached to troops in their service, should be allowed to vote or hold office in either Territory by reason of being on service therein.

Such of the public officers of the Territories as, by the provisions of the act, were to be appointed by the General Government, including the Governors, were appointed and commissioned in due season—the law having been enacted on the 30th of May, 1855, and the commission of the Governor of the Territory of Nebraska being dated on the 2d day of August, 1854, and of the Territory of Kansas on the 29th day of June, 1854.

Among the duties imposed by the act on the Governors was that of directing and superintending the political organization of the respective Territories. The Governor of Kansas was caused to require a census or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory to be taken by such persons and in such mode as he might designate and appoint; to appoint and direct the time and places of holding the first elections, and the manner of conducting them, both as to the persons to superintend such elections and the returns thereof; to declare the number of members of the Council and House of Representatives for each county or district; to declare what persons might appear to be duly elected; and to appoint the time and place of the first meeting of the Legislative Assembly. In substance, the same duties were devolved on the Governor of Nebraska.

While, by this act, the principle of constitution for each of the Territories was one and the same, and the details of organic legislation regarding both were as nearly as could be identical, and while the Territory of Nebrrska was tranquilly and successfully organized in the due course of law, and its first Legislative Assembly met on the 16th of January, 1855, the organization of Kansas was long delayed, and has been attended with serious difficulties and embarrassments partly the consequence of local mal-administration, and partly of the unjustifiable interference of the inhabitants of some of the States, foreign by residence, interests and rights to the Territory.

The Governor of the Territory of Kansas, commissioned, as before stated, on the 28th of June, 1854, did not reach the designated seat of his Government until the 7th of the ensuing October; and even then failed to make the first step in its legal organization—that of ordering the census or enumeration of its inhabitants—until so late a day that the election of the members of the Legislative Assembly did not take place until the 30th day of March, 1855, nor its meeting until the 2d of July, 1855; so that for a year after the Territory was constituted by the act of Congress, and the officers to be appointed by the Federal Executive had been commissioned, it was without a complete Government, without any Legislative authority, without local law, and of course, without the ordinary guaranties of peace and public order.

In other respects the Governor, instead of exercising constant vigilance and putting forth all his energies to prevent or counteract the tendencies to illegality which are prone to exist in all imperfectly-organized and newly-associated communities, allowed his attention to be diverted from official obligation by other objects, and himself set an example of the violation of law in the performance of acts which rendered it my duty, in the sequel, to remove him from the office of chief executive magistrate of the Territory.

Before the requisite preparation was accomplished for election of a Territorial Legislature an election of Delegate to Congress had been held in the Territory on the 29th day of November, 1854, and the Delegate took his seat in the House of Representatives without challenge. If arrangements had been perfected by the Governor so that the election for members of the Legislative Assembly might be held in the several precints at the same time as for Delegate to Congress, any question appertaining to the qualification of the persons voting as people of the Territory would have passed necessarily and at once under the supervision of Congress, as the judge of the validity of the return of the Delegate, and would have been determined before conflicting passions had become inflamed by time and before opportunity could have been afforded for systematic interference of the people of individual States.

This interference, in so far as concerns its primary causes and its immediate commencement, was one of the incidents of that pernicious agitation on the subject of the condition of the colored persons held to service in some of the States which has so long disturbed the repose of our country, and excited individuals otherwise patriotic and law-abiding, to toil with misdirected zeal in the attempt to propogate their social theories by the perversion and abuse of the powers of Congress.

The persons and parties whom the tenor of the act to organize the Territories of Nebraska and Kansas thwarted in the endeavor to impose, through the agency of Congress, their particular views of social organization on the people of the future new States, now perceiving that the policy of leaving the inhabitants of each State to judge for themselves in this respect was ineradicably rooted in the convictions of the people of the Union, then had a recourse, in the pursuit of their general object, to the extraordinary measure of propagandist colonization of the Territory of Kansas, to prevent the free and natural action of its inhabitants in its internal organization, and thus to anticipate or to force the determination of that question in this inchoate State.

With such views associations were organized in some of the States, and their purpose was proclaimed through the press in language extremely irritating and offensive to those of whom the colonists were to become the neighbors. Those designs and acts had the necessary consequence to awaken emotions of intense indignation in States near to the territory of Kansas, and especially in the adjoining State of Missouri, whose domestic peace was thus the most directly endangered; but they are far from justifying the illegal and reprehensible counter-movements which ensued.

Under these inauspicious circumstances the primary elections for Members of the Legislative Assembly were held in most if not all the precints at the time and the places and by the persons designated and appointed by the Governor, according to law.

Angry accusations that illegal votes had been polled abounded on all sides, and imputations were made both of fraud and violence. But the Governor, in the exercise of the power and the discharge of the duty conferred and imposed by the law on him alone, officially received and considered the returns; declared a large majority of the members of the Council and the House of Representatives "duly elected;" withheld certificates from others because of alleged illegality of votes; appointed a new election to supply the place of the persons not certified; and thus at length, in all the forms of statute, and with his own official authentication, complete legality was given to the first Legislative Assembly of the Territory.

Those decisions of the returning officers, and of the Governor are final, except that, by the parliamentary usage of the country applied to the organic law, it may be conceded that each House of the Assembly must have been competent to determine, in the last resort, the qualifications and the election of its members. The subject was, by its nature, one appertaining exclusively to the jurisdiction of the local authorities of the Territory. Whatever irregularities may have occurred in the elections, it seems too late now to raise that question as to which, neither now nor at any previous time, has the least possible legal authority been possessed by the President of the United States. For all present purposes the Legislative body, thus constituted and elected, was the legitimate assembly of the Territory.

Accordingly, the Governor, by proclamation, convened the Assembly thus elected to meet at a place called Pawnee City. The two Houses met and were duly organized in the ordinary parliamentary form; each sent to and received from the Governor the official communications usual on such occasions; an elaborate message opening the session was communicated by the Governor; and the general business of legislation was entered upon by the Legislative Assembly.

But, after a few days, the Assembly resolved to adjourn to another place in the Territory. A law was accordingly passed, against the consent of the Governor, but in due form otherwise, to remove the seat of Government temporarily to the "Shawnee Manual Labor School" (or mission,) and thither the Assembly proceeded. After this, receiving a bill for the establishment of a ferry at the town of Kickapoo, the Governor refused to sign it, and, by special message, assigned for reason of refusal, not anything objectionable in the bill itself, nor any pretense of the illegality or incompetency of the Assembly as such, but only the fact that the Assembly had by its act transferred the seat of government temporarily from Pawnee City to Shawnee Mission. For the same reason he continued to refuse to sign other bills, until, in the course of a few days, he, by official Message, communicated to the Assembly the fact that he had received notification of the termination of his functions as Governor, and that the duties of the office were legally devolved on the Secretary of the Territory: thus to the last recognizing the body as duly elected and constituted Legislative Assembly.

It will be perceived that if any constitutional defect attached to the legislative acts of the Assembly, it is not pretended to consist in irregularity of election or want of qualification of the members, but only in the change of its place of session. However trival the objection may seem to be, it requires to be considered, because upon it is founded all that superstructure of acts, plainly against law, which now threatens the peace not only of the Territory of Kansas but of the Union.

Such an objection to the proceedings of the Legislative Assembly was of exceptionable origin, for the reason that, by the express terms of the organic law, the seat of Government of the Territory was "located temporarily at Fort Leavenworth;" and yet the Governor himself remained there less than two months, and of his own discretion transferred the seat of Government to the Shawnee Mission, where it in fact was at the time the Assembly were called to meet at Pawnee City. If the Governor had any such right to change temporarily the seat of Government, still more had the Legislative Assembly. The objection is of exceptional origin for the further reason that the place indicated by the Governor, without having an exclusive claim of preference in itself, was a proposed town site only, which he and others were attempting to locate unlawfully upon land within a military reservation, and for participation in which illegal act the commandant of a post, a superior officer of the army has been dismissed by sentence of court martial.

Nor is it easy to see why the Legislative Assembly might not with propriety pass the Territorial act transferring its sittings to the Shawnee Mission. If it could not, that must be on account of some prohibitory or incompatible provision of act of Congress. But no such provision exists. The organic act, as already quoted, says "the seat of Government is hereby located temporarily at Fort Leavenworth;" and it then provided that certain of the public buildings there "may be occupied and used under the direction of the Governor and Legislative Assembly." These expressions might possibly be construed to imply that when, in a previous section of the act, it was enacted that "the first Legislative Assembly shall meet at such place and on such day as the Governor shall appoint," the word "place" means place at Fort Leavenworth, not place, anywhere in the Territory. If so, the Governor would have been the first to err in this matter, not only in himself having removed the seat of Government to the Shawnee Mission, but in again removing it to Pawnee City. If there was any departure from the letter of the law, therefore, it was his in both instances.

But, however this may be, it is most unreasonable to suppose that by the terms of the organic act Congress intended to do impliedly what it has not done expressly—that is, to forbid to the Legislative Assembly the power to choose any place it might see fit as the temporary seat of its deliberations. That is proved by the significant language of one of the subsequent acts of Congress on the subject, that of March 3, 1855, which in making appropriations for public buildings of the Territory, enacts that the same shall not be expended, "until the Legislature of said Territory shall have fixed by law the permanent seat of government." Congress, in these expressions, does not profess to be granting the power to fix the permanent seat of government, but recognizes the power as one already granted. But how? Undoubtedly by the comprehensive provision of the organic act itself, which declares that "the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act." If, in view of this act, the Legislative Assembly had the large power to fix the permanent seat of government at any place in its discretion, of course, by the same enactment it had the less and the included power to fix it temporarily.

Nevertheless, the allegation that the acts of the Legislative Assembly were illegal by reason of this removal of its place of session was brought forward to justify the first great movement in disrespect of law, within the Territory. One of the acts of the legislative assembly provided for the election of a Delegate to the present Congress, and a Delegate was elected under that law. But subsequently to this, a portion of the people of the Territory proceeded, without authority of law, to elect another Delegate.

Following upon this movement was another and more important one of the same general character. Persons confessedly not constituting the body politic, or all the inhabitants, but merely a party of the inhabitants, and without law, have undertaken to summon a convention for the purpose of transforming the Territory into a State, and have framed a constitution, adopted it, and under it elected a Governor and other officers, and a Representative to Congress.

In extenuation of these illegal acts, it is alleged that the States of California, Michigan, and others, were self-organized, and as such were admitted into the Union without a previous enabling act of Congress. It is true that, while in a majority of cases a previous act of Congress has been passed to authorize the Territory to present itself as a State. and that is deemdd the most regular course, yet such an act has not been held to be indispensable, and in some cases the Territory has proceeded without it; and has nevertheless been admitted into the Union as a State. It lies with Congress to authorize beforehand, or to confirm afterward, and its discretion: but in no instance has a State been admitted upon the application of persons acting against authorities duly constituted by act of Congress. In every case it is the people of the Territory, not a party among them, who have the power to form a constitution and ask for admission as a State. No principle of public law, no practice or precedent under the Constitution of the United States, no rule of reason, right, or common sense confers any such power as that now claimed by a mere party in the Territory. In fact, what has been done is of revolutionary character. It is avowed so in motive and in aim as respects the local law of the Territory. It will become treasonable insurrection if it reach the length of organized resistance by force to the fundamental or any other federal law and to the authority of the General Government.

In such an event the path of duty for the Executive is plain. The Constitution requiring him to take care that the laws of the United States be faithfully executed, if they be opposed in the Territory of Kansas he may and should place at the disposal of the marshal any public force of the United States which happens to be within the jurisdiction, to be used as a portion of the *posse comitatus;* and if that do not suffice to maintain order, then he may call forth the militia of one or more States for that object, or employ for the same object any part of the land or naval force of the United States. So also, if the obstruction be to the laws of the Territory, and it be duly presented to him as a case of insurrection, he may employ for its suppression the militia of any State or the land or naval force of the United States. And if the Territory be invaded by the citizens of other States, whether for the purpose of deciding elections or for any other, and the local authorities find themselves unable to repel or withstand it, they will be entitled to, and upon the fact being fully ascertained, they shall most certainly receive the aid of the General Government.

But it is not the duty of the President of the United States to volunteer interposition by force to preserve the purity of elections either in a State or Territory. To do so would be subversive of public Freedom. And whether a law be wise or unwise, just or unjust, is not the qustion for him to judge. If it be constitutional—that is, if it be the law of the land—it is his duty to cause it to be executed, or to sustain the authorities of any State or Territory in executing it in opposition to all insurrectory movement.

Our system affords no justification of revolutionary acts, for the constitutional means of relieving the people of unjust administration and laws, by a change of public agents and by repeal, are ample, and more prompt and effective than illegal violence. These constitutional means must be scrupulously guarded—this great prerogative of popular sovereignty sacredly respected.

It is the undoubted right of the peaceable and orderly people of the Territory of Kansas to elect their own Legislative Body, make their own laws, and regulate their own social institutions, without foreign or domestic molestation. Interference on the one hand, to procure the abolition or prohibition of slave labor in the Territory, has produced mischievous interference, on the other for its maintenance or introduction. One wrong begets another. Statements entirely unfounded or grossly exaggerated, concerning events within the Territory; are sedulously diffused through remote States to feed the flame of sectional animosity there; and the agitators there exert themselves indefatigably in return to encourage and stimulate strife within the Territory.

The inflamatory agitation, of which the present is but a part, has for twenty years produced nothing save unmitigated evil, North and South. But for it the character of the domestic institutions of the future new State would have been a matter of too little importance to the inhabitants of the contiguous States, personally or collectively, to produce among them any political emotion. Climate, soil, production, hopes of rapid advancement, and the pursuit of happiness on the part of settlers themselves, with good wishes but with no interference from without, would have quietly determined the question which is at this time of such disturbing character.

But we are constrained to turn our attention to the circumstances of embarrassment as they now exist. It is the duty of the people of Kansas to discountenance every act or purpose of resistance to its laws. Above all, the emergency appeals to the citizens of the States, and especially those contiguous to the Territorry, neither by intervention of non-residents in elections, nor by unauthorized military force, to attempt to encroach upon or usurp the authority of the inhabitants of the Territory.

No citizen of our country should permit himself to forget that he is a part of its government, and entitled to be heard in the determination of its policy and its measures; and that therefore, the highest considerations of personal honor and patriotism require him to maintain, by whatever power or influence he may possess, the integrity of the laws of the Republic.

Entertaing these views, it will be my imperative duty to exert the whole power of the Federal Executive to support public order in the Territory; to vindicate its laws, whether Federal or local, against all attempts of organized resistance; and so to protect its people in the establishment of their own institutions, undisturbed by encroachment from without, and in the full enjoyment of the rights of self-government assured to them by the Constitution and the organic act of Congress.

Although serious and threatening disturbances in the Territory of Kansas, announced to me by the Governor in December last, were speedily quieted without the effusion of blood, and in a satisfactory manner, there is, I regret to say, reason to apprehend that disorders will continue to occur there, with increasing tendency to violence, until some decisive measures be taken to dispose of the question itself which constitutes the inducement of occasion of internal agitation and of external interference.

This, it seems to me, can best be accomplished by providing that, when the inhabitants of Kansas may desire it, and shall be of sufficient numbers to constitute a State, a convention of delegates, duly elected by the qualified voters, shall assemble to frame a Constitution, and thus to prepare, through regular and lawful means, for its admission into the Union as a State.

I respectfully recommend the enactment of a law to that effect.

I recommend, also, that a special appropriation be made to defray any expense which may become requisite in the execution of the laws or the maintenance of public order in the Territory of Kansas. FRANKLIN PIERCE.

Ravages of Wolves in Iowa.

Owing to the extreme cold weather for some time past, the wolves in Pottawattamie county have become dangerous neighbors. Poultry yards and sheep folds have been robbed to a frightful extent, and in several instances the hungry beasts have not been inclined to spare the human species.

About three weeks ago, a man was returning from a prayer meeting, accompanied by his two daughters, one sixteen and the other twenty-three years of age. They were all riding the same horse, when suddenly a pack of timber wolves assailed them, and, being unable to escape them by flight, they attempted to defend themselves. But the ferocious brutes attacked the horse, rendering him unmanageable. The oldest daughter was partly thrown and partly dragged to the ground and instantly devoured. This enabled the father and other daughter to escape. Several neighbors were soon mustered, but upon repairing to the spot nothing was found but one shoe and a very few remnants of the unfortunate girl's clothing.

A boy of about thirteen years old left his father's house to get water at a spring which was about half a mile distant, since which time nothing has been seen of him. The pail was found near the spring; also some marks of blood, and a lock or two of hair. Several persons have been chased by these savage monsters.—*Keokuk Post*, 11th.

New Advertisements.

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Repairing done on the Shortest Notice.

We return our sincere thanks to all our old customers for the very liberal patronage heretofore so liberally bestowed upon us, and we hope by our good work and prompt attention to our business, not only to warrant a continuance of the same, but we expect those who have never been our customers to call in and see us at least, examine our work and prices, and then we know they will buy. Don't forget the place, opposite F. C. Bushnell's Store, and one door west of the Bank.
HUGH & J. DAVIS.
P. S.—We manufacture our own stock.
January 30, 1856. 35-tf

ARTISTS' ASSOCIATION.

THE subscribers in announcing their appointment as Managers of the above Association, for the advancement of the
FINE ARTS,
in this country, feel justified in stating that Fine Steel Engravings will be placed before the American public, which in beauty of execution have been unsurpassed, and at a price unparallelled either in the New or Old World.

ART is cosmopolitan, and in this view, the Artists both of America and Europe are bound together to produce specimens worthy of the age.

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PREMIUM ENGRAVING!
The purchasers of Twelve Engravings, one each month, price fifty cents, will be entitled to receive, as a premium, the great steel engraving.
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WHOLESALE PRINT PUBLISHERS,
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January 30, 1856. 3mo35

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C. H. P. keeps constantly on hand a large assortment of
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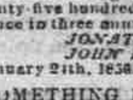
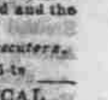
Farm for Sale!

WILL be offered at Public Vendue, on *SATURDAY, MARCH* 29th, 1856, the north west quarter, in section number 9, in township number 25, (Jackson Township) of range number 15, known as the "Young Farm," lying ½ mile west of the town of Perrysburg, containing 172 acres, of which there is about one-half cleared and under good cultivation there is a good two-story Frame House and Kitchen, and a Frame Horse-barn, erected on the premises. Also a good bearing Orchard of grafted fruit trees. Also two good never-failing Springs of Water. Terms—Twenty-five hundred dollars cash in hand and the balance in three annual payments.
JONATHAN YOUNG, }
JOHN KEENE, Jr., } Executors.
January 24th, 1856. 35-ts

SOMETHING NEW AND MUSICAL.

A BEAUTIFULLY ILLUSTRATED
MUSICAL CATALOGUE!
SAID to be in advance of everything of the kind ever before published, is just issued, and will be sent (gratis) to any person who will forward their address, post-paid to the Publisher,
NATHAN RICHARDSON,
"Musical Exchange,"
No. 282 Washington Street, Boston.
January 30, 1856. 1w35

SHERIFF'S SALE.

Luther, Crall & Co., vs. A. H. Palmer, Alexander Porter, et. al.	In Ashland Common Pleas.

PURSUANT to the command of an alias Vendi and an alias Fi. Fa, duly issued from the Court of Common Pleas of Cuyahoga County and State of Ohio, to me directed, I will expose to public sale, at the premises owned by Alexander Porter, in Sullivan Township, in Ashland County and State aforesaid, on

Monday, the 11th day of February,

A. D. 1856, the following described Goods and Chattels, as the property of Alexander Porter, to wit: Seventy tons of Hay, more or less, in stacks, barns and out-buildings on the farm of said Porter, in Sullivan township, in Ashland county. Also fifteen head of Steers, six Cows, five yearling Calves, two two year old Colts, one yearling Colt, one spring Colt, one pair of work Mares, one two-horse Wagon, one Mowing Machine, and one hundred and eighty bushels of Corn, more or less, in the ear. The above Goods and Chattles to be sold subject to a former levy in favor of E. N. Gates. Terms of sale—cash.

I will also, by virtue of the same writ, expose to public sale at the door of the Court House, in said County of Ashland, on

Monday, the 3d day of March,

A. D. 1856, between the hours of ten o'clock A. M. and four o'clock P. M. of said day, the following described Real Estate, as the property of Asa H. Palmer, to wit: Being a part of lot number forty-six, (46) in the township of Sullivan, in the county of Ashland and State of Ohio, commencing on the north and south centre road at the north-west corner of land, willed to Sally Palmer by James Palmer; thence north on the east line of said road far enough so that a line parallel with the south line of said lot will contain fifty acres of land north of said Sally Palmer's land; thence east parallel with the south line of said lot to the east line of the said line of said lot; thence south on the east line of said lot to the north-east corner of said land given to said Sally Palmer; thence west on the north line of said Sally Palmer's land, to the place of beginning, containing fifty acres of land. Also, as the property of Alexander Porter, the following described Real Estate, situate in the County of Ashland and State of Ohio, to wit: The west part of lot number seventy-five, (75) township one, (1) range eighteen, (18) containing 105½ acres. Also the west part of lot number seventy-six, (76) township one, (1) range eighteen, (18) containing 115 acres. Also the north part of lot number seventy-seven, (77) township one, (1) of range eighteen, (18) containing forty acres. Also the east part of lot number eighty-five, (85) township one, (1) range eighteen, (18) containing 25 acres. Also, as the property of J. M. Gorham, the following described Real Estate, situate in the County of Ashland and State of Ohio, to wit: The south part of lot number forty-two, (42) township one, (1) range eighteen, (18) containing 141 acres, more or less. Also the south part of the north half of lot number fifty-nine, [59] township one, [1] range eighteen, [18] containing 50 acres more or less. Also the south-east part of the north part of lot number fifty-five, [55] township one, [1] range eighteen, [18] containing 5 acres. Terms of sale—cash.
JOHN D. JONES, Sheriff.
January 30, 1856. 35ts-pf $9,87½

DISEASES OF THE EYE!

DR. A. H. PLATT, OF NEW YORK,
THE OCULIST, who gave a lecture at the Lutheran Church, in this village, on the evening of the 29th inst., introducing an entire new method of treating diseases of the eye, without Surgical operations, or any of the usual hazardous means, is about locating permanently at Yellow Springs, Greene County, in this State, and those desirous of knowing more of this new treatment, can address him at that place.
January 30, 1856. 1w35

Administrator's Notice.

NOTICE is hereby given that the undersigned, was on the 28th day of January, 1856, duly appointed and qualified as Administrator of the Estate of Michael Shukers, late of Ashland county, Ohio, deceased.
THOMAS McCONNELL, Adm'r.
January 30, 1856. 3w35