THE ERIE OBSERVER.

B. F. SLOAN, EDITOR & PROPRIETOR. $1,50 PER ANNUM IN ADVANCE.

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The Erie Observer.

A LOCAL AND POLITICAL JOURNAL.

BY B. F. SLOAN.

TERMS—Single subscribers, if paid in advance [illegible] copies will be sent to one address for $5, and [illegible] rate for larger clubs. [illegible] subscriber failing to pay within the year, the [illegible] discontinued and the account made out at [illegible] $2 per year, and left with a proper officer for [illegible].

TERMS OF ADVERTISING:

[illegible] lines or less make a square.

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[illegible] square a year, changeable at pleasure, $10.

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[illegible] and Editorial notices, 10 cents a line; but no [illegible] will be inserted among the Special Notices [illegible] than one dollar.

Merchants and others requiring frequent changes [illegible] their advertisements will be allowed two squares, paper, [illegible] for $15. For additional space, the charges will [illegible] proportion, and the advertisements must be strictly [illegible] the legitimate business of the advertiser. Payment [illegible] for transient advertisements required in advance.—[illegible] for yearly advertising will be presented half-yearly.

BUSINESS DIRECTORY.

[illegible] SEABURY, DEALER IN IMPORTED WINES AND LIQUORS, [illegible] of French Brandies, Gins, &c., Champaigne, [illegible] Claret, Madeira, Malaga, Sherry, Port, and all kinds [illegible] Domestic Wines; also manufacturer of rectified Whiskey [illegible] Rye, Bourbon, Monongahela, &c., Reed House, on [illegible] Street, Erie.

J. C. BURGESS & CO., WHOLESALE DEALERS IN GROCERIES AND [illegible], State Street, No. 10 Brown's Block.

[illegible] M. COLE, BOOK BINDER, BLANK BOOK MANUFACTURER, [illegible] Second Story of Rinderneckt's Block, Erie, Pa.

EDWIN C. WILSON, ATTORNEY & COUNSELLOR AT LAW, Erie Pa.—[illegible] State Street, near the Park, in the American [illegible] second story of the building, occupied by F. & M [illegible]. He will always be found in his office, and [illegible] punctually attended to.

BECKMAN, KENDIG & CO., WHOLESALE AND RETAIL GROCERS, and [illegible] in Flour, Pork, Fish, Salt, Seeds, Wood and [illegible] Ware, Nails and Glass, at No. 2 Wright's Block, [illegible]. BECKMANDRENCHT HENRY BECKMAN. ELI KENDIG

JOHN W. WALKER, ATTORNEY AT LAW, *St Louis, Mo.*, [illegible] prompt attention to the locating of Land Warrants and the payment of Taxes in the States of Missouri and Iowa, will also fill all orders for the purchase [illegible] Swamp Lands, &c.

MISS A. E. COLE, (*Successor to T. R. Blake.*) MANUFACTURER and Wholesale and Retail Dealer in Foreign and Domestic Straw Goods, Artificial Flowers, Ribbons, Silks, Laces, and Fashionable Millinery, Paragon Building, fronting the Park, Erie, Pa. Particular attention paid to Orders.

S. NEWTON PETTIS, ATTORNEY AT LAW.—Office on Chestnut Street, Meadville, Pa. [illegible] 28, 1859.—1y8

T. M. AUSTIN, DEALER IN Clocks, Watches, Fine Jewelry, Silver Spoons, Plated Ware, Looking Glasses, Gilt Mouldings, Toys and Fancy Goods, Paragon Building, fronting the West Park, near Peach st.

HAYES & JORDAN, WHOLESALE & RETAIL DEALERS IN Dry Goods, Carpets, Mattings, Oil Clothes, &c., [illegible] Block, Erie, Pa.

S. A. DAVENPORT, ATTORNEY AT LAW.—Office in Central [illegible] Neuferrer & Baker's Clothing Store. En[illegible] Street.

WM. A. GALBRAITH, ATTORNEY AT LAW.—Office on 6th street, opposite the Court House, Erie, Pa.

T. S. SINCLAIR, (*Successor to Stewart & Sinclair.*) [illegible] AND RETAIL DRUGGIST, Corner of State and [illegible] Streets, Paints, Oils, Dye Stuffs, Glass, Camphene [illegible], &c.

WILLIAM S. LANE, ATTORNEY AND COUNSELLOR AT LAW.—Removed to corner rooms of Rosenwein's Block, [illegible] Street and the Public Square, Erie Pa.

HOLDEN & HUTCHINSON, ATTORNEYS AT LAW.—Office in Rosenwein's Block, opposite Brown's Hotel, entrance on the Square. [illegible] W. Hutchinson is Notary Public and Commissioner to Take Affidavits for the several States and Territories. [illegible] W. HUTCHINSON

W. F. MAGILL, DENTIST, Office in Rosenwein's Block, north side of the Park, Erie, Pa. [illegible]

ALLEN A. CRAIG, ATTORNEY AT LAW, Office on the Park.—Office in New Block, Peach Street and the Public Square, Erie Pa.

ROGERS & BENNETT, WHOLESALE AND RETAIL Dealers in Hardware, Crockery, Glassware and Saddlery, Nos. 11 and 12 Reed's Block, corner of Fifth and State streets, Erie, Pa. [illegible] ROGERS. [illegible] K. A. BENNETT.

M'CONKEY & SHANNON, (*Successors to Barney & M'Conkey.*) [illegible] in English, German and American Hardware and Cutlery. Also, Nails, Anvils, Vises, Iron and Steel, No. [illegible] House, Erie, Pa.

JAMES LATLE, TAILOR, in the room recently occupied by [illegible] Sill, Esq. as a Law Office, and over the Store of N. Morris, between the Reed House and Brown's Hotel.

M. SANFORD & CO., DEALERS IN GOLD, Silver, Bank Notes, Certificates of Deposit, &c. Sight exchange on the principal cities constantly for sale. Office No. 9 Reed House Corner Square, Erie.

JAMES CROOK & CO., BUILDERS and Manufacturers of Sash, Doors and Blinds, Peach st., in the shop formerly occupied by Hugh Jones.

P. MINNIG, DEALER in Groceries, Provisions, Pork, Fish, Salt, Grain, Flour, Fruits, Nuts, Glass, Ware, Brooms, Pails, Wooden, Willow and Stone Ware, &c. Terms cash. Prices low. No. 4 Wright's Block, State Street, 4 doors above the Post Office, Erie, Pa.

LUCE & RATHBUN, DENTISTS, Office in Beatty's Block, north side of Public Square, formerly occupied by Magill & Co. All work warranted.

GRAY & FARRAR, WHOLESALE GROCERS, and dealers in West India Goods, Powder, Shot, Caps, Safety Fuse, Tobacco, Cigars, Fish, oil, &c., &c., No. 7, Bonnell Block, State street, Erie, Pa. [illegible] GRAY. F. F. FARRAR.

JOHN HEARN & CO., FORWARDING and Commission Merchants, Dealers in Coal, Flour, Fish, and agent for a daily line of Upper Lake Steamers, Public Dock, Erie, Pa.

LIDDELL, MARSH, & Co., MANUFACTURERS of Steam Engines, Boilers, Gearing, Agricultural Implements, Railroad Cars, &c. Erie, Pa.

MISS F. E. RHODES, FASHIONABLE DRESS MAKER, and Agent for Wheeler & Wilson's Sewing Machines. Rooms over Austin's Jewelry Store, West Park, Erie, Pa. Stitching done to Order.

GEORGE H. CUTLER, ATTORNEY AT LAW, Girard, Erie County, Pa. Collections and other business attended to with promptness and dispatch.

JOHN SWEENY, JUSTICE OF THE PEACE, Office in Beatty's Building, up-stairs, Erie, Pa.

CAUGHEY & CLARK, WHOLESALE GROCERS, and Dealers in Domestic and Imported Wines and Liquors, also Segars, Tobacco, Fruit, Fish, Oil, and Agents for Moffats Buffalo Ale. No. 7 Bonnell Block, State street Erie, Pa. WM. S. CAUGHEY, E. J. CLARK.

JOHN W. AYRES, MANUFACTURER, Wholesale and Retail Dealer in all kinds of Fancy, Drawing Room, Rocking Office and Dining Chairs. No. 4 Keystone Block, Erie, Pa.

BARR & KELSEY, DEALERS in Boots and Shoes at Wholesale and Retail, at No. 13, Cadwell's Block State street, Erie, Pa.

OLDS & LOW, MANUFACTURERS & Wholesale and Retail Dealers in Well and Cistern Pumps of superior quality, the cheapest and best now in use. Shop on Twelfth street near Peach, Erie, Pa. Aqueduct for carrying water for family, farm or mechanical purposes for sale cheap. J. W. OLDS. H. L. LOW.

DR. O. L. ELLIOTT, RESIDENT DENTIST.—Office and Dwelling in south Park Row, next block east of Erie Bank buildings. Erie, July 10, 1858.

GEORGE J. MORTON, FORWARDING and Commission Merchant, Public Dock, Erie, dealer in Coal, Salt, Fish, Flour and Plaster.

M'CARTER & KELLOGGS, WHOLESALE and Retail dealers in Groceries, Provisions, Ship Chandlery, Wood and Willow ware &c., &c., State Street, Erie, Penn.

EMPIRE STORES, WM. A. GRISWOLD, Jobber, and Retail Dealer in every description of Foreign and Domestic Dry Goods, Carpetings, Oil Cloths, &c. No. 13, State street, corner of Fifth, Erie, Pa.

WILLIAM THORNTON, JUSTICE OF THE PEACE. Deeds, Agreements, Bonds and Mortgages, Leases, &c., accurately and carefully drawn. Office on French, street, over Jas. S. Negley's Grocery Store Erie, Pa.

J. F. DOWNING, ATTORNEY AT LAW AND JUSTICE OF THE PEACE. Will practice in the several Courts of Erie County, and give prompt and faithful attention to all business entrusted to his hands, either as an Attorney or Magistrate. Office in Empire Block, corner of State and Fifth sts., Erie, Pa.

J. W. DOUGLASS, ATTORNEY AT LAW.—Office removed to new building west of State Street, on the north side of the Park, Erie Pa.

DEAF AND BLIND. DR. GRISWOLD, Oculist and Aurist, No. 250 Main Street, Buffalo, N. Y. Confines his attention exclusively to the treatment of Diseases of the Eye and Ear. Feb. 19, 1859.—37-1y

MORTIMER PHELPS, ATTORNEY AT LAW.—Office over Murphy's Tin Shop, between Brown's Hotel and Reed House, Erie, Pa 8

SCOTT & RANKIN, DEALERS in all kinds of Coal, Salt, Plaster, Flour, Fish, &c., &c. Public Dock, Erie, Pa. 51. A. SCOTT, J. H. RANKIN.

J. C. SELDEN, WHOLESALE and Retail dealer in all kinds of English, German and American Hardware, Anvils, Vices, Iron, Nails, Steel, &c. Saddlery and Carriage Trimmings, Machine Belting and Packing French street, opposite the Reed House, Erie, Pa.

Administrator's Notice.

WHEREAS Letters of Administration having been granted to the subscriber, on the estate of John Fitzpatrick, dec'd, late of Ohio, therefore all persons indebted to said estate will make immediate payment, and those having claims against the same will present them properly authenticated for settlement,

MICHAEL BOWES,
Sept. 10, 1858.—3t14* Elk Creek tp., Adm'r.

NOTICE IS HEREBY GIVEN, to all persons having friends in the United Presbyterian Burying ground, (on the corner of Eighth and French Streets,) in Erie, to remove or cause the removal of their remains, on or before the 15th day of October next.—Those remaining in the grounds after that time will be removed by the Trustees of the Congregation, agreeably to the provisions of the Act of Assembly, passed at the last session of the Legislature, authorizing said removal.

Erie, July 2, 1859.—4td By order of the Trustees.

F. A. LONG, M. D.,
Physician, Surgeon and Dentist.
UNION MILLS,
ERIE CO., PENN'A.

DR. L. having permanently located at Union Mills, will attend all calls in his profession with promptness. All useful operations on the Teeth performed and warranted. Artificial teeth inserted from one to an entire set. July 2, 1859.—4

REED HOUSE;
FRONTING THE PUBLIC SQARE,
ERIE, PA.
P. ELLIOTT, Proprietor.

THIS LARGE AND ELEGANT HOTEL Has been thoroughly repaired and refurnished, and is now open for the reception of guests.

Board by the Day, Week or Month on reasonable terms, the Proprietor pledging himself that no effort shall be wanting to give entire satisfaction.

Private Parties, Dinner Parties, or Managers of Public Balls will find the accommodations at this House superior to any other in the city and the charges as reasonable.

Good Stabling attached where guests from the country will always find attentive hostlers to take charge of their teams. May 6, 1859.1f48

For Chicago
And Intermediate Ports!

ONE OF THE PEOPLE'S LINE OF Propellers will leave this Port for Chicago and Intermediate Ports on WEDNESDAY and SATURDAY of each week, wind and weather permitting.

For freight or passage apply to G. J. MORTON, Public Dock.
Erie, June 4, 1859.—62.tf

NEW GOODS! NEW GOODS!!
FRENCH AND AMERICAN MILLINERY.

MRS. M. A. MORGAN, has just returned from New York with the largest and most complete assortment of

FRENCH AND AMERICAN MILLINERY GOODS.

Ever brought to this city, including all the latest styles of Straw Goods,

BONNETS, RIBBONS, FLOWERS, &c., &c

In short, every thing in the Millinery line, which will be sold wholesale or retail at prices that defy competition.

Country Milliners supplied with Goods at New York prices, adding a small Commission. As she has made arrangements to receive Goods every two weeks, she offers peculiar inducements to those buying to call again to make their purchases at her establishment.

Mrs M desires to inform the public that she is prepared, by a new and beautiful process, to renovate and Color Straw, Mapolitan, Chip, and Leghorn, in a most superior style.

Orders solicited, and satisfaction warranted. Store Corner of State and Eighth Streets, Erie Pa. April 16, 1859.—40tf

NEW MILLINERY GOODS.

MRS. S. H. HALL, Peach St., above the Depot Erie, Pa Has just opened a new and splendid Stock of

MILLINERY AND STRAW GOODS, RIBBONS, SILKS, FLOWERS, &c., &c Also, BONNETS, RUSCHES AND TABBS, machine and hand-made, bonnet frames and crowns.

DRESS BONNETT, DRESS CAPS, & HEAD DRESSES of the latest styles.

Particular attention paid to coloring, bleaching and Pressing Bleachers and Riding Hats dressed in the most fashionable style.

Also, a superior lot of Ladies Hosiery together with a general assortment of Lady's Goods. April 23, 1859 —46 3m

NEW GOODS!
SPRING AND SUMMER MILLINERY

MRS. M. CURTIS, is now receiving a Large and Full Assortment of MILLINERY and FANCY GOODS, consisting of a great variety of White and COLORED STRAW BONNTES, BLOOMERS, And Children's Hats of every style, Shaker Hoods, Boy's Hats, &c., &c., Ribbons, Flowers, Raches, Caps, Head Dresses, Alexandre's Kid Gloves, Hosiery, Lace Veils, French Corsetts and Skirts, Materials of all kinds for Embroidery, Valenciennes, Lace, Applique and French Work, Collars, Sleeves, &c.

MILLINERS supplied with Goods at wholesale; also, Plaster Bonnet Blocks. Bleaching and Pressing done in the best manner; also, Straw Bonnets colored Drab, Brown and Black. April 9, 1859. MRS. M. CURTIS.

GROCERIES, &c.,
SELLING CHEAP FOR READY PAY!
BECKMAN, KENDIG & CO.,
No. 2, Wright's Block, Erie, Pa.,
OFFER AT WHOLESALE OR RETAIL
SUGARS OF ALL DESCRIPTIONS,
AT LOW PRICES;
GREEN, BLACK AND IMPERIAL TEAS,
OF DIFFERENT GRADES;
ROASTED, GROUND, JAVA AND RIO COFFEE.
SYRUPS AND MOLASSES, OF ALL GRADES;
RICE, SOAP, STARCH, CANDLES, RAISINS, BAKING POWDERS, PRUNES, FRUIT, NUTS, &c.,
WHITE FISH, CODFISH and MACKEREL
PORK, HAMS, BACON, BUTTER, LARD, EGGS, DRIED APPLES, WOOD and WILLOW WARE,
NAILS AND GLASS,
Together with a large assortment of all kinds of GOODS kept in a Grocery Store, which we offer to sell at the lowest market price. CALL AND SEE US!
BECKMAN, KENDIG & CO., No. 2, Wright's Block.
April 16, 1859.

WHO WANTS A SAFE. The subscriber has one large size HERRING'S SAFE, which he will dispose of cheap for Cash or approved paper. W. L. SCOTT.
Erie, April 9, 1859.—44.tf

MANY PERSONS SUFFER intensely with NEURALGIA, PAIN in the FACE, TOOTH and JAW ACHE, that might be relieved almost immediately by the application of the Extract of Smart Weed. It is both more pleasant and safe than any of the Pain-Killers and Hot-Drops in use. Just try it.
Aug 20. CARTER & BRO

FRENCH SNOW WHITE ZINC, dry and ground in white Damar Varnish, for Porcelain finish, at No. 5 Reed House.
Erie, June 4, 1859.—62 L. I. BALDWIN.

PAINTS! PAINTS!! PAINTS!!! White Lead, dry and in oil, American and French Zinc, Raw and Boiled Linseed Oil, Venetian Red, French Ochre, Chrome and French Green, and in short every thing in the line of PAINTS, for sale at the Store
May 12. T. S. SINCLAIR

FARM LANDS FOR SALE 25 MILES from Philadelphia by Railroad in the State of New Jersey. Soil among the best for Agricultural purposes, being a good loam soil, with a clay bottom. The land is a large tract, divided into small farms, and hundreds from all parts of the country are now settling and building.—The crops produced are large and can be seen growing.—The climate is delightful, and secure from frosts. Terms from $15 to $20 per acre, payable within four year by instalments. To visit the place—Leave Vine Street Wharf at Philadelphia at 7½ A. M. by Railroad for Hammonton, or address R. J. Byrnes, by letter, Hammonton Post Office, Atlantic County, New Jersey. See full advertisement in another column. 6m8.

FEATHER DUSTERS, At July 2. CARTER & BROS.

Political.

OBSERVATIONS
ON SENATOR DOUGLAS'S VIEWS OF POPULAR SOVERIGNTY,

As Expressed in Harpers' Magazine.

Every one knows that Mr. Douglas, the Senator from Illinois, has written and printed an elaborate essay, comprising thirty-eight columns of Harpers' Magazine, in which he has undertaken to point out the "dividing line between federal and local authority." Very many persons have glanced over its paragraphs, to catch the leading ideas without loss of time, and some few have probably read it with care.

Those who dissent from the doctrines of this paper owe to its author, if not to his arguments, a most respectful answer. Mr. Douglas is not the man to be treated with a disdainful silence. His ability is a fact unquestioned; his public career, in the face of many disadvantages, has been uncommonly successful; and he has been for many years a working, struggling, candidate for the Presidency. He is, moreover, the Coryphaus of his political sect—the founder of a new school—and his disciples naturally believe in the infallible verity of his words as a part of their faith.

The style of the article is, in some respects, highly commendable. It is entirely free from the vulgar clap-trap of the stump and has no vain adornment of classical scolarship. But it shows no sign of the eloquent Senator; it is even without the logic of the great debater.—Many portions of it are very obscure. It seems to be an unsuccessful effort at legal precision, like the writing of a judge, who is trying in vain to give good reasons for a wrong decision on a question of law which he has not quite mastered.

With the help of Messrs. Seward and Lincoln, he has defined accurately enough the platform of the so-called Republican party; and he does not attempt to conceal his conviction that their doctrines are, in the last degree, dangerous. They are, most assuredly, full of evil and saturated with mischeif. The "irrepressible conflict" which they speak of with so much pleasure between the "opposing and enduring forces" of the Northern and Southern States, will be fatal, not merely to the peace of the country, but to the existence of the Government itself. Mr. Douglas knows this, and he knows, also, that the Democratic party is the only power of which is, or can be, organized to resist the Republican forces or oppose their hostile march upon the capital. He who divides and weakens the friends of the country at such a crisis in her fortunes, assumes a very grave responsibility.

Mr. Douglas separates the Democratic party into three classes, and describes them as follows:

"*First.* Those who believe that the Constitution of the United States neither establishes nor prohibits slavery in the States or Territories beyond the power of the people legally to control it, but leaves 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.'

"*Second* Those who believe that the Constitution establishes slavery in the Territories, and withholds from Congress and the Territorial Legislature the power to control it, and who insist that, in the event the Territorial Legislature fails to enact the requisite laws for its protection, it becomes the imperative duty of Congress to interpose its authority and furnish such protection.

Third. Those who, while professing to believe that the Constitution establishes slavery in the Territories beyond the power of Congress or the Territorial Legislature to control it, at the same time protest against the duty of Congress to interfere for its protection; but insist that it is the duty of the judiciary to protect and maintain slavery in the Territories without any law upon the subject."

We give Mr. Douglas the full benefit of his own statement. This is his mode of expressing those differences, which, he says, disturb the harmony, and threaten the integrity, of the American Democracy. These passages should, therefore, be most carefully considered.

The first class is the one to which he himself belongs, and to both the others he is equally opposed. He has no right to come between the second and third class. If the difference which he speaks of does not exist among his opponents, it is their business, not his, to settle it or fight it out. We shall therefore confine ourselves to the dispute between Mr Douglas and his followers on the one hand, and the rest of the Democratic party on the other, presuming that he will be willing to observe the principle of non-intervention in all matters with which he has no concern.

We will invert the order in which he has discussed the subject, and endeavor to show—

1 That he has not correctly stated the doctrine held by his opponents; and,

2. That his own opinions, as given by himself, are altogether unsound.

1. He says that a certain portion of the Democratic party believe, or profess to believe, that *the Constitution establishes slavery* in the Territories, and insist that it is the duty of the judiciary to maintain it there *without any law* on the subject. We do not charge him with any intention to be unfair: but we assert, that he has in fact done wrong to, probably, nineteen-twentieths of the party, by attempting to put them on grounds which they never chose for themselves.

The Constitution certainly does not *establish* slavery in the Territories, nor anywhere else. Nobody in this country ever thought or said so. But the Constitution regards as sacred and inviolable all the rights which a citizen may legally acquire in a State. If a man acquires property of any kind in a State, and goes with it into a Territory, he is not for that reason to be stripped of it. Our simple and plain proposition is, that the legal owner of a slave or other chattel may go with it into a Federal Territory without forfeiting his title.

Who denies the truth of this, and upon what ground can it be controverted? The reasons which support it are very obvious and very conclusive. As a jurist and a statesman, Mr. Douglas ought to be familiar with them, and there was a time when he was supposed to understand them very well. We will briefly give him a few of them.

1. It is an axiomatic principle of public law, that a right of property, a private relation, condition or *status*, lawfully existing in one State or country, is not changed by the mere removal of the parties to another country, unless the law of that other country be in direct conflict with it. For instance: A marriage legally solemnized in France is binding in America; children born in Germany are legitimate here if they are legitimate there; and a merchant who buys goods in New York according to the laws of that State may carry them to Illinois and hold them there under his contract. It is precisely so with the *status* of a negro carried from one part of the United States to another;—the question of his freedom or servitude depends on the law of the place where he came from, and depends on that alone, if there be no conflicting law at the place to which he goes or is taken The Federal Constitution therefore recognises slavery as a legal condition wherever the local governments have chosen to let it stand unabolished, and regards it as illegal wherever the laws of the place have forbidden it. A slave being property in Virginia, remains property; and his master has all the rights of a Virginia master wherever he may go, so that he go not to any place where the local law comes in conflict with his right. It will not be pretended that the Constitution itself furnishes to the Territories a conflicting law It contains no provision that can be tortured into any semblance of a prohibition.

2. The dispute on the question whether slavery or freedom is local or general, is a mere war of words. The black race in this country is neither bond nor free by virtue of any general law. That portion of it which is free, is free by virtue of some local regulation, and the slave owes service for a similar reason. The Constitution and laws of the United States simply declare that everything done in the premises by the State governments is right, and they shall be protected in carrying it out. But free negroes and slaves may both find themselves outside of any State jurisdiction, and in a Territory where no regulation has yet been made on the subject. There the Constitution is equally impartial: it neither frees the slave nor enslaves the freeman. It requires both to remain in *statu quo* until the *status* already impressed upon them by the law of their previous domicil shall be changed by some competent local authority. What is competent local authority in a Territory will be elsewhere considered.

3. The Federal Constitution carefully guards the rights of private property against the Federal Government itself, by declaring that it shall not be taken for public use without compensation, nor without due process of law.—Slaves are private property, and every man who has taken an oath of fidelity to the Constitution is religiously, morally, and politically bound to regard them as such. Does anybody suppose that a Constitution which acknowledges the sacredness of private property so fully would wantonly destroy that right, not by any words that are found in it, but by mere implication from its general principles? It might as well be asserted that the general principles of the Constitution gave Lane and Montgomery a license to steal horses in the valley of the Osage.

4. The Supreme Court of the United States has decided the question. After solemn argument, and careful consideration, that august tribunal has announced its opinion to be that a slaveholder, by going into a Federal Territory, does not lose the title he had (o his negro in the State from which he came. In former times, a question of constitutional law once decided by the Supreme Court was regarded as settled by all, except that little band of ribald infidels, who meet periodically at Boston to blaspheme the religion, and plot rebellion against the laws of the country The leaders of the so-called Republican party have lately been treading close on the heels of their abolition brethren; but it is devoutly to be hoped that Mr. Douglas has no intention to follow their example. In case he is elected President, he must see the laws faithfully executed.—Does he think he can keep that oath by fighting the judiciary?

5 The legislative history of the country shows that all the great statesmen of former times entertained the same opinion, and held it so firmly that they did not even think of any other. It was universally taken for granted that a slave remained a slave, and a freeman a freeman, in the new Territories, until a change was made in their condition by some positive enactment. Nobody believed that a slave might not have been taken to and kept in the Northwest Territory if the ordinance of 1787 or some other regulation had not been made to prohibit it The Missouri restriction of 1820 was imposed solely because it was understood (probably by every member of that Congress) that, in the absence of a restriction, slave property would be as lawful in the eye of the Constitution above 36° 30', as below; and all agreed, that the mere absence of a restriction did, in fact, make it lawful below the compromise line.

6 It is right to learn wisdom from our enemies. The Republicans do not point to any express provision of the Constitution, nor to any general principle embraced in it, nor to any established rule of law, which sustains their views The ablest men among them are driven by stress of necessity to hunt for arguments in a code unrevealed, unwritten, and undefined, which they put above the Constitution or the Bible, and call it "higher law" The ultra abolitionists of New England do not deny that the Constitution is rightly interpreted by the Democrats, as not interfering against slavery in the Territories; but they disdain to obey what they pronounce to be "an agreement with death and a covenant with hell."

7. What did Mr. Douglas mean when he proposed and voted for the Kansas-Nebraska bill repealing the Missouri restriction? Did he intend to tell southern men that notwithstanding the repeal of the prohibition, they were excluded from those Territories as much as ever? Or did he not regard the right of a master to his slave perfectly good whenever he got rid of the prohibition? Did he, or anybody else at that time, dream that it was necessary to make a positive law in favor of the slaveholder before he could go there with safety? To ask these questions is to answer them? The Kansas-Nebraska bill was not meant as a delusion or a snare It was well understood that the repeal alone of the restriction against slavery would throw the country open to everything which the Constitution recognized as property.

We have thus given what we believe to be the opinions held by the great body of the Democratic party: namely, that the Federal Constitution does not establish slavery anywhere in the Union; that it permits a black man to be either held in servitude or made free as the local law shall decide; and that in a Territory where no local law on the subject has been enacted, it keeps both the slave and the free negro in the *status* already impressed upon them, until it shall be changed by competent local authority. We have seen, that this is sustained by the reason of the thing, by a great principle of public law, by the words of the Constitution, by a solemn decision of the Supreme Court, by the whole course of our legislation, by the concession of our political opponents, and, finally, by the most important act in the public life of Mr. Douglas himself.

Mr. Douglas imputes another absurdity to his opponents when he charges them with insisting "that it is the duty of the judiciary to protect and maintain slavery in the Territories *without any law upon the subject.*" The judge who acts without law acts against law; and surely no sentiment so atrocious as this was ever entertained by any portion of the Democratic party. The right of a master to the services of his slave in a Territory is not against law nor without law, but in full accordance with law. If the law be against it we are all against it. Has not the emigrant to Nebraska a legal right to the ox team, which he bought in Ohio, to haul him over the plains? Is not his title as good to it in the Territory, as it was in the State where he got it? And what should be said of a judge who tells him that he is not protected, or that he is maintained, in the possession of his property "without any law upon the subject?"

II. We had a right to expect from Mr. Douglas at least a clear and intelligible definition of his own doctrine. We are disappointed. It is hardly possible to conceive anything more difficult to comprehend. We will transcribe it again, and do what can be done to analyse it.

"Those who believe that the Constitution of the United States neither establishes nor prohibits slavery in the States or Territories beyond the power of the people legally to control it, but leaves 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.'"

The Constitution neither establishes nor prohibits slavery in the States or Territories. If it be meant by this that the Constitution does not, *proprio vigore*, either emancipate any man's slave, or create the condition of slavery, and impose it on free negroes, but leaves the question of every black man's *status*, in the Territories as well as in the States, to be determined by the local law, then we admit it, for it is the very same proposition which we have been trying to prove. But if, on the contrary, it is to be understood as an assertion that the Constitution does not permit a master to keep his slave, or a free negro to have his liberty, in all parts of the Union where the local law does not interfere to prevent it, then the error is not only a very grave one, but it is also absurd and self-contradictory.

The Constitution neither establishes nor prohibits slavery in the States or Territories beyond the power of the people legally to control it. This is falling to Point-So-Point again. Of course a subject, which is *legally* controlled, cannot be beyond the power that controls it. But the question is, what constitutes legal control, and when the people of a State or Territory are in a condition to exercise it.

The Constitution of the United States * * * * leaves the people perfectly free, * * * *and subject only to the Constitution of the United States.* This carries us round a full circle, and drops us precisely at the place of beginning. That the Constitution leaves everybody subject to the Constitution, is most true. We are far from denying it. We never heard it doubted, and expect we never will. But the statement of it proves nothing, defines nothing, and explains nothing. It merely darkens the subject, as words without meaning always do.

But notwithstanding all this circuity of expression and consequent opaqueness of meaning in the magazine article of Mr. Douglas, we think we can guess what his opinions are or will be when he comes to reconsider the subject. He will admit (at least he will not undertake to deny) that the *status* of a negro, whether of servitude or freedom, accompanies him wherever he goes, and adheres to him in every part of the Union until he meets some local law which changes it.

It will also be agreed that the people of a State, through their Legislature, and the people of a Territory, in the constitution which they may frame preparatory to their admission as a State, can regulate and control the condition of the subject black race within their respective jurisdictions, so as to make them bond or free.

But here we come to the point at which opinions diverge. Some insist that no citizen can be deprived of his property in slaves, or in anything else, *except* by the provision of a State constitution or by the act of a State Legislatute; while others contend that an unlimited control over private rights may be exercised by a Territorial Legislature as soon as the earliest settlements are made.

So strong are the sentiments of Mr. Douglas in favor of the latter doctrine, that if it be not established he threatens us with Mr. Seward's "irrepressible conflict," which shall end only with the universal abolition or the universal dominion of slavery. On the other hand, the President, the Judges of the Supreme Court, nearly all the Democratic members of Congress, the whole of the party South, and a very large majority North, are penetrated with a conviction, that no such power is vested in a Territorial Legislature, and that those who desire to confiscate private property of any kind must wait until they get a constitutional convention or the machinery of State government into their hands. We venture to give the following reasons for believing that Mr Douglas is in error.

The Supreme Court has decided that a Territorial Legislature has not the power which he claims for it. That alone ought to be sufficient. There can be no law, order, or security for any man's rights, unless the judicial authority of the country be upheld Mr Douglas may do what he pleases with political conventions and party platforms, but we trust he will give to the Supreme Court at least that decent respect, which none but the most ultra Republicans have yet withheld.

The right of property is sacred and the first object of all human government is to make it secure Life is always unsafe were property is not fully protected This is the experience of every people on earth, ancient and modern To secure private property was a principal object of *Magna Charta*. Charles I. afterwards attempted to violate it, but the people rose upon him, dragged him to the block, and severed his head from his body At a still later period another monarch for a kindred offence was driven out of the country, and died a fugitive and an outcast. Our own Revolution was provoked by that slight invasion upon the right of property which consisted in the exaction of a trifling tax. There is no government in the world, however absolute, which would not be disgraced and endangered by wantonly sacrificing private property even to a small extent. For centuries past such outrages have ceased to be committed in times of peace among civilized nations.

Slaves are regarded as property in the Southern States. The people of that section buy and sell, and carry on all their business, provide for their families, and make their wills and divide their inheritances on that assumption. It is manifest to all who know them, that no doubts ever crossed their minds about the rightfulness of holding such property. They believe they have a direct warrant for it, not only in the examples of the best men that ever lived in the purest days of Divine Revelation itself; and they are thoroughly satisfied that the relation of master and slave is the only one which can possibly exist there between the white and the black race without ruining both. The people of the North may differ from their fellow citizens of the South on the whole subject, but knowing, as we all do, that these sentiments are sincerely and honestly entertained, we cannot wonder that they feel the most unspeakable indignation when any attempt is made to interfere with their rights. This sentiment results naturally and necessarily from their education and habits of thinking. They cannot help it, any more than an honest man in the North can avoid abhorring a thief or house-breaker

The jurists, legislators, and people of the Northern States, have always sacredly respected the right of property in slaves held by their own jurisdiction. It is a remarkable fact, very well worth noticing, that no Northern State ever passed any law to take a negro from his master. All laws for the abolition of slavery have operated only on the unborn descendants of the negro race and vested rights of masters have no more been disturbed in the North than in the South.

In every nation under heaven, civilized, semi-barbarous, or savage, where slavery has existed in any form at all analogous to ours, the rights of the masters to the control of their slaves as property have been respected; and no no occasion has any government struck at those rights, except as it would strike at other property. Even the British Parliament, when it emancipated the West India slaves, though it was legislating for a people three thousand miles away, and not represented, never denied either the legal or the natural right of the slave owner. Slaves were admitted to be property, and the Government acknowledged it by paying their masters one hundred millions of dollars for the privilege of setting them free.

Here, then, is a species of property which is of transcendent importance to the material interests of the South—which the people of that region think it right and meritorious in the eyes of God and good men to hold—which is sanctioned by the general sense of all mankind among whom it has existed—which was legal only a short time ago in all the States of the Union, and was then treated as sacred by every one of them—which is guaranteed to the owner as any other property is guaranteed by the Constitution; and Mr. Douglas thinks that a Territorial Legislature is competent to take it away. We say, No; the supreme Legislative power of a sovereign State alone can deprive a man of his property.

This proposition is so plain, so well established, and so universally acknowledged, that any argument in its favor would be a mere waste of words. Mr. Douglas does not deny it, and it did not require the thousandth part of his sagacity to see that it was undeniable. He claims for the Territorial governments the right of confiscating private property on the ground that *those governments* ARE *sovereign*—have an uncontrollable and independent power over all their internal affairs. That is the point which he thinks is to split the Democracy and impale the nation. But it is so entirely erroneous, that it must vanish into thin air as soon as it comes to be examined.

A Territorial government is merely provisional and temporary. It is created by Congress for the necessary preservation of order and the purposes of police. The powers conferred upon it are expressed in the organic act, which is the charter of its existence, and which may be changed or repealed at the pleasure of Congress. In most of those acts the power has been expressly reserved to Congress of revising the Territorial laws, and the power to repeal them exists without such reservation.—This was asserted in the case of Kansas by the most distinguished Senators in the Congress of 1856. The President appoints the the Governor, Judges, and all other officers whose appointment is not otherwise provided for, directly or indirectly, by Congress. Even the expenses of the Territorial government are paid out of the Federal treasury. The truth is, they have no attribute of sovereignty about them. The essence of sovereignty consists in having no superior in the United States Government, upon whose pleasure it is dependent for its very existence—in whom it lives, and moves, and has its being—who has made, and can unmake it with a breath.

Where does this sovereign authority, to deprive men of their property, come from? This transcendent power, which even despots are cautious about using, and which a constitutional monarch dever exercises—how does it get into a Territorial Legislature? Surely it does not drop from the clouds. it will not be contended, that it accompanies the settlers, or exists in the Territory before its organization.—Indeed it is not to the people, but to the government of a Territory, that Mr. Douglas says it belongs. Then Congress must give the power at the same time that it gives the Territorial government. But not a word of the kind is to be found in any organic act that ever was framed. It is thus that Mr. Douglas argument runs itself out into nothing.

But if Congress *would* pass a statute expressly to give this sort of power to the Territorial governments, they still would not have it; for the Federal Government itself does not possess any control over men's property in the Territories. That such power does not exist in the Federal Government needs no proof: Mr. Douglas admits it fully and freely. It is, besides, established by the solemn decision of Congress, by the assent of the Executive, and by the direct ratification of the people acting in their primary capacity at the polls. In addition to all this, the Supreme Court have deliberately adjudged it to