

STAUNTON VINDICATOR

AND GENERAL ADVERTISER.

THE UNION, BASED UPON THE CONSTITUTION.

To be discharged by two hours.

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VOLUME XV.

The Vindicator.

NEW YORK, N. Y., Oct.

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ADVERTISEMENTS of less than five lines, inserted three times per week, and shorter, and for advertising, will be charged 50 cents per insertion.

Advertisers will be charged 50 cents per week.

Professional Classes, ten dollars per week, or \$500 per annum, for one year.

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The Vindicator.

STAUNTON, VA.

FRIDAY, Sept. 23, 1859.

N. M. PATRICK & CO., No. 18 State Street, Boston, and No. 110 Nassau Street, New York, are authorized agents for the "Vindicator" and will contract for advertisements at our lowest rates.

THOMAS J. DRAKE is an authorized agent for the "Vindicator," for the day of Sabbath, for the "Christianity." He will contract for advertisements at our lowest rates.

JOHN H. WOODWARD, of Springfield, is an authorized agent for the "Christianity." He will contract for advertisements in the "Vindicator," and will receive his compensation for the same.

JOHN A. BROWN.—The "Vindicator" has a large and interesting circulation in this and the adjacent counties, and is a valuable medium for advertising. Advertising among business men, it is especially well adapted to those who will who do it.

LEGAL ADVERTISEMENTS.

The undersigned hereby give notice that from the date of publication of this paper, all notices of the "Vindicator" and other publications, which may be sent to us, shall be forwarded to us at our low rates.

W. S. DODD & CO., Proprietors of "Vindicator."

Review of Judge Douglass' Article in Harper's Magazine by Judge Black.

We deeply regret that our limited space forbids to lay the whole of this powerful and conclusive document before our readers. The conservative Democracy of the Union owe an insatiable debt of gratitude to the distinguished Judge for his masterly defense of the true Democratic theory, and his crushing and overwhelming assault upon the squalid sovereignty heresy and its adherents.

The following extracts which, alone, we consider a conclusive refutation of Mr. Douglass' dogma, and a triumphant vindication of the conservative, property-protection theory, we cannot refrain from publishing, even at the cost of excluding much of our editorial matter:

"The Juries, legislators, and people of the Northern States have always sincerely respected the right of property in slaves held by their own jurisdictions. 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 southern descendants of the negro race, and the vested rights of masters have not been disturbed in the North more than in the South.

In every nation under Heaven, civilised, 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 on no occasion has any government struck at those rights, except as it would affect 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 mentioned 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 owners as much as any other property is guaranteed by the Constitution, and Mr. Douglass thinks that a Territorial Legislature is competent to take 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 organization in its favor would be a mere waste of words. Mr. Douglass does not deny it, and it did not require the thousand parts of argument to see that it was undeniable. His claims for the Territorial Government's right of confiscating private property on the ground that those governments and the country—have an unconstitutional and independent power over all their internal affairs. That is the point which he makes, and the discussion is simple and lucid. But it is entirely erroneous, that it must vanish from this air as soon as it comes to be examined.

2. Territorial Government is merely provisional and temporary. It is created by Congress for the necessary preservation of order and the purpose of police. The power bestowed upon it is temporary, and which may be changed or re-vested at the pleasure of Congress. In most of these cases the power has been expressly reserved to Congress of revising the Territorial Government, and the power to re-vest it in another. This was asserted in the case of Kansas by the most distinguished Senators in the Congress of 1850. The President approves the Governor, judges, and all other officers whose appointment is not otherwise provided for, directly or indirectly, by Congress. Even the members of the Territorial Government and paid out of the Federal Treasury. The word is, they have no absolute or sovereign power over them. The source of sovereignty consists in having an superior.

3. A Territorial Government has a superior to the United States Government, upon whom it is dependent for its very existence. It has, and moves, and acts, in the hands—who has made and can command it with a breath.

What gives this authority to determine what property come from?—This tremendous power, which even deposits the national blood, acting, and which a constitutional measure never exercises—how does it get into Territorial Legislature?—Surely it must drop from the clouds; it will not be bestowed that it accompanies the creation, or exists in the Territory before its organization. Indeed it is not to be given, left to the government of a Territory, but to the government of a Territory, the U.S. Disobeying it.

These Congress must give the power if it is the same that it gives the Territorial Government. But not a word of the kind is to be found in any organic act that ever was passed. It is then that Mr. Douglass' argument fails, and falls to the ground.

4. Douglass would make a plausible argument, that it is not of power to the Territorial Government, than still, will and have it; for the Federal Government itself, which has supported one man's party, now to another. That is, the Government exists in the Federal Government.

It is followed by a state to plunder the slaves of their master. Such things cannot be done by the Federal Government, or by the government of the Territories. If Mr. Douglass is not mistaken, they can be done by the Territorial Government. It is however well known to all that the Federal Government have deliberately adjudged that the people of the Territories are entitled to the protection of the law.

Again, Mr. Douglass, as the author of the Kansas Nebraska act, and a violent advocate of congressional non-intervention in the Territories, which of course carries with it the assumption that the power to deprive slave owners of their property is not vested in Congress, is triumphantly aided by the advocates of intervention for the protection of property, how it is that the territorial legislature, the creature of Congress, should have the power to deprive them of their property, when he acknowledges that Congress itself, the creator, has not that power? The distinguished Senator freely admits that Congress has no jurisdiction over the subject, but persists in his theory that the territorial legislature has received that power from Congress, and even proclaims that "the sum of the power in Congress is very small, why it can delegate it," and cites a few cases where powers which Congress is incapable of exercising, but which it may delegate to inferior bodies, to prove that, as a general rule, it cannot delegate such powers as are vested in itself, but "only such as it cannot exercise under the Constitution." This monstrous proposition, which is calculated to startle any man capable of distinguishing between a logical sequence and a logical absurdity, out of his boots, is seriously propounded by a grave Senator of the United States, and argued at length with much ingenuity and plausible sophistry.

The following extract shows the way in which Judge Black handles and exposes the exquisite absurdity of the Senator's proposition:

"This acknowledged fact that Congress has no power, authority, or jurisdiction over the subject, to give Mr. Douglass to give up his doctrine, or else maintain it by asserting that a power which the Federal Government does not possess may be given by Congress to the Territorial Government. The right to abolish African slavery in a Territory is not granted by the Constitution to Congress; it is withheld, and therefore the same as if expressly prohibited. Yet Mr. Douglass declares that Congress may give it to the Territories. Now, he goes further, and says that the sum of the power in Congress is very small, why it can delegate it—the general rule, in his opinion, being that Congress cannot delegate the powers it possesses, but which may be delegated such, 'and only such, as Congress cannot exercise under the Constitution.' By turning to page 520 and 521 the reader will see that this last-mentioned proposition is actually made, not in jest or irony, but solemnly, seriously, and, no doubt, in perfect good faith. On this principle, as Congress cannot exercise the power to make an ex post facto law, or a law impairing the obligation of contracts, therefore it may authorize such laws to be made by the town councils of Washington city, or the levy court of the District. If Congress passes an act to hang a man without trial, it is void, and the judges will not allow it to be executed; but the power to do this prohibited thing can be constitutionally given by Congress to a Territorial Legislature!

Passengers going from Weymouth to the Great Eastern will sail for England on Tuesday, the 27th, and Wednesday, the 28th inst. It will be observed that the date of her departure from Portland, Eng., for her trans-Atlantic trip, has been definitely fixed for Thursday, Sept. 29.

The Great Eastern is intended to leave her moorings on Tuesday, 6th, inst., and will stay at the Nore to adjust compasses, then proceed to Portland, near Weymouth, and be ready there for the reception of visitors from the 9th to the 16th; she will then start on her trial trip, which it is proposed will not occupy more than three days. Returning to Holyhead, she will remain there for the reception of visitors from Tuesday, the 20th, to Monday, the 26th, both inclusive.

Passengers going from Weymouth to the trial trip will be received on board on Friday, the 16th inst.

Passengers, parcels and letters for America will be received on board at Holyhead, on Tuesday, the 27th, and Wednesday, the 28th inst.

The Great Eastern will sail for England from Portland, United States, on the 1st of November.

The Directors have every confidence that the above arrangements will be adhered to, but should any alteration unavoidably occur due notice will be given."

Upon the trial trip none but first class passengers would be received; the fares to range from \$6 to \$10, according to cabin. The fare for the American voyage outward remains as previously published. Return tickets are sold for "a fare and a half."

TERMINO STORM AT LYNCHBURG.—We were visited Friday night and Saturday morning, says the Republican of yesterday, no tree felled, nor a friend of justice and order, can deliberately reflect on the probable consequences without deplored them.

This power over property is the one which in all governments has been most carefully guarded, because the temptation to abuse it is always greater than any other. It is there that the subjects of a limited monarchy watch their King with the greatest jealousy. No repeated had ever failed to impose strict limitations upon it. All free people know that, if they would remain free, they must compel the government to keep its hands off their private property; and this can be done only by tying them up with careful restrictions. Accordingly our Federal Constitution declares that "no person shall be deprived of his property except by due process of law," and that "private property shall not be taken for public use without just compensation."

We call the attention of our readers to the "Constitution Box for the Washington Monument," which is placed just below the general distribution letter box at the post-office. Each son and daughter of America who acknowledges a debt of gratitude to Washington, is solicited to contribute to his honor the memory of the "Father of his Country."

We confidently predict that the loyal and patriotic citizens of "West Virginia," will not be niggardly in their contributions to so holy a cause.

THE REMAINING ELECTIONS THIS FALL.—The elections in California for State officers and members of Congress took place on the first of September. In October elections will occur in Pennsylvania, Ohio, Minnesota, Mississippi, Georgia, Iowa and Kansas. In the early part of November the following States will vote: New York, New Jersey, Louisiana, Maryland, Massachusetts and Wisconsin.

FRIEZ.—On Tuesday morning last about half past 3 o'clock, our citizens were aroused from their slumbers by the cry of fire, which was caused by the bursting of the Stables of Dr. Baldwin and Mrs. Heyden, in rear of the Old Bell Tavern, which was doubles the work of an incendiary.

ROCKAWAY.—Rev. H. Stringfellow, of Hanover county, Va., has just recovered from the injuries sustained by him last Spring from collision with the cars on the Central railroad, as to be able to resume his ministerial duties.

CONSTITUTIONAL NOMINATION.—By telegraphic dispatch dated Farmville, Sept. 21, we learn that Roger A. Pryor was nominated by the Massachusetts State Democratic Convention for Governor.

THE RIOT ON THE NEW YORK AND Erie RAILROAD.—The mobster of the "Terrorist" on the New York and Erie Railroad, whom the company of which he was a member, still continued Saturday, as he numbered 700 men.

Shortly after three o'clock, P. M., a train left Jersey City for the woods of the Erie, with a gang of 500 men, headed by W. G. O. Simms, and Eric Hart, of the New York and Erie Railroad, to proceed in a body to remove the obstructions, and the military at Hudson Court-house, was summoned, to support them. The soldiers at Hudson City were under the command of the First regiment of the Hudson Guards, consisting of detachments from companies of the Highwood Guards, Apponaug, and Eric Hart, was, twelve and eighteen months, Lewis being the purchaser, and having to give negotiable notes for the train robbery. The notes were furnished to Lewis for \$125.18, \$127.75, \$130.30, all of which he forged, and forged the name of Alfred A. Myers, as endorser, and was sent to the.

By 10 o'clock, the robbers had

left the scene of the robbery.

Mr. Lewis, a

