Datlock & Johnson. ATTORNEYS & COUNSELORS AT LAW

And Solicitors in Chancery, Will promptly attent to anotherry,
may be committed to their professional
charge before the District and Supreme Courts.
Office in Highfield's building, immediately opposite the Main Street House.
Orogon City, March 7, 1857.

47y

H. G. Burnett,

ATTORNEY & COUNSELOR AT LAW, And Solicitor in Chancery. BETHEL, POLK COUNTY, ONEGON,

JOHN R M'BRIDE. ATTORNEY AND COUNSELOR AT LAW Lafayette, Yamkill County, O. T., TLL faithfully attend to all husiness o trusted to his professional care.

Wm. C. Dement & Co., WHOLESALE and retail Dealers in Groe-VV ies, Prov. sous, Paints, Oils, Borts and Shoes, Crockery, &c. Opposite the Land Office. Main St. Oregon City. June 1, 1855.

CHARLES POPE, JR. DEALER in Hardware, Groceries, Dry Goods Clothing, Boots & Shoes, Medicines, Book

Main-st., Oregon City, April 21, 1857-Itf GEO. ABERNETHY & Co.,

MERCHANTS, OREGON CITY, O. T.

Abernethy, Clark & Co., COMMISSION AND FORWARDING MERCHANTS

San Francisco, Cal., Will attend to selling Oregon produce, and fill or-ders for Goods, Groverics, &c., at the lowest rates. The patronage of the people of Oregon is re-spectfully solicited. Aug. 2.

Manufacturer, Wholesale and Retnil Dealer i. COOK AND PARLOR STOVES,

TIN & COPPER WARE, HARDWARE, &C., Main St., opposite Main Street'Hotel OREGON CITY, O. T.

about and jobbing work attended to dispatch.

Orders from the country promptly filled. je?

F. HIGHFIELD. Persons desirous of getting good work done will do well to give me a call, as my whole time is de-voted to the repairing of Chronometer, Lever, Duplex, and Horzontai watches.

An assortment of Jewelry on hand.

Jewelry made to ord r, and repaired.

Prices to suit the times. I am thankful for past favors, and hope to give satisfaction in future.

ET Located at the old stand, opposite the Telegraph Office, OREGON CITY. Feb. 2.

Drugs, Medicines, Paints, Oils, and Dye-stuffs, at the OREGON CITY DRUG STORE,

Main Street, Oregon City, O. T. JOHN P. BROOKS.

Wholesale & Retail Dealer in Grocerice, Produce Provinions, &c . Main Street. A General Assortment kept up of Selected Goods Canemah, March 28, 1857.

GUN SMITHING. BEING permanently located in Oregon City, I am prepared to carry on the business of GUN-SMITHING

IN ALL ITS BRANCHES. These who favor me with their patronage, may expect to have their work done right.

Those who leave GUNS at my Shop for repairs, and do not call for them within NINE MONTHS of the time set for the work to be done, may expect to have them said to pay charges.

FERDINAND WILDE.

June 27, 1857.

Wells, Fargo & Co.'s Express, Between Oregon, California, the Atlantic

States and Europe.

HAVING made advantageous arrangements with the United States and Pacific Mail Steam

ship Companies for transportation, we are now prepared to forward Gold Dust, Ballion, Specie. Packages, Parcels, and Freight, to and from N. Yark, N. Orieans, San Francisco, Portland, and principal towns of Cal fornis und Oregon.

Our regular Semi-monthly Express between Portland and San Francisco, is dispatched by the Pacific Mail Steamship Co.'s steamship Columb a connecting at San Francisco with our semi-monthly Express to New York and New Orleans, which is dispatched regularly on the 1st and 16th of control of the control

is dispatched regularly on the 1st and 16th of each mouth, by the mail steamers and in charge of our own messengers, through to destination.

Our Express from New York leaves regularly

on the 5th and 20th of each month, also in charge of messengers.

Treasure insured in the best New York companies, or at Lloyd's in Loudon, at the option of shippers.

OFFICES—New York, No. 16, Wall st.; Now

Orleans, No. 11, Exchange place; San Francisco No. 114, Montgomery street. A. H. STEELE, Agent. Oregon City, April 21, 1857.—116

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Choice selection of Popular Books, Newspaper, Magazines and Fancy Stationery.

Among the books on hand will be found works on Temperance, Agriculture, Horticalture, History, Poetry, Biography, Medicines, Religion, Science, School Books, Komaneus, &c., &c. &c.

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published in any part of the Union.

Remember the Frankin Book Store and Newspaper Agency, Front street, Fortland Oregon.

A priced catalogue will be published early in April, and will be sent to any part of the territory free on application.

Oregon Lodge No. 3, L. O. U. F.,

MEETS at their Hall over the Oregon City
Drug Store every Wednesday evening at
7 o clock. Brethren in good standing are invited
to visit. FRED. CHARMAN, N.G. GEORGE PRASE, Sec'y.

TEMPLE OF HONOR.—Tualatin Temple of Honor, No. 1, meets on the let and 3d Friday evenings of each month at 6h o'clock, at Temperance Hail, Forest Grove, Oregon.

Members of the Order in good standing are invited to visit this Temple.

E. W. DIXON, W. C. T.

. M. Torras, W. R.

The Oregon Argus.

-A Weekly Newspaper, devoted to the Principles of Jeffersonian Democracy, and advocating the side of Truth in every issue.

Vol. III.

OREGON CITY, OREGON, SEPTEMBER 19, 1857.

No. 23.

What the Dred Heatt Case Decided and

what It did not Decide. The Boston Law Reporter for June con tains a very able and thorough review of the "Dred Soutt Decision," which will enable the reader to know what the Supreme Court has decided in that important case, far more readily and certainly than he can learn from the official report itself. In fact, the review has done just what the reporter, Mr. Howard, in long and confused head-notes, attempted, but failed to

Those, also, who desire to understand not merely the points which the so called decision really decided, but also what it did not decide, will do well to consult the Law Reporter's article, the authorship of which is ascribed to Horace Gray, Jr., and John Lovell, two well known legal gentleman of Boston. The result of their investigation of the decisision is briefly stated, as

"First-As to the question, 'Can a re-It has been commonly supposed that the Court decided this question in the negative. This is a mistake. From the form in which it was presented it was very doubt ful whether it was before the court for a decision. Four of the nine Judges thought that it was; these were the Chief Justice, and Justices Wayne and Daniel, who an swer the question in the negative, and Justice Curis, who answers it in the affir ative. Of the Judges who gave no opin-ion on the point, one (Judge McLean) declares that if he answered the question at all it would be in the affirmative; Judge Catron, when Chief Justice of the Supreme Court of Tennessee, gave an opinion directly involving an affirmative answer to the question ; the three other Judges gave no clue to their opinions. On this question, then, the Court stands thus; three in the affirmative, three in the negative, and three

"Secondly-Was the Missouri Com mi e constitutional? It is a perfectly well settled principle of the Supreme Court, and one that has often been laid down from its bench, that no part of an opinion of the Court is to be regarded as of authority as a precedent which was not necessary to the solution of the question before it. Anything beyond the is merely the expression of the individual opinion of the Judge; and it has been well said 'if general dicts are to be considered as establishing the law, nothing is yet settled or can long be settled.' Bearing this in mind, lot us look at the facts of the case. Scott was a slave in Missouri; was taken by his master to lili nois, and thence into a Territory of the United States, where Slavery was prohibited by the Missouri Compromise; and thence back to Missouri. The opinion of laws of Missouri are to decide whether Scottis or is not a slave, now that he hav ters it whether the Compromise was valid or invalid ! In other words, whether Sout was free when in Illinois, or in the Terri tury, or whether he continued to be a slave all the time! And if the Court goes out of its way to give an opinion on this point, could a plainer instance be found of an opinion on a point not necessary to the de termination of the rights of the parties? The Court, then, has not decided that the Missouri Compromise was unconstitu-

"Thi-dly-This case is often spoken of as deciding that a master may take his slave to a free State and there hold him as a slave. This is a simple mistake; there

"Fourthly-The doctrine is here estab. lished that, if a slave be taken by his man-ter to a free State, and does not there claim his liber:y, but consents to return with his master to a slave State, he may be of that State considers him to be still a slave. In other words, the Dred Scott case does not decide that a negro is a slave in a tree State, because he was a slave in the State from which he was brought; nor, that a slave carried from a slave to a free State and brought back, is free because he might have claimed his freedom in the free Sixte; nor that he is necessarily a slave after his return ; but leaves his freedom or slavery to be settled by the slave State to which he returned with his master."

ENGLAND AND THE UNITED STATES. Aug. 1 .- Lord Napier has had several prolonged interviews with Gen. Cass relative to subjects of correspondence between the two governments, during this week. To-

cause of war against China, we desire to paragraph is going the rounds of the pub-see that empire opened to the commerce of bandling hundreds of millions of dollars as the world. The general outbreak of the Secretary of the Treasury, retired from that Sepoys will no doubt cause a suspension of office as poor as a primative Christian. the war against the Chinese, as it will pro- We are induced to notice this paragraph duce a diversion of the army and navy solely with a view to correct the very employed. In this case, the duty of pro-teeting foreign interests in Chinese ports the public money; when he never touches will devolve upon the American and the a dollar of it, and cannot even draw his sal-

of the N. Y. Tribune. We mand recall the past.

UTAH .- Washington, Aug. 2 .- The inmilitary forces are then to be employed .-While Gov. C.'s powers are ample for all practical purposes, much is confided to his discretion. - Cor. N. Y. Times.

The Mormon Standard of San Francisco helds the following language in reference to the new appointments:

"No man can be governor of the Mor-mone but Brigham Young. He has no need to commit any overt act of treason, nor to, in the least, oppose the rule of onaffections of the people as their prophet and ser-as an honest man, and one and ser-as an whose interests and welfare are theirs. As such they will seek him for counsel and guidance. Whoever may be the Washington appointee, the sets of the Territorial Legislature will be but the reflex of the

mind of Brigham Young. " We predict that the new Governor and other officials will be received at the Utah capital with due courtesy, and that no obstacle will be thrown in their way to prevent them entering upon their official du-ties. The Sainta will act upon the principle that it is better to be friends than enemies. . But there will be no civil cases for Gentile courts to adjudicate. The Mormona possess the Constitutional right to arbitrate their difficulties and settle

New MONTHLY .- Several leading literary and scientific gentlemen in Roston have monthly to be called the Northern Magazine, to be altogether original, and to aim at the highest literary and political character. The best of our American writers have been secured for its pages, and an agent of the publishers is now in England to secure aid in that quarter. Such men as Emerson, Longfellow, Lowell, Hawthorne, Huntington, Felton and Agassiz, fairs of State-the highest grade of politics tined to remain through eternity in the milk for babies, on all the greater themes of practical life, as well as to separate the Spirit." false from the true, the low from the high, in our struggles after an American literature. The advent of this important en-

the Court is placed on the ground that the terprise will be awaited with interest, and of the earth's electric changes—and that per diem of a member; lost. its progress watched with eager and hope- the moon itself has no appreciable effect SPAIN IN 1857 .- The progress of Span-

has been very considerable. Roads are government and an agricultural Press finds an ample field. Lines of railway reaching France through Catalonia and Navarre, Portugal, through Estremadura, and the Atlantic at Cadiz, are in process of construction. The line from Madrid to Valencia on the Mediterranean, as well as several short lines in Catalonia, Andalusia and Castile, are completed. A noble aqueduct leads the waters of the Loyola to Madrid, a distance of fifty miles. A telegraph held as a slave there, if the higher court across the Pyrennees gives instantaneous communication with the rest of Europe, and will, we may hope, soon place Madrid within a few seconds of New York .-Hospitals and alms-houses and public primary schools, are to be found throughout the country, ministering to the necessities of twenty millions of people.

RAINY DAYS .- In general, Johnson tells near the sea, and decreases in proportion have scrinous preached, prayers offered, the further we penetrate into the interior. Co. the center wide of Ireland it raises 208 devoted to reading the Bible. His lan-On the eastern side of Ireland, it rains 208 days of the year; in the Netherlands on of Germany, and in the Gulf of Pinland, not even in prayer, lest it should leave a day the conferer ce was unusally protract- on from 152 to 155 days; and the plateau open door for it, or perhaps for what it ed. There is now almost perfect agree of Germany on 131; and in Poland on ment between the United States and Great Britain. Their policy in respect to China, Eq. at Kasan, it rains on 90, and in the index of the Voluction of Siberia, only on 60 days of the subject to the congregation and to be repeated by the congregation along with the minister or leader. Public

Gen. Case has reciprocated by assuring

An Assument Knocked on the Head.

The National Intelligencer says: "A French fleets .- Washington correspondence sey without the previous consent and sighature of four other officers of the Treas-ury, viz: the Comptroller, Auditor, Treas-arer and Register.

WASHINGTON-AM INDIAN LEGEND .- CONSTITUTIONAL CONVENTION structions to Gov. Cumming were com- The following Indian legend relative to pleted to-day. They are brief and speci- the spirit home of Washington is from Mor fied. He is to see that the laws of the gan's League of the Iroqueis. It is eu United States are faithfully executed. No rious, as showing the estimation in which man in Utah is to be affected for his polit. the father of his country was held by this ical or religious opinions, but held respon- singular people, and their idea of future sible for his conduct. Should the civil felicity :- " Among the modern beliefs enauthorities be unable to enforce the laws, grafted upon the ancient faith of the Iroqueis, there is one which is worthy of particular notice. It relates to Washington According to their present belief, no white man ever reached the Indian heaven. Not being created by the Great Spirit, no provision was made for him in their scheme of theology. He was excluded both from heaven and the place of punishment.-But an exception was made in favor o Washington. Because of his justice and benevolence to the Indian, he steed preeminent above all other white men. When, in the year 1783, the Indians were abandoned by their British allies, and left to make their own terms with the American government, the Iroquois were more exposed in severe measure than the other tribes in their alliance. At this critical moment. Washington interfered in their behalf, as the protector of Indian rights and the advocate of a policy then of the most enlightened justice and humanity .-After his death, he was mourned by the Iroqueis as a benefactor of their race, and his memory was cherished with reverence and affection. A belief was spread among them that the Great Spirit had received, in them among themselves, and they will a celestial residence upon the plains of heaven, the only white man whose deeds had entitled him to the heavenly favor .-

Just at the entrance of heaven, is a wall in contemplation the starting of a new enclosed, the ample grounds of which are laid with avenues and shaded walks,-Within is a spacious mansion, constructed in the shape of a fort. Every object that could please a cultivated taste renders it s happy dwelling-place for the immortal Washington. The faithful Indian, as he enters heaven, passes the enclosure. He sees the illustrious inmate as he walks to and fro in quiet meditation. But no word are to be its master spirits. It will, like passes his lips. Dressed in his uniform. the first class British reviews, discuss of and in a perfect state of felicity, he is des--and seek to give food for strong men, not solitary enjoyment of the celestial residence prepared for him by the Great A NEW THEORY .- A writer in the Na tional Intelligencer is advocating the theory that the moon is simply the indicator ish civilization within the last few years volves upon its own axis, within the earth's house. The amendment was adopted.

and resting on the more dense, until we themselves in a hobble; lost. reach in outward order flourine, electricity vading all space; and that, observing the solid below us, it is not difficult to perceive that men, animal, and vegetable forms are existing in the center of the earth's stratification. The electric lines of no varia. the south pole; the dia-magnetic or dia- lature; lost. electric lines are those extending around able. It is the variableness of these diselectric currents, says this writer, that produces all the phenomena attributed to the influence of the moon upon the earth.

PULPIT SERVICES-THE LATEST IM-PROVEMENT .- Deacon Robert Sheriff, of Greenock, Scotland, has resigned his con-nection with the Free West Church of that us, the number of rainy days is greatest city, for the reason that he does not like to

guage is : days of the year; in the Netherlands on "It is my impression that not a word of 170; in England, Prance, and the North man's wisdom should mingle in the service. Central America, and Mexica, is identical.

Lord Napier has signified to Gen. Herran that New Granada could not expect twice as many days as in Eastern Europe; British sympathy or support, in refusing in Ireland on three times as many days as the reparation demanded by the United States for the massacre of April, 1856.

Gen. Care has reciprocated by assuring

LANDS SECURED BY TREATY.-The prito the United States by treaties with Great Britain, France, Spain and Mexico, are se- ence in favor of his amondment : lost. cured to them by treaty obligations, and Williams introduced a section that the they do not go into what may be called the appropriation bills to pay the current exand sectionized as other lands; but in ried. granting patents for such private claims Williams introduced a section compel the General Land Office require that, after ling a publication of the receipts and exadjudication by law, their precise connection with the public lands shall be indicated.

MONDAY, Sept. 7 .- Mr. McBride offered a preamble and resolution expressive of the high regard in which we hold the memory of Gen. La Fayette, and resolving that in honor of the centennial anniversary of his birth day the house will adjourn at 12 o'clock N.

The resolutions were lost.

The committee on "corporations" re ported the article on corporations truly en-

Elkins moved to recommit to the com mittee with instructions.

McBride opposed the motion; Smith and Olney favored the motion. The motion was withdrawn, and the article laid on the table.

The convention then went into committee of the whole on the Legislative Department, taking up the amendment of Mr. Williams offered on Saturday last. The debate occupied the whole fore

noon, and the committee rose without deciding the question. Afternoon .- The vote on the amend

ment was taken and decided in the negative-Yeas 10, nays 29.

Kelley moved that a part of the section 28 which entitles a member of the general assembly to enter his protest against the passage of any law together with his reasons on the journal, be stricken out. He was opposed to encumbering the journal with the windy effusions of some dissatisfied member, and wes in favor of striking it out-lost.

Logan moved an amendment to the 29th section, which makes the laws of the legslature go into effect at a particular time. Deady moved an amendment to the

amendment, making laws go into effect 60 days after their passage-lost. Williams moved 90 days; carried. Farrar moved to amend section 30 so

that members of the legislature receive

\$2 per diem for their services; lost. Logan moved to limit special sessions o the legislature to 15 days; lost.

Smith moved 20 days; carried. Waymire moved to limit the sessions of the legislature to forty-five days; lost. Deady moved to limit to 40 days.

Kelley opposed, and Smith advocated be amediment; carried. Starkweather moved to amend the sect ion so that the speaker should receive no

additional pay for his services; lost, Deady moved that he receive double the

Smith moved an amendment to the effect that the president of the Senate ment of the earth, is negative to it, and re ceive the same pay as the speaker of the

atmosphere; that the earth is enveloped Meigs moved to strike out the 32d sectbecoming better, more plentiful and more in an ocean of electric vapor, dense and ion. He thought that it conflicted with secure. Spanish ships multiply in Spanish compound upon its solid surface, whose the constitution of the United States, and shippards, universities are reviving, free gasses separate, however, as they deepen as members were sworn to support that as shools and institutes are established by outward, the rare always emanating from well as the constitution they might find

> Peebles moved to amend so as to make and magnetism, that subtle element per- the presiding officer of the Senate the presiding officer of the joint convention for various atmospheric strata above and the the election of United States Senators; lost." Williams moved the committee rise-

> fect that United States Senators be elected tions are those extending from the north to by a majority of all the votes of the legis-

> Boise moved to amend the 2d section se the earth from west to east, and ever vari- that the enumeration of the inhabitants of the State taken by the United States might supersede the necessity of the State doing the same thing ; carried.

Tuespay, Sept. 8 .- Olney moved to amend the rules so as to restrict the members to five minutes in debate; 30 to 11. Bristow offered a resolution that the legislature create no new county unless the territory embraced in said county consists of at least five hundred square miles-laid on the table. Went into committee of the whole or

the legislative article. Grover moved to reconsider the vote which made the 1st Monday of November

the time for the assembling of the legislature ; carried. Grever moved to insert the 2d Monday

in September as the time. Smith and other gentlemen gave in their

adhesies to the new proposition and announced that they had repented of their action on this subject the other day and should yield to the demands of the 'South' on this question. The motion was carried. 32 members voting in affirmative.

Marple proposed an amendment to the apportionment section. He advocated the amendment and drew some striking arguments from the Declaration of Independ-

"public domain," and are not surveyed penses should contain nothing else; car-

JOB PRINTING.

THE PROPRIETOR OF THE ARGUS IS HAPPY to inform the public that he has just received a large stock of JOB TYPE and other new printing material, and will be in the speedy receipt of additions saited to all the requirements of this locality. HANDBILLS, POSTERS, BLANKS, CAKDS, CIRCULARS, PAMPHLET-WORK and other kinds, done to order, on short notice.

Starkweather moved that the public rinting and other legislative expenses be let to the lowest responsible bidder.

Dayer opposed the proposition-was in avor of leaving the matter to the legislature with their responsibility to their constituents to hold them to their duty.

Other gentlemen favored the proposi-

Deady moved an amendment making the State Printer elective, and let the legislature fix his fees; adopted.

The original resolution as amended was

Afternoon .- On motion the convention

went into committee of the whole on the "Bill of rights." The 1st, 2d, 3J, 4th, and 5th sections

were adopted without amendment. Campbell moved to amend the 6th sect-

ion so that compensation may be made for religious services rendered the State; Yeas 29. navs 16.

Marple offered a section excluding reachers from office. He advocated his amendment : lost.

Deady moved to amend the 7th section so that witnesses may be questioned in regard to their roligious belief to effect the credibility of their testimony ; lost.

WEDNESDAY .- Convention took the report of the committee of the whole on the legislative department, and the amendments reported were agreed to.

Convention then went into committee of the whole on report No. 10, on education and school lands.

Olsey moved the committee rise and report against the passage of the articlecarried, yeas 18, nays 16.

Lovejoy moved that the report be adopted; decided out of order. Convention then went into committee

of the whole, taking up the article on bill of rights. Deady moved to reconsider the vete

dopting section 8; lost. Marple offered an amendment to the 10th section, so that the truth in cases of libel might be given in mitigation imtead of "justification," as in the original re-

Various amendments were offered, but the section was, after considerable debate,

Deady moved to strike out that part of section 19 giving juries the right to decide law and fact in criminal cases.

Smith opposed the motion vehemently. Kelsay favored it. The question was debated at great

length, and was finally decided in

Smith introduced an amendment to the end of the section providing that the jury be the gudgeons of the lawvers, under the instructions of the court : carried.

Olney moved so to amend that the word hereafter" in sec. 22 be stricken out, and thereafter" be inserted; lost.

The section stood : "There shall be no imprisonment for debt, except in cases of fraud; but the privilege of the debtor to enjoy the neces-sary comforts of life shall be secured by wholesome laws exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability

Deady moved to strike out all after the word "fraud"; carried. Farrar moved to add "or absonding

hereafter contracted."

debtor"; carried. Waymire moved to strike out the section: lost. Bristow moved to strike out all after the

word "debt"; lost. The section was then adopted. Williams moved to amend section 24,

so that laws might be submitted to the people ; carried. Waymire moved to strike out the sec-

tion; decided out of order. Williams offered an amendment allowing the legislature to submit laws to the people, provided that not more than two

laws be submitted at any one election. Committee rose pending the question, and the convention adjourned.

TRURBDAY, Sopt. 10 .- The president announced the committees on "miscellaneous provisions" and on " finance."

Bristow offered a resolution discharging the committee of the whole from the further consideration of the business of this

The convention then went into committee of the whole on the bill of rights, Mr. Lovejoy in the chair.

Williams introduced a modification of his amendment, restricting the legislature from submitting the same question more than once in six years; lost.

The 26th sec. was adopted. The 27th was slightly amended and then adopted.—
The 28th, 29th, 30th, and 31st sections were then adopted.

Logan moved to strike out sec. 32, and

nsert the fellowing : "No man or set of men shall be entitled to any emoluments or titles from the community, except such as they may earn by

Logan said he had desired to get some