and taking the dog with him. After shooting him, Beale went to the door of the house and tried to get in, calling at me to "come on."—In the mean time I was loading my gun at the gate. At his call for me to "come on," I came up and we both tried to push the door open, but could not. Beale then picked up a log of wood, some three feet long and eight or ten inches through, with which he bursted the door open, and rushed into the house and shot at the little negro boy some three or four times, as he (Beale) afterward told me. Beale in the meantime told me to stay out in the yard and see that nobody came while he looked for money. Beale searched for some time, then came out and told me to go in and look and see if I could find any money. While I was in the house, Beale came to the door and told me to break open the stair door and look up there, which I did. I looked in several boxes, but found no money. I then came down, went out in the yard, and Beale went up stairs. When he came back, he told me that he could not find any thing up there. He told me to go into the kitchen and search there, which I did, getting the key from the little negro boy, but found no money. At this time I did not know whether Beale had got any money or not.

We then left the house and went to where the horse was hitched, as described by witnesses in court. We came to town on same route as sworn to in court by Harpole and others. On our way home, Beale asked me if I had found any money. I told him I had not. I then asked him if he had found any. He said he thought he had some seven or eight hundred dollars, if it was all gold. There was nothing more said about money until we got to the old cabin in Strong's pasture. Here we stopped, tried to wash the black of our faces, and Beale gave me $500 in gold coin, saying that was half of what money he got. * * *

I had no idea that any one suspected me until my arrest. At the preliminary trial I wished to make a full confession of the murder, but was induced not to confess by my attorneys, who said that if I made a confession, such was the excitement among the people that a mob would raise and hang me before I could get out of the house where the trial was being held, or to the first sign-post they came to. Caton told me that there would be no trouble about getting clear; that I would have to stay in jail until court met in March, when I would come out all right. The first time my attorneys came to the jail after the preliminary trial, Beale made a confession to them, but did not tell it correctly. In a short time, Caton & Curl came in the jail again, and wanted to know how much money I had got, and where I had put it. I refused to tell them at that time. Caton said they would be obliged to have money to carry on the suit with, or they never could clear me. I still refused to tell them about the money.—Caton & Curl came back in a few days again, and said that I surely had money, and that they would have to have it. I then told Caton where the five hundred dollars were that I got from Beale. They then left the jail. Caton came back next day and said he could not find the money; that he would have to have new directions and a diagram showing where the money was, which I gave him, and I also told him that I had three hundred and eighty dollars of my own money buried in my wood-shed. He then said that there were men digging up my wood-shed and looking for money, and if they found it, it would be evidence against me. I told Caton that if he found that money (three hundred and eighty dollars) to give my wife a portion of it, which he did not do. The next time he came back to see me, I asked him if he had found the money, to which he made an affirmative nod of the head, and took me into my cell and told me not to let Beale know any thing about it. [I have since sent the sheriff, Dan Delaney, and John Davis to the place where the money was buried, and they found it as I told them, but the money had been taken away.] At this time he told me that he would go to Portland, but he would tell the people that he was going to Yamhill; that he would go by way of French Prairie, and hire a Frenchman and a half-breed to come and swear that they saw me on the 9th of January last, late in the evening, drunk, on French Prairie. In a short time after this, Caton again came to the jail and told me that all was right; that he had hired a Frenchman and half-breed to swear for me; and said that there was no trouble in hiring witnesses down their; that he could have hired a dozen if he had had the money; and said the only difficulty now would be to get the Frenchman and half-breed to see me in jail, so that they would be able to recognize me in court; and if they could not get to see me in the jail, that he would have a friend of mine to point me out to them in the court house.

I never knew but they would be there and swear as Caton said, until my attorneys said they would rest. I then asked Caton where the two witnesses, that he got on French Prairie, were. He had said that they had broken into a store at Fairfield, and he was afraid the prosecuting attorney would recognize them and impeach their evidence. Caton and Logan told me all the while never to make a confession; that the people would hang me and my attorneys too if I did. I told them that there was no chance to get clear, and that I would fare better to make a full confession, and throw myself upon the mercy of the court. They said no; that they would get me out all right; that it was not me the people were after, but Beale.

Some two weeks before court convened, Beale and I were separated. I was put up stairs, and not permitted to talk to my attorneys privately; but when court met, Logan got an order from the court to see me privately, and came up and had a talk with me; said Beale had been telling him that he had got some thirty thousand dollars, and wanted to know if I knew anything about it. I told him I did not. * * * *

From what I know about the matter, I think the money the attorneys got from Beale was Delaney's money. I saw the old silver dollar that Beale speaks of, the next day after the murder. I would here say to the attorneys, if they got the five hundred dollars that I told them belonged to Delaney, to give it back to the Delaney boys, as it is justly theirs, and the attorneys have no right to it. And I am sure Caton as good as told me he had got the money. I also think that they ought to give the money they got from Beale back to the Delaney boys, notwithstanding they say that Beale told them it was his own money—which, if he did, he surely was mistaken, or did it for some other purpose. What Beale says now about the money ($1,400) must be true, as there is no object in him or myself getting into an altercation with our attorneys. It would surely make the matter worse for us to have the attorneys say we were not telling the truth, and we cannot tell the truth without implicating them in the money matter. I hold no malice against my attorneys or any one else. If my attorneys' days were numbered, as mine are, they might think somewhat as I do about refunding the money to the Delaney boys.

Right here I wish to say that my wife is entirely innocent of knowing anything of, or having anything to do with, the murder of Delaney. She knew nothing about it until I made a confession. I have committed a great crime, and ought to suffer the penalty of the law, but innocent persons ought not to suffer for the crimes of guilty ones.

I regard my trial as a candid and impartial one, and have no reflection to cast upon the officers of the court, or the jury, or witnesses, except two witnesses on the part of the prosecution, who were mistaken in their testimony.

In conclusion, I will say that my name is George Baker; was born in Ohio; was thirty-two years old on the 3d of July, 1864. My life has been an unsettled one. I came to Oregon in 1852; was married in 1855, and now have four children—three boys and one girl—all living. I have never committed a crime of great magnitude until this one; and yet I have not been a Christian man, but have lived an irreligious life, sometimes indulging in such vices as swearing, drinking, and keeping bad company, and but for my indulgence in intoxicating drinks and visiting the dram-shop, I should never have committed the crime for which I have got to die. And right here I would say to all, and more especially to the young men, to avoid the dram-shop, bad company, and evil practices, if you would avoid the consequences growing out of them

Since my conviction, I have been reviewing my life, and seeking pardon for my wrong doings, and hope to die in peace with God and man.

I wish to say further that I feel especially grateful to the Sheriff and his wife for their kindness toward me since my arrest and imprisonment; and also thank others for visiting, counseling, and manifesting interestin my future welfare.

I now commend my family, friends, and myself to God.

Beale's Statement about the Money.

We give the following extracts from Beale's confession so as to explain the statements about the money obtained at Delaney's house. As stated before in this paper, Beale insists that they got only $1,900 from Delaney's house, $500 of which was given to Baker, and the balance kept by Beale. Baker gives an account of the $500:

"I will now go back to where I left Baker, close to Dan the butcher's slaughter house. I came from there straight home. Came over the hill by Jo Smith's; crossed the creek on the foot bridge; came down to the new grist mill race; put what money I had under the plank race close to the dam; left it there until next evening; went about six o'clock, raised the money, and went up the creek by the brewery, by Mr. Dillon's, and by Mr. Waller's house—the one that stands in the field, close by the creek; about one fourth of a mile beyond that, in the brush, I buried the money in a cigar box in the ground. The amount of money was fourteen hundred dollars, in twenty dollar gold pieces, and one old silver dollar that was battered on the edge.

On Monday, the first day of my preliminary trial, I told Caton where that money was; told him to go and get it and put it away until I told him what to do with it. He came to the jail, next day, I believe, and said he and Logan went, but could not find the money. He said that he and Logan came near having a fight. Logan accused him of playing him;—said that he knew where the money was, but wanted it all himself. He said that Logan told him he was as great a thief as I was. Caton said he tried to get away from Logan and go alone, but he could not get clear of him; he watched so close. He then warned me not to tell Logan where any money was, for he would raise it and keep it.

Logan told me that I. R. Moores and many others had gone over the long bridge to look for money. He then asked me if there was any money over that way. I told him there was not. He then asked me where there was any money, and I told him up on this side of the creek. He asked me what kind of money it was. I told him twenty dollar pieces. He said that was good; he was afraid they were some of those d—d old square fifty dollar pieces. He wanted me to turn Caton & Curl off, and said they would get all the money, and then I might hang and be d—d; that all they cared for was the money, and not for Baker or myself.

The next day, (Wednesday,) I gave Caton new directions and a diagram of the place where the money was. After that, he and Curl both told me that, they had gone as directed and found the money, and had brought the cigar-box that it was in, broken it in small pieces, and thrown it the mill-race. Caton told me, in the presence of Curl, that he had thrown the old dollar in the river, or creek—I do not remember which; but one or the other. I often spoke to Caton about that money, and told him not to disturb it, and I never knew any better until Judge Strong came to the jail, in company with Logan, the first week of the court, and said Logan had spoken to him to assist in my trial, and wanted to know if I could make him secure in his pay. The next morning, Caton came to the jail and said that Strong was doubtful about his pay, and that that thirty thousand dollars must be raised; that Strong had been making inquiries, and found that my land was held by a judgment for as much as it was worth. I told him I would have to make use of some of that fourteen hundred dollars.

He then said, *they made so d—d much fuss about the money, that he had to divide it between Logan, Curl, and himself!* This was the first that I knew that that money had been disturbed. I spoke sharply to Caton; told him that he had no right to disturb one dollar of that money. Since my confession, I told the sheriff and John Davis where the money was buried. They went to the place, taking with them Geo. A. Edes, and found everything just as I had told them. Some blue paper was found on the ground that had been in the cigar-box, but the box and money was gone.

Now, something about this thirty thousand dollars, so often spoken of. This is all a fabrica- of my own. As I have before said, my attorneys, like everybody else, thought there was a large amount of money somewhere; and money was what they wanted. I first told them the truth about the money, but they did not believe me. I thought that by telling them of this money they would attend to my case better, expecting they would get more money. I told Logan and Caton that Baker knew nothing about this money; that I had got it when he was not in the house. I told them that when we left the house, Baker went direct to the horse, and that I took a circuitous route to a place I had prepared beforehand. I told them I had dug a hole, carried away the dirt, and brought stone to fill up the hole, instead of dirt. I first told Caton about this supposed money, and afterward told Caton and Logan together. Logan wanted me to tell the place, as he could send a man, by the name of Knott, that he had brought up from Portland; said the man was well acquainted with the Delaneys, and I think he said he was out at Delaney's at that time. I told him that the money never could be found unless I could go myself, and if I never got clear, the money would never be found. He said the squirrels would dig it up. I told him about bringing the stone and filling the hole with it. It was proven in court that both our tracks went the same direction from the house to the horse. Caton acknowledged in the jail that the above statement was true. That shows the $30,000 matter to be false.

TELEGRAPHIC NEWS.

Cincinnati, May 22.—A Nashville dispatch reports the capture of the rebel Governor Isham G. Harris, of Tennessee, with $100,000 belonging to the State Treasury. The State archives and all the State bonds have been captured.

President Johnson, in granting a respite to the Indiana conspirators, said it was only carrying out the purpose of Mr. Lincoln, and must not be regarded as a precedent.

Fred Seward has had his wounds dressed again. He is considered to be in a favorable condition for recovery.

A special to the *Herald* says: The new amnesty proclamation will not apply to all who do not avail themselves of President Lincoln's, and will be more strict in its provisions.

New York, May 22.—Gen. Sheridan and staff arrived in this city to-day, and left this evening for Cincinnati on his way to the South-west.

Sheridan has been appointed to command the Department of Texas, and will immediately assume control of the troops now in the South-west, together with such additional cavalry forces as the exigencies of the service may require to be placed at his disposal.

The counsel for the conspiracy trial have summoned about 200 witnesses. The city is crowded to overflowing by persons who come to witness the trial.

Sheridan goes to Texas with orders to destroy and lay waste if rebel forces persist in holding out.

The North Carolina Delegation have had a satisfactory interview with the President. He is understood to adhere to the total abolition of slavery as a condition to reconstruction of civil power in the state.

Gen. Sickles was officially received on April 5th by the President of Colombia as special envoy to to the government of that republic from the President of the United States.

St. Louis, May 21.—Department headquarters have received dispatches from Fort Scott, Kansas, announcing the surrender of Col. Taylor, commander of all the guerrillas in Southwest Missouri and Northwest Arkansas. They surrender all their horses arms and equipments and take the oath. Bushwhackers are also coming into Lexington, Glasgow and other places, delivering themselves up and taking the oath. The prospects are that bushwhacking will soon close in Missouri.

New York, May 22.—The mail matter is now received at our Postoffice daily from Richmond, Petersburg, Wilmington, Charleston, Savanah and Jacksonville, Fla.

A special dispatch the *Commercial* says that a number of important witnesses for the prosecution arrived here last night, with the expectation that the trial will terminate this week, which will scarcely be realized.

New York, May 22.—A special to the *Express* says: The President is indignant at the conduct of the Cuban officials respecting the rebel ram *Stonewall*. A dispatch has been sent to Madrid upon the subject.

Gen. Logan has been assigned to the command of the army of the Tennessee. Gen. Hazen succeeds Logan in command of the 25th corps.

Washington, May 22.—The President has issued a proclamation opening all the Southern ports, except those of Texas, to foreign commerce on and after July 1st, declaring that foreign vessels attempting to trade illegally will be treated as pirates, and also removing trade restrictions east of the Mississippi.

New York, May 22.—The *Herald's* August (Ga.) correspondent gives an account of New York, took possession May 6th, and found about one hundred thousand bales of cotton, ten million dollars worth of refugee stores, and four hundred thousand dollars in bullion. Part of Jeff. Davis' specie train was captured and one hundred and eighty thousand dollars in gold recovered.

The Oregon Statesman.

MONDAY MORNING, MAY 29, 1865.

The Statesman has a Larger Circulation than any other Paper in the State, and is the Best Medium for Advertisers.

The U. S. Laws and Resolutions are published in the Statesman by Authority

IS IT RECONSTRUCTION?

Reconstruction is now in the mouth of everybody; and the newspapers are full of it. If people did not know better upon reflection, they would certainly conclude, from what is said and read, that the Union had been dashed into a thousand scattered and discordant elements, which were now vainly endeavoring to get together again—which were being "reconstructed." The term "reconstruction" implies a previous dissolution. This we cannot admit. It was not admitted by President Lincoln—it is not admitted by President Johnson, nor by any sound, safe leader in the Union party, nor by the great mass of the loyal people. If we admit the necessity of a reconstruction, we admit at once the whole rebel theory—a legitimate dissolution of the Union. We admit secession to be a legal possibility, and the Union a "league," as Jeff. Davis termed it.

But with all this glaring inconsistency in the use of the term "reconstruction," we doubt not but the word will continue to be used to designate, what would be more properly termed the reorganization of the disorganized Southern States. This reconstruction theory seems to be but the counterpart of the "coercion" theory, started at the out-break of the rebellion.—At the time, and prior to the first call for troops by President Lincoln, Union men and democrats quarrelled and beat the air, about the power of Congress to "coerce a sovereign State," until the practical sense of Mr. Lincoln dispelled the illusion and severed the Gordian knot by proclaiming his intention "to retake and possess the public property," and warning rebels in arms to "disperse to their homes." A common sense view, discovered at once that a State, a political municipal organization or corporation, could not be coerced or forced to do anything, but that if the people or any of its people, members of the organization, committed treason *they* could be coerced to respect the laws, and if they rebelled against the laws or rightful authority, they could be punished; and thus the "anti" or "no coercion" doctrine, started and industriously promulgated and defended by the democrats in order to screen the Southern traitors, was shown to be the merest sophistry.

Now let us see what there is to "reconstruct." Sec. 2 of Art. VI of the Constitution of the United States declares, "This Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, *shall be the supreme law of the land*, and the judges of every State shall be bound thereby, *anything in the Constitution or laws of any State to the contrary notwithstanding.*" This being so, what becomes of the ordinances of secession in the Southern States, and the acts or laws made in pursuance thereof? They are simply the evidences of the treason of the parties making them. They did not dissolve the Union. The Constitution of the United States has, in the above section, wisely provided for the perpetuity of the Union. *It is the supreme law of the land*, within its sphere, anything in any State law, ordinance or constitution to the contrary notwithstanding. The ordinances of secession, and all acts in pursuance thereof, were simply nullities. They did not, could not affect the identity of the State as a political, municipal corporation within the Union. Georgia was just as much a "State" in the Union, after the ordinance of secession had been signed at Milledgeville, as it was before. The entrance into the Union was a voluntary compact from which the State of Georgia, as a State, could not be extricated, save by a successful rebellion or revolution of the people, or members of the State. A majority of the people of Georgia did rebel; committed treason against the United States; but their rebellion failed. Where now is the State? Is it out of the Union, because a majority of its people turned traitors? Not by any means. The status of the State in the Union is unaffected, but its people, who rebelled, have, by their treason, lost all their rights, and such is the condition of every State which pretended to secede! What then is there to reconstruct? Nothing. The United States is as much the United States as ever. The Union of the States is as legally intact as ever. It is true there is something to be done; but it is not a reconstruction of the Union. As President Johnson expresses it, the States which have been the theater of the rebellion, and are now disorganized in consequence thereof, are to be "put on their legs again." They are to be reorganized again. And if there are loyal men enough to "man the ship," they are, according to the President, entitled to represent the State in the Union. This is substantially the view of the present administration and the great mass of the Union party in the country. In opposition to this view, there are the extremists who always meet and embrace some view which bodes no good to the country.

On one side, we find Chandler, Sumner, Wade, and others of the radical type, contending that the States which have been disorganized by rebellion, have lost their existence as States in the Union, and are now to be treated as Territories, subject to the supervision of Congress; and that to get back into the Union, they must present new constitutions just as Territories do. On the other hand, we find Saulsbury and the other democrats in Congress, and throughout the country, contending that the Southern States have not been disorganized, and that their present Legislatures of rebels, and their present rebel State officers, are entitled to represent the State in the Union. While the former class may be pardoned an error of judgment, in holding that the treason of individuals destroys the life of the State, the latter class cannot be recognized as other than aiders and abettors of treason, in desiring to see a minority of Union men in each Southern State, crushed and reined forever, by the majority of traitors, and in desiring to see States again represented in the Union, and in the halls of Congress, by men whose hands are yet reeking with the blood of murdered and starved Union soldiers, and a murdered President. In the reorganization of the Southern States, the initial steps must be taken under the auspices of the General Government. The military commanders and soldiers must see that none but those who are truly loyal, those who have opposed secession from the first, as far as circumstances would permit, are permitted to take part in reorganizing the State governments. And these few and faithful Union men, must also be protected by Union bayonets, until they are sufficiently strong to maintain loyal governments, and the peace and order of society. If this aid was not extended, the Union men would be overpowered by the returned rebel soldiers, and slavery and treason would drive every Union man from the country, and the State would be practically just about as much in rebellion as if its citizens were enrolled in rebel armies.

The work of reorganization will probably be brief, and will have but one obstacle, and that is, the status of the negro. The work of pacification will require much time and careful management. But that there will be a total and unqualified submission to and suppport of the Union and the Constitution, there can be no doubt. The chivalry and heroism of the South, of which these democrats have been boasting of for years, is now "played out"—("played out" is the most appropriate, if it is slang). It slumped into the "last ditch" about the time Jeff. Davis donned his wife's petticoats to run away from Northern mudsill Yankee boys. We'll hear no more of that now.

A DANIEL COME TO JUDGMENT!

We take the following extracts, in small type, from the *Arena* of April 10th; which will appear sufficiently ridiculous from mere mention:

Lee may retire to a new line of defense, already prepared, and strengthening himself there for another four years assault with its half million sacrifices.

It doth not now appear that he retired very far, and much less doth it appear that he has strengthened himself "muchly" of late. The "half million sacrifices" is not quite clear.

A generation of heroes, like those of Sparta, will grow up under the roar of cannon.

Has this any reference to the "Spartan mothers" who, in times past, like Moll Pitcher of Revolutionary fame, defended their country on the battle-field? If so, we insist that Spartan shall be stricken out, and "Davis" inserted.—Davis in Petticoats—that is your standard of heroism.

And the child that is born to-day within the sound of shrieking shells, will live to mingle in the contest his sire began.

Have you seen any of those little "rebs" lately? Don't bet much on that prophecy.

The simple and over sanguine may renew their predictions of a speedy peace by subjugation. They have made false prophecies scores of times in this respect before, they will do so again.

Of course we did, but then you know "all signs fail in dry weather." Our love for the Union ought to excuse us for being "simple and ever sanguine." For genuine and truthful prophecies, such as above, call on any copperhead editor in Oregon, or more particularly to the editor of the *Arena*.

Those who have shown themselves willing to sacrifice, and capable of enduring, what the rebels have sacrificed and endured, were not born to be conquered.

You bet they are not; for the plain reason

"That he that fights and runs away,
Will live to fight another day."

Like Artemus Ward, the rebel hero will cheerfully sacrifice all his wife's relations; and failing in that, will, with the unconquerable spirit of a Roman soldier, bravely don a Quaker scoop and "mother's old dress," and escape into—the "last ditch."

The Southern soldiers will never lay down their arms until after peace is declared.

Never! NEVER!! NEVER!!! Bet your bowels on that.

Submission first, is contrary to the instinct of their nature and education; degrading to their pride, and to the history of their ancestors. They may be broken and crushed into the dust by military power, but their children will rise to the conflict, bearded men, "armed to the teeth."

Says Jeff., "give me liberty or give me death," but more especially the liberty; even in petticoats—"and if somebody don't take care they'll get hurt." The children will doubtless rise numerously, and after awhile grow up to be "bearded men" (those of the male persuasion), and, if possessed of a spark of manhood, will utterly denounce the Northern doughface democrat who, in the hour of their nation's trial, dared to sympathize with traitors and assassins; and scorn beyond all expression, the democratic editor that would insinuate that they were the children of the democratic heroes, who would flee from an enemy in women's clothing.

Let the people remember such extracts as the above from the democratic papers. In addition to the ridiculously farcical character of such democracy, it contains a timely and needful warning. The essence and spirit of these extracts, is sympathy, open and undisguised sympathy with the enemies of our government sympathy with traitors, treason and slavery.—They are not to be remembered against the hand that penned them alone—but against the "power behind the throne." The men who make "candid appeals," and always discourse of their own honesty, and others with less ability but more honesty; all of whom can see nothing but self and party in any contest, no matter what becomes of the country. These men will after awhile be again on the stump making speeches of some kind; and if they do not heartily repent and openly confess their present errors, they are to be listened to in view of this damnable record of sympathy for traitors. Watch their course.

VALIDITY OF THE SOLDIERS' BONDS.

As the validity of the Soldiers' Bonds, issued by the State of Oregon, has been questioned by some persons, we desire to quiet any fears on that score by reference to adjudicated cases; so that the soldiers themselves may not be tempted to part with their bonds for a nominal sum, and that parties desiring to invest in these securities may feel willing to pay a fair price for them. In California they have a law similar to our law, under which these Soldiers' Bonds were issued; and parties there believing that the law was unconstitutional, by virtue of a provision in their Constitution similar to the one in our Constitution in relation to the State indebtedness, brought a case before the Supreme Court of that State to settle the question. We copy from the decision of the court in the California case:

This is an application for a mandamus to compel the defendants to audit and allow a claim to the bounty of five dollars per month, allowed by the act of April 27, 1863, entitled "An Act for the Relief of the Enlisted Men of the California Volunteers in the service of the United States." The court below refused the mandamus and the plaintiff appeals.

The respondents contend that the act in question violates the eighth article of the State Constitution, and is therefore void. The portion of the article applicable to the present case as follows: "The Legislature shall not in any manner create any debt or debts, liability or liabilities, which shall singly or in the aggregate with any previous debts or liabilities, exceed the sum of $300,000, except in case of war, to repel invasion or suppress insurrection," etc., etc. The act in question provides for the creation of a debt which may amount to $600,000; and it is admitted that the indebtedness of the State, at the time of the passage of the law, greatly exceeded the constitutional limit of $300,000. These facts would render the act invalid, unless it is saved by the exception in Art. 8.

It is contended by the appellant, the present condition of the nation is evidence that the exigency exists provided for by the exception; and, therefore, the act is valid; while, on the other hand, the respondents insist that there is nothing in the condition of our national affairs which authorizes the law. In arguing this question, various considerations of this exception have been suggested. One is, that the power of the Legislature to create debts is unlimited only in case where a war exists in the State, or where there is an invasion or threatened invasion of the State; or where there is an insurrection within its boundaries. Another is, that it applies in all cases where a war or insurrection exists in any part of the United States, or there is an invasion or threatened invasion of any Territory within the national jurisdiction. It is also claimed that it applies only to repelling invasions of the State, or suppressing insurrection within its bounds in time of war. We do not deem it necessary to investigate this question, or to attempt to give an exact or definite construction of the terms thus used in the Constitution. The evident intention was to impose limitations upon the general power of the Legislature to create debts, leaving them free, however, from such restrictions in great emergencies caused by a war, an invasion, or an insurrection.—In such cases, the Legislature should be left free to exercise their judgment and discretion upon the subject, answerable alone to the people for any abuse of the power. The existence of the emergency calling for the exercise of the power—purely a political power of the State—is to be determined by the Legislature, which is the sole judge as to the existence of such emergency. It is the exercise of a purely political power, upon a political subject, in no manner of a judicial character, it is not, therefore, subject to review or liable to be controlled by the judicial department of the State. The Legislature is, therefore, the proper judge of the construction to be given to the Constitution upon this subject.

In the exercise of their rightful authority, they have decided that the exigency has arisen demanding the exercise of the power, and they have directly declared that the object of the law and debt created by it is "to aid in repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property;" and this decision cannot be reviewed or set aside by this court.

It will be seen by this decision, that the court held that the exercise of the power to determine the exigency and create a State debt under that provision of the State Constitution (and the provision in our Constitution is the same, except as to the amount of indebtedness), was one of a political nature entirely, to be exercised only by the Legislature, and not subject to be reviewed by any court. The Legislature of Oregon having determined that it was right and proper to increase the State debt above the sum of $50,000, for the purposes mentioned, the bonds issued therefore are good, and cannot be questioned by any court, upon constitutional grounds.

In this view of the case, the action of the Legislature is also supported by the case of Luther vs. Borden, 7 Howard U. S. Reports, page 1.

If the *Statesman* will point to a single line of ours declaring that it would be a disgrace to hang Jeff. Davis then we will admit what it has been certainly guilty of—mistake. We have plainly stated that to hang *rebel leaders*, as such, and for the offence, as we must have been understood, of being such, would be a disgrace.—*Arena.*

Very well, then, take your own position and stick to it. We say that it is the duty of the government to *hang rebel leaders, as such.*—What is the difference between one murderer and another? Didn't the rebel leaders, *as such*, raise armies and levy war against the United States? And is that not treason? And is not treason punishable with hanging? Did not these rebel armies—every soldier of them a traitor according to law—shoot, kill and murder Union soldiers by the thousand? Did they not murder in cold blood, Union soldiers at Fort Pillow, after they had surrendered;—and did they not bury others alive? Did not the agents of the rebel leaders, at Libby Prison, Andersonville and other places, deliberately and maliciously murder, by starvation, the Union prisoners committed to their charge?—And, to cap the climax, of all the inhuman, barbarous, savage, demoniac, hellish, and execrable crimes that ever cursed the light of heaven in any age, did not these rebel leaders meditate, plot, and consent to the assassination of Abraham Lincoln? Why, sir! these rebel leaders, *as such*, have committed more crimes and caused more misery, pain, and suffering than would damn ten thousand worlds; and yet, forsooth, in the eyes of a democratic editor in Oregon, and of peace democracy generally, it would be a disgrace to hang these traitors as "rebel leaders."

Verily, the gentleman would make treason fashionable and respected, and offer a premium to murderers. And such is democracy.

THE DEMOCRACY IN TROUBLE.—The Democrats are in the Slough of Despond just now, as to what course to take next. Its fetid carcass having been charged with and proven guilty of all the crimes in the catalogue, even to the Assassination of the President, the more discreet propose to change its name. The Hyena proposes to get into sheep's clothing, or, "steal the livery of Heaven to serve the Devil in," by claiming that Andy Johnson, Generals Grant, Sherman, and Sheridan are of their politics exactly, and that they have had to defend them all the time. The Copperhead *New York News* has actually had the effrontery to set up such a claim.

The rank and file in this State under the leadership of O'Meara will never consent to part with the old name. It makes no difference however to Union men, whether the Democracy changes its name or not. So long as its leaders adhere to the Moloch of Slavery, the "Leopard's spots" will not be changed. The war has used up all the man and party worship there was in the Nation, and henceforth the people will not be cheated by party names or leaders, but will follow only principles. As matters stand now, the people understand the Democratic leaders too well to be fooled by any change of names or tactics; and whether they make a change or not it is all the same to them—

"They'll be damned if they do,
And they'll be damned if they don't."

THE OREGON RAILROAD BILL.—The people throughout Northern California seem to be very generally down on their Senator, John Conness, for what they believe to be his neglect in relation to the California and Oregon Railroad Bill. It is unfortunate that the matter did not get through Congress at this session, as Colonel Barry writes that Eastern capitalists were ready to take hold of the enterprise, when this bill passed Congress. We cannot see but what our delegation did their whole duty in the matter. A correspondent of the Marysville *Appeal* charges that Conness is opposed to the bill and that the Pacific Railroad Company has induced him to oppose it. This last we do not believe, unless the Company's officers can talk two ways at once, as we have seen their letters, offering to aid our enterprise in any way they could.

CORRECTION.—We are requested by Father Goens to state that Beale's confession was written previous to his entire conversion to the Catholic belief. He expressed the desire of joining the Catholic Church Saturday last (13th of May), and received the rights of the Church the 19th after, having made a profession of faith before two witnesses—Messrs. Headrick and Delaney.

SEVEN-THIRTY BONDS.

See the addition to the 7-30 Bond advertisement in another column. By this addenda, we are informed that the first series of this popular loan is all taken, and that a new series of two hundred and thirty millions, interest at six per cent. in gold, is now offered to the public.

When you hear any democrat bloviating about the South, the way the *Arena* has been blowing, just inquire what kind of a dress the Yankee boys captured Jeff. Davis in?—and see him wilt.

THIS IS THE WAY.—The *Review* wants to know how Senator Nesmith will undertake to get back into the democratic party. When the Senator wants to join your kind of democracy, he will hurrah for Jeff. Davis at once.—He is too honest to dissemble.

If our legislators, when next assembled, will enact a law requiring executions to be inside of prison yards, and only in presence of officers and necessary guards, the public morals will be promoted by it.—*Advocate.*

We concur.

THE LATEST.

Special Dispatches to the Oregon Statesman.

☞ The *Statesman* contains news two days later than any other weekly paper in the State.

SAN FRANCISCO, May 27.—The leaders of the Boneta expedition are still in custody, and no new developments have transpired. The case was continued until next monday.

The race to-day was for a purse of three hundred dollars entrance—ten per cent—the second horse to take entrance money. Mile heats, best three in five. The following named horses were entered: Pilot, Woodlawn and Blue Dale. The first heat was won by Pilot, second by Woodlawn, third and fourth by Pilot. Time: 1:53 1-4; second, 1:50 1-2; third, 1:51; fourth, 1:53 3-4.

To-morrow will be the closing day of the Spring races over the Orleans track. Several good horses are entered and a good race is expected. Depression in the stock market is still apparent, and the whole list has touched a lower depth of prices during the week.

Reports of mismanagement on part of several companies are current, and the whole list suffers in consequence.

Flour—A good healthy jobbing trade including Chili at 14 and California and Oregon brands at current prices.

Legal Tenders, 78@78½.

SAN FRANCISCO, 28.—Overland line is out of order beyond Salt Lake.

New York, May 25.—The *Herald's* Fortress Monroe correspondent says: The immediate place of confinement of Jeff. Davis is to be the casemates which are rock ribbed and arched mansions within the fort, each constituting a fort within itself, on arches; on these casmates are mounted 15-inch guns. The only connection from the fort with the main lands is by the sally port and a small postern in one of the bastions of the west side, being spanned at each of these points by a draw bridge which can be raised at pleasure, thus cutting off all communications.

A Washington special to the *Times* says: There is no doubt but that Davis will be tried in Washington for treason.

The Special dispatch to the *World* says the counsel for the defense on the conspiracy trial, have summoned witnesses from every part of the country, who will number 2,000.

The *Tribune's* special says: The report of the special commission out to examine the charges against Generals Banks and Hurlbut is said to be very damaging to their characters as officers and gentlemen, and fully justifies the removal of both.

SENATOR WILLIAMS IN WASHINGTON.—In noticing the great jubilee at Washington over the capture of Richmond, the Washington *Chronicle* makes the following notice of Senator Williams:

Long before 8 o'clock thousands of spectators had already assembled, and when Judge Usher presented himself to address that immense audience, the sea of upturned faces in front of him produced an effect as stupendously grand that it would defy the pencil of a Hogarth adequately to describe. Judge Usher spoke for about twenty minutes in a strain of eloquence which riveted the attention of those present, and was followed by Judge Carter, of the District Supreme Court, who poured out a perfect torrent of invective against those Southern traitors who, to gratify their inordinate ambition, have caused misery and devastation to stalk abroad throughout the vast expanse of our once happy country. A very effective speech of the occasion was that delivered by Senator Williams, of Oregon, whose emphatic denunciations, bold imagery, and eloquent appeals produced a profound impression. At the conclusion of Senator William's address, loud and reiterated calls were made for General Butler, but that gentleman not being visible to the naked eye, Vice President Johnson took the stand, or rather one of the lower steps in front of the Patent office, and proceeded to address the crowd in his usual earnest manner against the evils of slavery and the miseries that institution had entailed upon the country.

THE NEW AMNESTY PROCLAMATION.—The Telegraph has been promising us during the past week a new Amnesty Proclamation from President Johnson, and the public interest has been excited to see so important a document. We are not able to state anything that may be expected in the Proclamation, although the telegraph announces that it will not permit loyal negroes to vote. As this is mere rumor, it is not to be relied on as what may be in the balance of the Proclamation. We do not know the President's views on negro suffrage, but we are confident he will act with an eye single to the best interests of the country.

Let the democratic coat of arms hereafter be the picture of a cadaverous skeleton enveloped in a dilapidated petticoat.—*Albany Journal.*

Amen to that. What d'ye say Bellinger, Miller and Smith? How does it suit you Coppers, all around the board?

BY VIGOROUS WAR WE CONQUER PEACE—and acting upon this old maxim, Heath, Dearborn & Co. are now carrying on one of the most vigorous Spring campaigns ever known in the dry goods line. Everybody goes to see Heath, and everybody goes away well pleased, with arms full of dry goods, groceries, boots, shoes, &c., at the bed-rock prices. See their wool notice in another column.

IDAHO CITY BURNED.—By Saturday's *Oregonian* we learn that nearly the whole of Idaho City was destroyed by fire on the 18th. It was located on very rich mining ground, and is supposed to have been fired by incendiaries. The city contained about 5,000 inhabitants, and the loss is disastrous.

SELECT BALL AT OREGON CITY.—The new Factory building at Oregon City is to be the scene of a handsome party on the evening of the 13th inst. The plan of arrangements will be so perfected that persons wishing to participate from this city can go down and back for half price.

☞ The *Review* states that the road from Eugene to Canyon City by the McKenzie Fork route, is now open, and that several wagons will start across the mountains in that direction.

THE RT. REV. BISHOP SCOTT will preach at the Episcopalian Church on Tuesday evening;—services to commence at half-past seven o'clock.

HOW LICENSED.—A fellow advertises in the *Oregonian* "by lawful authority," a dance at the Bella Union Cellar, with "good music and gay girls."

Portland will soon need a missionary.

☞ From the Milwaukie papers we learn that John P. Preston, the first Surveyor General of this State, was drowned in the canal at Lockport, Illinois, on the 13th of April.

☞ James O'Meara is advertised to issue a democratic paper at Albany on June 24th. We are glad of it. O'Meara will compel the *Arena* and *Review* to stick to democracy, or he will run the concern himself.

☞ Gen. E. L. Applegate has been appointed Surveyor General of Oregon; and has filed his bonds and entered upon the discharge of his duties.

☞ When you pay your subscription get a receipt.

FATAL ACCIDENT.—At the Dalles, last week, says the Mountaineer, Sergeant Job C. Murphy, from Jackson County, of Company "D," 1st Oregon Cavalry, met with an accident which resulted in his death. He was mounted on his horse, a high-spirited animal, which becoming restive threw him. In his fall he endeavored to hold on to the halter attached to the horse, and in doing so was dragged a considerable distance. Whilst thus attached the horse kicked him in the stomach, causing injuries from which death resulted. The deceased bore the reputation of being a good soldier and worthy man. He lived seventeen hours after the accident, during the whole of which time he suffered great pain.

☞ The Astoria *Gazette* suggests to emigrants from the Eastern States who want farms or unimproved land, convenient to the best market in the State, that the country in the vicinity of Astoria affords superior advantages to any other place in Oregon. Fine arable lands can be taken by pre-emption on Young's, Clatskanie, Lewis & Clarke, Gray's, and Deep rivers within five or ten miles of that place.

PLAIN TALK.—Annexed is an extract from a speech delivered by Andrew Johnson in the United States Senate, in 1861 when he had that arch-traitor, Jeff. Davis, under his immediate eye, and when the infamous rebellion was just ripening. He spoke from the desk adjoining that occupied by Jeff. Davis, and almost shaking his finger in the face of the arch-traitor, he said:

"If I were President of the United States, I would arrest you as traitors—I would try you as traitors—and if convicted, I would, by the Eternal, hang you as traitors."

☞ David D. Chamberlain, formerly of Lewiston, was shot and killed at Central City, Montana Territory, on the 11th of April, by John Thornburn

MARRIED.

At Bodgeville, Des Moines county, Iowa, January 26th 1865, by Robert Allen, J. P., Mr John B. Kelly to Miss Rebecca. E. McMechin.

At the residence of the Bride's Father in Rattle Snake Valley, by the Rev. Phillip Mulkey, April 29th, W. W. Briston, of Eugene City, to Miss Martha McCall.

At Portland, May 11th, 1865, at the residence of Capt. R. R. Thompson, by the R