States, are reserved to the States respectively, or to the people." The sovereign police *power* was not delegated by the Constitution to the general government, therefore the Court made the reservation contained in the quotation. In these same cases, and in the very opinions from which the Governor quotes his law the Court says, "that in giving the commercial power to Congress, the States did not part with that power of self-preservation, which must be inherent in every organized community, they may guard against the introduction of *any thing which may corrupt the morals or endanger the health* or lives of their citizens." Again, in the same opinion, the Court says, "*the care of hindering what might trouble the internal tranquility of the State, is the basis of police*," and authorizes the sovereign to make laws and establish institutions for that purpose." Again, the Court says, "how much of it, (the police power) have the States retained? I answer unhesitatingly, says the Justice, all necessary to their internal government. Generally, all not delegated by them in the articles of confederation to the United States of America; *all not yielded by them under the Constitution of the United States.*— The Court further says, "the States have also reserved the police right to turn from their territories, paupers, vagabonds and fugitives from Justice, and that it (the police power) is applicable to idlers, vagbonds, prupers, fugitives from justice, and suspected persons."

Justice Greer, one of the majority, clearly distinguishing between different classes of persons, to whom different laws were applicable, says, "it must be borne in mind (what has been sometimes forgotten) that the controversy in this case, is not with regard to the right claimed by Massachusetts in the second section of this act, to repel from her shores lunaties, idiots, criminals, or paupers, which any foreign country, or one of her sister states, might endeavor to thrust upon her; nor the right of any State whose domestic security might be endangered by the admission of free negroes, to exclude them from her borders. *This right of the States has its foundation in the sacred law of self-defence, which no power granted to Congress can restrain or amend,* * * * and that it is as competent and necessary for a State to provide precautionary measures against the *moral pestilence* of paupers, vagabonds and convicts, as it is to guard against the physical pestilence which may arise from unsound and infectious articles imported." What has just been quoted as the opinion of the Court, announced by Justice Greer, was deemed so important, and so deserving of being placed beyond question, that Justice Catron feeling called upon to do more than merely concur generally, says "agreeing entirely with my brother Greer in the principles involved in both causes, *and especially on the State power of exclusion*, in particular instances, I asked him to write out our joint views in the cause coming up from Massachusetts. This he has done to my entire satisfaction, and therefore I have said nothing here on the reserved powers of the States *to protect themselves*, but refer to that opinion as containing my views on the subject with which I fully concur thoughout.

As if the more clearly to distinguish not only between *revenue measures*, and the exercise by a State of its *police power*, but also between the two classes of persons upon whom each might appropriately apply, the Court says "the passengers in this instance, (the 295 steerage passengers from Liverpool) were not subjects of any police power or sanitary regulations, but healthy persons, of good moral character, as we are bound to presume, nothing appearing to the contrary; *nor had the State of New York, manifested by her legislation, any objection to such persons entering the State.* That it was intended to manifest a condition hostile to the admission of the passengers in respect to whom the master was sued, is without the slightest foundation. They were not hindered or interfered with any degree by the State law. It is a *general revenue measure.*" These revenue measures the Court declared to be regulations of commerce, in conflict with the Constitution granting that power to Congress.

So much for the opinions of a majority of the Court sustaining the position, that police measures were never ceded to the United States by the Constitution, but reside in the State, and have their foundation in the sacred law of self defence, "which no power in Congress can restrain or annul."

With a large class of our citizens, these positions will be greatly strengthened to know that the minority of the Court composed of such men as Chief Justice Tany, and Justices Daniels, Nelson and Woodberry, not only concurred substantially in those portions of the opinions quoted in which it declared that the police power is reserved to the States, but that it is more extensive in its application, than it is either necessary, or now proper for us to claim.

The Chief Justice says, "I think it therefore to be very clear, both upon principle and the authority of adjudged cases, that the several States have a right to remove from among their people, and to prevent from entering the State, any persons or class, or descriptions of persons, whom it may deem dangerous or injurious to the interest or welfare of its citizens."

Says Justice Woodberry, "a police measure, in common parlance, often relates to something connected with public morals; and in that limited view, would still embrace the subject of paupers.— But in law, the word police is much broader, and includes all legislation for the internal policy of a State; nor is it any the less a police measure, because money rather than a bond of indemnity is required, as a condition to protection and privileges. Measures, which are legitimately of a police character, are not pretended to be ceded any where in the Constitution to the general government in express terms; and as little can it be argued that they are impliedly to be considered as ceded, if they be honestly and truly police measures. Hence, in all the decisions of this tribunal, on the powers granted to the general government, either expressly or by implication, measures of that character, have been regarded as not properly to be included."

Confident of being able to sustain the Oregon Act by what those opposing claim to be the ruling authority, (7 Howard) I did not at first intend to occupy any space in examining the other authorities relied upon in the veto. But having my attention directed to a decision of the Supreme Court of California (7 Cal.) of the date of January, 1857, in connection with that it seemed appropriate to make a brief reference to the other authorities, relied upon by the Governor. There were two opinions of Attorney's General. The first by Wirt, in 1824. For a paper emanating from that great man, it was brief, apparently careless, and unsound. A reference to a single sentence which is the soul of the whole opinion, will show that it is not sustained by the opinion of the Supreme Court, in any case, "For the regulation of Congress on this subject, (commerce) is both supreme and exclusive." It is sufficient to say that the Supreme Court have since said that "this right of the States (the right upon which the Attorney General was then giving his opinion) has its foundation in the sacred law of self defence," &c.

The second opinion being that of Attorney General John M. Berrien, of date 1831, so far from sustaining the Governor's veto, is diametrically opposed to it, sustaining our position to the letter, and is in accordance with the decisions of the Supreme Court just quoted. He says, in speaking of the very same subject as both Attorney General Wirt, and the Supreme Court, "on the Contrary, I think that such an act of legislation is, under the circumstances which I have supposed, a justifiable exercise of the reserved powers of that State, and ought to have effect; that Congress are under a constitutional obligation to respect it in the formation of *treaties*, and in the enactment of *laws*."

The case of Brown vs. the State of Maryland. (12 Wheaton,) relied upon in the veto, in which a license fee was imposed for leave to sell unbroken packages of imported mdrchandise, furnishes no argument or authority against us. It was a tax for *revenue*, deriving no support from the police power of the State, and was. of course, unconstitutional.

The California case, reported in 7 Cal-R., of date of January, 1857, grew out of an act of the Legislature of that State, imposing a tax of fifty dollars on every person arriving in the State, *incompetent to become a citizen.* The opinion of the Court throws no light on this question. It occupies less than a half a page; and is rested entirely upon the decision in 7, Howard; concluding that the question arising in California was settled in the passenger case. I claim that such a judicial investigation of that case as the argument of counsel and its importance demanded, could not by any fair course of reasoning, have brought the Court to the conclusion arrived at.

The Passenger case relied upon by the California Supreme Court, was established to be a *revenue measure;* the States of New York and Massachusetts not having manifested the slightest objection to passengers entering the State. The persons proposed to be taxed were *free white persons;* the very persons, by the naturalization laws, invited and entitled to enter the State and enjoy all the privileges of American citizens. But was this the case in California? Far from it. It was the very reverse of the New York case. California proposed by the tax to restrain the immigration of persons not entitled to become citizens of the United States. It was not for the purpose of obtaining revenue, but the exercise of the sovereign right to defend herself against a class of people judged to be destructive of her best interests.

It was therefore, the exercise of a police power never ceded by the Constitution of the United States to the general government.

While, from the nature of things, it is often inconvenient to impress the public mind with the idea of approaching evil, yet the rapidity with which the Congress of the United States are advancing the universal suffrage, citizenship, and qualification for office, cannot fail to attract the attention of the mass of our brethren who have made their homes within the "Golden Gate."

Having established by the opinions of the Justice of the Supreme Court who pronounced the judgment in the passenger cases, as well as by those who dissented, that the *police power of the state* is superior to any power granted congress, and especially that to regulate commerce, it only remains to show that the act act "to tax and regulate Chinamen, and prevent their employment upon public works" is a police measure.

As was shown in the first number of this review, that the 31st section of the first Article of the State Constitution, empower the Legislative Assembly "To restrain and regulate the immigration to this state of persons not qualified to become citizens of the United States." Therefore and inasmuch as by the naturalization laws, only *free white persons* can become citizens of the United States it follows that immigration of Chinamen may, so far as our constitution is concerned, be regulated and restrained.

This provision of our Constitution, based on the sacred law of self defense, is the first act, and of the highest authority in the State, declaring it *objectionable* for persons not capable of becoming citizens of the United States to enter the State. In terms it is a police measure and the act in question proposes to carry it into execution. Bearing in mind the class and description of persons to whom the act is to apply, a reference to a few of the general rules and definitions laid down by the Court, such as that the State may guard the morals, quiet, safety, health and lives of its inhabitants, and provide generally against anything calculated to introduce either a moral or physical pestilence, ought to leave no room to doubt, as to the proper subjects of sovereign or police regulations. Still, we may go farther and name some of the universally recognized subjects of such measures.

Quarantine Laws, are enacted by every State in the Union. They reach the vessel, muster passengers and cargo before their arrival into port; control and direct the ship and everybody and everything on board, to the end of securing the inhabitants of the State against disease.

Pilot Laws, whenever necessary, enacted by the State Legislatures, control the master and crew before they enter the harbor.

Harbor and Port Laws. These, equally binding, are enacted by the State Legislatures.

Paupers, by state law are met at the threshold *of the state* and either admitted upon condition, or turned away, and penalties inflicted upon such as may introduce them.

Convicts and suspected persons: by some states are excluded or admitted upon conviction.

The Insane, Infirm, Imbecile, Aged, Maimed, incompetent to maintain themselves. Are universally subjects of police regulation, under which many, if not most of the states, they are liable to be excluded altogether, or admitted upon condition.

Slaves and Free Negroes. Have been the subject of Police regulation of each state under which they were excluded by reasons of their endangering the domestic security of the state.

Upon almost every page of the lengthy opinions of the Supreme Court, are to be found rules and definitions and instances with reference to the exercise by a State of the sovereign right of excluding from her territory objectionable persons. In determining whether Chinamen ought to be considered as embraced in that class, we can but regard their numbers, language and condition at home; the inducements and facilities, present and prospective for their emigration hither; their continued relation to their own government, laws and religion, (so to speak) and with all this, their indisposition and incompetency for naturalization.

Then our ancestry government, religion and laws; our departments of science, labor and pursuit, differing so widely from those of the Chinese, as to exclude for an indefinite period, the idea of becoming with them one people; yet with increasing millions pouring in, as will certainly be the case, not only upon this coast, but throughout the United States, to continue a separate class of human beings, in whom we can have but little concern for their education or morals, who will undertake to determine how long such a state of things could continue without spreading throughout the land, a moral pestilence.

Time nor space will allow more than to give a skeleton view of this branch of the subject. I leave it for the reflecting mind to fill out.

Aside from what has already been said, the adoption of this measure by the State Convention, goes far to establish its wisdom. It was introduced into the Constitution by acknowledged ability—Judges Deady, Boise, Prim and Kelsey, now upon the Bench. Col. Kelly, Gen. Lovejoy, Judge Shattuck and others, not now remembered, were members of the Constitutional Convention, and most of them advocated and supported the measure. And whatever their views may now be, they must then have believed it to be one of acknowledged right.

In the spirit of history, the Declaration of Independence, the Constitution of the United States, and our naturalization laws, confined to *free white Europeans*, Congress impressed the native African and Chinamen as subjects of State exclusion; and if, therefore, unfit and unsuited to be made citizens of the United States, by a parity of reasoning, they are objectionable persons in the estimation of a sovereign State.

But Congress has done more than cast upon the Chinamen and African the ban of exclusion. It has admitted many States into the Union by express enactments, whose constitutions contain a variety of prohibitory clauses, laying the foundation for police measures in principle like ours. The Constitution of Oregon, containing the provision in pursuance of which the China bill was enacted, was submitted to Congress, examined, *modified*, and accepted. Upon principle, and under the repeated decisions of the Supreme Court of the United States, the validity of that clause of our Constitution is placed beyond question. Whether the appropriate mode of carrying it out be by tax, import, regulation of commerce, or as a sovereign police measure of the State.

The decisions herein thus far has been directed to showing that inflicting a penalty, as provided in the 5th Section of the Act for bringing Chinamen into the State, is not a *revenue measure*, interfering with the congressional power to regulate commerce with foreign nations, but a *police measure*, under the sovereign rights of the State, never ceded to the general government.

In the veto, the 8th and 9th Sections of the act are included in the objection to the 5th. If the Sections referred to were similar, no further discussion as to Sections 8 and 9 would be necessary, but the author of the veto does not seem to have made himself fully acquainted with the nature and object of these latter sections. The 8th is a provision to secure the State against the introduction of Chinese slaves or involuntary servants; and to this end forbids the master of a vessel from landing any Chinamen, unless upon certificate from the proper Chinese authority that such Chinamen are not subjects of "*slavery or involuntary servitude.*" No one will question that the practice exists, and is carried on extensively on this coast, of an involuntary immigration of Chinese, introducing among us a species of slavery, demoralizing and detrimental to the best interests of the State. Without a thorough acquaintance with their language and laws its detection would be next to impossible. Chinamen are alike, and with few exceptions, it would be difficult to distinguish one from another, after leaving the vessel and mixing with a crowd of their countrymen. Hence the officer is required to demand their evidence of freedom while yet on the vessel.

In view of the evils that must sorely afflict every country wherein Chinese labor may be brought in competition with that of the white man, and more especially where such Chinamen are subjects of slavery or involuntary servitude, I am surprised to find this section objected to.

There is good reason to believe, if the truth was known that nearly all the Chinamen upon this coast are directly, or indirectly subjects of involuntary servitude. And under such circumstances they are made to compete with the white laborer, who must either yield the field or labor at prices wholly unsufficient for the support of a dependent family. I regard this section of very great value in view of the ordeal which the nation has just passed through for the extinction of African Slavery introduced by our forefathers with less promise of evil than that contemplated by the 8th Section of the act to regulate Chinamen.

The Section 9 objected to, is auxiliary to the 8th. It only inflicts a fine of $1,000 upon the master of any vessel landing a Chinaman without having presented evidences of freedom from slavery and involuntary servitude.

The friends of the white laborer, whither farmer mechanic or day laborer, have to rejoice that no objection lies, either in the Constitution of Oregon or the United States, against those provisions of the act, imposing a monthly license, fee upon Chinamen for leave to work for *hire* or *wages;* and prohibiting their employment upon public works.

It should not be forgotten that the subject is one of interest to the white race in every State of the Union; and the more especially so, because from present indications the proposed 15th amendment to the Constitution of the United States, giving universal suffrage and right to hold office to every citizen, will become the law of the land; although to be effectual, it must be adopted by three-fourths of all the State Legislatures. That Republican States will all ratify the amendment, no one at all observant of their subserviancy to the reckless inroads of Congress upon the Constitution, ought for a moment to doubt. That amendment is not to run any chances of defeat, and this, Senators Williams and Corbett very well know. All this ado of theirs against Chinese citizenship, is too transparent to mislead any body. It is but a dispensation by the Republicans in Congress, to enable them, if possible, to withstand the storm of indignation against African and Chinese equality. The *Oregonian* sees the point when it says, "The Republicans of other States who understand the 'Chinese Qnestion' will also refuse to support the amendment. The Republicans of Oregon will have nothing to do with it." What Chinese Question does the *Oregonian* mean? The Democratic party have been discussing the Chinese and African question for the last ten years, always being confronted by the Rrepublican leaders with their equality doctrine. Will the *Oregonian* now shake the dust from his feet against the Republican party, and for once acknowledge that this is a white man's government? or if not, what does he mean? Why, this amendment is the very cap sheaf of Republicanism. Every white man should study and understand it. He will find it more dangerous than any one yet proposed, and it is the more dangerous because it is intended to appear to be comparatively harmless—only confering the elective franchise, and right to hold office, upon *citizens* of the United States. The *Oregonian* of the 24th of February, copying from the Sacramento *Union*, so treats it when he says "*Since the word citizen is used, no foreigner or subject of a foreign power is included. It is only those born upon our soil, and not subject to a foreign power, and tho e duly naturalized who are described as citizens.*"— It is its insiduous approach upon citizenship through naturalization, and the sovereignty of the States, which makes the proposed amendment to the Constitution, or anything akin to it, a subject of the deepest concern to the whole race of white men, whether of Europe or America.

They should view it as a precipice, and fly to the furthest point of retreat.

The amendment giving every *citizen* of the United States, without destinction of race or color, or previous condition, the right to vote and hold office, under our present naturalization laws, confined as they are to *free white persons*, would of course exclude native Africans and Chinamen from voting and holding office. But herein lies the deception. The Constition of the United States already; as we have seen, confers upon Congress the power of passing naturalization laws. How easy and how quick Congress, if deemed necessary, could change the rule of naturalization. By a single stroke of the pen the words *free white* may be stricken out and the Chinamen and native African as they swiftly land upon our shores may becom citizens—and once citizens of the United States, the train of rights, privileges and immunities to follow, are not to be measured; they will vote, hold office, and claim an equal part in the administration of the government in every State of the Union.

This is not all of the enormity of the proposed action of the Republican party in Congress. In amending the naturalization laws, Congress could easily exclude Germans, Irish, or English; or place disabilities upon white men from any government, and in their mad freaks uproot the very foundations of society and good government in every State.

Seeing this state of things, we may well congratulate ourselves in Oregon, that as yet, compared with California, we have few Chinamen among us. Unless, however, rstrained and discouraged, with present and prospective facilities for immigration, whether admitted to cittizenship or not, what may we not except from that crowded population greater than all Europe and the United States; and what shall be their *status* in Oregon and other States in the Union, are questions addressing themselves to every reflecting mind.

W. W. CHAPMAN.

February 25, 1869.

COUNTY SCHOOL FUND.

Clerks of School Disttricts in the County of Linn are hereby notified that warrants upon the Treasurer for the amounts of School fund due the several districts. The warrants will in no case be delivered to third parties without written orders from the clerks.

The amount of County fund distributed among the districts this year is as follows:

Coin	$4,104,51
Currency	2,757,58
Total	$6,862,09

This amount is divided among 4,029 scholars, giving to each scholar reported $1,70,-315 forty per cent of which is currency.

The total amount apportioned this year exceeds that of the last by $791,51, but owing to the greater per cent of currency this year, the coin value of the apportionment is not increased.

Thirteen districts have not reported, and consequently receive no portion of the public fund this year. Applications have been made for copies of the school law, but there are none on hand, or obtainable for distribution, till a new issue is authorized by law. Clerks can refer to the school law when necsary by application to the Justices of their precincts—a fact which some appear to have forgotten.

J. W. MACK,
Co. School Sup't.

He that pelts every barking dog must pick up a great many stones.

The Democrat.

M. H. ABBOTT, - - - Editor.

SATURDAY.....MARCH 6, 1869.

OREGON AGRICULTURAL SOCIETY.

A late Portland *Commercial* thus alludes to the State Agricultural Society.

"It was discovered at the last Meeting of the Board of Managers of the Oregon Agricultural Society that they have no existence, no charter, and hence all creditors holding claims on the Society, depend solely on the honor of the members. It is doubtful whether the Society could legally claim a deed of the donation tract of 80 acres, on which the exhibitions are held; what grounds of confidence will the publishers and patrons of the forthcoming "Willamette Farmer" have? Can this big project be successfully sustained on the honor of the Society? Have they surplus enough to keep up so expensive a paper and pay all demands? Let the creditors answer, or what is more tangible suggest to the legislature that they frame a charter for this Society which has survived an illegal existence for eight years, and thus solve these doubts."

If the statements made by the Commercial be true, it is high time something were done to remedy the evils designated.

In this connection we quote the following from the Portland *Herald* of a late date, as it corroborates the view we have heretofore taken of the qualifications of Mr. Minto for the post to which he has been assigned:—

"We learn from a responsible source that John Minto, one of the secessionists of the last Legislature, is to edit the *Willamette Farmer*. We should judge from the tenor of the article he wrote to the *Oregonian*, at the time he sent the report of the proceedings of the Board of Directors of the State Agricultural Society, that he would be a pretty specimen of a man to edit an agricultural paper. We understand that this man Minto is about as fit to edit an agricultural newspaper as an ass is to sing hymns. Bigoted, inexperienced and ignorant, all the *Willamette Farmer*, under his control, would have in it of any value would be its selections (if the publisher would make them) and Minto's editorials on rams. All Minto can write or think about is rams. Minto has got ram on the brain."

Minto is one of the fifteen Radicals who resigned their seats in the Legislature, thus breaking up the quorum, and placing it beyond the power of that body to pass an appropriation bill. If he resigned with a full knowledge of the disastrous consequences of such a step to the tax-payers of Oregon, then he is no friend of the laborer and mechanic. If he resigned because he was led into this conspiracy against the laboring masses by the Governor, then he has not sufficient independence and force of character. If he resigned and then afterwards connived at the action of the Governor in withdrawing his resignation after its acceptance, and after it had been placed on file in the Secretary of State's office—as that officer has certified he did—then he is weak and vacillating, and withal somewhat knavish. If, when he resigned, he was not impelled by any or all of the foregoing reasons, but was simply hasty and inconsiderate, then he lacks some of the most essential attributes of a successful editor of a public journal. If he resigned because he believed he would thereby materially injure the Democratic party—and we are inclined to think this the chief reason—then he is entirely too much of a partizan to conduct a journal designed to cater to the taste of all parties. In any light in which his resignation can be viewed, it looks decidedly ugly.

NEGRO SUFFRAGE.

The Springfield *Journal*, the organ of the Radicals of the State of Illinois, in speaking of the assembling of a Constitutonal Convention, in connection with the question of negro suffrage says:

"The people of Illinois, in indorsing by an overwhelming majority the Congressional plan of Southern Reconstruction, did so in earnest and on principle. They have also voted to ratify the Fourteenth Constitutional Amendment. They propose to stand honestly by both. They do not ask of the Southern States anything in the way of equal, civil and political rights to all men, which they are not willing to be bound by themselves. They propose to "fight it out on that line" in the approaching Constitutional convention; and will at the same time hail with satisfaction any proposition emanating from Congress which by Constitutional Amendment, will establish "this dogma" all over the land."

This issue is very plainly stated by the Journal. We hope we will hear no more about the Radical party not being in favor of "this dogma" now. They have "taken the bull by the horns," in Illinois at least; and there can be no quibble there on this question.

The Washington correspondent of the St. Louis *Democrat* says that "Gen. Grant is already, and. By cautious investments, is destined to be very rich some day ranking with the most opulent. He owns 38 acres of land within the corporate limits of Washington, worth $60,000. A farm near St. Louis and houses at Galena and in Philadelphia should add $100,000 to the former items. Three hundred thousand dollars will probably not be in excess of the General's possessions."

Mrs. Lydia Maria Child whuld walk barefoot all the way to California if that would make Charles Sumner president. But it wouldn't you know.

The musical influence of water is shown by the fact that drowning men catch at Strauss.

POSTMASTER RANDALL PARDONED.

E. G. Randall, convicted in the U. States Court of robbing letters passing through the Portland post office and sentenced to serve twelve years in the penitentiary, has been pardoned by President Johnson. The pardon was granted in consequence of the recommendations of the prosecuting attorney, together with numerous citizens of the city of Portland and this State. We felt well assured some time ago that Randall would be pardoned. It is contrary to Radical practice and precedent to do otherwise. If they would now put him back into his old place again they would do the handsome thing by him. We hope some one will soon make a move in this direction. If it should be successful all Randall's old friends would come around him again, all swearing that they never believed he was guilty, and that he is a prince of good fellows.

CHINESE EXCLUSION.

We publish to-day Col. Chapman's review of the Message of the Governor vetoing the China Bill. It is somewhat lengthy; but as this Chinese question is yet destined to assume ponderous proportions on the Pacific coast, we suppose no one will complain, especially as the Colonel handles his subject in a masterly manner. He meets and completely overthrows the Constitutional objections embraced in the veto message—showing that, according to the decisions of the Supreme Court, none but *white* Europeans have ever been invited to our shores, or a participation in our State and Governmental affairs.

HON J. S. SMITH.—We received a letter from Hon. J. S. Smith a few days ago, in which he says: "I am just now afflicted with inflammation of the eyes, and have to employ an amanuensis in addressing you." The many friends of Mr. S. in Oregon will join with us in the hope that he may speedily recover.

BY TELEGRAPH.

[COMPILED FROM THE OREGON HERALD]

WASHINGTON, Feb. 26.—In the Senate the report of the Conference Committee on the Naval Appropriation Bill was concurred in.

Sherman, from the Finance Committee, reported back Schenck's bill to strengthen the public credit etc., with slight amendment.

The Committee on Finance were discharged from the further consideration of the bill to encourage the building of steamships by the United States.

The Committee on Public Land reported several bills and were discharged from the further consideration of several others.

Morton called up the resolution to pay the Senators from the reconstructed States from the beginning of the Fortieth Congress.

The pending amendment was for their payment only from the beginning of the second session of the Fortieth Congress. The resolution was discussed until the expiration of the morning hour, and then went over.

The report of the Conference Committee on the Constitutional amendment then came up.

Edmunds said the Conference Committee had struck out the very life of the resolution.

Pomeroy and Howard also denounced the report of the Committee.

Wilson said he had fought slavery for thirty years and had always demanded what was right, and now he was willing to take what he could get. He believed every step made the next one easier. He should continue to agitate until equal rights to all men were undisputed.

Pomeroy moved to disagree, and ask a further conference.

Morton said the Committee had exceeded their powers by striking out the vital portion of the text which had already been agreed to by both houses. The Committee had acted unwisely and in violation of parliamentary law. They had no right to strike out the proposition in which both houses had concurred, namely: No State should deny the right to vote or hold office for certain specified reasons. He believed half a loaf better than no bread, and would vote to agree to the report if nothing better could be had; but this case would be a warning never again to entrust any important measure to a Committee of Conference.

Sawyer explained the position of the Republican party at the South.

Frelinghuysen urged the passage of the amendment because the Republican party would not have a two-thirds majority in the next Congress.

Stewart said a number of Legislatures were now in session, and if the amendment passed it could be ratified; but if the Senate disagreed, all was lost.

Davis said that the Republicans might expect Democrats enough to give them a two-thirds majority. [Laughter.]

Hendricks thought such an appeal the most extraordinary ever made in the Senate—urging the passage of a resolution for the reason assigned by Frelinghuysen and Stewart.

Frelinghuysen said he had since ascertained that the Republican party would have a clear two-thirds majority in the next House, and he therefore withdrew his reason.

Hendricks spoke till four o'clock when the Senate took a recess.

In the House the civil appropriation bill was made the special order for to-morrow.

The deficiency bill was considered in Committee of the Whole.

The appropriation of $150,000 for the San Francisco Mint was rejected.

WASHINGTON, March 1.—Judd introduced a resolution in the House requiring the completion of the Pacific Railroad according to standards fixed by the special commissioners now examining the Central Pacific Railroad.

In reply to a committee of Republican Representatives of the Southern States, Grant said there would be a change in the military condition of the South. In reply to a question whether Sheridan would be sent to New Orleans, he said not now, owing to the condition of Indian affairs. He had ordered him to remain and pursue the Indians.

It is said that McPherson, Clerk of the House, will hold the Georgia and Louisiana credentials as incorrect.

In the Third and Fourth Districts of South Carolina there are two conflicting credentials, signed by State officers.

After the election of Speaker on Wednesday, Colfax will resign, delivering a valedictory.

BAKED HAM.—Most persons boil ham. It is much better baked, if right. Soak it for an hour in clean water and wipe it dry; next spread it all over with thin batter, and then put it into a deep dish with sticks under it, to keep it out of the gravy. When it is fully done, take off the skin and batter crusted upon the flesh side, and set it away to cool.

What is the difference between a special constable and a superannuated constable? The former's sworn in, and the latter's worn out.

It is a general remark that all classes of persons are ever ready to give their opinions. The lawyers must be excepted —they sell theirs.

If a redbrest comes into your fruit garden, does he come there a robin?

A setting hen could not be called a tomahawk, but it might be called a hatchet.

SUMMONS.

In the County Court for the County of Linn, State of Oregon.

E. B. Moore, G. Garst and W. H. Baber, heretofore partners in trade, doing business under the firm, name, and style of Moore, Garst & Baber, Pl'ffs, vs. J. M. Frakes, Def't.

To J. M. Frakes, Defendant:

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and answer the complaint filed against you in the said County Court of Linn county, State of Oregon by the 1st day of said Court, commencing upon the first Monday in May, 1869. And you will take notice that if you fail to answer as above required, judgment will be taken against you for the sum of $29 51 in U. S. gold coin with interest thereon from January 1st, 1868, at one per cent. per month besides costs and disbursements.

By order of the Hon. S. A. JOHNS,
Dated March 3, 1869. County Judge.
N. H. CRANOR, Att'y for Pl'ffs. v4n29w6.

SUMMONS.

In the County Court for the County of Linn, State of Oregon.

E. B. Moore & G. Garst, heretofore partners in trade, doing business under the firm, name, and style of Moore & Garst, Pl'ffs, vs. J. T. Frakes and J. M. Frakes, Def'ts.

To J. M. Frakes, Defendant:

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and answer the complaint filed against you in the above entitled action, by the said plaintiffs in the said County Court of Linn county, State of Oregon, by the first day of the term of said Court, commencing upon the first Monday in May, 1869. And you will take notice that if you fail to answer as above required, judgment will be taken against you for the sum of $265 00 in U. S. gold coin with interest thereon from the 15th day of October, 1868, at one per cent. per month, besides costs and disbursements.

By order of Hon. S. A. JOHNS,
Dated, March 3, 1869. Judge.
N. H. CRANOR, Att'y for Pl'ffs. n29w6.

SUMMONS.

In the County Court for the County of Linn, State of Oregon.

E. B. Moore, G. Garst and W. H. Baber, heretofore partners in trade, doing business under the firm, name, and style of Moore, Garst & Baber, Pl'ffs, vs. J. D. Ford, J. T. Frakes and J. M. Frakes, Def't.

To J. M. Frakes, Defendant:

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and answer the complaint filed against you in the above entitled action, by said Pl'ffs, in the said County Court of Linn County, State of Oregon, by the first day of the term of said Court, commencing upon the first Monday in May, 1869.—And you will take notice that if you fail to answer as above required, judgment will be taken against you for the sum of $255 33 in U. S. gold coin with interest from Nov. 25, 1867, at one per cent. per month thereon—less a credit, Oct. 10, 1868, of $82 60, and one of $96, Dec. 8th, 1868, and $11, Jan. 1869, besides costs and disbursements.

By order of Hon. S. A. JOHNS,
Dated, March 3, 1869. County Judge.
N. H. CRANOR, for Pl'ffs. v4n29w6.

SUMMONS.

In the County Court for the County of Linn, State of Oregon.

E. B. Moore and G. Garst, partners in trade under the firm, name, and style of Moore & Garst, Pl'ffs, vs. J. M. Frakes, Def't.

To J. M. Frakes, Defendant:

IN THE NAME OF THE STATE OF OREGON: You are hereby required to appear and answer the complaint filed against you in the above entitled cause of action by the above named pl'ffs in said Court, by the first day of the term of said Court, commencing on the first Monday in May, 1869. And you will take notice that if you fail to answer as above required, judgment will be taken against you for want thereof, for the sum of $308 91 in U. S. gold coin with interest at one per cent. from Oct. 24, 1868,—and for the further sum of $27 17, money due, with interest from this date.

By order of Hon. S. A. JOHNS,
Dated, March 3, 1869. County Judge.
N. H. CRANOR, Att'y for Pl'ffs. v4n29w6.

NOTICE OF SALE.

NOTICE IS HEREBY GIVEN, THAT, BY virtue of an order of the County Court of Linn County, State of Oregon, made on the 2d day of March, 1869, in the matter of the estate of Thomas J. Breeden, deceased, the undersigned, Administrator of the said estate, will sell at public auction, to the highest bidder for cash, U. S. Gold coin, on a credit of 6 months, with note for coin, secured by mortgage on the premises sold, on

Monday, the 5th day of April, 1869,

between the hours of 8 o'clock a. m. and 4 o'clock p. m. of said day at the Court House door, in the city of Albany, Linn county, Oregon, the following described land, to-wit:

Beginning at the N. E corner of the S. W. quarter of the S. W. quarter of Section 27 of Tp. 13, S. R. 1 West Willamette Meridian; thence West 80 rods; thence South 160 rods; thence West 80 rods; thence South 80 rods; thence East 160 rods; thence North 160 rods to the place of beginning, containing 160 acres, more or less, in Linn county, Oregon. NOAH SHANKS,

March 2, 1869.—v4n29w4. Administrator.