



The Weekly Enterprise.

A DEMOCRATIC PAPER. FOR THE BUSINESS MAN, THE FARMER AND THE FAMILY CIRCLE.

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THE MEANEST MAN.—He lives near Worcester, Mass., now—the meanest man—and he's a deacon. Not long ago his father and mother died, and his brother buried them. About half a cart load of earth had to be carted away, and the deacon charged his brother fifty cents for the use of his oxen and cart.

AN APPROPRIATE SONG.

Know ye the land where the Radical rule? Is the emblem of Satraps who rule his fair soil? Where all is protected except agriculture, And labor is free—to pay taxes and toll.

Where the farmer is robbed when he sells his productions, And robbed once again when he buys what he needs? Where the over-gorged Vulture croaks "Merry for Protection," While the hard-working yeoman at every pore bleeds?

Where the Bonholder sits on his throne like a vampire, And out of his coupons untaxed at his ease, While the Soldier who fought thro' flood, field and fire, Is taxed for the steel-bands screwed on at his knees?

Where the Lion lies down with the Lamb—in his holly— And the Shillites proclaim, "the millennium is come!" Where Grant spreads his Peace o'er the desolate valley— Who have stamped on the laws and Blind Justice is dumb?

Where all things are changed and new millenniums are given to all things both sides of the grass? Where the Gospel is preached to suit sordid nature, And Hell is abolished to suit every knave?

Where "success" is the standard of right that such follow— Where to steal half a million is glorious and bold; Where the truth is eclipsed by the "A. N. O.," And the Devil is worshipped in purple and gold?

Shall the Sword Supersede the Law?

[From the Chicago Tribune.] (Republican) Popular government cannot be maintained by the sword. Insurrections, rebellions, disorders, and personal violations of law may be suppressed by the vigorous application of military force, but the real strength and defence of popular government is the law which is enforced by popular sentiment.

The American people, in forming their government, substituted popular representation and the right, under certain restrictions, to change the constitution at their pleasure, in the place of forcible revolution; but nowhere have they ever abandoned the principle that the government is one of law, and that force was only to be used in aid of law, to execute it, not to destroy it.

When the time shall come that a government shall be done away with; when a Brigade-General shall be installed as the maker of law, and his Quarter-master, Paymaster, Commissary shall become the supreme judiciary of each State; and Colonels, Majors, and Captains shall exercise the functions of civil officers, and sergeants and corporals shall be the sheriffs and police; when the writ of habeas corpus shall be prohibited, the trial by jury abolished; when the laws shall be found in "general orders" instead of the statute book, and the only form of justice shall be the proceedings of courts-martial—then popular government may be said to have ceased, and the despotism of the bayonet erected in its place.

Put That Rascal Out. While the congregation were collected at church on a certain occasion, an old dark, hard-featured skin-and-bone individual, was wending his way up the aisle, and took his seat near the pulpit. The officiating clergyman was one of that class who detested written sermons, and as for prayer, he thought it ought to be the natural out-pourings of the heart.

Worse than War.—No doubt the civil war greatly reduced American shipping. That was a natural consequence. The Republican papers say that the Alabama caused a reduction of 185,000 tons a year. Since the close of the war the deprivations of the tariff have been 500,000 tons of shipping per annum at an annual loss of \$12-500,000. Truly, says an exchange, the Morrill tariff might justly be styled the Congressional Alabama.

MAKE THE BEST.—Girls always love those boys best who are the kindest, best natured, most considerate and "manlike" in their behavior; and who are not coarse, profane, and loafish in their talk. The boys who are by their school or playmates loved the most, make the best men.

More Radical Rascality.

THE MOBUS OPERANDI BY WHICH THE BLACK-AND-TAN PARTY CARRIED THE ELECTION IN THE DISTRICT OF COLUMBIA.

[From the N. F. Examiner.] A gentleman in this city has recently received a letter from an exceedingly intelligent lady correspondent at the national Capital, from which we are permitted to extract the following. The letter is dated Washington, April 21st, and says: It is quite an auspicious occasion, and I think I better celebrate it by sending you the joyful tidings of the success of the Republican candidate for Congress. As far as I am concerned, politics have little or no attraction for me, and it is only for the good of public education that I feel any concern at the success of the black man's candidate. The Governor, you know, I presume, is for mixed schools, and of course all the others of the same stripe advocate the establishment of such a law; but the Republican papers until the last moment denied it, when Chipman, their candidate, asserted the night before the election that it was the platform upon which he stood.

One of the Judges told me, this morning, that five negroes at once came to the window of the polling-place where he was asked a Radical Judge to give them an order to the Railroad Committee to get money to go back to Baltimore where they lived, which he did. And no doubt, the same story can be told by all the other Judges.

SEE HIM THERE.—The New Orleans Picayune is responsible for the following: It is not always the practice of pretty ladies to wear veils. Not even coquetry will dispense with the pleasure of showing a lovely countenance, and the most modest and retiring beauty likes to be admired for the regularity of her features.

NOT WHEN THEY ARE MARRIED.—"But I am not!" "Indeed!" "Oh, no; I'm a bachelor!" The lady quietly removed the veil, disclosing to the astonished magistrate the face of his mother-in-law. He had business elsewhere suddenly.

OLD LADY.—"They're all alike, my dear. There's our Susan (it's true she's a dissenter), but I've allowed her to go to chapel three times every Sunday since she has lived with me, and I assure you she doesn't cook a bit better than she did the first day!"

What a man needs in a garden, says Mr. Charles D. Warner, is a cast-iron back with a hinge in it.

Enforcement of 14th Amendment

SPEECH OF HON. J. H. SLATER, OF OREGON.

Delivered in the House of Representatives, April 4, 1871.

On the bill to enforce the provisions of the Fourteenth Amendment to the Constitution of the United States, and for other purposes. MR. SLATER. Mr. Speaker, I approach the discussion of the subject now under consideration, and which is presented in the proposed legislation, with full sense of the magnitude of the questions involved. Sir, in my judgment no legislation has been proposed since the establishment of our Government so dangerous to the permanency of our institutions, so completely and thoroughly subversive of the republican form of the States and the liberty of the citizen, as that now invited.

The legislation proposed is but the finishing touch to that which has been in progress for the past years, like mile posts, marked the insidious centralization of power. At last, sir, the nation has been brought face to face with the great danger which has been so long and so carefully hidden from the eyes of the people. The enemy of constitutions and the plea of tyrants, has been successfully invoked at each step in the march of the law in the last act it is again appealed to in order to silence opposition and quiet dissidents.

English laws in a neighboring country, establishing themselves in the territory of the United States, and the power of the United States to enforce its laws, and to prevent the establishment of a foreign government in its territory, are the powers of the United States, and the power of the United States to enforce its laws, and to prevent the establishment of a foreign government in its territory, are the powers of the United States.

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side of the Constitution, it effectually and completely displaces the Constitution and its principles under the very principles upon which it rests for its security and perpetuity. It strikes down every right valued by freemen. It impels and by jury renders the people in their persons, houses, papers, and effects liable to unreasonable search and seizure; subjects them to arrest without warrant or cause, either actual or pretended; to harassing suits and vexatious prosecutions in distant courts and foreign jurisdictions; creates a long list of new crimes hitherto unknown to our laws; makes the commission of trifling offenses felonies, for which cruel and unusual punishments are to be inflicted, and authorizes the intervention of the Army and Navy in the domestic affairs of the States, without the consent of their Legislatures, or Executives when the Legislature cannot be convened. For such acts and crimes as these George III was declared by the thirteen colonies unfit to be the ruler of a free people.

The legislation proposed in this bill is predicated upon the following assumed propositions: First, That the fourteenth amendment empowers Congress to define and punish all offenses against person and property committed within the several States.

Second, That the fourteenth amendment will use the Army and Navy to suppress domestic violence within the States, without the consent of their Legislatures, or their Executives when the Legislature cannot be convened.

I am aware, sir, that the honorable gentleman from Ohio (Mr. Shellabarger) does not admit in his argument of the provisions of this bill which to the full extent of the proposition first named. I am aware, also, that the crimes of mayhem, robbery, assault and battery, kidnapping, subornation of perjury, criminal obstruction of legal process, or resistance of officers in discharge of official duty, arson, and larceny, are not, as often made punishable by the second section of this bill, which reads as follows: Sec. 2. That if two or more persons shall, within the limits of any State, band, conspire, or combine together to do any act in violation of the laws, privileges, or immunities of any person, to which he is entitled under the Constitution and laws of the United States, which, committed within a place under the jurisdiction of the United States, would, under any law of the United States then in force, constitute the crime of either murder, manslaughter, mayhem, robbery, assault and battery, kidnapping, subornation of perjury, criminal obstruction of legal process, or resistance of officers in discharge of official duty, arson, or larceny; and if any one or more of the parties to such conspiracy or combination shall do any act to effect the object thereof, or the parties to or engaged in said conspiracy or combination, whether principals or accessories, shall be deemed guilty of a felony, and a penalty of not exceeding \$10,000 or to imprisonment not exceeding ten years, or both, at the discretion of the court; and if any party or parties to such conspiracy or combination shall, in furtherance of such common design, commit the crime of murder, such party or parties so guilty shall, in addition to the penalty herein provided, be deemed guilty of a felony, and a penalty of not exceeding \$10,000 or to imprisonment not exceeding ten years, or both, at the discretion of the court; and if any party or parties to such conspiracy or combination shall, in furtherance of such common design, commit the crime of murder, such party or parties so guilty shall, in addition to the penalty herein provided, be deemed guilty of a felony, and a penalty of not exceeding \$10,000 or to imprisonment not exceeding ten years, or both, at the discretion of the court.

I understand that the act of combination of two or more persons to do an act, which act, if done in any place under the sole and exclusive legislative jurisdiction of the United States, would constitute any of the crimes enumerated in this section, and if committed in any place under the jurisdiction of the United States, would be deemed a felony, and a penalty of not exceeding \$10,000 or to imprisonment not exceeding ten years, or both, at the discretion of the court.

Mr. Speaker, the conclusion is irresistible that the legislation now proposed is based on no other theory than that Congress under the Constitution, as amended, may in the pleasure of its powers, when circumstances and party exigencies demand, define and punish all grades of offenses against person and property committed within the States.

But let me inquire one step further. If the United States may provide for taking jurisdiction upon the criminal

side of its courts of offenses committed within the States, and to prevent and punish under the pretense of enforcing protection to life, liberty, and property, and compelling the States to respect the guarantees of the fourteenth amendment, why may it not also assume jurisdiction at law and equity of all matters of controversy between citizens under a like pretense? A man's house is as much his property as lands, horses, or cattle, and as such is as much entitled to the protection of the Government. Where is to be the limit of protection to person and property if the interpretation assumed is acted upon by the Government? Is this criminal jurisdiction now sought to be assumed to be concurrent with the States or exclusive of their rights; and if concurrent, is there not some danger of there being an over-dose of protection?

But, sir, it is useless to pursue this matter further; the pretense of protection is altogether too thin a disguise to cover the real design which lurks beneath. To assume jurisdiction over the domestic concerns of the several States is the purpose of this measure. It can have no other effect than to destroy the power of Congress and the Executive in and over the States, absorbing one by one their remaining rights until their lives and jurisdictions will be wholly obliterated and lost.

But there is another feature in this section worthy of note. The bill provides that to enforce the provisions of the fourteenth amendment of the Constitution of the United States, and for other purposes, and it is claimed that guarantees made in the first section of this amendment, by way of recognition upon the States, carry with them, and particularly in connection with the fifth section of the amendment, the power of their enforcement, and impose upon Congress the duty of enforcing the necessary laws to that end. The honorable gentleman from Ohio (Mr. Bingham) made an elaborate argument upon the power and duty of the Government to enforce the amendments, and particularly the fourteenth amendment, and stated that the power of their enforcement, and impose upon Congress the duty of enforcing the necessary laws to that end. The honorable gentleman from Ohio (Mr. Bingham) made an elaborate argument upon the power and duty of the Government to enforce the amendments, and particularly the fourteenth amendment, and stated that the power of their enforcement, and impose upon Congress the duty of enforcing the necessary laws to that end.

It is not whether the Government has power to enforce upon the States an observance of the restrictions placed upon them in the first section of that amendment, but whether this particular measure is a proper remedy, and whether it is not a needless to the charge of being an unwarranted assumption of power upon the part of Congress, illegal in its provisions and unjustifiable upon any theory of law or needed legislation. The fugitive-slave law of 1850, based upon the third clause of section two of article four of the Constitution, has been referred to as furnishing an unshakable precedent and justification for the passage of this enactment. The clause upon which that law is based reads as follows: "No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered upon claim of the party to whom such service or labor may be due."

It will be seen that there is no parallel whatever between this clause and the first section of the fourteenth amendment. There are two phases to the clause to be noticed: 1. The slave was not to be discharged from service on account of escaping from one State into another, which he had fled. That is to say, the State was not denied the right to place the law on her statute book, but the slave escaping within her jurisdiction was to be punished by reason of anti-slavery laws.

2. The slave was to be delivered up on claim of the party to whom his services were due. This is not the denial to the States of the right to pass a law, but simply excepting from its operation certain persons coming within their jurisdictions. This is not all. A de facto claim was to be made, and the act of delivery was not devolved upon the State but left to the General Government, and it was provided that if any State should refuse to deliver up a fugitive slave, the Federal courts, always open with writs of habeas corpus, writs of *est non servit*, etc., can at all times render efficient aid against the de facto guaranties. Through the civil process, and the means of the Federal courts, it is to be seen that the Federal courts are to be the means of enforcing the first section of this constitution.

Such laws would be simple nullities, if passed, and every officer of the State, from a justice of the peace to the Supreme Court, can at all times render efficient aid against the de facto guaranties. Through the civil process, and the means of the Federal courts, it is to be seen that the Federal courts are to be the means of enforcing the first section of this constitution.