

PIONEER AND DEMOCRAT.

DEVOTED TO THE INTERESTS OF WASHINGTON TERRITORY, POLITICS, EDUCATION, NEWS, AND GENERAL INTELLIGENCE.

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New York Riots on the 4th of July.

A most unfortunate riot took place between a parcel of Five Point thieves, who are known by the name of the "Dead Rabbit Club," and a gang of Bowery rowdies. The fight commenced in a lager beer saloon, at four o'clock in the morning, when the Bowery scoundrels were routed. In the course of the day they mustered all their forces, and in the evening started to attack the "Dead Rabbits."

The police were immediately sent for, and on their arrival they found the people in Baxter street firing brickbats and pistols from the windows and roofs of the houses. Twenty or thirty of the policemen were struck by the missiles. In one room, which the police forced, they found a man and two women with a bushel basket full of brickbats, which they were throwing out at people in the street. The man who gave his name as Jim Lane, was arrested by officers Shangle and Russell, and taken by them to the Fifth Ward station house, and locked up. The fight soon became general, and muskets and pistols were fired by the opposing parties in Bayard and Elizabeth streets. The police arrested a large number, and locked them up in the White street station house, where they were subsequently taken to the Fifth Ward police station. They had barricaded Mulberry street, near Bayard, with carts, wagons, horse-carriages and timber; and in Bayard street, near Elizabeth, another barricade was built of the same materials. From behind these barricades the belligerents were continually firing at each other with muskets, pistols and other weapons.

Officer Stangle, accompanied by others, disguised, went to them and represented themselves to be deputy sheriffs. They told them they must stop firing, as the military had been ordered out, and would fire upon them unless they immediately dispersed. The Bowery party said if the others would stop they would.

The police then started to go down to the other party, but before reaching them they were met by a brickbat in his hand. Some one fired at him—three or four shots at once. He fell dead at officer Shangle's feet, having been shot in the head. The disguised police continued down to the other party, and raising their hats the mob forebore to fire upon them. They then removed the other barricade.

The dead rioters, shot from the top of the house in Bayard street, were taken to the White street station house. One of them was an Irishman, about 50 years of age; he was shot through the breast, the ball entering near the right nipple. The other one was apparently an Italian boy, about 20 years. He was also shot in the breast, the ball entering near the left nipple, and taking a downward direction toward the stomach, thus proving conclusively that the shot was fired from above.

Another dead man, a rioter, was taken to the 7th Ward station house. The force first sent by the Metropolitan was a squad of 25, which were driven back; 50 men were then sent, and a second 50 were dispatched after them. They succeeded in removing the barricades about 7 o'clock.

The Commissioners having made a requisition upon Major General Standford, that officer ordered out the 7th Regiment, Col. Duray, 8th Regiment, Col. Vossburgh. It was understood that ten persons were killed, and upwards of fifty wounded.

Several murders, in different parts of the city, had also been committed, some of the victims being shot, and others strangled. It was the most calamitous Fourth of July the citizens of New York ever witnessed.

INDIAN AFFAIRS IN UTAH.—The Department of the Interior has despatches from Brigham Young, Superintendent of Indian Affairs for Utah Territory, dated March 31, 1857, in which he says the Indians, since his last quarterly report, have had a "time of peace, and apparently great contentment generally."

The London Times publishes an article on Gen. Walker's career in Nicaragua, in which it calls upon the United States government not to tolerate such brigandage, but to wait patiently until time adds the Central American States to the Union.

It is stated that \$125,000 have been raised in Georgia to fit out Gen. Walker for another descent upon Nicaragua.

The Spanish census was nearly completed, and the result will, it is said, show a population of 17,000,000 souls.

ATTACK UPON AN EMIGRANT TRAIN.

The St. Louis Republican of the 18th publishes a letter from Fort Riley, dated the 9th, giving the following particulars of the attack of the Cheyenne Indians upon an emigrant train. It may be recalled that Col. Sumner left Fort Leavenworth some weeks ago, with six companies of cavalry and two companies of infantry, for the purpose of making war upon the Cheyennes. He divided his force, sending one portion up the Arkansas, under command of Major Sedgwick, and sending the other himself up the Platt. It would appear that the Indians have slipped between these two columns, and commenced murdering and robbing in their rear. One of the survivors of the party attacked, Mr. A. P. Weaver, gives the following account of the event:

"About eighty miles from the Post on the Republican Fork of the Kansas River, my party had just left camp on the morning of Saturday, the 6th of June, 1857, about 9 o'clock A. M. About 150 Indians mounted, charged on our train and surrounded it; they commenced firing on our men; they killed four men of our party. After their guns were discharged, the Indians retired to a creek close by, and continued their fire until we left the wagons; a party of them pursued us. Our party consisted of ten men, eight women, and ten children. I left the party coming down in this direction with two men and one woman wounded, all on foot and out of provisions. One of the four men killed was endeavoring to escape, but was overtaken, and the last that was seen of him the Indians were dragging him by a hair."

The names of three of the men killed are S. D. Weaver, Lewis, and Sam. Smith. The wounded are, J. Houston, J. Smith, and a woman, name unknown. Capt. Hendrickson, with two companies of the 6th Infantry, who had just arrived here from Fort Leavenworth, has gone out to bring in the survivors. As his command is on foot, it will be impossible for him to pursue the Indians, who are all well mounted.

THE ROYAL BRIDE.—The Berlin Gazette publishes officially the betrothal of Prince Frederick William of Prussia with the Princess Royal of England, as a piece of most "gratifying intelligence." The London Times, also, is much pleased with the match, and heartily responds to the Queen's desire that a suitable provision should be made for the royal bride, viz.: a marriage portion of \$200,000, and \$40,000 a year, which has just been voted. It seems to think, however, that some excuse is needed for such an unusual appropriation, and says in reply, that the revenues of the Duchy of Cornwall will constitute an ample provision for the Prince of Wales, without the necessity for any fresh application, to Parliament; and those of the Duchy of Lancaster for the younger princes. Besides, the Queen has purchased Balmoral and Osborne—the seats where she principally resides—out of her own private income, without putting the nation to one farthing of expense.

ANOTHER RAILROAD CATASTROPHE.—Cincinnati, July 2, 1857.—A train over the Marietta and Cincinnati Railroad, while crossing the trestlework twelve miles west of Marietta yesterday morning, one ear was thrown off the track and fell a distance of fifty-three feet and was smashed to pieces. Thirty persons were in the car, of whom three were killed and twenty wounded.

The democrats of Maine met in State Convention, and nominated W. H. Smith, of Warren county, as their candidate for Governor.

BALTIMORE, Saturday, July 4, 1857.—The Hon. William L. Marey was found in his room to-day, at noon, quite dead. He appeared to be in his usual good health this morning. We have not heard any cause assigned for his sudden death.

The death of Hon. Wm. L. Marey, late Secretary of State, was creating a profound sensation throughout the Union. His talents and worth justly rendered him the idol of his party, as he was the ornament of his country.

CITY OF MEXICO, July 16, 1857.

We have had exciting times since my last report. First, on the 4th instant, the inauguration of the newly finished railroad, between this city and Guadalupe, which made quite an epoch in Mexican affairs. Though only the commencement of the two lines which have to be carried to Puebla (on the Vera Cruz line) and to Tampico, the sound of the iron horse has started this indolent people to a kind of enthusiasm, which may lead to a better and greater future. I have been assured that Messrs. Eastman, and Manuel Escandion, have signed a million of dollars, each, to further this great work. Mr. J. A. Escandion, the builder of this pioneer line, had invited the President, to perform the trial trip, and accompanied by thousands on horseback and in coaches, the train went, in 26 minutes, over this line, a distance of only three miles, to the villa, where a splendid breakfast was spread. Since then the trip is regularly made in eight minutes. The locomotive is excellent, being made in the United States, at a cost of \$13,000 and stands at 30,000 in this city, the cost of transport being \$17,000.—Cor. S. F. Globe.

REMARKS OF HON. S. A. DOUGLAS, Delivered in the State House at Springfield, Ill., on the 12th June, 1857.

Kansas, Utah and the Dred Scott Decision.

Mr. President, Ladies and Gentlemen—I appear before you to-night, at the request of the grand jury in attendance upon the U. S. Court, for the purpose of submitting my views upon certain topics upon which they have expressed a desire to hear my opinion. It was not my purpose when I arrived among you, to have engaged in any public or political discussion; but when called upon by a body of gentlemen so intelligent and respectable, coming from all parts of the State, and connected with the administration of public justice, I do not feel at liberty to withhold a full and frank expression of my opinion upon the subjects to which they have referred, and which now engrosses so large a share of the public attention.

The points which I am requested to discuss are:

- 1st. The present condition and prospects of Kansas.
- 2d. The principles affirmed by the Supreme Court of the United States in the Dred Scott case.
- 3d. The condition of things in Utah, and the appropriate remedies for existing evils.

Of the Kansas question but little need be said at the present time. You are familiar with the history of the question, and my connection with it. Subsequent reflection has strengthened and confirmed my convictions in the soundness of the principles and the correctness of the course I have felt it my duty to pursue upon that subject. Kansas is about to speak for herself through her delegates assembled in convention to form a constitution, preparatory to her admission into the Union on an equal footing with the original States. Peace and prosperity now prevail throughout her borders. The law under which her delegates are about to be elected is believed to be just and fair in all its objects and provisions. There is every reason to hope and believe that the law will be fairly interpreted and impartially executed, so as to insure to every bona fide inhabitant the free and quiet exercise of the elective franchise. If any portion of the inhabitants, acting under the advice of political leaders in distant States, shall choose to absent themselves from the polls, and withhold their votes, with a view of leaving the free State Democrats in a minority, and thus securing a pro-slavery constitution in opposition to the wishes of a majority of the people living under it, let the responsibility rest on those who, for partisan purposes, will sacrifice the principles they profess to cherish and promote. Upon them and upon the political party for whose benefit and under the direction of whose leaders they act, let the blame be visited of fastening upon the people of a new State, institutions repugnant to their feelings and in violation of their wishes. The organic act secures to the people of Kansas the sole and exclusive right of forming and regulating their domestic institutions to suit themselves, subject to no other limitation than that which the Constitution of the United States imposes. The Democratic party is determined to see the great fundamental principles of the organic act carried out in good faith. The present election law in Kansas is acknowledged to be fair and just—the rights of the voters are clearly defined—and the exercise of those rights will be efficiently and scrupulously protected. Hence, if the majority of the people of Kansas desire to have it a free State, (and we are told by the Republican party that nine-tenths of the people of that Territory are free State men), there is no obstacle in the way of bringing Kansas into the Union as a free State, by the votes and voice of her own people, and in conformity with the great principles of the Kansas Nebraska act; provided all the free State men will go to the polls, and vote their principles in accordance with their professions. If such is not the result, let the consequences be visited upon the heads of those whose policy it is to produce strife, anarchy and bloodshed in Kansas, that their party may profit by slavery agitation in the Northern States of this Union.

The Kansas question being settled peacefully and satisfactorily, in accordance with the wishes of her own people, slavery agitation should be banished from the halls of Congress, and cease to be an exciting element in our political struggles. Give fair play to that principle of self-government which recognizes the right of the people of each State and Territory to form and regulate their own domestic institutions, and sectional strife will be forced to give place to that fraternal feeling which animated the fathers of the Revolution, and made every citizen of every State of this glorious confederacy a member of a common brotherhood.

That we are steadily and rapidly approaching that result, I cannot doubt, for the slavery issue has already dwindled down into the narrow limits covered by the decision of the Supreme Court of the United States in the Dred Scott case. The moment that decision was pronounced, and before the opinions of the Court could be published and read by the people, the newspaper press in the interest of a powerful political party in this country, began to pour forth torrents of abuse and misrepresentations, not only upon the decision, but upon the character and motives of the venerable Chief Justice and his illustrious associates on the bench. The character of Chief Justice Taney and the associate Judges who concurred with him require no eulogy—no eulogium from me. They are endeared to the people of the United States by their eminent public services—venerated for their great learning, wisdom and experience—and beloved for the spotless purity of their characters and their exemplary lives. The poisonous shafts of partisan malice will fall harmless at their feet, while their judicial decisions will stand in all future time, a proud monument to their greatness, the admiration of the good and wise, and a rebuke to the partisans of faction and lawless violence. If, unfortunately, any considerable portion of the people of the United States shall so far forget their obligations to society as to allow partisan leaders to array them in violent resistance to the final decision of the highest judicial tribunal on earth, it will become the duty of all the friends of order and constitutional government, without reference to past political differences, to organize themselves and marshal their forces under the glorious banner of the Union, in vindication of the constitution and the supremacy of the laws over the advocates of faction and the champions of violence. To preserve the constitution inviolate, and vindicate the supremacy of the laws, is the first and highest duty of every citizen of a free republic. The peculiar merit of our form of government over all others consists in the fact that the law, instead of the arbitrary will of a hereditary prince, prescribes, defines and protects all our rights. In this country the law is the will of the people, embodied and expressed according to the forms of the constitution. The courts are the tribunals prescribed by the constitution, and created by the authority of the people to determine, expound and enforce the law. Hence, whoever resists the final decision of the highest judicial tribunal, aims a deadly blow to our whole republican system of government—a blow, which, if successful, would place all our rights and liberties at the mercy of anarchy and violence. I repeat, therefore, that if resistance to the decision of the Supreme Court of the United States, in the matter like the points decided in the Dred Scott case, clearly within their jurisdiction as defined by the constitution, shall be forced upon the country as a political issue, it will become a distinct and naked issue between the friends and the enemies of the constitution—the friends and the enemies of the supremacy of the laws.

The case of Dred Scott was an act of trespass, *et cetera*, in the Circuit Court of the United States for the district of Missouri, for the purpose of establishing his claim to be a free man, and was taken by writ of error on the application of Scott to the Supreme Court of the United States, where the final decision was pronounced by Chief Justice Taney. The facts of the case were agreed upon and admitted to be true by both parties, and were in substance, that Dred Scott was a negro slave in Missouri; that he went with his master, who was an officer in the army, to Fort Armstrong, on Rock Island, and thence to Fort Snelling, on the west bank of the Mississippi river, and within the country covered by the act of Congress, known as the Missouri compromise; and thence he accompanied his master to the State of Missouri, where he has since remained a slave. Upon this statement of facts two important and material questions arose, besides several incidental and minor ones, which it was incumbent upon the court to take notice of and decide. The court did not attempt to avoid responsibility by disposing of the case upon technical points without touching the merits, nor did they go out of their way to decide questions not properly before them and directly presented by the record. Like honest and conscientious judges, as they are, they met and decided each point as it arose, and faithfully performed their whole duty and nothing but their duty to the country by determining all the questions in the case, and nothing but what was essential to the decision of the case upon its merits. The State courts of Missouri had decided against Dred Scott, and declared him and his children slaves, and the Circuit Court of the United States for the district of Missouri had decided the same thing in this very case which had thus been removed to the Supreme Court of the United States by Scott, with the hope of reversing the decision of the Circuit Court and securing his freedom. If the Supreme Court had dismissed the writ of error for want of jurisdiction, without first examining into and deciding the merits of the case, as they are now denounced and abused for not having done, the result would have been to remand Dred Scott and his children to perpetual slavery under the decision which had already been pronounced by the Supreme Court of Missouri, as well as by the Circuit Court of the United States, without obtaining a decision on the merits of his case by the Supreme Court of the United States. Suppose Chief Justice Taney and his associates had thus remanded Dred Scott and his children back to slavery on a plea in abatement or any

more technical point, not touching the merits of the question, and without deciding whether under the constitution and laws as applied to the facts of the case, Dred Scott was a free man or a slave, would they not have been denounced with increased violence and bitterness on the charge of having remanded Dred Scott to perpetual slavery without first examining the merits of his case and ascertaining whether he was a slave or not?

If the case had been disposed of in that way, who can doubt that such would have been the character of the denunciations which would have been hurled upon the devoted heads of those illustrious Judges with much more plausibility and show of fairness than they are now denounced for having decided them fairly and honestly upon their merits?

The material and controlling points in the case—those which have been made the subject of unmeasured abuse and denunciation, may be thus stated:

- 1st. The Court decided that under the Constitution of the United States a negro descended from slave parents is not and cannot be a citizen of the United States.
- 2d. That the act of the 6th of March, 1820, commonly called the Missouri compromise act, was unconstitutional and void before it was repealed by the Nebraska act, and consequently did not and could not have the legal effect of extinguishing a master's right to his slave in that Territory. While the right continues in full force under the guarantees of the Constitution, and cannot be divested or alienated by an act of Congress, it necessarily remains a barren and worthless right, unless sustained, protected and enforced by appropriate police regulations and local legislation, prescribing adequate remedies for its violation. These regulations and remedies must necessarily depend entirely upon the will and wishes of the people of the Territory, as they can only be prescribed by the local legislatures. Hence the great principle of popular sovereignty and self-government is sustained and firmly established by the authority of this decision. Thus it appears that the only sin involved in the passage of the Kansas-Nebraska act, consists in the fact of having removed from the statute book an act of Congress, which was unauthorized by the Constitution of the United States, and void because passed without constitutional authority, and constituted in lieu of it, a self-government, which recognizes the rights of the people of each State and Territory; to control their own domestic concerns. The wisdom and propriety of the measure have been sustained by the decision of the highest judicial tribunal of earth, and ratified and approved by the voice of the American people in the election of James Buchanan to the Presidency of the United States upon that naked and distinct issue. I am willing to rest the vindication of the measure and my action in connection with it upon that decision and upon that verdict of the American people. [Immense applause.]

I will direct attention to the question involved in the first proposition, to-wit: That the negro is not, and cannot be a citizen of the United States.

We are told by a certain political organization that that decision is cruel—is inhuman and infamous, and should neither be respected nor obeyed. What is the objection to that decision? Simply that the negro is not a citizen. What is the object of making him a citizen? Of course to give him the rights, privileges and immunities of a citizen, it being the great fundamental law in our government, that under the law, citizens are equal in their rights and privileges. It is said to be inhuman—to be infamous—to deprive an African negro of these privileges of citizenship, which would put him on an equality with the other citizens of the country.

Now let me ask you, my fellow-citizens, are you prepared to resist the constituted authorities of this country, in order to secure citizenship and, through citizenship, equality with the white man. [Voices, "No! no!"] If you are, you must reverse the whole policy of this State—the organic law of our own State. In order to carry out that principle of negro citizenship and negro equality under the law, you must not only reverse the organic law in your own State, but of every other State in this Union. But you have not accomplished it then, you must make furious war upon the slave-holding States, to compel them to emancipate and set at liberty their three millions of slaves. When that shall be done, before you have secured that great principle of equality to the son of Africa, you must strike out of the constitution of Illinois that provision which prevents a negro, whether free or slave, from crossing into Illinois to reside. When you shall have made that change in our organic law, and turned loose all the Africans that may choose to come from the slave-holding States to settle upon our prairies and turn Illinois into a negro colony, rather than into a State of white men, still you have not secured to the negro the rights of citizenship on an equality with the white man. You must then strike the word "white" out of the constitution of your own State, and allow the negro to come to your polls and vote on an equality with yourselves. You must also change the constitution in that respect, that declares that a negro shall not be eligible to office, and declare that a negro shall be eligible to your Legislature, to the bar, bench and gubernatorial chair. And still you have not reached that point, to which we are told you must go, of placing the negro on an equality with other citizens. You must admit him to the jury-box, and license him by law to marry a white woman. And then you will have secured nearly all the privileges that the decision of the Supreme Court has denied him. [Applause.]

If, on the contrary, the opponents of the Dred Scott decision shall refuse to carry out their views of the Declaration of Independence and negro citizenship, by conferring upon the African race all the rights, privileges and immunities of citizenship, the same as they are now or should be enjoyed by the white, how will they vindicate the integrity of their motives and the sincerity of their profession? If the negro is the equal of the white man, and was thus created by the Almighty, what right have we or they to reduce him to a condition of inequality, by denying to him the privilege of voting, of holding office, marrying the woman of his choice, in short, withholding from him all political rights and consigning him to political slavery? Perceiving the inconsistency between their professions and past action on this point, the leaders of the Republican or Abolition party in the Legislature of New York and some of the New England States, and indeed in Wisconsin and such other States as they think public sentiment is prepared for the measure, have recently taken the preliminary steps to amend the constitution of their respective States so as to allow negroes to vote and hold office, and enjoy all the rights and privileges of citizenship, on an equal footing with white men. These movements have been initiated in those States and will soon follow in others; upon the ground that the "Republican party" was bound and pledged by its creed and its professions, as proclaimed from the pulpit, from the stump, and through the newspaper press to carry out the Declaration of Independence as they profess to understand it, by placing the negro on an equality with the white man in all those States where they carried the Presidential election last fall; and secured the absolute control of all the departments of the State government. It is not to be presumed that any steps for changing the constitution of Illinois so as to confer the rights and privileges of citizenship upon negroes will be taken until after the next election, nor will any such purpose be openly avowed; but on the contrary, as the organic and fundamental law of the State it will be stoutly denied, at the same time that all their orators, lecturers, and papers will continue to quote the Declaration of Independence to prove that the Almighty created a negro equal to a white man, and consequently he has a divine right to enjoy all the rights and privileges of the white man, and that all human laws in conflict with that divine right must yield and give place to the "higher law." The time has not arrived when it is deemed prudent by the leaders of the Republican party in this State to make a frank and honest confession of faith and proclaim it to the world in tones that can be heard and language that can be understood to mean the same thing in all portions of the State. But so long as they quote the Declaration of Independence to prove that a negro was created equal to a white man, we have no excuse for closing our eyes and professing ignorance of what they intend to do so soon as they get the power.

Now, my friends, permit me to reply to this assumption, that the Declaration of Independence declared the negro to be equal with white men, by a few historical facts recorded in our school books, and familiar to our children. By reference to the History of the United States, you will find that on the Fourth of July, 1776, when the Declaration of Independence was put forth, the thirteen colonies were then, each and all of them, slave-holding colonies. Each signer of the Declaration, without an exception, represented a slave-holding constituency. Every battle of the Revolutionary war, from Lexington and Bunker Hill to King's Mountain and Yorktown, was fought in a slave-holding State. The treaty of peace with Great Britain, which acknowledged our independence, was made, on the part of Great Britain on the one side and the thirteen original slave-holding States on the other. Passing from that to the formation of the Constitution of the United States, you will find that instrument was framed and adopted, and put into operation, with the immortal Washington at the head, by twelve slave-holding States and one free State, or one State about to become free. In view of these facts, I submit to you whether any man can assert that the founders of our institutions intended to put the negro and the white man on an equality in the system of government which they adopted? If the signers of the Declaration had intended to declare the negro equal to the white man, would not they on that very day have abolished slavery in every one of the States of the Union in order to have conformed to that Declaration? If any one of these States had thus understood the Declaration of Independence, would not that State then immediately have abolished slavery, and put the negro on an equality with the white man? Did they do so? I have already shown you that no one of those States abolished slavery during the whole period of the Revolutionary war. I have already stated, and I challenge contradiction, that to this day no one of them have put the negro on an equality

with the white man in all the laws touching on the relations of life. And yet if they honestly believed the Declaration of Independence meant negroes as well as white men, they were bound to advocate every law so as to carry out their principle. Their position on this subject would change the signers of that Declaration with hypocrisy in making it to the world and going on to fight battles on the principle thus asserted. But no vindication is needed from me of those immortal men who drafted and signed and proclaimed to the world the Declaration of Independence. They did what they professed; they had reference to the white man and to him only when they declared all men were created equal. They were in a struggle with Great Britain. The principle they were asserting was that a British subject born on American soil was equal to a British subject born in England—that a British subject here was entitled to all the rights, privileges and immunities under the British Constitution that a British subject in England enjoyed; that their rights were inalienable, and hence that Parliament, whose power was omnipotent, had no power to alienate them. They did not mean the negroes and Indians—they did not say white men and negroes were born equal; but they were speaking of the race of people who colonized America—who ruled America, and who were declaring the liberties of Americans, when they proclaimed the self-evident truth that those men were born free and equal. And if you will examine the journal of the Continental Congress, you will find this great principle carried out. No one of the colonies would consent to the Declaration of Independence until they had placed on the record the express reservation, that each colony reserved and retained to itself the sole and exclusive right of regulating its own domestic concerns and police regulations. It was made a fundamental condition of the Declaration, that this right should be forever reserved beyond the power of Congress, or other consideration of power, on earth, except the free will of their own people. The articles of confederation were based upon the same great fundamental principle, and the Constitution of the United States was adopted for the purpose of preserving and carrying into effect the same great principle that made us one people for one specified object, but reserved to each State and each locality the sole and exclusive privilege of managing its own domestic concerns.

At that day the negro was looked upon as a being of an inferior race. All history had proved that in no part of the world, or of the world's history, had the negro ever shown himself capable of self-government, and it was not the intention of the founders of this Government to violate that great law of God, which made the distinction between the white and the black man. That distinction is plain and palpable, and it has been the rule of civilization and of Christianity the world over, that whenever any one man, or set of men, were incapable of taking care of themselves, they should consent to be governed by those who were capable of managing their affairs for them. It is on that principle that your courts of justice appoint guardians to take charge of the idiot, the lunatic, the insane, blind, dumb, the unfortunate, whatever may be his condition. And if history had proved that the negro race, as a race, were incapable of self-government, it was not only the right, but the duty of those who were capable, to provide for them. It did not necessarily follow that they were to be reduced to slavery. The true principle is that the inferior race should be allowed to enjoy all their rights, which their nature is capable of exercising and enjoying, consistently with the good of society. I would not advocate that the negro should be treated harshly or unkindly. Far from it. I would extend and secure to him every right, privilege and immunity he was capable of enjoying consistent with the highest welfare of society. The Constitution is founded on that great principle, and leaves to each State, as the articles of confederation did to each colony, the right to determine for itself what these principles were, and the extent of them, in order that they might adopt their laws to their actual condition. Under that great provision, Illinois has chosen to say, that the negro shall not come here to reside—that a negro shall not vote—shall not hold office—shall not serve in the jury-box—shall not marry white women—and I think that the Constitution of Illinois is wisely framed as to this provision. On the other hand Kentucky goes farther, and deprives the negro of his right over his person; Kentucky, under the Constitution, had a right to make that provision. We have no right to complain of her; nor can she complain of us. Each has the right to do as it pleases, and each must mind its own business and not interfere with its neighbor's concerns. [Applause.]

Our fathers when they framed this government had witnessed the sad and melancholy results of the mixture of the races in Mexico, South America and Central America, where the Spanish, from motives of policy, had admitted the negro and other inferior races to citizenship, and consequently, to political and social amalgamation. The demoralization and degradation which prevailed in the Spanish and French colonies, where no distinction on account of color or race were tolerated, operated as a warning to our revolutionary fathers to preserve the purity of the white race, and to establish their political, social and domestic institutions upon such a basis as would forever exclude the idea of negro citizenship and negro equality. [Applause.]

They understood that great natural law which declares that amalgamation between superior and inferior races brings their posterity down to the lower level of the inferior, but never elevates them to the higher level of the superior race. I appeal to each of those gallant young men before me, who won immortal glory on the bloody fields of Mexico, in vindication of their

country's rights and honor, whether their information and observation in that country does not fully sustain the truth of the proposition that amalgamation is degradation, demoralization, disease and death! Is it true that the negro is our equal and our brother? The history of the times clearly show that our fathers did not regard the African race as any kin to them, and determined so to lay the foundation of society and government, that they should never be of kin to their posterity. [Immense Applause.]

But, when you confer upon the African race the privileges of citizenship, and put them on an equality with white men at the polls, in the jury-box, on the bench, in the Executive chair, and in the councils of the nation, upon what principle will you deny their equality at the festive board and in the domestic circle?

The Supreme Court of the United States have decided that under the Constitution, a negro is not and cannot be a citizen.

The Republican or Abolition party pronounce that decision cruel, inhuman and infamous, and appeal to the American people to disregard and refuse to obey it. Let us join issue with them, and put ourselves upon the country for trial. [Cheers and applause.]

Mr. President, I will now respond to the call which has been made upon me for my opinions of the condition of things in Utah, and the appropriate remedies for existing evils.

The Territory of Utah was organized under one of the acts known as the compromise measure of 1850, on the supposition that the inhabitants were American citizens, owing and acknowledging allegiance to the United States, and consequently entitled to the benefits of self-government while a Territory, and to admission into the Union on an equal footing with the original States, so soon as they should number the requisite population. It was conceded, on all hands, and by all parties, that the peculiarities of their religious faith and ceremonies interposed no valid and constitutional objection to their reception into the Union, in conformity with the federal constitution; so long as they were in all other respects entitled to admission. Hence the great political parties of the country endorsed and approved the compromise measure of 1850, including the act for the organization of the Territory of Utah, with the hope and the confidence that the inhabitants would conform to the Constitution and laws, and prove themselves worthy, respectable and law-abiding citizens. If we are permitted to place credence in the rumors and reports from that country, (and it must be admitted that they have increased and strengthened and assumed consistency and plausibility by each succeeding mail), seven years experience has disclosed a state of facts entirely different from that which was supposed to exist when Utah was organized. These rumors and reports would seem to justify the belief that the following facts are susceptible of proof:

- 1st. That nine-tenths of the inhabitants are aliens by birth, who have refused to become naturalized, or to take the oath of allegiance, or to do any other act recognizing the government of the United States as the paramount authority in that Territory.
- 2d. That all the inhabitants, whether native or alien born, known as Mormons, (and they constitute the whole people of the Territory), are bound by horrid oaths and terrible penalties, to recognize and maintain the authority of Brigham Young, and the government of which he is the head, as paramount to that of the United States, in civil as well as religious affairs; and that they will, in due time, and under the direction of their leaders, use all means in their power to subvert the government of the United States, and resist its authority.
- 3d. That the Mormon government, with Brigham young at its head, is now forming alliances with Indian tribes in Utah, and adjoining Territories—stimulating the Indians to acts of hostility—and organizing bands of his own followers under the name of "Danites or Destroying Angels," to prosecute a system of robbery and murder upon American citizens, who support the authority of the United States, and denounce the infamous and disgusting practices and institutions of the Mormon government.

If, upon a full investigation, these representations shall prove true, they will establish the fact that the Mormon inhabitants of Utah, as a community, are outlaws, and alien enemies, unit to exercise the right of self-government under the organic act, and unworthy to be admitted into the Union as a State, when their only object in seeking admission is to interpose the sovereignty of the State, as an inviolable shield to protect them in their treason and crime, debauchery and infamy. [Applause.]

Under this view of the subject, I think it is the duty of the President, as I have no doubt it is his fixed purpose, to remove Brigham Young and all his followers from office, and to fill their places with bold, able and true men, and to cause a thorough and searching investigation into all the crimes and enormities which are alleged to be perpetrated daily in that Territory, under the direction of Brigham Young and his confederates; and to use all the military force necessary to protect the officers in the discharge of their duties, and to enforce the laws of the land. [Applause.]

When the authentic evidence shall arrive, if it shall establish the facts which are believed to be true, it will become the duty of Congress to apply the knife and cut out this loathsome, disgusting ulcer. No temporizing policy—no half-way measures will then answer. It has been supposed by those who have not thought deeply upon the subject, that an act of Congress prohibiting murder, robbery, polygamy and other crimes, with appropriate penalties for those offenses, would afford adequate remedies for all the enormities complained of. Suppose such a law to be on the statute

book, and I believe they have a criminal code, providing the usual punishment for the entire catalogue of crimes, according to the usages of all civilized and christian countries, with the exception of polygamy, which is practiced under the sanction of the Mormon church, but it is neither prohibited nor authorized by the laws of the Territory.

Suppose, I repeat, that Congress should pass a law prescribing a criminal code, and punishing polygamy among other offenses, what effect would it have—what good would it do? Would you call on twenty-three grand jurors, with twenty-three wives each, to find a bill of indictment against a poor miserable wretch for having two wives? [Cheers and laughter.] Would you rely upon twelve pitiful jurors, with twelve wives each, to convict the same loathsome wretch for having two wives? [Continued applause.] Would you expect a grand jury composed of twenty-three "Danites" to find a bill of indictment against a brother "Danite" for having murdered a Gentle, as they call all American citizens, under their direction? Much less would you expect a jury of twelve "destroying angels" to find another "destroying angel" guilty of the crime of murder, and cause him to be hanged for no other offence than that of taking the life of a Gentle? No. If there is any truth in the reports we receive from Utah, Congress may pass what laws it chooses; but you can never rely upon the local tribunals and juries to punish crimes committed by Mormons in that Territory. Some other and more effectual remedy must be devised and applied. In my opinion, the first step should be the absolute and unconditional repeal of the organic act—blotting the Territorial government out of existence—upon the ground that they are alien enemies and outlaws, denying their allegiance and defying the authorities of the United States. [Immense applause.]

The Territorial government once abolished, the country would revert to its primitive condition prior to the act of 1850, "under the sole and exclusive jurisdiction of the United States," and should be placed under the operation of the act of Congress of the 8th of April, 1790, and the various acts supplemental thereto and amendatory thereof, "providing for the punishment of crimes against the United States within any fort, arsenal, dock-yard, magazine, or any other place or district of country, under the sole and exclusive jurisdiction of the United States." All offences against the provisions of these acts are required by law to be tried and punished by the United States courts in the States or Territories where the offenders shall be "first apprehended or brought for trial." Thus it will be seen that under the plan proposed Brigham Young and his confederates could be "apprehended and brought for trial" to Iowa or Missouri, California or Oregon, or to any other adjacent State or Territory, where a fair trial could be had, and justice administered impartially—where the witnesses could be protected and the judgment of the court could be carried into execution, without violence or intimidation. I do not propose to introduce any new principles into our jurisprudence, nor to change the modes of proceeding or the rules of practice in our courts. I only propose to place the district of country embraced within the Territory of Utah under the operation of the same laws and rules of proceeding that Kansas, Nebraska, Minnesota and our other Territories were placed before they became organized Territories. The whole country embraced within those Territories was under the operation of that same system of laws, and all the offences committed within the same were punished in the manner now proposed, so long as the country remained "under the sole and exclusive jurisdiction of the United States;" but the moment the country was organized into Territorial governments, with legislative, executive and judicial departments, it ceased to be under the sole and exclusive jurisdiction of the United States, within the meaning of the act of Congress, for the reason that it had passed under another and different jurisdiction. Hence, if we abolish the Territorial government of Utah, pursuing all existing rights and place the country under the sole and exclusive jurisdiction of the United States, offenders can be apprehended and brought into the adjacent States or Territories for punishment, in the same manner and under the same rules and regulations which obtained and have been uniformly practiced, under like circumstances, since 1790.

If the plan proposed shall be found an effective and adequate remedy for the evils complained of in Utah, no one, no matter what his political creed or partisan associations, need be apprehensive that it will violate any cherished theory or constitutional right in regard to the government of the Territories. It is a great mistake to suppose that all the territory or land belonging to the United States must necessarily be governed by the same laws and under the same clause of the constitution, without reference to the purpose to which it is dedicated or the use which it is proposed to make of it, while all that portion of country which is or shall be set apart to become new States, must necessarily be governed under and consistent with that clause of the constitution which authorizes Congress to admit new States, it does not follow that other territory, not intended to be organized and admitted into the Union as States, must be governed under the same clause of the constitution, with all the rights of self-government and State equality. For instance, if we should purchase Vancouver's Island from Great Britain for the purpose of removing all the Indians from our Pacific territories and locating them on that island as their permanent home, with guarantees that it should never be occupied or settled by white men, will it be contended that the purchase should be made and the island governed under the power to admit new States when it was not acquired for that purpose nor intended to be applied to that

object? Being acquired for Indian purposes, and applied to Indian purposes, it is not more reasonable to assume that the power to acquire was derived from the Indian clause and the island must necessarily be governed under and consistent with that clause of the Constitution which relates to Indian affairs. Again, suppose we should deem it expedient to buy a small island in the Mediterranean or in the Caribbean sea, for a naval station, can it be said with any force or plausibility that the purchase should be made or the island governed under the power to admit new States? On the contrary, it is not obvious that the right to acquire and govern in that case is derived from the power "to provide and maintain a navy," and must be exercised consistent with that power. So if we purchase land for forts, arsenals, or other military purposes, or set apart and dedicate any territory which we now own, for a military reservation, it immediately passes under the military power and must be governed in harmony with it. So if the land be purchased for a mint, it must be governed under the power to coin money; or if purchased for a post office, it must be governed under the power to establish post offices and post roads; or for a custom house, under the power to regulate commerce; or for a court house, under the judiciary power. In short, the clause of the constitution under which any land or territory belonging to the United States must be governed is indicated by the object for which it is dedicated. So long, therefore, as the organic act of Utah shall remain in force, setting apart that country for a new State, and pledging the faith of the United States to receive it into the Union so soon as it should have the requisite population, we are bound to extend to it all the rights of self-government, agreeably to the clause of the constitution providing for the admission of new States. Hence the necessity of repealing the organic act—withstanding the pledge of admission, and placing it under the sole and exclusive jurisdiction of the United States, in order that persons and property may be protected, and justice administered, and crimes punished under the laws prescribed by Congress in such cases.

While the power of Congress to repeal the organic act and abolish the Territorial Government cannot be denied, the question may arise whether we profess the moral right of exercising the power, after the charter has been once granted and the local government organized under its provisions. This is a grave question—one which should not be decided hastily, nor under the influence of passion or prejudice. I am free to say that in my opinion there is no moral right to repeal the organic act of a Territory, and abolish the government organized under it, unless the inhabitants of that Territory, as a community, have done such acts as amount to a forfeiture of all rights under it—such as becoming alien enemies, outlaws, disavowing their allegiance, or resisting the authority of the United States. These and kindred acts, which we have every reason to believe are daily perpetrated in that Territory, would not only give us the moral right, but make it our imperative duty to abolish the Territorial Government, and place the inhabitants under the sole and exclusive jurisdiction of the United States, to the end that justice may be done and the dignity and authority of the government vindicated.

I have thus presented plainly and frankly my views of the Utah question—the evils and the remedy—upon the facts as they have reached us, and are supposed to be substantially correct. If official reports and authentic information shall change or modify these facts, I shall be ready to conform my action to the real facts as they shall be found to exist. I have no such pride of opinion as will induce me to persevere in an error one moment after my judgment is convinced. If, therefore, a better plan can be devised—one more consistent with justice and sound policy, or more effective as a remedy for acknowledged evils, I shall take great pleasure in adopting it, in lieu of the one I have presented to you to-night.

In conclusion, permit me to present my grateful acknowledgements for your patient attention, and the kind and respectful manner in which you have received my remarks.

[The speaker closed amid immense applause, and three hearty cheers were given for DOUGLASS, and repeated.]

Gen. Walker had arrived at New York, and was given a public reception. During his stay in New York, General Walker was exceedingly well treated by all classes—with the exception of the ultra religious portion of the inhabitants. By those who differed with him in his views, there was, however, a most commendable silence kept. He held levees in the day time, transacted business, paid visits, and in the evenings received private dinners, and attended, on the invitations of the managers of the different theatres, to their great delight, as he was the means of bringing them, what they otherwise might not have had, large houses. At each of the theatres he was obliged to come forward and speak. He left by railroad for Philadelphia en route for Charleston. He was accompanied by Captain Fayssoux. The General will not make any stay in Charleston, but will proceed at once to Nashville for the purpose of holding a conference with his father, who resides there. He will then go to New Orleans.

The last dates from Minnesota state that thirty-five democrats and eleven republicans were elected to the constitutional convention.

It is said the Mormons have adopted a new alphabet of thirty-six letters for their own use, for the purpose of raising up a barrier between the Saints and Gentiles. Incestuous marriages between the nearest kin are tolerated.

Pioneer and Democrat.
OLYMPIA, WASHINGTON TERRITORY,
FRIDAY, AUGUST 21, 1857.
J. W. WILEY AND E. FURSTZ, EDITORS.
"Truth crush'd to earth will rise again,
The eternal years of God are hers."
Half-way Policy, &c.

Not going beyond the recollection of the present generation in the history and policy of the government, particularly as it relates to the several wars in which our country has been engaged, it would seem that lessons from that "dear school" of experience must be learned during each succeeding campaign, and that, too, without the least profit being derived therefrom. The history of the Florida war in 1835-6, &c., shows that it was nursed along with a "half and half" policy, until tens of millions of dollars were drawn from the national treasury, to procure a cessation of hostilities, and the removal of a few Creeks and Seminoles west of the Mississippi, whilst the everglade portion of those tribes remain unsubdued, and have been in arms in Florida for the last two years, with every prospect that the peninsula will be their final hunting ground and resting place. After near three years' military operations in Mexico, attended by the calling out of small bodies of volunteers and dribbling enlistments, there was at length a force concentrated in that country—after the hard fighting was all over, and a peace was virtually conquered—large enough to garrison every city and town of any importance throughout the republic, and literally "rub out" the "greaser" population of half-a-dozen such countries. But we have ample and melancholy illustrations at home as to the piece-meal, patch-work policy of the government, and the attention which Congress and the departments at Washington have paid to the prayers of our citizens, and the petitions of our legislatures during the late Indian war in this and Oregon territories. Through the false representations of Gen Wool, and other officials and interested authorities that there was no real, until recently, a large proportion of the regular army have been carefully kept out of danger, and for whatever of quiet is now enjoyed, are our citizens indebted to the courage, patriotic pluck and sagacity of our citizen soldiers and officers, and the territorial authorities giving direction to their military operations against the hostile Indians.

The lesson taught the government by the disastrous, protracted, and enormously expensive Florida war, seems to have been forgotten when an invasion of Mexico was determined on. The same finicking in men and means became the order of the day, and the farce was re-enacted, and for a long time pertinaciously persisted in, of endeavoring to bore a tremendous hole with a very small auger. But in both these instances, to the government, it was in the beginning but "straining at a gnat" to "swallow a camel" in the end; and the parsimonious experiment, wherever tried, can but result in the running up of a constantly increasing bill of expenses against time.

Since our last struggle with Great Britain, and in matters of domestic warfare, instead of entering upon the task with boldness and a vigorous military display, the history of the past bears evidence that our government has sought to ascertain with how slender a force a war can be kept on its hands the longest, and at the largest cost. At all events, procrastination—the studied "postponement of the evil day"—the "two bites of cherry" policy has thus far governed in the management of the military affairs of the country for the last twenty or thirty years. Our government never gets "a good ready on" against its enemies in the field, unless driven to do so by an absolute necessity. What would have been the probable condition of our territory at this time, and the possible fate of its inhabitants had we relied solely upon government and the regular army for protection and defense in the late Indian war? As far as any evidence of civilization is concerned, our territory might have been completely "smoked," and to use the somewhat profane, sarcastic, and very significant expression of a celebrated physician to a suffering patient, our citizens might all have been "dead, and in h—," had it not been for the prompt response of the call to arms made by the gallant volunteers.

How different is the policy of Great Britain, whose protecting arm embraces all her subjects, wherever dispersed throughout her dominions, and who is ever ready and prompt to visit with a merited chastisement all attempts or encroachments upon their lives, rights, or prosperity. In such matters, Great Britain commences in earnest—"goes the whole hog"—and ignores all half-way measures. Hence the great secret of her success on the field and on the wave.

The course pursued by the government towards the Pacific territories, particularly our own, has been one of injustice and neglect from beginning to end. Under its assurance of protection we were invited and induced to come here and occupy lands that had never been purchased from its original owners; and when extermination threatened us on every side, we were obliged to stand our ground, and mainly fight our own battles, whilst a large proportion of the regular army were engaged in "masterly inactivity" in the various peace throughout the territories of the United States. Most of the Indian tribes east and west of the Cascade mountains have been treated with by the legally accredited agent of government, one of which has been ratified, and concerning the others a perverse insulting silence has been maintained—the office of Superintendent of Indian Affairs has been abolished, and a joint superintendency established for the territories of Washington and Oregon, the occupant of which office resides in Oregon. Time and again have our citizens, through their legislatures, memorialized Congress for increased mail facilities, with comparatively little success. \$125,000 were appropriated by the last congress for mail service between Puget Sound and San Francisco, knowing full well that no responsible parties would accept the contract. Astounding liberality! A posta agent has been appointed for the two territories who also resides in Oregon.

In a view of the frequent incursions, and the murders and robberies committed by the northern Indians, our Legislature, Assemblies have successively, for at least the last three years, memorialized Congress and the War Department, to place permanently upon the waters of the Sound and Straits, an efficient, well mounted man-of-war, for the protection of our northern settlements; but like all other prayers and memorials of our citizens, it appears that no attention whatever has been paid to the subject; and, as altogether probable, as one of the fruits of this indifference on the part of government to our exposed and defenceless condition, we were called upon last week to record, the murder of Col. J. N. Esay, late Collector of customs for the district of Puget Sound, by a party of British-Russia pirates, who severed his head from his body, and bore it off as a trophy.

We have discoursed about these grievances to which we have been subjected by the government, until we have become disgusted at the task. During the past three or four years we have been called upon to record numerous murders, robberies and acts of hostility committed by the Stickeen and Ft. Simpson Indians, and government cannot be entirely ignorant of all knowledge on the subject. We have endeavored to show with what ease, in their large canoes, (some of which will contain from fifty to seventy-five persons) they can approach, murder, and lay waste the settlement along our shores. We have represented them as a daring and athletic race; that they will fight their enemies of whatever tribe, nation, or color, man to man, and that they are well provided with arms and ammunition, and number many thousand warriors.

We shall be much mistaken in our reckoning, if ere many years, government does not regret the shameful injustice and neglect with which this territory has been treated. We predict that it will not be long, in the case that the misrepresentations and slanders of such men as Gen. Wool, and his brass-buttoned body guard, will turn the scale against the untold woes and testimony of a whole community. The fact is, the early settlers of this territory were compelled to defend themselves against the aggressions of the red man; and as soon as they acquired strength enough to do so somewhat successfully, and with concert of action, a body of United States troops were sent to their assistance; and the way that matters have been shaped for the last two or three years it appears to be a grave question whether the military were sent here for the protection of the citizens, or to be protected by them. Be that as it may, the citizens form a pretty good guard around the several military posts.

One year or eighteen months ago, there were three vessels of war upon our waters. We are now without any. Perhaps there is not enough of "life" in this region. No theatres, &c., besides the champagne is bad. The absence of such things, in the minds of some persons, has wonderful effect to induce the belief that there is no war in that neighborhood, and that they are "loosing dog" on time and Uncle Sam, and had better be "larking of it" elsewhere.

The United States Government would do well to "commence looking with a serious eye in this direction. We verily believe that a rupture with Utah will make a common war ground of the whole country west of the rocky mountains. With all the Indian tribe as Mormon allies, considerable of a fight might be secured up along the Pacific coast.

LAW OF THE UNITED STATES.

BY AUTHORITY.

THIRTY-FOURTH CONGRESS—THIRD SESSION.

AN ACT making appropriations for the current and contingent expenses of the Indian Department...

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled...

For the pay of superintendents of Indian affairs, and of the several Indian agents, per act of fifth June...

For the pay of an additional Indian agent for the Indians of New Mexico, at an annual salary of one thousand five hundred dollars...

For the pay of interpreters, per act of thirtieth June, eighteen hundred and thirty-four...

For the pay of clerks and assistants in the Indian Department, per act of thirtieth June, eighteen hundred and thirty-four...

For the purchase of provisions, agricultural implements, and other articles for the Indian Department...

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