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## MISCELLANEOUS.

### Governor's Message.

EXECUTIVE DEPARTMENT,  
Salem, Dec. 11, 1852.

### Follow-Citizens of the

#### House of Representatives:

The period for the regular session of your bodies has again returned. Matters of high moment to yourselves and to those whom you represent, demand your most attentive deliberation and your wisest action. The destinies of our rising Territory are in a great degree committed to your charge,—by a judicious exercise of the powers which have been delegated to you, much may be done to accelerate the growth and exalt the character of our country. The history of other portions of the Union has demonstrated that enlarged and correct legislative action can do much to hasten the development of the wealth, improve the condition, and augment the happiness of a people. I cherish the hope that, animated by patriotic purposes, and governed by views which embrace the interests of the whole country, without the neglect of any part, your doings at this session may redound much to the advancement of the prosperity and well being of the Territory.

In my message to you at the late extra session, I called your attention to the necessity of prompt action upon the subject of the public buildings, the arrangement of the judicial districts, and the revision of the statutes of the Territory. I respectfully refer you to the views expressed in that document upon these subjects. Recent events have magnified the necessity of the action therein recommended. The necessity for the immediate construction of a penitentiary is most urgent. There does not exist in the Territory a single suitable place designated by law for the confinement of criminals. In many instances culprits sentenced to imprisonment have not been under that close confinement contemplated by law, for the want of suitable buildings with appropriate cells. The confinement to which they have been subjected, has not operated as a punishment. It has none of the terrors of a prison. So long as this state of things endures, one of the strongest motives to deter evil men from the commission of offences will not exist. If we expect to have our community protected from the ravages of crimes, punishment, proportionate to the degree of criminality of the offence, should follow sure and swift upon its commission. The expenses also attendant upon the present mode of confining criminals under conviction are very burdensome. These would be greatly diminished if there existed an appropriate prison in which convicts could be closely kept and compelled to labor. The forty thousand dollars appropriated by act of Congress, approved June 11, 1850—(Statute at large, 1st session 31st Congress, page 438), for the erection of a penitentiary and suitable public buildings at the seat of government, being confined in its application to those objects to the Governor and Legislative Assembly of the Territory, remains idle in the United States treasury awaiting our joint action, which joint action I most respectfully but earnestly invite; and as connected with the

matter I recommend also the passage of laws for the establishment and regulation of a complete system of prison discipline.—By the act of Congress approved August 14th, 1848, "To establish the Territorial Government of Oregon," latter part of section fifteen (see general laws of Oregon, page 44), it is enacted, "And the sum of five thousand dollars, out of any money in the treasury not otherwise appropriated, is hereby appropriated and granted to said Territory of Oregon to be there applied by the Governor to the erection of suitable buildings at the seat of government." In the 11th section of the same act, the Governor and Secretary, in the disbursement of all moneys intrusted to them, are required to "be governed solely by the instructions of the Secretary of the Treasury of the United States." A copy of the instructions of the Secretary is herewith sent marked "B." This sum remains unexpended, and it will afford me great pleasure to unite it with the twenty thousand dollars appropriated by Congress to the same object, provided it be the pleasure of the Assembly to proceed at once to the expenditure of the latter sum.

We have within the last few months received a large increase to our population by the coming in of the late emigration. They have in their journey encountered much suffering, incurred heavy expenses, and sustained losses from causes which you have it in your power in some measure to remove. It is our policy to encourage emigration by every reasonable inducement. Our fertile valleys, our magnificent forests, our varied and extensive mineral resources, our salubrious climate, and our maritime advantages avail us but little unless men be had to turn them to useful account. It is obvious that our numbers must be swelled chiefly by persons who seek the Territory by the overland route. The journey will, under the best circumstances, be tedious, laborious, and attended with some risk, both to person and property. It becomes more difficult as our settlement is approached. The emigrant then has to travel over lofty mountains and miserable roads. He is frequently overtaken by the inclemency of the weather when worn down with exposure and fatigue and exhausted in means. Our feelings and our sense of justice revolt at the idea that whilst encountering disadvantages almost inseparable from the formation of the country and the nature of the climate, he should also, just upon entering our borders, be visited with exactions and driven to incur expenses which he has but little ability to meet. You have it in your power, in a great measure, to obviate some of these evils. I therefore respectfully call your attention to this end of the overland route, and ask you to adopt such measures as will lead to an improvement of the road and a diminution of the expenses and losses attendant upon traveling over it in the present state of things.

The subject of the grants made by Congress to the Territory for the establishment and endowment of an University also demands your attention. The importance of this matter arises from the importance of education itself. Upon this subject it is impossible for us to feel too lively an interest. It effects us deeply in many of the most important relations of life. As parents, as citizens, as lovers of our race, we cannot but be keenly alive to anything that tends to the diffusion of knowledge in our midst. If we wish to transmit to our children an inheritance that will be worth possessing, we can succeed in no better way than to impart to them the benefits of intellectual and moral culture. If we wish to exalt our Territory to the highest pinnacle of greatness she is capable of obtaining, we must make her as conspicuous for the intelligence of her population as she is eminent for physical wealth and resources. If we wish to establish the free institutions of our country upon a basis that will effectually resist the insidious approaches or open assaults of despotism, and advance still higher the national glory, it can best be done by disseminating throughout the length and breadth of the land the blessings of science and virtue. It behooves us, therefore, to husband with the greatest care whatever endowments Congress has made for institutions of learning as best to effectuate the objects for which they have been dedicated. A fund should be created and over which such guard should be thrown as to prevent any mismanagement or waste. It should be so managed as to be made to yield the greatest amount of revenue. It should be sacredly devoted to the advancement of the cause of education. The time has arrived when prompt measures should be adopted for taking immediate possession and making a proper application of the grants made to us by Congress; so that the benign effects that must be felt from it may begin to be felt by the youth of our land. As yet no part of the property granted by Congress for these purposes has been taken charge of in behalf of the Territory. I respectfully refer you to an act of Congress approved Feb. 9, 1851, (Statutes at large, second session 31st Congress, page 568), in which the Governor and Legislative Assembly are "authorized to make such laws and needful regulations as they shall deem most expedient to protect from injury and waste sections number sixteen and thirty-six in said Territories reserved in each township for the support

of schools therein." The performance of this duty will be the more difficult the longer delayed, and I recommend your immediate attention to it. With respect to the Oregon City claim, it is well known that the right of Congress to dispose of it, as it has done, has been denied by some who set up an adverse title to it. Be this as it may, the question should be settled. It is for the interest of all parties to have it determined. If the Territory has the right to apply it for the establishment of an University, some one duly authorized for the purpose should take possession of it at once and enforce the rights of the Territory. More than two years have elapsed since Congress made the grant; the income of the property for that period if rightly managed would go far towards the establishment of a noble seat of learning. Instead of being received for that purpose it is appropriated mainly by a single individual. To recover it will be expensive if not difficult. The income and benefits of the property, princely as they are, still continue to be enjoyed by those who have no authority under the laws of Congress or of this Territory to receive them. No adequate power exists by law by which the property or its income can be taken for the purposes of the grant. Further action by the Legislative Assembly is needed. I therefore recommend that such steps be taken as the great importance of the subject demands, and as will best subserve the interests of the Territory at large.

I would call your attention to the existing laws in relation to licensing drinking houses. If these establishments may be regarded as public benefits, the amount exacted for a license seems to me exorbitantly high; but if on the contrary they are justly considered as unneeded evils, the tax should be greatly augmented, or by adequate enactments they should be prohibited altogether. This is a subject of grave import to our infant but growing Territory, and well merits the deliberate consideration of the Representatives of the people.

I recommend the passage of a law authorizing the appointment of persons in the several States and Territories of the Union to take the acknowledgments of deeds for property sold within our borders. And I most earnestly renew my former recommendation to organize the Militia of the Territory.

To the Legislative Assembly belongs the consideration of measures which may best tend to the development of the resources of the Territory. Oregon possesses within herself many of those which with enterprise and industry will most surely render her a wealthy, powerful and prosperous State.—She has a fertile soil and genial climate; she has waste forests and abundant fisheries, unlimited water power, and pastures upon which, even during winter, innumerable flocks and herds can subsist with no other care than the mere herding; and prairies which could, with only moderate labor, furnish the whole of our Pacific Territory with bread. I cannot but consider it a misfortune that the search for gold, now particularly since increased population and business has within the last two years afforded us the means of profitable labor within our own boundaries, has led so many of our citizens from the more stable, and in the end, the more remunerating labors of production. The experience of nations has shown that a mining population never becomes really or permanently rich; and it is an undoubted fact, that the neighboring State of California, with all her productiveness in gold, has not repaid the capital furnished or expended from the East. It is no less clear, that the large amounts of metal brought into this Territory from the first fruits of the California mines have been measurably exhausted; and that while importations of goods from abroad are increasing, we have produced but little until recently to send back in repayment. The consequences must display themselves in a constant drain on the proceeds of this year's mining or the alienation of our most valuable property, to those who come in from other states and countries in payment for their merchandise. It is therefore to be considered what articles we can supply with most profit to others or where we can find or create the best market for them. The wheat and other small grains of Oregon have become renowned not only for quality unsurpassed, but the average quantity produced, even with moderate labor, greatly exceeds that of other agricultural regions. For flour particularly we ought always to find a market in California, and that we have not been able hitherto to compete with Chili and other grain producing countries is to be attributed, in a great measure, to the high prices of labor and transportation, but in some measure also to the inferior quality of the article itself as hitherto manufactured. In this latter particular, however, great improvements have been recently made. The improved mills and machinery of the Eastern States should be introduced here, and care should be taken not only in the making but in the packing and preservation; and with increased economy in these particulars, and with rapidly increasing facilities of bringing the staple to places of embarkation and our neighborhood to the market, we have a right to look for successes from competition with any country.

The same observations apply in a measure to our manufactured lumber. There

can be no doubt that waste and want of care in sawing, and inattention to the quality of the material and the kinds and sizes required, joined to the expense of making and shipping, greatly contributed to injure the trade in the California market. That the Eastern States can, at so great a distance, ever maintain a profitable and permanent trade with the Pacific in so bulky an article is impossible; and it remains for us, by improvement in the manufacture, and in diminishing the cost, to regain the position we have partially lost. It is not probable that for many years at least we can enter into ship building ourselves, but the superb spars furnished by the forests of yellow Fir and Spruce might afford a most valuable export to other countries, particularly China and India. It is under too that a vessel which attempted its load with sticks in Puget Sound was under contract with the British Navy, and it is well known that many, even of the largest size, are carried from the Atlantic shores by way of England to the East. Such being the case, we can surely find a profitable trade in shipping them direct. Vessels which have discharged here or at San Francisco and proceed to China to load for the return voyage to the United States, could be readily loaded on the very banks of our rivers with this kind of lumber.

The production of many articles of food besides bread stuffs, were it conducted systematically, would add to the wealth of our Territory. The Salmon of our rivers and the Codfish which abound upon the coast can be supplied to other markets in inexhaustible quantities. The immense country lying east of the Cascade range of mountains, and the fertile and beautiful grass covered valleys and hills of the Umpqua and Rogue rivers, furnish a range for beef cattle unsurpassed in the world; and the rolling oak ridges and camas grounds in other parts of the Territory afford every facility for raising pork. Fruits and vegetables, especially roots, can be raised every where in abundance, and of the finest quality. For all these, both shores of the Pacific open their ports to us if we enter upon the trade with well directed industry. It is to be remembered, however, that other elements besides cheapness enter into consideration among commercial advantages. The certainty of obtaining supplies, the stable quality of the articles furnished, the adaptation of the packages to the wants of the consumer, all are regarded in making the purchase of a country sought for. Among other staples of manufacture and commerce for which Oregon seems admirably adapted, are wool, flax and hemp. I know of no country in the world better calculated for raising the former; as sheep do not require to be housed or fed at any time, and no other care would be demanded for them than to preserve them from wild animals.

The immense resources of the Territory in point of water power furnish the means of manufacture on the spot, of this as well as so many other productions; and it deserves consideration whether capital and skill can not be attracted hither for the purpose.—That a field would be opened not only here and in California but elsewhere for consumption, I have no doubt. Flax and Hemp grow spontaneously in many parts of the country. The latter in particular, as manufactured by the Indians into various articles, seems to be of excellent quality; and an examination at least into the subject of a production for market ought to be made.—Our limited population and wealth necessarily deter us from entering largely into enterprises of this kind at present; but were the advantages of these and others demonstrated to the country at large, it would be the means of bringing here men whose means are larger, whose knowledge of manufactures would lead them to the undertaking, and who would be glad to find new roads to activity and fortune.

The prosperity of a country should never depend upon one staple commodity. It is in proportion as the objects of industry are extended and multiplied that general and permanent wealth is secured.

Agriculture, commerce and manufactures act mutually upon one another, each advancing the interests of the rest. But no country can thrive which is not its own principal producer. Accident has, in some measure, hitherto protected us against the disasters which were to be expected from a drain of the precious metals, caused by large importations, with but little corresponding export; but in the end we must, and that at no distant day, either become impoverished or at a great disadvantage journey to the mines to supply the means of payment unless we husband and develop our resources.

A general geological reconnaissance of the Territory has been made by Dr. Evans, from the Rocky mountains to the Pacific Ocean, including a careful examination of the country bordering on these mountains one hundred and fifty miles north and south at their western base; and from the northern boundary of California to Puget Sound. A detailed examination has been made over a considerable portion of the Territory west of the Cascade Range, which demonstrates that

Limestone—is found in great abundance in the main chain of the Rocky mountains; in the mountains bordering Flat Head Lake; in the hills separating that Lake from St. Mary's or Bitter Root valley; and at the

head waters of the Spokane and Clear Water rivers. It also occurs in nodules containing a large percentage of Lime in the banks of the Columbia to its confluence with the ocean. West of the Cascade range of mountains it has been observed in extensive beds in the Umpqua valley; in the highlands bordering Clatsop Plains; along the range of highlands seven miles back of Tualatin Plains, and in several localities in the valley of the Willamette. Hydraulic Limestone has also been found in the last named valley. A thin stratum of nearly pure carbonate of lime has been found in King's valley near St. Mary's mountain.

Coal.—No rocks of the age of true coal formation have yet been discovered in Oregon. But a bed of brown coal or lignite of considerable extent is found on the Cowlitz and several of its tributaries; on several streams emptying into Puget Sound. A bed of bituminous lignite more compact than any of the lignites previously discovered was observed on the Skookum Chuck, and in several localities in the highlands bordering that stream. The stratum is eight feet in thickness, and does not crumble on exposure to atmospheric influences as far as observation has been made. A small specimen of coal found by Maj. Goldsborough, of Olympia, about twenty miles up the Steilacoom river, is believed to be not much inferior to the Skookum Chuck coal, although not quite so compact in its structure. Coal is also found in thin seams in King's valley near Port Orford; on the Columbia river near its mouth; and in several localities in the Willamette valley.

Lead—Has been observed in the Spokane country near the British line; and there is reason to expect that farther research may show that some of these veins extend into our own Territory.

Iron—Ores of good quality have been obtained in the Spokane and Bitter Root ranges of mountains; and ores of Copper are found in the southern portion of the last named range. Specimens of Iron and Copper ores have also been collected in the Umpqua valley. They will not doubt be found in other localities.

SALINE AND CHALYBEATE SPRINGS—Exist throughout the Willamette valley; and in the valley of the Umpqua; along the Coast range of mountains; and in fact in almost every portion of Oregon that has been visited.

Gold.—The Gold mines near the southern boundary of the Territory are being wrought to considerable profit; and gold in small quantities has been found on nearly all the tributaries of the Columbia heading on the Eastern slope of the Cascade range of mountains. There is considerable analogy between talose and allied rocks of the Umpqua region and the gold bearing rocks in California; and gold has been found on the south Umpqua river; on the south fork of the Santiam east of the meridian line; on the Calapooya creek, a tributary of the Willamette; and on several other streams heading in the Cascade range of mountains.

Puget Sound is beginning to awaken, and from its high importance justifies the earnest attention of the enterprising and capitalist.

A large district of land lying on the north side of the Columbia river, and well adapted in many portions to agricultural purposes, must, at no distant day, find its market and seek its supplies at the various ports in that arm of the sea. It contains harbors combining beauty, spaciousness and security, in numbers fully equal to the wants of the country, when it shall have reached that degree of advancement looked for by its most sanguine friends. Forests there exist in proximity to the water, from which inexhaustible supplies of lumber and ship timber can be obtained.

Whales and other fish abound in its waters, and I entertain no doubt that profitable fisheries might be established in that region. From the great natural advantages which there exist—from the fertility and extent of the neighboring soil, and its various productions and capacities—and from the general salubrity of the climate, Puget Sound must soon become one of the most important commercial points on the Pacific.

I ask your serious attention whether it is not advisable for your body to express to Congress an opinion of the necessity of modifying some of the features of the land bill. The growth of towns, as the law now stands, must be seriously retarded for some time to come from the inability to give secure titles or to make valid contracts for the sale of town property. Whilst anything that will stimulate the growth of towns beyond the just wants of the country should be discouraged, they should yet be made to keep pace with its necessities. The farmer must have his necessary supplies of merchandise, and to enable him to make payment therefor he looks to the disposition of his surplus produce. But if all are producers and no consumers, there can be no inducement to the agriculturalist to raise upon his farm more than will satisfy his own wants. Towns, therefore, commensurate with the condition of the country are of as much importance to the agricultural as to any other interest. Besides creating competition in trade by which the farmer is enabled to get a greater variety of articles of merchandise and at reasonable rates, they at the same time make a market for his produce. The benefits of the land law are practically denied to a large and most useful body of citizens. I mean

the mechanics and traders who pursue their business. This class cannot occupy in person their claims, and at the same time carry on their business, without great inconvenience to themselves and their employers. And being equally useful and meritorious with the farmer, why should not their privileges be equal?

The provisions made for settlers under twenty or six years of age are accompanied with conditions so onerous that it is unreasonable for government to exact them. It is hardly to be expected that as a general thing the youth of Oregon are to marry before they are by law emancipated from parental control. Government for obvious reasons ought not to encourage such a policy; and yet to require them to reside upon their claims, without the comforts and advantages which flow from the family establishment, as a condition of retaining them, is impolitic if not unjust. If, in lieu of four consecutive years actual residence, it were made lawful to pay into the County Treasury a sum not exceeding fifty cents per acre, at the discretion of the settler, much relief would be afforded to many who are justly entitled to the benefits of the act, and a very handsome sum would thus be raised for county purposes, as very many would prefer (who really intend to remain on their claims), to pay this small sum rather than be required to occupy them in person for so great a length of time.

It is also of the utmost importance, and an act of but sheer justice, that those who have become widows and orphans on their way to the Territory, or since their arrival in it, should have the benefit of the donation act extended to them. It could never have been the intention of Congress to exclude this meritorious and unfortunate class of our citizens. A proper representation to the Government upon these subjects would have great weight in inducing a modification of the law, so that it will be in a shape which will be more in accordance with the true interests of the Territory, and the beneficent intention of its framers.

From the great extent of the Territory, from its limited population, and the sparseness of the settlements, it is not to be expected that any very rapid advancement in its developments can be made without the assisting hand of the National Government. We have Schools to establish, roads to lay out and make, bridges to build, rivers to improve, and public edifices to erect. Much can and will be done by individual enterprise; much may be accomplished by your own wise legislation; and much we have a right to expect will be done for us by the General Government.

The Pioneers in the settlement of the country cannot be neglected by Congress. Their firmness, their hardships, their virtue in journeying across the wilderness, in subdividing the land, in contributing to settle the great boundary dispute, will appeal, and not in vain, to the generous sentiments of the nation at large. Congress will reward such virtues. It will aid us by liberal appropriations in the development of our resources. Policy, if not magnanimity, will dictate them. For whilst such provisions will promote the growth and advance the prosperity of the Territory, they will at the same time add to the wealth, extend the usefulness, and enlarge the grandeur of the Union itself.

Confiding in your disposition to discharge faithfully the high and sacred trust with which you have been honored by your fellow-citizens I tender to you the sincere assurance that my best efforts will be given to aid you in accomplishing every object that will redound to the interests, and honor, and happiness of the Territory.

In conclusion, I invoke upon your councils the blessings of that Infinite Being without whose approving smile all human deliberations are vain.

JOHN P. GAINES.  
I herewith certify that the foregoing is a true copy of the original on file in the hands of the Clerk of the H. of R.  
R. J. WHITE, Chief Clerk.  
Per J. C. PERKINS, Asst. Clerk.

COLONEL BENTON ON THE PUBLIC EXPENDITURES.—In addition to the numerous projects for the public benefit entertained by "Old Bullion," he finds time to fulminate his thunders against the evils of the administration of government. The last subject to which he has given his attention is that of public expenditures, which he deems a question requiring reform. Referring to this matter in a recent speech, he rebuked the bitterness of partisans who complain of its increase as an abuse resulting from Whig rule. He said:

"Let me do justice. Party warfare throws the blame of these sixty millions on the present Whig Administration. Inexorable history will have to qualify that reproach, and to tell that Democratic majorities were in both Houses of Congress when that appalling sum was voted! And further, that it would have been seventy, instead of sixty millions, if the 'lower' House (as it is called) had sanctioned all the appropriations voted in the 'upper.'"

The official returns of the late census in California gives the entire population of the State at 274,135.

A Highway to the Pacific—Ship Canal—Railroad from the Atlantic—Pacific terminus, &c.

We extract the following well-written article from an exchange—(without credit)—and take pleasure in giving it a place in the Columbian. We have always regarded a consummation of the subject matters treated of as heretofore distant in the future, and have recently found ample subjects of discussion of more immediate interest to the people of northern Oregon than those of ultimate high importance to the Pacific coast generally.

What the Mediterranean sea was in the early ages of the world, the Pacific Ocean promises to become in future. On every side of that vast ocean, new empires are rising. They are rising, too, with a celerity that defies history and almost supercedes speculation. Fifty years ago the Pacific was the ocean of pastoral romance—the watery girdle of a thousand islands of the East.

In connection with the above great highways connecting the Atlantic with the Pacific oceans, there are other and innumerable projects for the construction of railroads from different points on the Missouri and Mississippi rivers, to points on the Pacific—from San Diego, the southern boundary of the United States with Mexico, to Puget Sound—47th parallel of north latitude.

In the determination of a practically route from the American frontier to the Pacific coast for the construction of a railroad, we do not conceive it necessary that the wisdom of the statesman, jurist, or scholar be consulted in its location. The experienced eye of the mountaineer, who has traversed the rude mountains and dreary plains that intervene between us and the far west of the Atlantic—who has familiarized himself with the various streams and mountain passes, is better able to afford correct conclusions as to where such a work could be located to the best advantage, than a dozen projectors.

The Panama railroad, referred to in the foregoing article is about completed, but the ship canal we are sorry to say has been reported upon unfavorably to the anticipations of a large majority of those interested. The railroad will answer the present requirements of commerce and emigration—future necessity will make provision for itself.

Neither the starting point or the terminus of this great national work should be a matter of as much solicitude as the selection of a country adapted to its wants in passing through it—(affording water, timber, &c.) with a desirable grade, and without encountering an undue proportion of those natural

obstructions which intervene throughout so long a journey. Practicability no doubt will govern the selection of the route, and we may determine the importance of the city and country at either end, where branches will no doubt at once be constructed to fully gratify the rival spirit of neighboring town and country—thus leaving the future greatness of the city, and the country to be determined by the NATURAL ADVANTAGES possessed—without especial reference to the benefit to be derived from a straiting point or terminus of the great national improvement.

Without stopping to inquire when such a work will be completed, if ever—we are firmly of the opinion that whenever a route is surveyed for the object contemplated, it will be located from some point on the Missouri river, probably the head of navigation, thence along the Yellow Stone, through the Blackfoot country on the east side of the Rocky mountains, penetrating the Flat Head country on the west side, and terminating at some eligible point on Puget Sound.

We believe the route above designated will eventually be adopted by the future immigration to Oregon, in the absence of a railway; as soon at least as a friendly understanding can be cultivated with the Blackfoot Indians, and suitable wagon roads be constructed up the Missouri river; and with the admission that a railway would receive more serious impediment from snow in the direction suggested than would be encountered on a more southern route, we maintain that on investigation it will be found that the northern route is entirely the most practicable, and the most likely to be adopted by the congress of the United States. Along the main distance of the route, timber, water, and an abundance of coal can be obtained at convenient intervals. The road would pass over beautiful and comparatively level plains, containing an abundance of buffalo and other game, not to be encountered in a more southern direction, and which is so important to the subsistence of the operators thereon. Aside from this, we have every assurance that the elevation of the mountains can be overcome with less difficulty than on any other route proposed, and are fully confident that from the head of navigation on the Missouri river to some convenient point on the Sound, a saving of several hundred miles of construction will be effected. If the road is to be constructed—AT ALL—between the Atlantic and Pacific, we are convinced that it will make its way to the Sound—conformable to every principle of "DESIGN."

And why, it may be asked, terminate on the Sound? In addition to the reasons already given, we might urge that we look upon California as almost purely a mining country—capable of COMMANDING, at will, to be sure, the action of the present congress, in measures concerning the Pacific, and the securing of almost any measure that would redound to the gratification of the PRIDE OF ANY of the members. Where are the people of California to look for the means of PERMANENT future subsistence? We reply—TO OREGON—destined to outstrip within a few years, any other section of country on the western shore of America, and capable of giving employment to as many agriculturalists, fishermen, lumbermen and colliers as any other portion of the world. We look upon the termination of the railway to the Pacific—if ever such a work is terminated—that the SOUND will have the honor of its reception, for the following reasons:

That the Sound will, in a very short time, be the headquarters of the whalers of the Pacific; that a harbor of two hundred miles in extent is not destined to remain unoccupied in a country so admirably adapted to agriculture, and to almost every industrial pursuit; that as a harbor the Sound is infinitely superior to any body of water on the Pacific; and that in distance a terminus on the Sound would economize several hundred miles. Let such as wish to arrive at correct conclusions investigate the facts in the premises.

The Panama railroad, referred to in the foregoing article is about completed, but the ship canal we are sorry to say has been reported upon unfavorably to the anticipations of a large majority of those interested. The railroad will answer the present requirements of commerce and emigration—future necessity will make provision for itself.

The schooner "Franklin," Captain Leary, sailed from this port yesterday with a cargo consisting of square timber, sawed lumber, shingles, and cord wood, for the San Francisco market.

By a private letter from Portland we learn that out of five thousand head of cattle left at the Dalles to winter, but about two hundred are living "to tell the tale."

Ordered Home.—By the following letter received by the last mail from Fort Steilacoom from Sergeant JAMES HALL, it will be observed that the officers and a portion of the non-commissioned officers belonging to the detachment of Company "M," first regiment of United States Artillery, stationed for nearly four years past at Fort Steilacoom, have received express orders to hold themselves in readiness for embarkation for the Atlantic states. It will be with feelings of the greatest reluctance felt on the part of many of our citizens, that they will be compelled to surrender, perhaps forever, the friendly intercourse and relationship which has heretofore been so pleasantly enjoyed between them and Capt. HILL, Lieutenant J. DEMENT, and Sergeants J. and R. M. HALL. There is no appeal, however, from the decision of "Uncle Sam," and however much we may regret the separation, we must content ourselves with an expression of an earnest hope, that a perpetual sunshine may attend the future career of each and all, in whatever clime, or in whatever pursuit engaged, until they shall receive a final "order" to join that mighty caravan "that halts one night time in the vale of death."

We take pleasure in being able to state, that Assistant Surgeon JOHN M. HADEN will remain with the detachment of two companies of the fourth regiment of Infantry, which have been ordered to supply the place of the Artillery, and which is expected over from Columbia barracks, as soon as transportation can be obtained. A mutual regret will be experienced on parting company at Steilacoom after so long and pleasant an intimacy, but Dr. HADEN must "bide his time" for home orders with patience. We can properly appreciate and sympathize at his mortification on being required to remain, but at this time should dislike to lose all the old officers of that post at one "fell swoop." We are informed that the members of the Artillery company, whose term of service will expire the coming summer, will be attached to the Infantry, under the command of Major LARNARD. To the officers about to leave us we would say ADIEU!—God be with you:

STELIACOOM, O. T., February 10, 1853. GENTLEMEN—Considerable excitement was created here yesterday by the unexpected and in some degree joyful "Orders" for the Officers and some Non-Commissioned Officers of this command to hold themselves in readiness to proceed to San Francisco and thence to the Atlantic States,—and as myself and R. M. HALL will be amongst the number, unless something special intervenes, we expect in a week or so to bid adieu to Steilacoom and all the pleasant associations with which a four years' residence, under the happy and prosperous auspices which have attended us are accompanied. Be assured, however, amidst all change, we will not readily forget the "Columbian;" and as I heartily wish that every prosperity may attend it and its most worthy, friendly and gentlemanly Editors, I will continue to do all in my power to advance its interests not only in the States, but on my way thither; and though far distant will always be a subscriber and correspondent. I am, gentlemen, Yours very respectfully, JAMES HALL.

Territorial Officers. In conformity to previous arrangement, on Thursday, Jan. 27, the Council appeared in the hall of the House of Representatives and the joint assembly proceeded to the election of Territorial officers, which resulted as follows:

Territorial Printer, Asahel Bush; Commissioners to revise a code of laws, R. P. Boice, J. K. Kelly, and D. R. Bigelow; District Attorney for the Willamette district, L. F. Grover; District Attorney for the Northern District, Alexander Campbell; District Attorney for the Southern District, R. E. Stratton; Territorial Auditor, L. F. Grover; Territorial Treasurer, J. D. Boon; Librarian, C. N. Terry; University Land Commissioner, J. W. Nemith.

The various officers were declared elected with a great deal of unanimity—the selection of members of the board of commissioners to revise a code of laws being the most hotly contested by the friends of the respective candidates.

E. M. Barnum and Albert W. Ferguson, of Marion, and Alvis Kimsy, of Yamhill, were appointed commissioners to superintend the erection of the capitol; Wm. M. King, of Washington, Nathaniel Ford, of Polk, and Samuel Parker, of Marion, commissioners to superintend the erection of the penitentiary; and James A. Bennett, and John Trapp, of Benton, and Lucius W. Phelps, of Linn, commissioners to superintend the erection of the University.

Arnold Fuller, and Jacob Martin, of Benton, and Harrison Linville, of Polk, were appointed commissioners to select the two townships of land donated to the Territory for the establishment and endowment of a University.

The bark "Mary Melville" sailed from this port for San Francisco on Sunday last, with a cargo of square timber.

The Legislature.

On Thursday, Feb. 3, the Legislative Assembly adjourned, sine die, after a full exhaustion of the sixty days authorized by the Organic act as the limit of the term of one session. A list of the various acts passed will be published in the "Columbian" as soon as obtained, together with all the bills, at length, of especial importance to Northern Oregon. It must be acknowledged by all, that the Legislature has discharged its duty in all respects most satisfactorily in consulting the wants and interests of Northern Oregon—even beyond the expectations of our most sanguine citizens. It is true that the Territory of "Columbia" has been represented this winter for the first time, in the House at least, and central Oregon given to understand that there was and is such a region of country as Northern Oregon; and it is reasonable to presume that our citizens will not soon forget to whose instrumentality they are indebted for enforcing upon the Legislature the necessity of action in reference to our heretofore neglected country.

However much other portions of the Territory may be disappointed in relation to the doings of the Legislature, it must be acknowledged that we have no just cause to complain; and although our representative may have in some instances failed in securing the passage of cherished measures, yet his general success has been decidedly flattering. In to-day's paper will be found a bill defining the judicial districts of Oregon Territory—the names of officers appointed, and the county seats of the new counties, together with several other bills of general interest. The memorial introduced by Col. Eby for a division of the Territory we published last week, and take pleasure in stating that it passed the Council unanimously. The three dissenters in the House were Messrs. Wait, Matlock and Mitchell—absent, Messrs. Holmes and Whitcomb.

In summing up the doings of the Legislature, we can congratulate ourselves that the attention of Congress is earnestly invited to be directed to this region of country, not only in reference to a division, but with regard to the construction of a military road across the Cascade mountains, the establishment of mail routes, &c. And an increased representation in the Legislature for the future has also been guaranteed through the organization of the new counties. The prospect for Northern Oregon begins to brighten, and she is beginning to be known and felt both in the Legislature and in Congress.

The Message.—On the first page of to-day's paper will be found a correct transcript of the message of His Excellency, Governor GAINES, that was butchered in such a merciless and unceremonious manner by the Willamette press. The Governor knows a "hawk from a hand-saw," and have no doubt that hereafter whenever he, or any of his friends, want to get a public document of any description "done up brown," and pressed out correctly, they will know where to apply.

We are decidedly in favor of the message, and hold ourselves in readiness at all times to give a hospitable entertainment to all and any document having a favorable opinion of northern Oregon. Our platform is "union for the sake of DIVISION," and "agitation, for the sake of union." The Governor "agitates" northern Oregon, and consequently we are in for the Governor.—We think the message is "some pumpkin"—let every person arrive at his or her own conclusions.

SERIOUS AND FATAL.—The survivors made in the "Columbia" by the 5th inst., of the loss of the brig "Vandalia," Capt. Beard, were confirmed by the arrival of the last mail, which brings us the melancholy tidings of the loss of all on board. Capt. B. formerly resided at Baltimore, and leaves a young wife at Oregon City. The "Vandalia" was wrecked off Makenzie's Head, five miles north of Cape Disappointment.—Amos V. Short, of Vancouver, is reported among the lost. The "Vandalia" drifted ashore bottom up.

The "Maritew" and the "Mindoro" were wrecked immediately upon the bar at about the same time, on the 12th January, and the brig "Bordeaux" on Clatsop beach a short time previous. The "Merithew" belonged to Harlow & Abbott, of Portland.

Steamers.—We are gratified to receive the information from the Willamette papers, confirmatory of previous announcement, that the steamer "Lot Whitecomb," has been repaired, and is now making regular trips on the Columbia and Willamette rivers, and also, that the "Jas. P. Flint" will be set in motion before many weeks will elapse. We hope that both steamers will "recuperate" it, we don't care who is, "to the contrary notwithstanding," and be in operation within a few weeks.

Editors' Table.

The "resources" of our table are in a very dilapidated condition at present. "NARA" contribution worth "gassing" about. Perfectly broke down—it is.

"Sam Ward, a clergyman and an editor says—'God bless you brother Ward,' is pretty good coin to go to meeting with, but is not worth a great coin, to go to mill or market with."—[Exchange paper.

Our butchers & bakers are pretty much in the same way of thinking as "Sam Ward," and have frequently intimated their ideas to us, in the premises, "IN FULL."—Can any, or all, of the delinquents—the "Columbian" discover the analogy, and apply the remark?

To Correspondents.—"Clark County," will appear in due time. Write often, but in English. We don't understand the "back-slops" language. Our correspondent at Champeau has evidently mistaken the "medium" for giving publicity to his "rappings." We are not "trading" in politics at the present time.

The Times, is a Times what is a Times at all Times; and a Times, that in "season and out of season," is true to its own instincts, as a Times. A hope that the "channel" of its present communication may not be interrupted soon, induces us to chronicle the fact, that 19-20ths of of the stock, (according to the Times)—retained at the Dalles, during the present immigration, have been starved to death; and that the Walla Walla or Yakima, escaped with but very little snow. That Mr. Pritchard lost about \$15,000 by the recent shipwrecks, and that Messrs Northup & Simonds, J. Failing & Co., and I. B. Francis are heavy losers; consequent upon the late disasters. That captain JAMES LORING, formerly of Cincinnati, Ohio, recently fell dead at his residence near Portland, and that Mr. O. S. HALL, a resident near that city was killed a short time since by the falling of a tree.

D. R. BIGELOW, Esq.—We take pleasure in giving publicity to the fact that our fellow-townsmen, D. R. BIGELOW, Esq., has been selected as one of the commissioners to revise a code of laws for the Territory of Oregon. A better selection could not have been made. Mr. B. is a young man of more than ordinary ability—of good judgment, substantial legal acquirements, and will bring into the commission a character for ability, integrity and plain dealing, from the community in which he has resided, at once commendable and desirable. In this appointment another evidence is afforded that the position of Northern Oregon is urging her to be respected. And we have no doubt but that the code of laws adopted, will suitably subserve the purposes of the Territory of "Columbia" when we shall become an independent Territory.

Officers of the New Counties.

The Legislative Assembly appointed the following officers for the new counties of Pierce, King, Island and Jefferson, who are required to qualify in the same manner, and under the same restrictions as those elected in other counties at annual or general elections—the various acts creating them to take effect and be in force from and after their passage, and to retain their respective offices until the next annual election, or until their successors are duly elected and qualified.

For Pierce county, Thomas M. Chambers, William Dougherty and Alexander Smith, county commissioners; John Bradley, sheriff; John M. Chapman, clerk. The county-seat is located at Steilacoom city, on the claim of John M. Chapman.

For King county, Arthur A. Denny, John N. Lowe and Luther M. Collins, county commissioners; David C. Boring, sheriff; H. D. Yealer, clerk. The county-seat is located at Seattle, on the claim of David S. Maynard.

For Island county, Samuel D. Howe, John Alexander and John Crockett, county commissioners; George W. L. Allen, sheriff; Richard H. Lansdale, clerk. The county-seat is located at Coveland, on the claim of Richard H. Lansdale.

For Jefferson county, Lucius B. Hastings, Daniel F. Brownfield and Albert Briggs, county commissioners; Henry C. Wilson, sheriff; Alfred A. Plummer, clerk. The county-seat is located at Port Townsend, on the claim of Alfred A. Plummer.

Many pant for the prize, but will not run in the race. Wisdom is a place of which only the vestibule has yet been entered. Marrying for a home is a most tiresome way of getting a living. Poetry and Consumption are the most flattering of diseases. People in high places, who are not beneficent, are out of place on an elevation. Thought is ever unfolding. A good thinker keeps thinking.

An Act

TO DEFINE THE JUDICIAL DISTRICTS OF OREGON TERRITORY.

SEC. 1. Be it enacted by the Legislative Assembly of the Territory of Oregon, That there shall be two sessions of the Supreme Court in each year, one to be held at the Seat of Government, on the first Monday in December, the other at the town of Portland, on the third Monday in June.

SEC. 2. The Territory is hereby divided into three judicial districts.

SEC. 3. The first district shall be composed of the counties of Lane, Umpqua, Douglas and Jackson.

SEC. 4. The second district shall be composed of the counties of Clackamas, Marion, Yamhill, Polk, Benton and Linn.

SEC. 5. The third district shall be composed of the counties of Washington, Clatsop, Clark, Lewis, Thurston, Pierce and Island.

SEC. 6. Two terms of the District Court shall be held in each county in every year: Provided, that in the counties of Washington, Clackamas, Yamhill, Marion, and Umpqua, there shall be at least three terms of said court held every year; and Provided further, there shall be held in the county of Jackson at least four terms of said court in every year; Provided further, that in the counties of Yamhill, Umpqua, Washington, Clackamas and Marion, there shall be neither grand or petit jurors summoned or empaneled to serve at the summer terms of said courts, except in the discretion of the court, upon an order made for that purpose, and then only when some person is in actual custody, upon a charge of crime committed in said counties, or either of them; nevertheless, the said courts shall have full power to hear and determine at said summer terms all causes that do not require the intervention of a jury, in like manner as said courts would have at any other term of said courts.

SEC. 7. The District Court within and for the county of Clackamas shall be held on the first Monday in March, July and October; for the county of Linn, July and October; for the county of Marion, the third Monday in March and October; for the county of Benton, on the fourth Monday in March and October; for the county of Polk, on the first Monday in April and November; and for the county of Yamhill, on the second Monday in April and November, and the third Monday in July.

SEC. 8. The District Court within and for the county of Clark shall be held on the first Monday in February and September; for the county of Washington, on the second Monday in February and June, and the third Monday in November; for the county of Clatsop, on the third Monday in February and September; for the county of Lewis, on the Thursday after the first Monday in April and October; for the county of Thurston, on the first Tuesday after the second Monday in April and October; for the county of Pierce, on the third Monday in April and October; for the county of Island, on the fourth Monday in April and October.

SEC. 9. The District Court in and for the county of Jackson shall be held on the first Monday in March, June, September, and the second Monday in November; for the county of Douglas, on the third Monday in March and September; for the county of Umpqua, on the fourth Monday in March, July and September; for the county of Lane, on the Wednesday after the first Monday in April and October.

SEC. 10. The county of King is hereby attached to the county of Pierce, for judicial purposes, and the county of Jefferson for like purposes, is attached to the county of Island.

SEC. 11. The Hon. William Strong, Thomas Nelson, and Charles R. Train, United States District Judges for the Territory, shall be assigned to and exercise the powers of a District Judge, in such of said judicial districts, number one, two, and three, as they, or a majority of them shall agree upon, and notify the Secretary of this Territory of in writing. Said Judges shall, if practicable, make said notification to said Secretary, before the third Monday in February next, and the said Secretary shall publish the same in the newspapers of this Territory before the first Monday in March next.

SEC. 12. That all writs heretofore issued, and recognizances heretofore taken, requiring the appearance of any person in the district, notwithstanding the changes made by this act, and the person by any such writ or recognizance, required to appear at this act; and in case of a failure to appear and answer thereto, the consequence shall be the same as though such writ or recognizance had been made in all things in accordance with the provisions of this act.

SEC. 13. That no praecipe, writ, declaration, or other pleading or proceedings issued or made out in accordance with the law changed by this act, shall be deemed bad, erroneous, defective, in consequence of any change in the law by this act, but the same shall be held valid and sufficient; and any of said courts shall have power to allow any amendment thereto, which shall not work injustice to the opposite party.

SEC. 14. All laws inconsistent with the provisions of this act are hereby repealed. This act to take effect and be in force from and after its passage. Passed the Council, Feb. 1st, 1853. C. N. TERRY, Chief Clerk.

Passed the House of Representatives, Feb. 1st, 1853. R. J. WHITE, Chief Clerk. Some run into danger because they have not the courage to wait for it. By compassion we make others' misery our own; and by relieving them we relieve ourselves also.



