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By EDWARD FURSTE.

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POETRY.

A Memento to 1857.

Oh, list to the wild and pitiful wail
Of the dying year, as it's borne on the gale.—
List, list to its accents so mournful and low,
Like the death knell of hope on the cadence of woe!
Twelve months have scarce flown since the old year was young,
And joy tuned each heart as its welcome we sung;
Our hearth-stones were glowing with comfort and cheer,
As we wished to each lov'd one a "happy new year."
All nature seemed happy—in bridal robes clad,
And the face of the *new* year was beaming and glad;
But dark are the visions of sorrow and care,
That have clouded its brow and silvered its hair—
And sad are the stories the *old* year can tell,
And sadder the records its journals that swell
Of crimes that lay hid in Oblivian's gloom—
Of hopes that have perished while yet in their bloom,
Of joys that departed ere scarce they had birth,
And love, freely lavished like water on earth:
Of unemployed talents and genius abused—
Of fortune's rich treasures, too lavishly used,
And miserly hoarding of ill-gotten gold,
While Poverty's children were hungry and cold:
Of tears which the widow and orphan have shed—
Of vows rudely broken and hearts that have bled—
Of baffled ambition and proud discontent,
And regrets vain and useless o'er moments misspent.
Such, such are the records of sorrow and gloom
Which sadden each year in its flight to the tomb,
And if fortune, with countenance beaming and bright,
Hath shone o'er our pathway with radiant light,
O, let us remember, when rude blows the blast,
And the snow flakes are flutt'ring our warm dwellings past,
The many who scarce have a shelter to hide
Or shield them from whatever ill may betide,—
And with hand joined in hand and heart linked with heart,
Assist those who're struggling in Poverty's mart,
And ever with ready hands heed Sorrow's call,
And tenderly scatter the tear-drops that fall.
In thus blessing others, ourselves shall be blest—
All tranquil our day-dreams and peaceful our rest,
And when our *last* year shall draw to its close,
Death's angel shall waft us to quiet repose,
And bright be our walking in that purer clime
Where pleasure and joys are not measured by time.

The Past Year.

One year—a short and happy year,
Of buoyant hopes and fears;
One year—a long and weary year,
Of sorrow and of tears.
One year hath quickly flown to all,
Who on the earth abide;
It stole away as silently
As steals the flowing tide.

One year to youth—whose step is free,
Whose life a summer dream,
With ripples just to music make,
As flows the silver stream;
One year to age—whose years fast wane,
Whose race is nearly run—
Watching the bright sands passing through
This hour glass, one by one.

One to the mourner o'er the graves,
Where dear friends long have lain—
Whose tears have fallen on the flowers,
As fall the summer rain.
One year hath quenched the shining light
Of many dark bright eyes;
And many light feet wander now,
'Neath more unclouded skies.

One year more the earth hath colder grown,
And loved ones seem estranged,
But in the heart a temple shrine,
Affection hath not changed.
One year hath brightened many hopes
Immortal in their birth,
And souls that soared on eagle wings
Are drooping now on earth.

One year hath gone—a deeper tone
Is blent with music low;
A something o'er my soul hath passed,
That thrills me even now.
The past—how many thrilling joys
Have to its regions gone,
That like the tones swept from the lyre,
The sweetest seem when flown.

☞ The Postmaster General has recently decided, that if Postmasters do not give publishers of newspapers notice when their papers remain in the Post Office without being taken out by the subscribers ☞ WITHIN FIVE WEEKS, THEY ARE LIABLE FOR THE PAY.

SINGULAR CASE.—The papers are publishing a strange account of a woman at Horican, Warren county, N. Y., who has been sick since the 20th of September last, during all of which time she has not eaten any food. Indeed since the 28th of June, 1855, she has not eaten more than enough for a single meal.

☞ In private we must watch our thoughts; in the family, our tempers; in company, our tongues.

Supreme Court of Washington Territory.

DECEMBER TERM, A. D. 1857.

TERRITORY OF WASHINGTON *vs.* LESCHI,

A Nesqually Indian Chief charged with murder.

LESCHI, (an Indian,) Pltff. in error, *vs.* Washington Territory, Deft. in error.—Error to 2nd Judicial District.

Attorneys appearing for the Pltff. were, during the course of trial, Hon. WM. STRONG, and FRANK CLARK, Esq. For defendant, B. P. ANDERSON, and B. F. KENDALL, Esqs.

Trial closed, and arguments of counsel concluded on Wednesday, Dec. 16th, and on Thursday the following elaborate, able and well digested opinion was read in LESCHI's case by Hon. O. B. MCFADDEN, (acting Chief Justice,) as the conclusion of the Court in the premises:

Opinion of the Court,

AS DELIVERED BY HON. O. B. MCFADDEN.

This case comes before us on a writ of error to the 2d Judicial district. The prisoner has occupied a position of influence, as one of a band of Indians, who in connection with other tribes sacrificed the lives of so many of our citizens in the war, so cruelly waged against our people, on the waters of Puget Sound.

It speaks volumnes for our people, that notwithstanding the spirit of indignation and revenge so natural to the human heart—incited by the ruthless massacre of their families, that in the trial of the accused, deliberate impartiality was manifested at every stage of the proceedings.

In the discussion of the grave questions presented involving the life and personal liberty of the accused, we are anxious that none other than considerations of public justice, with a due regard for the rights of the accused under the law, should influence us in the conclusions to which we may arrive. Whether the accused be guilty or innocent, it is to be regretted, for the sake of the accused as well as the future peace of the Territory, that a more summary mode of trial—one in accordance with the practice of the government, and in perfect consonance with the rules of international law had not been adopted.

* * * * * * *

This case, however, now devolves itself upon this Court, and we are not disposed to shrink from the obligations of duty.

It is assigned for error—

"1st. There is no legal indictment in this, to-wit: The term of court at which, what purports to be an indictment was found, was unauthorized by law, and therefore illegal and void, and the Grand Jury who found the same had no legal authority to inquire into the offence charged.

"2d. The verdict is contrary to the evidence.

"3d. The court erred in overruling the motion for a new trial.

"4th. The court erred in overruling the motion in arrest of judgment.

"5th. The jury were not duly elected, tried and sworn, according to law, to try the issue joined in this: The oath required by law was not administered to them."

In considering this case we shall reverse somewhat the order of proceedings as presented by the assignment of errors, and shall examine the first error assigned in connection with the second proposition discussed by the counsel for Plaintiff in error, under the fourth error assigned, to-wit:—That the Plaintiff, in error, was entitled to a trial in the district in which the crime was committed, which district should have been previously ascertained by law.

In order to a true elucidation of the case it becomes necessary to see by what authority and under what legislation the courts of this territory have been organized, and the extent of their jurisdiction.

It is provided by the Organic Act of the Territory, passed by Congress and approved March 2nd, 1853: "That the judicial power of the Territory of Washington shall be vested in a Supreme Court, District Courts, and Probate Courts. The Territory to be divided into three Districts, and a District Court to held in each District by one of the Judges of the Supreme Court at such *times and places as may be prescribed by law.*

The district courts to have and exercise the same jurisdiction in all cases arising under the Constitution of the United States and the laws of the Territory, as is vested in the Circuit and District Courts of the United States.

Upon the organization of the Territory the first Legislative Assembly, in pursuance of the Organic law, divided the Territory into three districts. The only one necessary to be considered for the purposes of this case is the 3rd district, which was composed of the counties of Pierce, King, Island, Clalm, Jefferson and Whatcom.

Sec. 6, of this act—Page 448, L. W. Ty.—provides that two terms of the district court shall be held in each county, every year, to-wit: For Pierce county, commencing on the 1st Mondays of May and November.

By an act, passed subsequently at the same session, the judges were assigned to their respective districts. Under this state of the law, courts were held and judicial proceedings determined by them up to October 1856, when the Justices of the Supreme court were placed in possession of an act of Congress, entitled "An Act to amend the acts regulating fees." "Approved August 16, 1856."

Sec. 5th provides: "That the Judges of the Supreme Court in each of the Territories, or a majority of them, shall, when assembled at their respective seats of government, fix and appoint the several times and places of holding the several courts in their respective districts, and limit the duration of the terms thereof. *Provided*, That the said courts shall not be held at more than three places in any one Territory.—[Acts Con. 1856, page 49.

In conformity with the provisions of this act a majority of the Justices of the Supreme court of this Territory, assembled at Olympia, the Capitol of the Territory on the tenth day of November, 1856, and proceeded to fix the times and places of holding courts in the several districts. For the 3d district, in which was the county of Pierce, two terms yearly were appointed, commencing on the first Mondays in May and November at Steilacoom.

On the assembling of the Legislature, the districts were modified and the county of Pierce was *included* in the 2d Judicial district. A term of the district court for Pierce county was held subsequent to the passage of the act of Congress of August 16, 1856, and prior to the assembling of the Justices of the Supreme Court, at the Capitol of the Territory, in pursuance of said act; and also prior to the transfer of Pierce county by legislative act to the 2nd Judicial District.

At this term, which commenced on the second Monday of November, A. D. 1856, the grand jury, inquiring for the body of the county of Pierce, found a bill of indictment against the prisoner for murder; at the same term the defendant was arraigned and tried—the jury not being able to agree, the case, on the transfer of Pierce county by legislative act, passed into the 2d Judicial District, and the defendant was put on trial in the distsict court for said district, in which was the county of Pierce, under the indictment found against him in said county. The jury returned against him a verdict of guilty, and under the provisions of our Statute, found that he should suffer death.

Now it is true, as claimed by the counsel for the prisoner, that a statute ordinarily takes effect immediately upon its passage, unless there be a restraining or qualifying clause, is too well settled for controversy.—[Mathews Zane, 7 Wheaton, 104.—Kent's Com., vol. 1, page 455.]

It is equally well settled that if an offence be created by statute, and pending the prosecution, the act be repealed, the whole case falls. No judgment can be rendered in any suit for a penalty after the repeal of the act by which it was imposed. In other words, the repeal of a penal statute puts an end to all suits founded upon it.—3 Burr, 1456—5 Cranch, 281—13 Howard, 429—3 do., 534.

The effect of legislative acts abolishing courts, transferring jurisdiction, or repealing laws under which proceedings have been commenced, is so well understood by the profession that but little difficulty can arise.

All of the cases I have examined refer to legislation, which either transfers jurisdiction, creates it, or supersedes the enforcement of law by repeal; none of the cases apply to the principle now under consideration.

In this case the act of Congress of the 16th, Aug., 1856, creates no new tribunal. It neither extends or diminishes the jurisdiction of the courts of the territory in cases of crime, but simply provides for a consolidation of the places of holding courts in the several districts into one for each; and provides that the times and places of said terms shall be such as may be agreed upon by a majority of the Judges of the Supreme Court when assembled at the seat of government. The practical effect of the act was to increase the territorial jurisdiction, by reducing into one that which before was limited to the several counties. No increased jurisdiction is given by the act over crimes or misdemeanors; no new offences have been created; no increase or diminution of penalty for offences already defined by law. It is not the case of the abolition of one judicial tribunal and the transfer of its jurisdiction and duties to another. That which was crime before the passage of the act of Congress still continues crime. The offences of murder, arson and burglary still continue the same.

The penalties for these and other offences remain unchanged—neither diminished or increased. The jurisdiction of the district court for the 2d Judicial district was not enlarged so as to embrace any class of offences previously excluded, nor yet was the jurisdiction diminished.

Did the case fall within the range of that numerous class arising from the repeal of a law creating an offence, it could be easily disposed of; but such is not the fact.

It is claimed in the argument of the counsel for the prisoner in this case, that the act of Congress referred to, went into effect immediately upon its passage, and consequently worked a repeal of so much of the Organic act; and also such laws of the Territory as provided for and regulated the district courts of the Territory.

We have seen that it is well settled as a general principle, that a statute properly enacted, takes effect from the date of its passage, and it is now too well settled to gain say the rule, by reason of the hardship or injustice which may result from it. Now if there is nothing in the act of Congress indicating the time when this statute shall take effect, it must be considered as in force from the date of its passage.

It is necessary, therefore, to recur to the act for the purpose of construction.

It has been said that where the intention of the legislature, or the law is doubtful and not clear, the courts ought to interpret the law to be what is most consonant to equity and least inconvenient—[Kerlin vs. Bull, 1 Dallas, 178.

The best exponents of the legislative mind are the words of the statute when they are free from abiguity, but when they are not we must resort to legislation on kindred subjects, the spirit of our institutions and the habits of the community, to discover the intent of the legislation.—[Com.'th vs. Pa. In. Co., 1 Harris, 166.

According to the argument of the counsel for the prisoner, all felonies committed within the county, prior to the passage of the act of Congress, and not prosecuted to conviction and judgment, the perpetrators thereof would go unscathed by the penalties of the law. Now can it be presumed that Congress intended by the passage of this act to unkennel every felon in the territories under prosecution, except such as were suffering under the judgments of the courts? We are not convinced of the truth of this; but a reference to the act satisfies us that such was not the intent of Congress.

Sec. 5, provides "that the judges of the Supreme Court in each of the Territories, or a majority of them, shall when assembled at their respective seats of government, fix and appoint the several times and places of holding the several courts in their respective districts, and limit the duration thereof; provided, That the said courts shall not be held at more than three places in any one Territory; and provided, further, that the judge or judges holding such courts shall adjourn the same without delay, at any time before the expiration of such terms, whenever in his or their opinion the further continuance thereof is not necessary."

This embraces the entire legislation of Congress upon this subject. By the provisions of the section, a duty is devolved upon the judges of the Supreme court, without, however, specifying any particular time within which the specific duty was to be performed. The performance of this duty was, we think, a *condition precedent*; and until the assembling of the Supreme Judges, and their determination, the law was inoperative.

Had the Judges been authoratively informed prior to the fall terms of the Courts, in 1856, of the passage of this act of Congress, it would have been incumbent on them to have assembled at Olympia, the Seat of Government, and provided for terms in conformity with the act. The act is limited by its terms to the times and places of holding courts.

Under the second branch of the proposition, as we are considering it, the counsel for the prisoner have urged, as the second preposition, that there was error in overruling the motion in arrest of judgment, on the ground that the verdict was against the law, in this—that the prisoner was entitled to a trial in the district in which the crime was committed, which district shall have been previously ascertained by law. In support of this, the counsel refer to Article 6, amendments to the Constitution of the United States.

Entertaining the view which we do upon the subject, it is unnecessary to say, for the purposes of this case, whether this clause is operative in the State or Territorial Courts.

It has been decided in reference to Sec. 5th, of the amendments to the Constitution, which would appear to stand in *pari passu* with the section under consideration, by the Supreme Court for the State of Vermont, that it applies only to cases in the United States Courts.—State vs. Keys, 8 Vermont, 57.

The cases arising under that clause of this section, which provides that no person shall be subject for the same offence to be twice put in jeopardy of life or limb, seem to have been discussed in the State Courts with reference to a similar clause, contained in several of the State Constitutions. In some of the States the doctrine of Justice Story, as laid down in 2d Sumner, page 43, *et sequi*, has been accepted and recognized. A doubt however, is expressed by Judge Davis in this case, whether the section is applicable to the State Courts—page 101.

In this case we have seen that the indictment was found in the District Court for the county of Pierce, after the passage of the act of Congress limiting the places of holding the courts to three in the Territory. The Legislature, by act of 1857, defined the Judicial districts. Pierce county was, by this act, included in the 2d district. By an act passed January 26, 1857, it is provided, "that so far as the jurisdiction of offences cognizable by the district court, and the trial of criminals is concerned, each judicial district shall constitute one county." The district was thus enlarged; in other words, Pierce county, for the purposes of criminal prosecutions, was enlarged so as to embrace other counties. There was no transfer of jurisdiction—the jury came from Pierce county. The prisoner was not deprived of his right at common law to have his case tried by a jury of the vicinage.—It is the same as if the other counties forming the Judicial district, had been divested of their corperate capacity and merged in the county of Pierce.

It is not the case of an assumption of jurisdiction by the courts of one county to try felonies committed in another. It is not the case of carrying a person charged with having committed a crime in one State, into another for trial, or into a separate and distinct district. These all operate to the exclusion of the State, district or county in which the offence was committed; but in the case under consideration, there is no such exclusion of the county of Pierce, as would bring the case within the purview of the 6th section of the Constitution referred to, or that stringent rule of the common law, which required that a party charged with crime should be tried in the county in which the offence was committed.

We are therefore of the opinion, that the district court of Pierce county, in the first instance, and the district court for the 2d Judicial district, in the second place, hold full and complete jurisdiction in the premises.

Another error, as it is alleged, has been suggested by the record, and has been argued with some degree of emphasis, viz:—That the indictment is not framed in conformity with the statute law of Washington Territory, in this, that although the indictment, which contains but a single count, is a good indictment at common law for murder in the first degree, yet that it is not good under the statute which divides the offence, which at common law was murder in the first degree, into two separate and distinct grades—murder in the 1st and 2nd degree—and provides two different punishments; and is as follows:

"Every person who shall purposely and of deliberate and premeditated malice, or in the perpetration or attempt to perpetrate any rape, arson, robbery or burglary, or by administering poison, or causing the same to be done, kill another, every such person shall be deemed guilty of murder in the first degree, and upon conviction thereof shall suffer death."—[Sec. 12, L. W. Ty, page 78.

Sec. 13, of the same act, provides that "every person who shall purposely and maliciously, but without deliberation and premeditation, kill another, every such person shall be deemed guilty of murder in the second degree, and upon conviction thereof shall be imprisoned in the penitentiary, &c."

Now it is claimed in the argument of the counsel for plaintiff in error, that in framing an indictment for murder under our statute—the offence should be charged to have been committed under the specific circumstances named in the statute, and in the terms used in the statute, so that it might be determined by the record whether the offence charged be murder in the first or second degree. If there be anything in the law constituting different grades of this offence which would work such an innovation in the common law rule as to require a modification of the common law form of the indictment, then this objection would be void, and the indictment insufficient for the purposes of our statute.

In the case of a statute offence unknown to the common law, it is a general rule that the indictment must charge the offence to have been committed under the circumstance, and with the intent mentioned in the statute, which of course contains the only appropriate definition of the crime—State vs. Jones, 2 Yerg. Ten. R. 22; State vs. O. Bannon, 1 Bayley, Law R. 144—but even in that case it is said to be not necessary to pursue the exact words of the statute creating the offence, if other words are used in the indictment which are equivalent, or words of more extensive signification, and which necessarily include the words used in the statute as when advisingly is substituted for knowingly, or maliciously for wilfully, and the like.—[King vs. Fuller, Bos. & Pull 180; U. States vs. Bachelder, 2 Gall R. 15.]

It is otherwise in indictments for common law offences, when the law has adopted certain technical expressions to define the offence, or to indicate the intention with which it was connected; in which case the crime must be described, or the intention must be expressed by the technical terms prescribed and no other.

It has frequently been decided that in an indictment for murder, the terms *murder of his malice aforethought* are absolutely necessary in describing the offence of murder.

In the case of the People vs. Enoch, 13 Wendell R. page 173, a case most elaborately argued by counsel, passed upon by the Supreme Court, and subsequently by the appellate court in the opinion delivered by the Chancellor, it is laid down that in determining the question whether an "indictment should be drawn as at the common law, or should appear to be founded upon a statutary provision which is applied to the offence, the following rules are to be observed: If the statute creates an offence which when committed under particular circumstances *not necessarily included* in the original offence is punishable in a different manner from what it would have been without such circumstances; or where the statute changes the nature of the common law offence to one of a higher degree; as when what was originally a misdemeanor is made a felony, the indictment should be drawn in reference to the provisions of the statute creating or changing the nature of the offence, and should conclude "against the form of the statute;" but if the statute is only declaratory of what was mainly an offence at common law without adding to or altering the punishment, it need not conclude "against the form of the statute."

"When the legislature abolish an offence which at the common law was a felony, or reduce it to the grade of a misdemeanor only, the case of an unlawful killing by a person engaged in the act which was before a felony, will no longer be considered to be murder, but manslaughter merely."

Such changes in the law of murder have often occurred both in this country and in England, yet it never has before been thought necessary to *change the common* law form of the indictment to meet cases of this description. The court and jury in such cases immediately apply the common law principle, and the killing is adjudged to be murder or manslaughter, according to the nature and quality of the crime that the offender was perpetrating at the time the homicide was committed.—[The same page, 175.

The Chancellor therefore arrives at the conclusion that a common law indictment for murder is proper under the provisions of the revised statutes of New York, and that a defendant cannot be convicted on such an indictment of a felonious homicide with malice aforethought, unless the evidence is such as to bring the case within the statutory definition of murder.—[Page 176.

The indictment in the case of Enoch contained three counts substantially alike, except that in the first the offence was charged to be contrary to the form of the statute.

The indictment was predicated upon the revised statute of New York which provided that the homicide should be murder.

1st. When perpetrated from a premeditated design to effect the death of the person killed, or of any human being.

2. When perpetrated by any other act imminently dangerous to others, and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual.

3. When perpetrated without any design to effect death by a person engaged in the commission of any felony.—R. S. N. York, 656, sec. 5.

In the indictment in this case the form is the same as in the case now under consideration, except in the number of the courts.

The offence was charged in the common law form to have been committed feloniously, wilfully and of malice aforethought, instead of charging it to have been perpetrated from a "premeditated design to effect the death of the person killed," which are the words of the statute, and was held to be a good indictment, after being subjected to the ordeal of two courts of review.

Pennsylvania, in 1794, passed an act materially modifying the rules of the common law in reference to felonies. However, as in this act among other qualification it is provided that "all kinds of wilful, deliberate and premeditated killing shall be murder in the first degree, as also all killing committed in the perpetration, or attempt to perpetrate any arson, rape, robbing or burglary; and that the jury trying the case shall, if they find such person guilty thereof, ascertain in their verdict whether it be murder of the first or second degree.—[McKinney Digest, p. s. 658.

In Virginia there is also a statute which, after providing for murder perpetrated by means of poison, adds, or by "any other kind of wilful, deliberate and premeditated killing," and then follows the Pennsylvania statute.

It has been held under the Pennsylvania statute that it is not necessary that the indictment should describe the offence so as to shew whether it be murder of the first or second degree.—[White vs. Comp. 6 Bin. 179.

Nor is it necessary to describe it as "wilful deliberate and premeditated," as expressed in the act of assembly.—[Com. vs. Joyce et al, cited in 6 Bin, 183.

Nor is it necessary to set forth that it was perpetrated in the actual or attempted arson, rape, burglary or robbery.—[Com. vs. Flanagan, 7 W. & S. 415.

In Virginia it is not necessary that the indictment should charge the offence as murder in the first degree.—[Wicks vs. Com. 2 Vir. Laws, 310.

Nor is it necessary to use that description which, according to the statute is murder in the first degree.—[The same.

There are other authorities which might be brought in support of these, but we think it unnecessary. The statutes of Pennsylvania and Virginia provide that the jury are to determine from the evidence under an indictment for murder of the first degree, whether the homicide be murder in the first or second degree. A like duty devolves upon them under the provisions of our statute.—[L. W. T., sec. 122, pp. 120.] It is enacted that "upon an indictment for an offence consisting of different degrees, the jury may find the defendant not guilty of the degree charged in the indictment, and guilty of any degree inferior thereto, or of an attempt to commit the offence." We are therefore of the opinion that in this particular there is no error.

5th. Assignment of Errors.

"The jury were not duly elected, tried and sworn according to law to try the issue joined, in this. The oath required by law was not administered to them."

Laws W. T., pp. 119, sec. 107, provides "the jury shall be sworn or affirmed to well and truly try and true deliverance make between the Territory and the prisoner at the bar, whom they shall have in charge according to the evidence."

The record exhibits the following entry: "and thereupon, comes a jury of twelve good and lawful men, duly elected, tried, empanneled and sworn," to wit:

The form of oath of jurors is usually prescribed by statute. There is nothing in our act requiring the oath administered to be spread upon the record. If it appear affirmatively that the jury were lawfully sworn, it will be sufficient. In this case the record affirms that the jury were *duly sworn*, that is, legally, lawfully sworn. We think this sufficiently appears from the record, and can work no prejudice to the prisoner.

It is claimed that the verdict in this case should be arrested as being contrary to law:

1st—That the jury do not find the degree of the offence, but find as it appears by the record, in the words following, viz: "On their oaths do say—we, the jury, find the defendant, Leschi, guilty, as charged in the indictment, and that he suffer death." It is claimed that the offence being of different degrees, the jury should have found specifically that the defendant was guilty of murder in the first degree, in order to warrant judgment of death. The indictment in this case we have seen is drawn in the common law form—contains but one count, and that for murder in the first degree.

The practice both in England and this country has always been, where there has been a general verdict of guilty on an indictment containing several counts, some bad and some good, to pass judgment on the counts that are good, on the presumption that it was to them the verdict of the jury attached; and on the same reasoning, where one of two counts is had and the defendent is found guilty and sentenced, generally the presumption of law is that the court awarded sentence on the good count, and the sentence is not erroneous if it is waranted by the law applicable to the offence charged in that count.

Wharton, C. L., 3d edition, page 976, in the case of the State vs Montague, 2d McCord, 257, it is said that where there are several counts prescribing offences to which there are several punishments, a general verdict of guilty is bad.

Where an indictment charges in one count the breaking and entering of a building with intent to steal, and in another count a stealing in the same building, on the same day, and the defeudant is found guilty, *generally*, the sentence whether that which is proper for burglary only, or for burglary and larceny also, cannot be reversed on error, because the record does not show whether one offence only or two, were proved on the trial; and as this must be known by the Judge who tried the case, the sentence will be presumed to have been according to the law that was applicable to the facts proved. [Kite vs. Com. 2 Metcalf, 581.

In Pennsylvania it has been held that where the indictment charged the prisoner with perpetrating the crime by means of poison, and the jury found the prisoner "guilty in manner and form as stated in the indictment," without specifying the degree of the offence, there being different punishments provided by statute, the court will adjudge the offence to be murder of the first degree, and will pronounce sentence of death. [Com. vs. Earls, Lewis Pres. Lycomy Oyer and Ter. 1836; 1 Whar., 525.

In a later case, decided by the same Judge in the same court, in 1838, U. S. C. L. page 398, it was ruled that when the indictment charged the prisoner with perpetrating the murder by "lying in wait" on and near a certain highway, and the jury find him guilty without stating the degree, the court will adjudge it murder of the first degree and pass sentence of death.

The indictment in this case as we have seen, sets forth all the facts necessary to constitute the offence of murder in the first degree. The statute makes it incumbent on the jury when they find the defendant guilty, to state the punishment to be inflicted. The jury return a verdict of guilty as charged in the indictment, and that he suffer death.

I have not been able to find a single authority which would go to show that this verdict under this indictment is wanting in any of the specific qualities required by law. Had the jury returned a general verdict and found a different punishment from that prescribed for the offence as charged in the indictment, it would have furnished sufficient cause for the arrest of judgment. The jury, however, find the prisoner guilty as charged in the indictment; that charge is for murder in the first degree, and they have found the punishment corresponding to the facts charged as provided by our statute.

The indictment itself is framed in accordance with the precedents furnished the profession in United States C. L.

We think there is no sufficient error here which would warrant us in disturbing the judgment.

The right of the prisoner to a trial in the district in which the crime was committed, which district shall have been previously ascertained by law, is the second proposition urged by the counsel for the prisoner in arrest of judgment.

Having discussed this in connection with the propositions contained in the first assignment of errors, we shall not add anything here.

It is alledged for error that the verdict of the jury is contrary to the evidence in the cause.

We have examined the evidence as presented by the record, and which has been made a part of the same, and in so doing, we have been desirous of giving the prisoner the benefit of every reasonable doubt. The testimony of Rabbeson is clear and pointed against the prisoner. He speaks with certainty as to the fact of Leschi's presence—says he has known him for ten years, and gives a plain narrative of the whole transaction; with reference to many of the material facts he is fully sustained by the witnesses principally relied upon by the prisoner, except that he did not see or recognize Leschi at the place where the shooting took place. An attempt was made on the trial to discredit the witness Rabbeson, but it was unsuccessful. It is well settled as a rule of law that in all cases the jurors are judges of the facts, and emphatically so in criminal cases; and unless the evidence greatly preponderates against the verdict in criminal cases, courts are exceedingly cautious in interfering with the verdict of a jury. In this case the prisoner has already had the benefit of a review of the evidence by the Judge who tried the case below—who had not only the evidence before him, but who had an opportunity of observing the deportment of the witnesses on the stand.

We are of the opinion that there is no such preponderance of evidence against this verdict as would warrant us in interfering.

But it is claimed a new trial should have been granted on the ground of newly discovered evidence, and which he could not have discovered with reasonable diligence and produced at the trial. The counsel in this case, on the first trial had every opportunity to determine the relevancy of the testimony against the prisoner; and as the fact which they wish to establish was not exclusively within the knowledge of the witness whose testimony they desire, but might have been shown by others in the neighborhood, we incline to doubt whether there has been the exercise of that reasonable diligence which should be regarded. There is however another view of this which supercedes the necessity of determining the point.

It is laid down as a rule of law that when the motion for a new trial is considered, the court must judge not only of the competency, but of the effect of evidence. If, with the newly discovered evidence before them, the jury ought not to come to the same conclusion, then a new trial may be granted,—otherwise they are bound to refuse the application. In the case of Lewellen vs. Parker, 4 Harrison's Ohio R. 5, Ludlow vs. Parker, 4 Hammond 5, it is ruled that in considering the motion, the court will not inquire whether taking the newly discovered testimony in connexion with that exhibited on the trial, a jury might be induced to give a different verdict, but whether the legitimate effect of such evidence would require a different verdict. In the case of Martin vs. Marvin, D. C. Phi. 9th, Leg. Int. 2, it was ruled in the same way. We are satisfied, from an examination of the affidavit on which this application was grounded, that should a new trial be granted by this court, the legitimate effect of the whole evidence would not require a jury to find a different verdict.

It is alledged that the court erred in failing to charge the jury that they could find the prisoner guilty of an offence less than that of murder in the first degree. There is nothing in the record going to show what the charge was.

But it is said the court erred in remarking to the jury after the argument of counsel—"That they had heard the arguments of counsel and charge of the court, and that the closing counsel had in some degree gone outside the case,—that all the jury had to decide upon was the evidence given upon the trial; the law they were to take from the court." We see nothing improper here. It is always the duty of the court to restrain counsel and keep them within proper limits.

It is alleged that it does not sufficiently appear by the record that the defendant was present at the trial when the verdict was rendered; nor yet when sentence of death was passed. It appears from the record that the jury, naming them, on their oaths, do say—"We, the jury, find the defendant, Leschi, guilty as charged in the indictment, and that he suffer death," and thereupon defendant gives notice for a motion for a new trial. The sentence, as stated in the record, "and the defendant saying nothing why judgment should not be pronounced against him; it is considered by the court now here that the defendant be taken to Steilacoom, in Pierce county, on Wednesday the tenth day of June, in the year 1857, and there, on said day, between the hours of 10 o'clock in the forenoon and four o'clock in the afternoon, be hung by the neck until he be dead." We think it sufficiently appears that the defendant was not only present when the verdict was rendered against him, but that he was present when the sentence was pronounced.

We are therefore of the opinion that the judgment in the case should be affirmed.

Territorial Legislature—Vth Session.

IN COUNCIL.

MONDAY, Jan. 4, 1858.

Council met pursuant to adjournment.

The roll was called and all the members were found to be present except Mr. La Du.

The first business was a report from Mr. Wallace, chairman of the committee on claims, to whom was referred the petition for the relief of James McDonald and L. P. Smith for the capture of Patrick Ragan, a fugitive from justice. The report was by bill, entitled "an act appropriating money from the Territorial treasury for the relief of James McDonald and others."

The bill was read a first and second time, and on motion of Mr. Wallace, referred to committee on Ways and Means, with an amendment by Mr. Van Vleet, that the committee report at their earliest convenience.

Mr. Wallace introduced the following resolution:

"Resolved, That the committee on memorials be, and they are hereby instructed to report a memorial to this Council, asking Congress for an appropriation to pay citizens of this Territory for property destroyed by the Northern Indians.

Mr. Denny moved that the rules be suspended and the resolution be acted upon now, which was carried.

On motion of Mr. Wiley, referred to committee on memorials.

The President asked leave of absence for Mr. La Du, which was granted.

Adjourned.

IN HOUSE.

MONDAY, Jan. 4th, 1858.

House met at 1 o'clock, P. M.

Mr. Wilson introduced

H. B. No. 20, "An Act to define the southern boundary line of Kitsap county." Read first time, and ordered to a second reading.

Mr. Curtis introduced

H. B. No. 21, "An Act authorizing the county commissioners to put the convicts of the county jail to labor." Read first time and ordered to a second reading.

Council reported their having passed H. J. R. No. 5, and H. M. No. 2.

The petition of citizens of Washington Territory, praying "for the incorporation of the Bainbridge Island Coal Co., with a capital stock of $100,000," presented by Mr. Miller, was

On motion of Mr. Hinckley,

Referred to committee on Corporations.

H. B. No. 18, reported back from the committee on Commerce without amendment, and a recommendation that it pass; was,

On motion of Mr. Morrow,

Laid on the table and ordered to be printed.

On motion of Mr. Guthrie,

H. B. No. 10, was taken from the table; and pending a motion to cousider engrossed and ordered to a third reading, was,

On motion of Mr. Anderson,

Laid on the table.

On motion of Mr. Stillman,

H. B. No. 13, "An Act relating to the distribution of Territorial Arms," was taken from the table, amended, and

On motion of Mr. Kelly,

Considered engrossed, read a third time and passed, and title agreed to.

On motion of Mr. Guthrie,

H. B. No. 12, "An Act to regulate the draining of marsh and swamp lands," was taken from the table, and amendment recommended by the committee on Agriculture adopted; and

On motion of Mr. Guthrie,

Considred engrossed, read a third time and passed, and title agreed to.

On motion of Mr. Kelly,

H. B. No. 24, "amending an act incorporating the City of Vancouver," was taken from the table, and the amendments recommended by the committee on Corporations put severally:

1st amendment—"Providing that the city authorities should not issue license for the sale of liquors for a less sum than one hundred and fifty dollars," was rejected.

2d amendment—"That the portion of clause 8th, providing that the law or parts of law authorizing county officers to grant license, should not apply to persons vending liquors within the city limits, and should be submitted to the legal voters of Clarke county at the next annual election, requiring a majority in its favor to make it a law," was adopted by a vote of 17 in the affirmative to 4 in the negative.

3d amendment—"making it the duty of the County Auditor to give notice to the voters of the county of the subject to be submitted to them,"—adopted.

On motion of Mr. Irby,

The bill was laid on the table and made the order of the day for to-morrow.

Adjourned.

TUESDAY, Jan. 5th, 1858.

House met at 10 o'clock, A. M.

Mr. Morrow introduced

H. M. No. 7, "praying for a Military road from the Military Post at Port Townsend to intersect the Military road from Fort Steilacoom to Fort Vancouver."

Read first time and ordered to a second reading.

Mr. Irby introduced

H. B. No. 22, "An Act concerning the partition of lands."

Read first time, and

On motion of Mr. Kelly,

Laid on the table and ordered to be printed.

Mr. Morrow introduced

H. M. No. 8, "relative to the extension of the donation law, granting settlers donations of the public lands in Washington Territory."

Read first time and ordered to a second reading.

Communication from the Governor, enclosing preamble and resolutions adopted by the Legislatures of Maine, New Hampshire and Connecticut, in regard to the subject of slavery.

Mr. Anderson introduced

H. B. No. 23, "an act declaring so much of the military road leading from Steilacoom to Vancouver, as lies within the limits of Lewis county, a Territorial road."

Read a first time and ordered to a second reading.

Mr. Guthrie introduced

H. M. No. 9, "relative to the payment of the war debt."

Read first time and ordered to a second reading.

Mr. Anderson introduced

H. M. No. 10, "relative to a semi-weekly mail between Olympia and Ranier."

Read first time and ordered to a second reading.

Mr. Miller introduced

H. J. R. No. 8, relative to appointing a committee to make a new apportionment.

Read first time and ordered to a second reading.

Mr. Fletcher in the chair.

H. B. No. 20, read second time, and

On motion of Mr. Balch,

Referred to committee on Counties.

H. B. No. 21, read second time, and

On motion of Mr. Hinckly,

Referred to committee on Judiciary.

H. B. No. 24, "An Act to establish a board of Pilot commissioners for Columbia River."

Read first time and ordered to a second reading.

H. B. No. 15, reported back from committee on Judiciary. Read second time, and

On motion of Mr. Kelly,

Laid on the table and order printed.

Mr. Irby presented

A petition from Julia Ann Lendingham, praying for a divorce; which was

On motion of Mr. Van Cleave,

Referred to committee on Judiciary.

The petition and remonstrance of citizens of Chehalis and Pacific counties, relative to merging the two counties into one, was,

On motion of Mr. Bullard,

Laid on the table.

Mr. Speaker in the Chair.

House laid the Governor's communication upon the table and refused to adopt a motion made by Mr. Balch, to have 1000 copies printed, by a vote of 12 in the affirmative to 14 in the negative.

On motion of Mr. Kelly,

H. B. No. 14, "an act to amend an act entitled an act, to incorporate to city of Vancouver," was taken up, and

On motion of Mr. Morrow,

Considered engrossed, read a third time and passed, and title agreed to.

Committee on Claims

H. B. No. 25, "an act appropriating money for the payment of certain fees due B. F. Kendall and B. P. Anderson,"

Read first time and ordered to a second reading.

H. B. No. 9, coming up, Mr. Balch made a motion to indefinitely postpone, which was lost by a vote of 9 in the affirmative to 16 in the negative.

Adjourned.

Pioneer and Democrat.

OLYMPIA, WASHINGTON TERRITORY,
FRIDAY, JANUARY 8, 1858.

J. W. WILEY AND E. FURSTE, EDITORS.

"Truth crush'd to earth will rise again,
The eternal years of God are hers."

Payment to the Indians.

In virtue of the treaty made with the Nisqually tribe of Indians by Gov. STEVENS, about three years since, and subsequently ratified by the U. S. Senate, on Christmas day, (Dec. 25,) there was, (previous notice having been given to that effect) a general assembling of the different bands, composing the Nisqually tribe, at Squaxon Reservation, in order to receive from Col. M. T. SIMMONS, Indian agent for the district of Puget Sound, the annual annuities to which said tribe were entitled in pursuance of said treaty.

We are informed that one thousand and twenty-five Indians were present at the above place at the time above referred to, eight hundred and ten of whom, it was ascertained, were entitled to annuities. And we are further informed that all things connected with the payment passed off with the utmost good feeling and satisfaction—no demonstration of resistance to the treaty, or even murmur as to its provisions, at the time, having been made.

There was divided amongst the 810 Indians, above referred to, goods to the amount of $2,329 58—fifteen hundred dollars of which was the last half year's annuity, and $829 58, a part that remained over from the previous year—their annuity for that year having been paid to them in houses erected for them on the reserves—the $829 58 being surplus, after paying for the buildings.

The amount of goods above quoted, enabled the agent to give to each Indian, (old or young) a blanket and four and a half yards of domestic; thus, it will be observed, that those having large families received quite a pile of dry goods.

Before the distribution, the Indians made known their wishes to the agent through JOHN HYTON, who was chosen as the orator of the day. It appears they desired to have their next annuity paid in money. He (Hyton,) it is said, spoke very sensibly about the evils arising from the sale of intoxicating liquor among them, and said that there were white men, who continually talked to the Indians, advising them not to obey the agents, or receive their annuities, &c. The names of those persons were mentioned.

After Hyton had concluded his "talk," Seattle, Duke of York, and ten other principal men of different tribes, not subject to the treaty, spoke in behalf of LESCHI, to Gov. MCMULLIN, who was present, asking the Governor to pardon him. The Governor replied, giving them excellent advice as to their general conduct, and stating that he had not decided what he would do in the Leschi case—leaving the impression with them that strict justice should be his guide.

The Indians were apparently all well satisfied with what they received, and at present, manifest a peaceful disposition, and desire to improve, and the agents anticipate no trouble in their management, if they are not interfered with by evil disposed white persons.

MESSAGE OF GOV. CURRY.—Oregon papers received by the last mail contain the message of Governor Curry of that Territory to the Legislative Assembly. We regard it as the *best* state paper that has ever heretofore emanated from the Executive Department of Oregon. The subject of the late Indian war, particularly, is most carefully and ably handled. We design, as soon as room will permit, to present that portion of the message to our readers for their perusal.

The Holidays.

Christmas, the advent of the New Year, and the intervening holidays, were duly observed, in accordance with ancient custom, and celebrated in a pleasant and rational manner by the proverbially quiet, generous and hospitable people of Olympia. The dwellings of almost all our citizens partook of the nature of hotels, on a small scale, and the time was most agreeably spent by the kindly interchange and congratulations of friends and neighbors. The pleasant and time-honored custom of "calling," prevailed very generally, and at almost every house the hospitable table was spread, groaning under the luxuries and delicacies provided for the expectant guests. On Christmas eve, the ladies and gentlemen of Olympia and vicinity were invited to a ball, given in the Hall of the "Washington Hotel" by the "Olympia Musical Association," on which occasion a most sumptuous supper was prepared. The evening passed merrily away, enlivened by the music of the brass band of the association alluded to, which performed several pieces of music, including Marches, Waltzes, etc., with credit to its members. Considering that the band has not yet been organized two months, the proficiency which its members have made in acquiring a knowledge of music, and of their instruments, under the direction of their band master, Mr. JOSEPH WRIGHT, certainly speaks high for their application and his qualifications.

On New Year's eve, on the invitation of Mr. and Mrs. Woon, (resident a few miles south of town,) the band repaired thither, and enlivened a social gathering there, who were entertained by the host and hostess in a manner demonstrative of the intelligent, social disposition and genuine hospitality of our agricultural population.

OUR DELEGATE IN CONGRESS.—The last State's mail received here, brought a letter from our Delegate in Congress, ISAAC I. STEVENS, to Mr. C. H. MASON, Secretary of the Territory—written at Washington, and dated at that city the second day after his arrival there. From it we learn that our delegate and family, reach the U. S. Capitol in excellent health, and that he had already, vigorously entered upon the discharge of the arduous duties before him. He writes that persons holding claims against the Indian Department, for services rendered or supplies advanced during the past year, may expect that remittances will be immediately made by the proper department for the prompt liquidation of the same. He had already given his attention to that matter during the day that he had been in the city, and it is not improbable that the next State's mail will convey the drafts for the payment of previous outstanding accounts.

THE LESCHI CASE.—As will be observed, our columns are largely drawn upon this week, for the purpose of giving publicity to the opinion and decision of the U. S. Supreme Court for this Territory, in the celebrated LESCHI trial, appealed from the U. S. District Court for the 2nd Judicial District. Upon examination it will be found that the opinion of the Court, as delivered by acting Chief Justice O. B. McFADDEN, is all that we have claimed for it—strong, sound and logical; bound together, as the arguments are, with close, methodical legal reasoning. It is a matter of regret to us, however, that some of the authorities cited and read at the time the opinion was delivered, have not been furnished us, in connection therewith, in order that they might appear in their appropriate places in the opinion. Indeed we were not aware but that they had been handed in, until a considerable proportion of the opinion had been placed in type. For instance, a line of "asterisks" in one place will serve to denote that a quotation made from "the Annals of Congress" has been omitted. We will hold ourselves in readiness at any time when the authorities referred to have been furnished, to *re-publish* the opinion, supplying the omissions. As it is, we apprehend the document will be read with as deep an interest as any other, from any source, on any subject, that has ever gained publicity in the Territory.

"FROM REFRESHMENT TO LABOR."—The Legislative Assembly re-assembled on Monday last, having spent the holidays as each member may have thought most pleasant and profitable—some returning to their homes, others taking an excursion for pleasure and observation down the bay on the steamer *Constitution*, and others circulating in and out of town—over the beautiful prairies of Thurston county. The members are now all on hand, however, (except Mr. NAGGS, representative for the counties of Skamania and Walla-walla,) and from the appearance of things, the balance of the session will be somewhat lively. During the present week, amongst other measures, the Council have disposed of the bills previously adopted by the House, for the location and erection of the Capitol at Olympia, and the Peniteutiary at Vancouver. Both these bills were carried by large majorities.

Claims Against the Indian Department.

In order that those holding claims in this Territory against the Indian Department, for services performed or supplies advanced during the past year, may know something as regards the position of their accounts, we are permitted by Col. M. T. SIMMONS, Indian Agent for the District of Puget Sound, to make the following extracts from an official letter received by him from Col. J. W. NESMITH, Superintendent of Indian Affairs for the Territories of Oregon and Washington.

The extracts are as follows:

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
SALEM, OREGON, Dec. 16th, 1857.

"In reply to your inquiry in relation to outstanding liabilities contracted by Gov. Stevens, I have to say, that the "*Abstracts*" of those liabilities which Gov. Stevens furnished me were forwarded to the Department on the 17th of June last. The Commissioner required further evidence of the "necessity, correctness, &c.," of those accounts, and in order to comply with his requirement, I did, on the 21st day of October last, forward to the Commissioner the vouchers which Gov. Stevens had filed with me, the correctness of which were properly certified to by him. Those certified vouchers and the abstracts to which they refer are the best evidence of the "*necessity, correctness, &c.*," of the claims that I know of, and I do not know of any other evidence that can be forwarded to facilitate their payment. I also, at the time I forwarded the vouchers, wrote to Gov. Stevens, requesting him to make such explanation to the Commissioner as would facilitate the adjustment and payment of those claims.

"I would therefore advise the claimants to await the decision of the Department upon the papers which have been forwarded.

"If there are any claims in your district which the Governor did not pass upon or issue certificates for, it is proper that they, with all the evidence that can be procured, should be transmitted to this office to be forwarded to Washington City for the consideration of the Commissioner."

I am, sir, very respectfully,
Your most obedient servant,
J. W. NESMITH.
Supt. Ind. Affairs, Oregon and Wash. Ter.
M. T. SIMMONS,
Ind. Agent Puget Sound District, W. T.

☞The Steamer *Constitution*, Capt. J. M. HUNT, made the round trip, after its departure from GIDDINGS' wharf, last week, on Saturday, inside of three days—returning on Tuesday evening last, with the U. S. mail, freight and passengers to Louisson & Co. She will leave, as heretofore, on Saturday, at the usual hour.

THE WEATHER.—Up to the close of the last week, this section of the Territory has been entirely free from snow. Last Sunday night snow fell to the depth of two or three inches; since which time the ground has been covered with a white carpeting, although the weather has been extremely mild and pleasant.

"Love, Purity, and Fidelity."

THE regular meetings of "Olympia Division No 2, Sons of Temperance," is held every Thursday evening at 6 o'clock, in the Hall now occupied by the I. O. O. F. Members in good standing are invited to attend.

W. R. CUNNINGHAM, W. P.
R. WILLARD, R. S.
Nov. 20, 1857. n52.

Religious Notices.

The Rev. G. F. WHITWORTH, (Presbyterian,) will preach at the new district school house, on every other Sabbath, commencing December 7th, 1856, at 11 o'clock, A. M., and 6 o'clock, P. M.

Rev. I. DILLON will preach every Sabbath at the new Methodist Church, Olympia, at 11 o'clock, A. M.

OLYMPIA LODGE, No. 5,

Of Ancient Free and Accepted Masons, holds regular communications on the first and third Saturday evenings in every month.

All members of the order in good standing are invited to attend.

T. F. McELROY, W. M.

I. O. O. F.

THE regular meeting of OLYMPIA LODGE, No. 1, of the INDEPENDENT ORDER of ODD FELLOWS, is held every Wednesday evening, at 6½ o'clock, in the building formerly occupied by Wm. Rutledge, two doors east of the Washington Hotel.

All members in good standing in the order, are invited to attend.

A. M. POE, Sec'y.
Olympia, Sept. 11, 1857.

New Advertisements.

Agricultural Society.

THE ANNUAL MEETING of the Territorial Agricultural Society will be held at the Capitol, in the Representative Hall, on Monday the 18th inst., at 6 o'clock, P. M.; at which time the Annual Address will be delivered and the officers for the ensuing year elected.

G. F. WHITWORTH, *Secretary.*

Jan. 6th, 1858.

P. S. I desire, in behalf of the society, to obtain a few samples of choice wheat, the growth of this Territory, to forward to the Patent Office in Washington City. Any person having such wheat will confer a favor, by forwarding the same to me, in care of Dr. Willard, Olympia; stating the kind of wheat, when sown, character of the soil, when harvested, the yield per acre, and any other matters of interest connected therewith.

G. F. W., *Sec.*

THE TRUSTEES of the Territorial Agricultural Society will meet at the Capitol on Monday the 18th inst., at 2 o'clock, P. M., to elect trustees for the ensuing year, in place of those retiring, as required by the Constitution, and to do such other business as may be deemed necessary.

R. M. WALKER,
Secretary to the Board.

Administrator's Notice.

LETTERS OF ADMINISTRATION on the Estate of Wm. H. Brannan, deceased, late of King county, Washington Territory, were granted to the undersigned, by the Probate Court of said county, on the 28th day of November, 1857; all persons indebted to said estate are therefore requested to make immediate payment; and all persons having claims against the same are hereby notified to present them, properly attested, within one year from date.

A. A. DENNY, Administrator.
Seattle, W. T., Dec. 25th, 1857.—no.7-4w.

HAIR DRESSING, SHAVING, AND SHAMPOOING SALOON.

Main Street—Olympia, W. T.

ONE DOOR NORTH OF THE "WASHINGTON HOTEL."

Shaving done in the neatest way,
Hair cutting, and curling, every day.
For Shampooing, or dyeing, I never did see
A man that could beat GEO. W. LEE.
Olympia, Jan. 7th, 1858.—no.7-tf.

ALCOHOL—French Brandy, Bourbon Whiskey and Port Wine, just received, and for sale at the PUGET SOUND DRUG STORE.

BRUSHES—Paint, Sash Tool, Hair, Tooth, Flesh, Clothes and Nail Brushes, for sale at the PUGET SOUND DRUG STORE.

PATENT MEDICINES—All of the Patent Medicines of the day, for sale at the PUGET SOUND DRUG STORE.

HORSE CHARMES, ATTENTION—Oil of Cumin and Rhodium, for sale at the PUGET SOUND DRUG STORE.

BUTLER P. ANDERSON,
ATTORNEY AT LAW,
OLYMPIA, W. T.

OFFICE—in the Land Office. no.7y.

Administrator's Notice.

NOTICE is hereby given that the undersigned has obtained letters of administration from the probate court of Lewis county, Washington Territory, upon the estate of Henrietta St. Martin, dec'd, late of said county, bearing date Dec. 23, 1857. All persons who are indebted to said estate are requested to make payment; and all persons having claims against the estate are required to present them for settlement to the undersigned at his residence at Cowlitz Landing, Lewis county, W. T., with the necessary vouchers, within one year from date.

HENRY MILES,
Adm'r with the will annexed.

Lewis county, W. T., Dec. 30, 1857.

Administrator's Notice.

NOTICE is hereby given that the undersigned has obtained letters of administration from the probate court of Lewis county, W. T., upon the estate of John McCarmick, dec'd, late of said county, bearing date December 16th, 1857. All persons who are indebted to said estate are requested to make payment and all persons having claims against the estate are required to present them for settlement to the undersigned at his residence at Cowlitz Landing, Lewis county, Washington Territory, with the necessary vouchers, within one year from the date hereof.

HENRY MILES,
Adm'r with the will annexed.

Lewis county, W. T., Dec. 30, 1857.

Administrator's Notice.

NOTTICE is hereby given that the undersigned has obtained letters of administration from the probate court of Lewis county, Washington Territory, upon the estate of Oliver Bushard, dec'd, late of said county, bearing date December 16th, 1857. All persons who are indebted to said estate are requested to make immediate payment, and all persons having claims against the estate are requested to present them for adjustment to the undersigned at his residence at Cowlitz Landing, Lewis county, Washington Territory, with the necessary vouchers within one year from this date.

HENRY MILES,
Administrator.

Lewis county, W. T., Dec. 30, 1857.

Administrator's Notice.

NOTICE is hereby given that the undersigned has obtained letters of administration from the Probate court of Lewis county, Washington Territory, upon the estate of Peter Laplante, deceased, late of said county, bearing date, December 23d, 1857. All persons who are indebted to said estate are requested to make payment, and all persons having claims against the estate, are requested to present them for payment to the undersigned at his residence, at Cowlitz Landing, Lewis county, Washington Territory, with the necessary vouchers within one year from date.

HENRY MILES,
Administrator, with the will annexed.

Lewis co., W. T., Dec. 30th, 1857.

NOTICE.
To Purchasers of Goods!

PERSONS Desiring to purchase goods in Olympia, are respectfully invited to call and examine the large and well selected stock of merchandise, just received per brig consort, and now offered for sale at

PHILLIPS, HORTON & CO'S. NEW STORE,

West side of Main Street, between Barnes & Ayre's Hardware Store, and the Bakery.

Our stock consists of Staple and Fancy Dry Goods, Ladie's Dress Goods, Men's Heavy and Fine Clothing, Boots, Shoes, Hats, Caps, Crockery and Glass-Ware, Furniture and a superior lot of FRESH and PURE Family Groceries, all of which having been purchased with great care, and on the most reasonable terms, we are enabled *to give* and *will give* as good an article for as little money as any other store in the Territory.

For proof of the above, we wish all to call, C, and examine for yourselves.

PHILLIPS, HORTON & CO.

Our system is Cash in hand, or Country Produce.

Nov. 13—n5L.] P. H. & CO.

Washington Hotel.

SIGN OF THE LONE TREE,

CORNER OF MAIN AND SECOND STREETS,

OLYMPIA, W. T.

SILAS GALLIHER, Proprietor.

THE PROPRIETOR has recently erected, in connection with, and as a part of the "Washington Hotel" a large two story building—20 by 60 feet—by which he is enabled to provide the traveling public with a larger number of capacious, comfortable and excellently ventilated apartments than can be afforded by any other public house in Washington Territory. An idea of his ability to accommodate the public may be judged from the fact that the Hotel contains twenty-five private rooms—(exclusive of family apartments)—six of which are large drawing rooms, or parlors.

Thankful to the public for the liberal patronage heretofore extended to the proprietor, and having thus enlarged upon his former business, he feels confident he can render the sojourn of strangers with him comfortable and pleasant, and no pains shall be spared to set his table as well as any in like business.

Beds and bed-rooms furnished to such as may desire them.

Board by the day and week.

A good stable is attached to this establishment, which will be amply supplied with forage for the accommodation of animals of the travelling public.

A share of public patronage is respectfully solicited.

OLYMPIA, Dec. 4th, 1857 n2ly

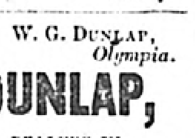
AYER'S Cherry Pectoral, Wistar's Balsam of Wild Cherry, Cod Liver Oil, and Graeffenburg's Consumptive Balm, for sale at the
PUGET SOUND DRUG STORE.

SHOULDER BRACES and Trusses, a superior article, at the PUGET SOUND DRUG STORE.

CREAM TARTAR—A pure article, to be found at the PUGET SOUND DRUG STORE.

WHITE LEAD—Pure—Linseed Oil, (Raw and Boiled,) Spts. Turpentine, &c., for sale at the
PUGET SOUND DRUG STORE.

OLYMPIA MARKET!
O'SHAUGHNESSY & COCK,
Proprietors.



THE UNDERSIGNED HAVING leased the well known Establishment formerly occupied by Hurd & Weed, will continue to furnish the public with every thing usually kept in a well regulated market. Farmers and others having Produce for sale, are solicited to give us a call.

WM. J. O'SHAUGHNESSY,
HENRY D. COCK.

Olympia, Oct. 30, 1857. n49-ly.

E. H. WILSON, *San Francisco.* | W. G. DUNLAP, *Olympia.*

WILSON & DUNLAP,

WHOLESALE AND RETAIL DEALERS IN

Fancy and Staple Dry Goods,

EMBROIDERIES, DRESS GOODS, GROCERIES,

BOOTS & SHOES, HATS,

CAPS AND CLOTHING.

FARMING IMPLEMENTS, HARDWARE, CROCKERY, &c., &c.,

And numerous other articles adapted to the trade.

We have removed our stock in Olympia to the store on the corner of Main and Third streets, opposite the Pacific Hotel.

We have also opened our old store at

TUM WATER,

Under the charge of JOHN SCOTT.

One of our firm will reside constantly in San Francisco for the purpose of selecting, expressly for this market, goods which we shall be receiving by every vessel.

With these facilities, and a determination to do a cash business, we are confident of being able to hold out superior inducements to cash customers.

March 13, 1857. 16tf

Lettings of Mail Contracts.

PROPOSALS for conveying the mails of the United States from the 1st of July, 1858, to the 1st of July, 1862, on the following routes in the Territory of WASHINGTON, will be received at the Contract Office of the Department until 9. a. m., of the 15th day of March next, to be decided by the 22d of the same month.

WASHINGTON.

12750 From Ranier, Or. by Monticello, Wash. Ter., Castle Rock, Cowlitz, Highland, Newacum, Grand Mound, and Sutter Creek, to Steilacoom City, 110 miles and back, once a week.
Leave Ranier Wednesday at 6 a m:
Arrive at Steilacoom City next Friday by 2 p m;
Leave Steilacoom City Saturday at 6 a m;
Arrive at Rainier next Monday by 2 p m;
Bids to extend to Seattle, 33 miles further, will be considered.

12751 From Vancouver, by Cascades, to Wascopum, Oregon, 95 miles and back, once in two weeks.
Leave Vancouver every other Wednesday at 10 a m;
Arrive at Wascopum next Friday by 12 m;
Leave Wascopum every other Monday at 6 a m;
Arrive at Vancouver next Wednesday by 8 a m;
Bids for more frequent trips will be considered.

12752 From Cowlitz to Boise Fort Prairie, 15 miles and back, once a week.
Leave Cowlitz Thursday at 9 a m;
Arrive at Boise Fort Prairie by 2 p m;
Leave Boise Fort Prairie Friday at 9 a m;
Arrive at Cowlitz by 2 p m;

12753 From Oak Point by Boise Fort Prairie, to Grand Mound, 50 miles and back, once in two weeks.
Leave Oak Point every other Friday at 6 a m;
Arrive at Grand Mound next day by 6 p m;
Leave Grand Mound every other Wednesday at 6 a m;
Arrive at Oak Point next day by 6 p m.

12754 From Olympia, by Eaton's and Yelm Prairie, to Fort Montgomery, 40 miles and back, once in two weeks.
Leave Olympia every other Monday at 7 a m;
Arrive at Fort Montgomery by 8 p m;
Leave Fort Montgomery every other Tuesday at 7 a m;
Arrive at Olympia by 8 p m.

12755 From Olympia, by Bruceport, Oysterville, Chenook and Pacific City, to Astoria, Oregon, once in two weeks and back to Chenook, and once a week the residue.
Bidders to state distance and schedule of arrivals and departures.
Proposals to run the entire route once a week are invited.

12756 From Olympia, by Arcadia to Oakland, and back once a week.
Bidders to state distance and schedule of arrivals and departures.

INSTRUCTIONS,

Containing condions to be incorporated in the contracts to the extent the Department may think proper.

1. Seven minutes are allowed to each intermediate office, when not otherwise specified, for assorting the mails.

2. Railroad and steamboat companies are required to take the mail from, and deliver it into, the post offices at the commencement and end of their routes, and to and from all offices not more than 80 rods from a station or landing. Proposals may be submitted for the performance of all the side service—that is, for offices over eighty rods from a station or landing.

3. No pay will be made for trips not performed; and for each of such omissions not satisfactorily explained, three times the pay of the trip may be deducted. For arrivals so far behind time as to break connection with depending mails, and not sufficiently excused, one-fourth of the compensation of the trip is subject to forfeiture. Deduction will also be ordered for a grade of performance inferior to that specified in the contract. For repeated delinquencies of the kind herein specified, enlarged penalties, proportioned to the nature thereof and the importance of the mail, may be made.

4. For leaving behind or throwing off the mails, or any portion of them, for the admission of passengers, or for being concerned in setting up or running an express conveying intelligence in advance of the mail, a quarter's pay may be deducted.

5. Fines will be imposed, unless the delinquency be promptly and satisfactorily explained by certificates of postmasters, or the affidavits of other credible persons, for failing to arrive in contract time; for neglecting to take the mail from or deliver it into a post office; for suffering it (owing either to the unsuitableness of the place or manner of carrying it) to be wet, injured, destroyed, robbed, or lost; and for refusing, after demand, to convey the mail as frequently as the contractor runs, or is concerned in running, a coach, car, or steamboat on a route.

6. The Postmaster General may annul the contract for repeated failures to run agreeably to contract; for violating the post office laws, or disobeying the instructions of the department; for refusing to discharge a carrier when required by the department to do so; for assigning the contract without the assent of the Postmaster General; for running an express as aforesaid; or for transporting persons or packages conveying mailable matter out of the mail.

7. The Postmaster General may order an increase of service on a route by allowing therefor a pro rata increase on the contract pay. He may change schedules of departures and arrivals in all cases, and particularly to make them conform to connections with railroads, without increase of pay, provided the running time be not abridged. He may also order an increase of speed, allowing, within the restrictions of the law a pro rata increase of pay for the additional stock or carriers if any. The contractor may, however, in the case of increase of speed, relinquish the contract by giving prompt notice to the department that he prefers doing so to carrying the order into effect. The Postmaster General may also curtail or discontinue the service in whole or in part, at pro rata decrease of pay, allowing one month's extra compensation on the amount dispensed with, whenever, in his opinion, the public interests do not require the same, or in case he desires to supercede it by a different grade of transportation.

8. Payments will be made for the service by collections from, or drafts on postmasters, or otherwise, after the expiration of each quarter—say in February, May, August and November.

9. The distances are given according to the best information; but no increased pay will be allowed should they be greater than advertised, if the points to be supplied be correctly stated. *Bidders must inform themselves on this point;* and also in reference to the weight of the mail, the condition of roads, hills, streams, &c., and all toll-bridges, ferries, or obstructions of any kind by which expense may be incurred. No claim for additional pay based on such grounds can be considered; nor for alleged mistakes or misapprehensions as to the degree of service; nor for bridg destroyed, or other obstructions increasing distance, occurring during the contract term. Offices established after this advertisement is issued, and also during the contract term, are to be visited without extra pay, if the distance be not increased.

10. A bid received after the last day and hour named, or without the guarantee required by law, or that combines several routes in one sum of compensation, cannot be considered in competition with a regular proposal reasonable in amount.

11. Bidders should first propose for service strictly according to the advertisement, and then, if they desire, *separately* for different service; and if the regular bid be the lowest offered for the advertised service, the other propositions may be considered.

12. There should be but one route bid for in a proposal.

13. The route, the service, the yearly pay, the name and residence of the bidder, (that is his usual post office address) and those of each member of a firm, where a company offers, should be distinctly stated; also the mode of conveyance, if a higher mode than horseback be intended. The words "with due certainty, and security," inserted to indicate the mode of conveyance, will constitute a "*star bid.*" When a "star bid" is intended, no specific conveyance must be named.

14. Bidders are requested to use, as far as practicable, the printed form of proposals furnished by the department, to write out in full the sum of their bids and to retain copies of them.

FORM OF PROPOSAL.

I, ———, of ———, county of ———, State of ———, propose to convey the mails of the United States from July 1, 1858, to June 30, 1862, on route No. ———, from ——— to ———, agreeably to the advertisement of the Postmaster General, dated Oct. 22, 1857, and by the following mode of conveyance, viz:

for the annual sum of ——— dollars.

This proposal is made with full knowledge of the distance of the route, the weight of the mail to be carried, and all other particulars in reference to the route and service, and also, after careful examination of the laws and instructions attached to the advertisement.

Dated.

(Signed.)

GUARANTEE.

The undersigned, residing at ———, State of ——— undertake that, if the foregoing bid for carrying the mail on route No. ——— be accepted by the Postmaster General, the bidder shall, prior to the 1st day of August, 1858, enter into the required obligation, on contract, to perform the service proposed, with good and sufficient sureties.

This we do understanding distinctly the obligations and liabilities assumed by guarantors under the 27th section of the act of Congress of July 2, 1836.

(Signed by two guarantors.)

Dated

CERTIFICATE.

The undersigned, postmaster of ———, State of ———, certifies, *under his oath of office*, that he is acquainted with the above guarantors, and knows them to be men of property and able to make good the guarantee.

Dated

(Signed.)

15. Altered bids should not be submitted; nor should bids once submitted be withdrawn.

Each bid must be guaranteed by two responsible persons. General guarantees cannot be admitted. The bid and guarantee should be signed plainly with the full name of each person.

The department reserves the right to reject any bid which may be deemed extravagant, and also the bids of failing contractors and bidders.

16. The bid should be sealed, superscribed "Mail Proposals, State or Territory of, (as the case may be) ———," addressed "Second Assistant Postmaster General," Contract Office, and sent by *mail*, not by or to an agent; and postmasters will not enclose proposals (or letters of any kind) in their quarterly returns.

17. The contracts are to be executed and returned to the department by or before the 1st of August, 1858, but the service must be commenced on the 1st July, or the mail day next after that date, whether the contracts be executed or not. No proposition for transfers will be considered until the contracts are executed and received at the department; and then no transfers will be allowed unless good and sufficient reasons therefor are given, to be determined by the department.

18. Section 18 of an act of Congress, approved March 3, 1845, provides that contracts for the transportation of the mail shall be let "in every case to the lowest bidder tendering sufficient guarantees for faithful performance, without other reference to the mode of such transportation than may be necessary to provide for the due celerity, certainty, and security of such transportation." Under this law a new description of bids has been received. They do not specify a mode of conveyance, but engage to take the entire mail each trip with celerity, certainty, and security, using the terms of the law. These bids are styled from the manner in which they are designated on the books of the department, "*star bids*," and they will be construed as providing for the conveyance of the entire mail, however large, and whatever may be the mode necessary to insure its "celerity, certainty, and security."

19. In all cases where the lowest grade of service is believed to be sufficient, the lowest bid will be accepted, if duly guarantied, in preference to a "star" or specific bid.

When the lowest bid is not a star bid, and specifies either *no* mode or an inadequate mode of conveyance, it will not be accepted, but set aside for a specific bid proposing the necessary service.

When the bid does not specify a mode of conveyance; also, when it proposes to carry "according to the advertisement," but without such specification, it will be considered as a proposal for horseback service.

20. A modification of a bid in any of its essential terms is tantamount to a new bid, and cannot be received, so as to interfere with a regular competition, after the last hour set for receiving bids.

21. Postmasters are to be careful not to certify the sufficiency of guarantors or sureties without knowing that they are persons of sufficient responsibility; and all bidders, guarantors, and sureties, are distinctly notified that, on a failure to enter into or perform the contracts for the service proposed for in the accepted bids, their legal liabilities will be enforced against them.

22. Present contractors, and persons known at the department, must, equally with others, procure guarantors and certificates of their sufficiency substantially in the forms above prescribed. The certificates of sufficiency must be signed by a postmaster or by a judge of a court of record.

AARON V. BROWN,
Postmaster General.

POST OFFICE DEPARTMENT,
October 22, 1857. [Jan. 1, '58—12w.

Estray Notice.

TAKEN UP by the subscriber at Black Lake, about the 10th inst., a cream colored horse; supposed to be three years old. Said horse has a dark mane, and legs, the right hind and left fore foot are white. Said horse is branded B W, with C over them, on the left hip. The owner is requested to call and prove property, pay charges, and take him away.

JAMES MIX.

Black Lake, Dec. 29, 1857.

LIVERY STABLE.

THE Undersigned keep on hand a number of excellent HORSES and BUGGIES for hire at reasonable rates.

Hauling done on usual terms. Give us a call.

MITCHELL & STEWART.

Olympia, Dec. 17, 1857.-ly.

A Varied assortment of Shaving and Toilet Soap, Perfumeries, Bear's Oil, Pomade, Essential Oils, Essences, &c., at the
PUGET SOUND DRUG STORE.

LOST,

ON the 18th inst., in or about the town of Olympia, two notes of hand, one drawn by B. C. Armstrong, on the eleventh day of March, 1854, for four hundred and fifteen dollars, and payable to Carmen C. Cox, or order. The other on or about the 18th April, signed by A. J. Baldwin, and payable to C. Crosby, or order, for two hundred and twenty-eight dollars. Any one finding said notes will be liberally rewarded by leaving them with C. Crosby.

Tumwater, 22d Dec., 1857.

C. C. FRENCH, E. H. WILSON, W. G. DUNLAP.

French, Wilson & Co.,

IMPORTERS AND DEALERS IN

CLOTHING

AND

GENTS FURNISHING GOODS

WHOLESALE AND RETAIL.

FINE Custom made clothing received by every Steamer expressly for Retail.

Orders from the country attended to with care.

115 Sacramento Street—Corner Leidesdorff, opposite the P. M. Steamship Co.'s Office.

December 25, 1857. 5tf

SMOKING TOBACCO—A Superior article, to be found at the PUGET SOUND DRUG STORE.

SARSAPARILLA—Sand's, Townsend's, Guzrott's, Yellow Dock, and Graeffenberg's Sarsaparilla, for sale at the PUGET SOUND DRUG STORE.

Notice to Farmers.

THE undersigned is prepared to purchase WOOL, in large or small quantities, if delivered between this date and the 20th July, in a clean, marketable condition, at his store in Olympia, for which he will pay the highest market price in cash and merchandize.

WM. RUTLEDGE.

Olympia, May 29, 1857. no.27-tf.

To Whom it may Concern

WM. L. MITCHELL, of the firm of Mitchell & Stewart, is my authorized agent to receive and receipt for me and in my name, on all accounts due the undersigned.

Persons knowing themselves indebted are requested to call on him and make immediate payment. His receipts will be good in all cases.

S. L. D. WESTBROOK.

Olympia, Oct. 9, 1857. no.46 tf.

FORWARDING,
Storage & Commission

THE undersigned having erected at Port Townsend, Washington Territory, a large and commodious warehouse, well adapted to the storage of grain, merchandise, freight, etc., intended for transportation up or down the coast, awaiting the necessary means of conveyance, would inform the shippers and traders of the Sound that they are now prepared to store such articles on the usual terms.

Also, being extensively engaged in the business of TRANSPORTATION, either as owners of or agents for most of the coasting vessels of the Sound, they are further prepared to FORWARD such articles of merchandize, stock, and grain as may be entrusted to them, to any point on the Sound or Straits, Vancouver's Island, or elsewhere, as may be desired, at the shortest notice and on accommodating terms.

Patronage respectfully solicited. For further information address the undersigned.

E. S. FOWLER & CO.

Port Townsend, Aug. 14, 1857. no.39-tf.

YOUNG AMERICA
IN THE
FIELD!!
WHOLESALE AND RETAIL!

MR. A. ROSENHEIM,

Next Door to Wells Fargo & Co's. Express Office,

RESPECTFULLY SOLICITS THE PUBLIC IN general, to call and examine his new stock of Fashionable Clothing, recently puprchased in San Francisco, and has taken great care in selecting them. As I have been in the business for many years, I flatter myself to say, that I am fully experienced in this line, consequently, I have the honor to say, that I can suit all that wish to give me a call, on account of my stock being selected in the manner as follows:

In the first place I would like to mention about my fine and beautiful stock of coats, such as
fine black Frock Dress coats,
" black Cloth Over coats,
" black Business coats,
" blue Business coats,
" black Velvet coats,
" fancy Cassimere coats,
heavy Petersham Sack coats,
brown and light drab coats,
pilot cloth blue and black coats,
double coats which can be worn on both sides,
black, blue and other sorts of talmas or cloaks,
monkey or pea jackets of different qualities,
India rubber coats, white and black, also leggings and pants,
all sorts of every day coats, to suit the working class.

PANTS.

fine black doe skin pants,
" grey mixed pants,
" fancy pants,
" plaided pants,
" plain pants,
" blue pants.

VESTS.

black velvet, plain, latest style,
" velvet, fancy, latest style,
" satin, single and double breasted,
" blue and brown cloth, double breasted.
fine white Marsaile, for balls,
a large variety of every day vests.

BOOTS.

fine French calf, sewed,
" American calf, sewed,
heavy kip, pegged,
" kip, nailed,
" kip, stogies,
" calf stogies.

SHOES.

fine heavy brogans,
" sewed and pegged calf shoes,

UNDER GARMENTS.

fine white Merino under-shirts,
" white Merino drawers,
" silk under shirts and drawers,
" silk stockings,
grey mixed and white Merino hose,
blue grey and red over-shirts,
black and white kid gloves,
thread and cotton gloves,
buckskin, first quality,
riding gloves for Ladies and Gentlemen,
woollen and Merino gloves,
black, plain and fancy neck handkerchiefs.

SHIRTS.

fine white broad pleats, latest style,
" white broad pleats, with cuffs to wear studs,
" white narrow pleats,
fancy and striped shirts.

BLANKETS.

red white and blue; also, comforters to spread over beds.

HATS.

fine beaver, black,
" drab and brown,
a whole variety of different kinds,
ladies' and gentlemens' India rubber over-shoes.

YANKEE NOTIONS,

Such as combs, scissors, knives, &c., besides some other small articles too numerous to mention. Also, traveling trunks, valices and carpet bags, a fine lot of Ladies' and Misses shoes and bootees.

CIGARS AND TOBACCO,

of the best brands. Any person that wishes to enjoy the pleasant scent of a pure Havana Cigar, please try mine. Natural Leaf Virginia Chewing Tobacco;—Smoking Tobacco, different brands.

Call and examine for yourselves, and be convinced of the above facts.

A. ROSENHEIM.

December 18, 1857.-n4-ly.

GRAND MOUND
NURSERY:
Fruit, Shrubs, & Flowers.

IN addition to my former extensive variety of FRUIT, SHADE, AND ORNAMENTAL TREES, I have lately obtained, from the most extensive nurseries in California and Oregon, a choice lot of

SHRUBBERY, FLOWERS, VINES, &c.,

Among which may be found the following:—

Apples.	Flowering Apple,
60 Varieties.	Flowering Almond,
Pears.	Malveiso,
25 Varieties.	Silver L. Poplar,
Plums,	Labernum,
10 Varieties.	Weeping Willow,
Cherries,	Locust,
20 Varieties.	Mountain Ash,
Peaches,	Lilac,
15 Choice early varieties.	Privet,
Apricot,	Furze.
3 Varieties.	**Nuts.**
Nectarine,	English Walnuts,
Boston do	Butternut,
Minor Fruits,	Chestnut.
Catawba Grape,	**Roses,**
Isabella do	60 Best cultivated varieties.
Currants, 8 varieties,	**Carnation,**
Gooseberries, 7 do	5 Best varieties.
Raspberry, 6 do	Variegated Dahlias.
Strawberry, 6 do	Red and White Daisies.
Ornamental Trees and Shrubs,	**Verbenas,**
	7 Varieties.
Acassia,	**Stock Gilly,**
Catalpa,	Variety.
American Elm,	Giant Rheubarb.
Lombardy Poplar,	Horse Raddish.

Besides many varieties of Shrubs and Flowers under cultivation, which can be furnished another season.

Also, Artichokes—very productive.

With this addition to my former large and selected assortment of Apple, Peach, Pear, Plum, Cherry, Quince, Apricot, and other trees, in endless variety, and of from two to four years' growth, I feel sanguine that my nursery is by far the most extensive in the Territory, and am confident that I can sell at prices that cannot be competed with by any engaged in this branch of business.

L. D. DURGIN.

Olympia, Dec. 18, 1857.

OLYMPIA BAKERY.

THE Undersigned, having discontinued one of the two branches of business in which they were heretofore engaged, are now devoting their entire attention to the BAKERY department. They now design to keep constantly on hand

PIES, CAKES, CRACKERS, BREAD, HARD BREAD, PILOT-BREAD, ETC.

Which will be supplied to Hotels, Families, and Steamers on the most reasonable terms.

Private and Wedding Parties furnished with anything necessary on such occasions, at short notice.

CONFECTIONERIES

Kept constantly on hand.

A choice lot of

CHILDREN'S TOYS,

suitable for holiday presents, for sale cheap. Call and see.

MITCHELL & STEWART.

Olympia, Dec. 17th, 1857.-yly.

Administrator's Notice.

LETTERS of Administration of Christian Giesy, late of Chehalis county, Washington Territory, were granted to the undersigned by the Probate Court of Chehalis county on the 8th of September, 1857. All persons indebted to said estate are therefore requested to make immediate payment; and all persons having claims against the same are required to present them for settlement within one year from date.

JOHN GIESY, Administrator.

Dec. 4, 1857. n2-4w.

CIGARS—A large lot of choice Cigars, for sale at the PUGET SOUND DRUG STORE.

THE GOLDEN PRIZE.
THE NEW YORK WEEKLY
GOLDEN PRIZE.

One of the largest and best literary papers of the day.

An imperial quarto, containing eight pages, or forty columns of choice reading matter each week.

TERMS OF SUBSCRIPTION TWO DOLLARS PER YEAR.

And a Gift will be presented to each subscriber immediately on receipt of the subscription money.

Each subscriber will be entitled to a Gift worth from $1 to $500 in GOLD.

TO CLUBS.

3 Copies for one year........................$5 00
10 " " " "........................$15 00

READ—READ—READ—READ

THE

LIST OF GIFTS—GIFTS—GIFTS.

1 package containing..............$500 in Gold.
10 Gold Patent Lever English Hunting Cased Watches..................$100 each.
15 " " " " 75 "
25 " " " Gold Watches.. 60 "
100 " " " " " 50 "
300 Ladies " " " 35 "
100 Silver Hunting Cased Watches, 25 "
200 " Watches................10 to 20 "
300 Gold Vest and Guard and Fob Chains..........................10 to 30 "
5000 Gold Lockets................ 2 to 10 "
Gold Pings—Ear Drops—Broaches
Breast Pins—Studs—Cuff Pins,
Sleeve Buttons, &c., &c........... 1 to $15 "

Immediately on receipt of the subscription money, the subscriber's name will be entered upon our subscription book, opposite a number, and the gift corresponding with that number will be forwarded to his or her address by mail or express, post-paid.

Address BECKET & COMPANY, Publishers,
48 and 49 Moffatt's Buildings, New York.

November, 1857. 8w

Gifts! Gifts!! Gifts!!!
A. RANNEY,
PUBLISHER,
293 Broadway, N. Y.
OFFERS FOR SALE

500,000 BOOKS AND MAPS,

OF ALL KINDS, AT PUBLISHERS PRICES,

TO BE ACCOMPANIED WITH

500,000 GIFTS,

Worth from 25 cents, to $200 each;

Consisting of GOLD AND SILVER WATCHES, GOLD LOCKETS, GOLD CHAINS, CAMEO PINS AND DROPS, GOLD BRACELETS, GOLD PENCILS, SEWING BIRDS,

In short, Jewelry of every description; *Reticules, Ladies Purses, Portmonaies, &c., &c.*

$150 *worth of Gifts distributed with every 500 Books.*

A Gift will be delivered with every book sold for One Dollar or more. Although no book or Article will be sold for more than the usual retail price, many will be sold for *less*. Persons wishing any particular book, can order at once and it will be forwarded with a Gift. Persons ordering Books with Gifts, should forward the amount of postage, as it must invariably be paid in advance. The average postage for $1 and $1,25 books is 18 cts; and for $1,50 and $2,000 books, 21 cents.

INDUCEMENTS TO CLUBS AND AGENTS.

A BOOK AND GIFT without money.

Any person, by forwarding an order for Books, (with money enclosed), will receive an *extra Book and Gift* with every Ten Books to be sent to one address. This method of forming Clubs saves postage, as the Package goes by Express.

Full information respecting this GREAT GIFT ENTERPRISE, together with a complete List of Books and GIFTS will be furnished in our Catalogue, which is sent post paid to any address on application.

Address A. RANNEY,
No. 293 Broadway, New York.

Nov. 27, 1857—1m.

SCRIP NOTICE.

AS divers pieces of "scrip" are now remaining in my office, belonging to persons whose post office address I do not know, all such persons are notified that by addressing a note to the undersigned, giving their place of residence or post office address, will have their scrip forwarded to them immediately.

WM. W. MILLE ,
Q. M. & Com. Gen.

Olympia, July 17, 1857. no.34-tf.

Faugh au Ballagh.

THE UNDERSIGNED have made an arrangement with the North Olympia Mill for a constant supply of assorted Lumber, which we will be happy to sell in quantities to suit purchasers. Orders filled with despatch, and delivered at any place desired.

Call and examine before purchasing elsewhere.

MITCHELL & STUART.

Olympia, May 8, 1857. [n24-tf.

INDIGO—Madder, Ext. Logwood, Copperas, Arnatto and Hair Coloring Stuffs, constantly on hand, at the PUGET SOUND DRUG STORE.

NEW STORE!!

THE undersigned would respectfully notify the public that they have taken the building lately occupied by JOHN N. LOW, at the corner of Main and Fourth streets, Olympia, where they are prepared to accommodate the people with good bargains in everything kept for sale in a FIRST CLASS

GROCERY STORE;

Such as Sugar—Brown and Crushed, Coffee, Syrup, Rice, Salratus, Cheese, Pickeles, Preserved Fruits, Lobsters, Oysters, Sardines, Soap, Holland Gin, Brandy Peaches, Boots and Shoes, Bourbon Whiskey, Champagne, Lemon Syrup, Table and Alum Salt, Sherry and Port Wine, Cognac, Old Sazerac-Vintage of 1828, "Old 2" Brandy, Matches, Raisins, Brooms, Fresh California Grapes, Starch, Soda, Yeast Powders, Green and Black Tea, a superior article, Manilla rope, Cut Nails, assorted, Ale, Porter, Cider and Vinegar, Boots and Shoes, a good assortment, together with many other artitles too tedious to mention. As we have located here for the purpose of doing a permanent business, we can assure the public we will do a fair business. Our motto is

"Large Sales and Small Profits,"

and to satisfy you that we live up to it, you have only to call and see our goods and hear the prices. No trouble to show goods. Give us a call.

S. D. WILLIAMS & Co.

Olympia, Oct. 20, 1857.-n49.

THE PUGET SOUND WESLEYAN INSTITUTE.

THE Present term of this institution will close on Friday the 27th inst., and the Winter Term commence on the Monday following.

The Board of Teachers will consist of

Rev. ISAAC DILLON, A. M., Principal.
Mr. B. F. FREELAND, Assistant.
Miss EVELINE BABB, Preceptress.

It is expected that the services of a competent Professor of Music on the Guitar, Melodeon and Piano, will be secured.

The course of instruction adopted will be embraced in three several departments: *Primary, Scientific and Classical.* Those completing satisfactorily the course of study prescribed, will be granted testimonials of the same by the board of trustees.

A commodious Boarding House, in the immediate vicinity of the school has been fitted up by Mr. Milas Gallaher, for the exclusive accommodation of students from a distance.

Board $4 dollars per week, payable in produce, students furnishing their own bedding, towels, &c.

TERMS:

Primary,	$5 00
Reading, Spelling, and Writing	6 00
Arithmetic, Geography, and Grammar,	7 00
High English Branches,	8 00
Latin, Greek, extra, each	3 00
Music on Guitar, Melodeon and Piano, each,	15 00
Incidental expenses added.	

J. F. DEVORE, Agent.

Olympia, Nov. 12, 1857.-tf.

SEATTLE STEAM SAW MILL.

H. L. YESLER & CO. are now manufacturing a superior article of sawed lumber.

H. L. YESLER & CO.

Seattle, Sept. 5, 1853. 1tf.

Notice.

Territory of Washington, County of Thurston. } In the District Court of the 2d Judicial District.

To John L. Butler:

You are hereby notified that A. B. Gove, assignee of the Kendall Co., has filed a complaint against you in said court which will come on to be heard at the first term of the court which shall commence more than three months after the fourth day of December, 1857, and unless you appear at said term and answer, the same will be taken as confessed, and the prayer thereof granted.

The object and prayer of said complaint is to recover judgment against you for the sum of two hundred nineteen dollars and eighty-one cents for goods and merchandise purchased of the Kendall Co.

B. F. KENDALL,
Attorney for Plaintiff.

Olympia, Dec. 1, 1857.—n2-3m.

THE PUGET MILL CO.

CONTINUE to furnish cargoes of sawed lumber rough or dressed, hewn timber masts and spars, to order, at short notice, at their steam saw mill at Teekalet, (Hood's Canal,) W. T.

Ship, and Machinist work, and Blacksmithing done also, at short notice. They have a good wharf and other conveniences not to be found at any other point on the Sound.

J. P. KELLER, Agent,
Teekalet.

A. J. POPE,
San Francisco.

Teekalet Oct. 22, '55

Sandwich Islands Produce,

AND a general assortment of provisions &c., may be found at the store of the Puget Mill Co., at Teekalet Hood's Canal. Apply to

J. P. KELLER.

Oct. 22, 1855—71y.

UNITED STATES MAIL STEAMER,
"CONSTITUTION,"
JAMES M. HUNT,
Commander.

WILL Leave Olympia every Friday at 4 o'clock, P. M., with the U. S. Mails, touching at Steilacoom, Seattle, Port Madison, Port Gamble, Port Ludlow, Port Townsend, Penn's Cove, New Dungeness and Bellingham Bay.

Semi-monthly, to Victoria and Semi-a-moo Bay, the station of the U. S. Boundary Commission.

The "Constitution" has elegant accommodations for passengers, and the price of passage has been placed at very moderate rates.

For further information, enquire of the Captain, on board, or of M. LOUISSON & CO.

Sept. 18, 1856. [n43-tf.

REMOVED.

THE KENDALL CO. have removed into their new store, on Main Street, immediately in front of their former place of business, where they have for sale a large stock of NEW GOODS, which will be sold at the lowest cash prices.

KENDALL CO.

Olympia, Sept. 11, 1857. no.42-tf.

REMOVED.

DR. M. P. BURNS, late of Steilacoom, Pierce Co., W. T., has removed to Olympia, into the house formerly occupied by John G. Parker, on Main street, next door to Wilson & Dunlap's new store.

Olympia, April 9, 1857. no.20-tf.

ARMY NOTICE!
Mechanics Wanted!!

THREE good plasterers and masons wanted immediately, to work on the public buildings on the military reserve near Port Townsend, W. T.

Good wages will be given.

September 25th, 1857.-n44

FRANK BAKER,
110 and 112 Clay Street,
SAN FRANCISCO.

CARPETS,
OIL CLOTHS,
UPHOLSTERY GOODS,
PAPER HANGINGS,
&c., &c.
WHOLESALE
AND
RETAIL.

August 28, 1857. no.40-6m.

Pioneer Book Store,

POST OFFICE BUILDING, MAIN STREET, OLYMPIA, W. T.

G. K. WILLARD & CO.

WOULD respectfully inform the citizens of Washington Territory that they have just received and intend keeping on hand a good supply of

Books & Stationery,

suited to the wants of the community.

In addition to their list of School Books, they have an assortment of

BIBLES, HYMN BOOKS,
HISTORIES, BIOGRAPHIES,
AGRICULTURAL, HORTICULTURAL,
MEDICAL WORKS, POETICAL WORKS,
SCIENTIFIC & MISCELLANEOUS
WORKS, &c., &c., &c.

They have quite a variety of handsome and interesting

BOOKS FOR YOUTHS AND CHILDREN,

received direct from New York, by express. They have also a large and complete assortment of BOOKS and STATIONEY now on their way from New York and San Francisco, which will shortly be received, and will make their stock the largest and most superior in quality ever offered in this market.

Orders from abroad are solicited, and will be attended to on the same terms as if purchasers were present.

They are also agents for Appleton's new works, to-wit:—Specimens of American Eloquence, in 2 vols., and Abridgement of the Debates of Congress, by T. H. Benton, complete in 15 vols.

Call, see, and examine.

Olympia, June 4, 1857. no.28-tf.

PUGET SOUND
DRUG STORE,

POST-OFFICE BUILDING, MAIN ST.,
OLYMPIA, W. T.

G. K. WILLARD. RUFUS WILLARD.

G. K. WILLARD & SON,

WHOLESALE AND RETAIL DEALERS IN

FOREIGN AND DOMESTIC DRUGS AND MEDICINES,

Paints, Oils, Dye-Stuffs, Window-Glass, Soaps, Perfumery, Fancy Articles, Patent Medicines, Pure Wines and Liquors,
(For Medicinal purposes only.)

Tobacco, Cigars, Snuffs, &c., &c.,

Olympia, W. T., Aug. 1st, 1857.

C. C. FRENCH. E. H. WILSON, WM. G. DUNLAP.

FRENCH, WILSON & CO.

Commission Merchants,

IMPORTERS AND DEALERS IN FINE AND HEAVY

CLOTHING,

WHOLESALE AND RETAIL.

Orders from the country solicited and attended to in such a manner as to give satisfaction.

All orders must be accompanied by the Cash.

☞ No. 115, Sacramento Street, corner of Leidesdorff, opposite the P. M. S. S. Company's Office, San Francisco.

Two Acts in Relation to Indian Affairs.

BY AUTHORITY.

AN ACT to regulate trade and intercourse with Indian tribes, and to preserve peace on the frontiers.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all that part of the United States west of the Mississippi, and not within the States of Missouri and Louisiana, or the Territory of Arkansas; and, also, that part of the United States east of the Mississippi river, and not within any State to which the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.

SEC. 2. *And be it further enacted,* That no person shall be permitted to trade with any of the Indians, (in the Indian country), without a license therefor from a superintendent of Indian affairs, or Indian agent, or sub-agent; which license shall be issued for a term not exceeding two years for the tribes east of the Mississippi, and not exceeding three years for the tribes west of that river. And the person applying for such license shall give bond in a penal sum not exceeding five thousand dollars, with one or more sureties, to be approved by the person issuing the same, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same. And the superintendent of the district shall have power to revoke and cancel the same, whenever the person licensed shall, in his opinion, have transgressed any of the laws or regulations provided for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit him to remain in the Indian country. And no trade with the said tribes shall be carried on within their boundary, except at certain suitable and convenient places, to be designated from time to time by the superintendents, agents, and sub-agents, and to be inserted in the license. And it shall be the duty of the persons granting or revoking such licenses, forthwith to report the same to the Commissioner of Indian Affairs for his approval or disapproval.

SEC. 3. *And be it further enacted,* That any superintendent or agent may refuse an application for a license to trade, if he is satisfied that the applicant is a person of bad character, or that it would be improper to permit him to reside in the Indian country; or if a license, previously granted to such applicant, has been revoked, or a forfeiture of his bond decreed. But an appeal may be had from the agent or the superintendent to the Commissioner of Indian Affairs; and the President of the United States shall be authorized, whenever in his opinion the public interest may require the same, to prohibit the introduction of goods, or of any particular article, into the country belonging to any Indian tribe, and to direct all licenses to trade with such tribe to be revoked, and all applications therefor to be rejected; and no trader to any other tribe shall, so long as such prohibition may continue, trade with any Indians of, or for, the tribe against which such prohibition is issued.

SEC. 4. *And be it further enacted,* That any person, other than an Indian, who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all merchandise offered for sale to the Indians, or found in his possession, and shall moreover forfeit and pay the sum of five hundred dollars.

SEC. 5. *And be it further enacted,* That no license to trade with the Indians shall be granted to any persons except citizens of the United States: *Provided,* That the President shall be authorized to allow the employment of foreign boatmen and interpreters, under such regulations as he may prescribe.

SEC. 6. *And be it further enacted,* That if a foreigner shall go into the Indian country without a passport from the War Department, the superintendent, agent or sub-agent of Indian affairs, or from the officer of the United States commanding the nearest military post on the frontiers, or shall remain intentionally therein after the expiration of such passport, he shall forfeit and pay the sum of one thousand dollars; and such passport shall express the object of such person, the time he is allowed to remain, and the route he is to travel.

SEC. 7. *And be it further enacted,* That if any person, other than an Indian, shall, within the Indian country, purchase or receive of any Indian, in the way of barter, trade, or pledge, a gun, trap, or other article commonly used in hunting, any instrument of husbandry or cooking utensils, of the kind commonly obtained by the Indians in their intercourse with the white people, or any other article of clothing, except skins or furs, he shall forfeit and pay the sum of fifty dollars.

SEC. 8. *And be it further enacted,* That if any person, other than an Indian, shall, within the limits of any tribe with whom the United States shall have existing treaties, hunt, or trap, or take and destroy any peltries, or game, except for subsistence, in the Indian country, such persons shall forfeit the sum of five hundred dollars, and forfeit all the traps, guns, and ammunition in his possession, used or procured to be used for that purpose, and peltries so taken.

SEC. 9. *And be it further enacted,* That if any person shall drive, or otherwise convey, any stock of horses, mules, or cattle, to range and feed on any land belonging to any Indian, or Indian tribe, without the consent of such tribe, such person shall forfeit the sum of one dollar for each animal of such stock.

SEC. 10. *And be it further enacted,* That the superintendent of Indian affairs, and Indian agents, and sub-agents, shall have authority to remove from the Indian country all persons found therein contrary to law; and the President of the United States is authorized to direct the military force to be employed in such removal.

SEC. 11. *And be it further enacted,* That if any person shall make a settlement on any lands belonging, secured, or granted, by treaty with the United States, to any Indian tribe, or shall survey, or shall attempt to survey, such lands, or designate any of the boundaries, by marking trees, or otherwise, such offender shall forfeit and pay the sum of one thousand dollars. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force as he may judge necessary, to remove from the lands as aforesaid any such person as aforesaid.

SEC. 12. *And be it further enacted,* That no purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the constitution. And if any person, not employed under the authority of the United States, shall attempt to negotiate such treaty or convention, directly or indirectly, to treat with any such nation or tribe of Indians for the title or purchase of any lands by them held or claimed, such person shall forfeit and pay one thousand dollars: *Provided, nevertheless,* That it shall be lawful for the agent or agents of any State who may be present at any treaty held with Indians under the authority of the United States, in the presence, and with the approbation of the commissioner or commissioners of the United States appointed to hold the same, to propose to, and adjust with, the Indians, the compensation to be made for their claim to lands within such State, which shall be extinguished by treaty.

SEC. 13. *And be it further enacted,* That if any citizen or other person, residing within the United States or the territory thereof, shall send any talk, speech, message, or letter, to any Indian nation, tribe, chief, or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquility of the United States, he shall forfeit and pay the sum of two thousand dollars.

SEC. 14. *And be it further enacted,* That if any citizen or other person shall carry or deliver any such talk, message, speech, or letter, to or from any Indian nation, tribe, chief, or individual, from or to any person or persons whatsoever residing within the United States, or from or to any subject, citizen, or agent of any foreign power or State, knowing the contents thereof, he shall forfeit and pay the sum of one thousand dollars.

SEC. 15. *And be it further enacted,* That if any citizen or other person, residing or living among the Indians, or elsewhere within the territory of the United States, shall carry on a correspondence, by letter or otherwise, with any foreign nation or power, with an intent to induce such foreign nation or power to excite any Indian nation, tribe, chief, or individual, to war against the United States, or to the violation of any existing treaty; or in case any citizen or other person shall alienate, or attempt to alienate, the confidence of any Indian or Indians from the government of the United States, he shall forfeit the sum of one thousand dollars.

SEC. 16. *And be it further enacted,* That where, in the commission, by a white person, of any crime, offence, or misdemeanor within the Indian country, the property of any friendly Indian is taken, injured, or destroyed, and a conviction is had for such crime, offence, or misdemeanor, the person so convicted shall be sentenced to pay to such friendly Indian to whom the property may belong, or whose person may be injured, a sum equal to twice the just value of the property so taken, injured, or destroyed. And if such offender shall be unable to pay a sum at least equal to the just value or amount, whatever such payment shall fall short of the same shall be paid out of the treasury of the United States: *Provided,* That no such Indian shall be entitled to any payment out of the treasury of the United States, for any such property, if he, or any of the nation to which he belongs, shall have sought private revenge, or attempted to obtain satisfaction by any force or violence: *And provided, also,* That if such offender cannot be apprehended and brought to trial, the amount of such property shall be paid out of the treasury as aforesaid.

SEC. 17. *And be it further enacted,* That if any Indian or Indians belonging to any tribe in amity with the United States, shall, within the Indian country, take or destroy the property of any person lawfully within such country, or shall pass from the Indian country into any State or Territory inhabited by citizens of the United States, and there take, steal, or destroy any horse, horses, or other property belonging to any citizen or inhabitant of the United States, such citizen or inhabitant, his representative, attorney, or agent, may make application to the proper superintendent, agent, or sub-agent, who, upon being furnished with the necessary documents and proofs, shall, under the direction of the President, make application to the nation or tribe to which said Indian or Indians shall belong for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction in a reasonable time, not exceeding twelve months, it shall be the duty of such superintendent, agent, or sub-agent, to make return of his doings to the Commissioner of Indian Affairs, that such further steps may be taken as shall be proper, in the opinion of the President, to obtain satisfaction for the injury; and, in the meantime, in respect to the property so taken, stolen, or destroyed, the United States guarantee to the party so injured an eventual indemnification: *Provided,* That if such injured party, his representative, attorney, or agent, shall, in any way, violate any of the provisions of this act, by seeking or attempting to obtain private satisfaction or revenge, he shall forfeit all claim upon the United States for such indemnification: *And provided, also,* That unless such claim shall be presented within three years after the commission of the injury, the same shall be barred. And if the nation or tribe to which such Indian may belong receive an annuity from the United States, such claim shall, at the next payment of the annuity, be deducted therefrom and paid to the party injured; and if no annuity is payable to such nation or tribe, then the amount of the claim shall be paid from the treasury of the United States: *Provided,* That nothing herein contained shall prevent the legal apprehension and punishment of any Indians having so offended.

SEC. 18. *And be it further enacted,* That the superintendents, agents, sub-agents, within their respective districts, be, and are hereby, authorized and empowered to take depositions of witnesses touching any depredations within the purview of the two preceding sections of this act, and to administer an oath to the deponents.

SEC. 19. *And be it further enacted,* That it shall be the duty of the superintendents, agents, and sub-agents, to endeavor to procure the arrest and trial of all Indians accused of committing any crime, offence, or misdemeanor, and all other persons who may have committed crimes or offences within any State or Territory, and have fled into the Indian country, either by demanding the same of the chiefs of the proper tribe, or by such other means as the President may authorize; and the President may direct the military force of the United States to be employed in the apprehension of such Indians, and also in preventing or terminating hostilities between any of the Indian tribes.

SEC. 20. *And be it further enacted,* That if any person shall sell, exchange, or give, barter, or dispose of, any spirituous liquor or wine to an Indian, (in the Indian country), such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, or commanding officer of a military post, has reason to suspect, or is informed that any white person or Indian is about to introduce, or has introduced, any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, and places of deposit of such person to be searched, and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such persons shall be seized and delivered to the proper officer, and shall be proceeded against by libel, in the proper court, and forfeited, one half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked, and his bond put in suit. And it shall, moreover, be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, excepting military supplies, as mentioned in this section.

SEC. 21. *And be it further enacted,* That if any person whatever shall, within the limits of the Indian country, set up or continue any distillery for manufacturing ardent spirits, he shall forfeit and pay a penalty of one thousand dollars; and it shall be the duty of the superintendent of Indian affairs, Indian agent, or sub-agent, within the limits of whose agency the same shall be set up or continued, forthwith to destroy and break up the same; and it shall be lawful to employ the military force of the United States in executing that duty.

SEC. 22. *And be it further enacted,* That in all trials about the right of property, in which an Indian may be a party on one side and a white person on the other, the burden of proof shall rest upon the white person, whenever the Indian shall make out a presumption of title in himself from the fact of previous possession or ownership.

SEC. 22. *And be it further enacted,* That it shall be lawful for the military force of the United States to be employed in such manner, and under such regulations, as the President may direct, in the apprehension of every person who shall or may be found in the Indian country, in violation of any of the provisions of this act, and him immediately to convey from said Indian country, in the nearest convenient and safe route, to the civil authority of the Territory or judicial district in which said person shall be found, to be proceeded against in due course of law; and also in the examination and seizure of stores, packages, and boats, authorized by the twentieth section of this act, and in preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law: *Provided,* That no person, apprehended by military force as aforesaid, shall be detained longer than five days after the arrest, and before removal. And all officers and soldiers who may have any such person or persons in custody, shall treat them with all the humanity which the circumstances will possibly permit; and every officer or soldier who shall be guilty of maltreating any such person, while in custody, shall suffer such punishment as a court-martial shall direct.

SEC. 24. *And be it further enacted,* That, for the sole purpose of carrying this act into effect, all that part of the Indian country west of the Mississippi river that is bounded north by the north line of lands assigned to the Osage tribe of Indians, produced east to the State of Missouri, west by the Mexican possessions, south by Red river, and east by the west line of the Territory of Arkansas and the State of Missouri, shall be, and hereby is, annexed to the Territory of Arkansas; and that, for the purpose aforesaid, the residue of the Indian country west of said Mississippi river shall be, and hereby is, annexed to the judicial district of Missouri; and, for the purpose aforesaid, the several portions of Indian country east of the said Mississippi river shall be, and are hereby, severally annexed to the Territory in which they are situate.

SEC. 25. *And be it further enacted,* That so much of the laws of the United States as provides for the punishment of crimes committed within any place within the sole and exclusive jurisdiction of the United States, shall be in force in the Indian country: *Provided,* The same shall not extend to crimes committed by one Indian against the person or property of another Indian.

SEC. 26. *And be it further enacted,* That if any person who shall be charged with a violation of any of the provisions or regulations of this act, shall be found within any of the United States, or either of the Territories, such offenders may be there apprehended, and transported to the Territory or judicial district having jurisdiction of the same.

SEC. 27. *And be it further enacted,* That all penalties which shall accrue under this act, shall be sued for and recovered in an action of debt, in the name of the United States, before any court having jurisdiction of the same, (in any State or Territory in which the defendant shall be arrested or found), the one half to the use of the informer, and the other half to the use of the United States, except when the prosecution shall be first instituted on behalf of the United States; in which case the whole shall be to their use.

SEC. 28. *And be it further enacted,* That when goods or other property shall be seized for any violation of this act, it shall be lawful for the person, prosecuting on behalf of the United States, to proceed against such goods, or other property, in the manner directed to be observed in the case of goods, wares, or merchandise brought into the United States in violation of the revenue laws.

SEC. 29. *And be it further enacted,* That the following acts and parts of acts shall be, and the same are hereby, repealed, namely: an act to make provision relative to rations for Indians, and to their visits to the seat of government, approved May thirteen, eighteen hundred; an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved March thirty, eighteen hundred and two; an act supplementary to the act passed thirtieth March, eighteen hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved April twenty-nine, eighteen hundred and sixteen; an act for the punishment of crimes and offences committed within the Indian boundaries, approved March three, eighteen hundred and seventeen; the first and second sections of the act directing the manner of appointing Indian agents, and continuing the "Act establishing trading-houses with the Indian tribes," approved April sixteen, eighteen hundred and eighteen; an act fixing the compensation of Indian agents and factors, approved April twenty, eighteen hundred and eighteen; an act supplementary to the act entitled "An act to provide for the prompt settlement of public accounts," approved February twenty-four, eighteen hundred and nineteen; the eighth section of the act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned, approved March three, eighteen hundred and nineteen; the second section of the act to continue in force for a further time the act entitled "An act for establishing trading-houses with the Indian tribes, and for other purposes," approved March three, eighteen hundred and nineteen; an act to amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth March, eighteen hundred and two, approved May six, eighteen hundred and twenty-two; an act providing for the appointment of an agent for the Osage Indians west of the State of Missouri and Territory of Arkansas, and for other purposes, approved May eighteen, eighteen hundred and twenty-four; the third, fourth, and fifth sections of "An act to enable the President to hold treaties with certain Indian tribes, and for other purposes," approved May twenty-five, eighteen hundred and twenty-four; the second section of the "Act to aid certain Indians of the Creek nation in their removal to the west of the Mississippi," approved May twenty, eighteen hundred and twenty-six; and an act to authorize the appointment of a sub-agent to the Winnebago Indians on Rock river, approved February twenty-five, eighteen hundred and thirty-one: *Provided, however,* That such repeal shall not affect any rights acquired, or punishments, penalties, or forfeitures incurred under either of the acts or parts of acts, nor impair or affect the Intercourse acts of eighteen hundred and two, so far as the same relates to or concerns Indian tribes residing east of the Mississippi: *And provided, also,* That such repeal shall not be construed to revive any acts or parts of acts repealed by either of the acts or sections herein described.

SEC. 30. *And be it further enacted,* That, until a Western Territory shall be established, the two agents for the Western Territory, as provided in the act for the organization of the Indian Department, this day approved by the President, shall execute the duties of agents for such tribes as may be directed by the President of the United States. And it shall be competent for the President to assign to one of the said agents, in addition to his proper duties, the duties of superintendent for such district of country, or for such tribes as the President may think fit. And the powers of the superintendent at St. Louis, over such district or tribes as may be assigned to such acting superintendents, shall cease: *Provided,* That no additional compensation shall be allowed for such services.

Approved June 30, 1834. [Stat. at Large, vol. 4, p. 729, &c.]

AN ACT to amend an act entitled "An act to provide for the better organization of the Department of Indian Affairs," and an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved March 3, 1847.

SEC. 2. *And be it further enacted,* That the 20th section of the "act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved June thirtieth, eighteen hundred and thirty-four, be and the same is hereby, so amended, that, in addition to the fines thereby imposed, any person who shall sell, exchange, or barter, give, or dispose of, any spirituous liquor or wine to an Indian in the Indian country, or who shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as may be necessary for the officers of the United States, and the troops of the service, under the direction of the War Department, such person, on conviction thereof before the proper district court of the United States, shall, in the former case, be subject to imprisonment for a period not exceeding two years, and in the latter case not exceeding one year, as shall be prescribed by the court, according to the extent and criminality of the offence. And in all prosecutions arising under this section, and under the twentieth section of the act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved June thirtieth, eighteen hundred and thirty-four, to which this is an amendment, Indians shall be competent witnesses.

Eight Horse Power.

Pitt's Improved Patent Thresher and Separator.

E. W. GLASGOW & Co., are prepared at short notice, to do up the business of threshing Wheat, Oats, &c., throughout the county of Thurston. The Thresher "puts through" and separates 50 bushels wheat per hour.

Terms:—Wheat per bushel, 11 cents; Oats, 8 cents. The machine will be kept in operation untill all the wheat in the country is threshed.

T. W. GLASGOW & Co.

Oct. 3, 1856.-n47.

LIVERY STABLE.

HAVING recently purchased the stable premises, horses, wagons, buggies, &c., belonging to Edmund Sylvester, the undersigned are prepared to let LADIES' AND GENTLEMEN'S RIDING HORSES, BUGGIES, SADDLES, &c.

Our horses are all young and vigorous, and in good condition. They are also well-broken, and perfectly safe for even the most delicate lady.

Good buggies and teams also always on hand. No fears need be entertained of "break-downs" where we furnish parties.

Having also several teams on the LINE, we stand constantly in readiness to haul goods and merchandize, etc., to and from all parts of the city and country.

Stabling, as heretofore, at customory rates.

Also, a good wagon yard and Oats, Hay, &c., always on hand, for traveling customers, *at the very lowest rates.*

Give us a call.

WESTBROOK & ENSIGN.

Olympia, Aug. 28, 1857. no.40-tf.

ACCOMMODATION,

AT

Victoria, Vancouver's Island.

AWARE of the great inconvenience and want of suitable accommodation for travelers and business men, in times past, the undersigned has fitted up, in good style and comfortable manner, a *first class HOTEL and boarding house,* for the convenience of travelers from the American side, and residents of the Island in general.

It shall be the constant aim and endeavor of the subscriber to furnish his table with everything calculated to gratify the taste, and render the stay of guests with him agreeable and pleasant. To pleasure seeking parties—to which the scenery of the Island especially will prove inviting—the undersigned will bestow his particular attention.

The public are therefore requested to cal on him as above, near the Government House, Victoria.

CHARLES BAILEY.

Victoria, V. I., July 25, 1857. no.36-ly.

NONPAREIL Billiard Saloon

—AND—

BOWLING ALLEY.

THE undersigned having just returned from a trip to the States, with the largest, choicest, and best assortment of

WINES, LIQUORS, AND CIGARS, OYSTERS, LOBSTERS, SARDINES, &c.,

ever brought to the Territory, and again become sole proprietor of the above establishment, would hereby inform the citizens of Olympia, and sporting gentry generally, that he is determined to keep a TIP TOP saloon. Those wishing to pass off a few leisure hours, can do so no more agreeably and PROFITABLY than at this favorite resort.

A splendid billiard table is attached to the premises, as well as the necessary "ictas" for playing the game of pool. A good ball alley, in excellent order, also ready for the use of such as desire "indulging" in a healthy exercise.

Prepared oysters, lobsters, clams, sardines, corn, etc., furnished to private parties, in "*French style,*" at the shortest notice.

J. J. WESTBROOK.

Olympia, July 31, 1857. no.36-tf.

J. B. COLE, M. D.,

LATE FROM SAN FRANCISCO.

Offers his services as

Physician and Surgeon

To the people of

PORTLAND AND VICINITY.

DR. C. is Professor of OBSTETRICS, and DISEASES OF FEMALES AND CHILDREN.

Please call and see him—counsel will cost you nothing.

—OFFICE—

NO. 23 "METROPOLIS" HOTEL.

Office Hours from 8 A. M., till 10 o'clock, P. M.

Portland, September 27, 1856. [23-y.

BUSINESS CARDS.

D. PHILLIPS, San Francisco. | D. HORTON, Seattle. | D. L. PHILLIPS, Olympia.

PHILLIPS, HORTON, & Co.,

Wholesale and Retail

—DEALERS IN—

DRY GOODS. GROCERIES. SHELF-WARE. HATS. CAPS. BOOTS. SHOES. &C, &C.,

Corner Main and Second Streets, one door north of the Washington Hotel, Olympia, W. T.

D. PHILLIPS, the senior partner, will reside in the city of San Francisco, and attend to purchasing goods, and such commission business as may be entrusted to his care. [ap. 17-ly.

W. H. WOOD,

WHOLESALE DEALER IN

FOREIGN AND DOMESTIC

WINES & LIQUORS,

MAIN STREET, OLYMPIA.

July 10, 1857. no.33-ly.

THOS. LAMBERT. CHAS. POTTER.

THOS. LAMBERT & Co.,

General Commission Merchants and Importers

OF

WINES, LIQUORS, &C.

Prompt attention paid to the execution of orders for all descriptions of Merchandise,

SAN FRANCISCO,

Cor. Cal. & Front sts.

September 25th, 1857.-n44-4w.

G. A. BARNES. W. N. AYERS.

BARNES & AYERS,

WHOLESALE AND RETAIL DEALERS IN

Hardware,

STOVES & TIN-WARE,

Agricultural Impliments, &c., &c.

Main Street, Three Doors above the Post Office

Olympia, Dec. 22, 1866. no.5-yly.

WATCHES AND JEWELRY!

G. COLLIER ROBBINS.

PORTLAND, OREGON:

TAKES pleasure in returning thanks to his numerous friends and customers in Washington Territory, for their very liberal patronage. Watches and Jewelry left with Williams' express will be sent over, and the charges can be collected on delivery. All orders for goods per Williams' Express, will meet prompt attention; and all watches repaired at this establishment are warranted to keep time. On hand and for sale,

Watches, Silver Ware, Jewelry, &c.

Remember—"G. COLLIER ROBBINS, WATCH MAKER," PORTLAND. apl 3-n19.

WM. WRIGHT,

SADDLER,

Olympia, Washington Territory.

August 17th 1855-n49-ly.

PACIFIC HOUSE,

WM. COCK, Proprietor,

Corner of Main and Third Streets,

OLYMPIA, W. T.

The proprietor will endeavor to make all comfortable who may favor him with their custom.

Board and Lodging by the Day or Week.

Olympia, Sept. 12, 1856. ly.44.

IRA WARD. SMITH HAYS.

WARD & HAYS,

WHOLESALE AMD RETAIL DEALERS IN

FLOUR, WHEAT, SHORTS, BRAN, LUMBER, &c.

TUMWATER, W. T.

AT the warehouse of WARD & HAYS, two miles south of Olympia, at the falls of Shutes river, the public will at all times find in store, and for sale, any quantity of the above enumerated articles, at prices conformable with the times. Everything they have to sell, they will warrant to be fully equal to what they may represent it. Small vessels can reach the vicinity of their warehouse on the flood. load, and leave on the ebb tide.

Tumwater, Nov. 28, 1856. 2-ly

D. S. MAYNARD, M. D.

SEATTLE,

King County, W. T.,

Having resumed the paractice of

MEDICINE

—AND—

SURGERY,

Can at all times be consulted, (unless absent on professional business,) to which he will hold himself constantly in readiness to bestow personal and prompt attention.

Connected with his office, DR. MAYNARD, has, and purposes keeping constantly on hand, a full and complete stock of

DRUGS AND MEDICINES,

Embracing everything requisite for practice in Medicine Surgery, &c., &c.

N. B. In addition to the above extensive stock of DRUGS, MEDICINES, &c., he has likewise received a large and general assortment of

DRY GOODS, GROCERIES, HARDWARE, CLOTHING, &c.,

Which will be sold at lowest cash prices.

D. S. MAYNARD.

Seattle, W. T., August 22d, 1856. n41-tf.

M. LOUISSON & CO.,

WHOLESALE AND RETAIL DEALERS IN

Dry Goods, Clothing, Boots and Shoes,

Hats, Caps, Groceries, Crockery ware, &c. &c.

Olympia, W. T., San Francisco, Cal.

M. LOUISSON, I LIGHTNER, A. FRANKEL.

April 22, 1854. 33tf

S. BETTMAN, M. BETTMAN, L. BETTMAN

Bettman Brothers,

WHOLESALE AND RETAIL DEALERS IN

DRY GOODS, GROCERIES,

READY-MADE CLOTHING, &c.

Store on the corner of Main and Second Streets, Olympia, W. T.

A branch of their store is established in Seattle, King county.

Olympia, Aug. 19, 1854. 50tf

LAFAYETTE BALCH,

MERCHANT,

STEILACOOM, WASHINGTON TERRITORY.

Oct. 1853. 5tf

GEORGE GALLAGHER,

DEALER IN STOVES, HARD-WARE, TIN-WARE, AGRICULTURAL IMPLEMENTS, &c.,

OLYMPIA, W. T.

Nov. 5, 1853. 9tf

M. P. BURNS,

PHYSICIAN, SURGEON, & OCULIST,

—OFFICE:—

NEXT DOOR TO WILSON & DUNLAP'S,

Main Street, Olympia, W. T.

DR. M. P. BURNS returns his sincere thanks for the liberal share of patronage he has received the past five years from a discerning public.

Dr. Burns can be consulted daily at his office, except when absent on professional business. Those residing at a distance can do so by mail.

A genuine supply of MEDICINES constantly on hand.

N. B.—Particular attention paid to diseases of the Eyes, and Chronic diseases of the Blood.

Olympia, April 9, 1857. y-no.20.

W. H. WALLACE,

ATTORNEY AT LAW,

STEILACOOM. W. T.

Nov. 5, 1853. 9tf

CAUTION.

I CAUTION All persons against trespassing on my Land Claim in the county of Lewis, whilst I am temporarily absent. Said claim is on lands claimed by the Puget Sound Agricultural Company.

CHRISTIAN OCHSNER.

Lewis county, Oct. 6th, 1857.—6m.

NOTICE.

I AM now prepared to furnish any bill of SPARS on the shortest notice, at the lowest cash price. Orders from a distance promptly attended to. My facilities for procuring spars cannot be surpassed in Washington Territory. Give me a trial.

MOSES HURD.

Olympia, July 3, 1857. no.32-ly.

NOTICE.

JAMES K. HURD Is my authorized Agent during my absence, and is provided with the necessary Power of Attorney.

ISAAC I. STEVENS.

Olympia, Sept. 15, 1857. tf.

PAY YOUR DEBTS!

HAVING disposed of my entire interest in the "NONPAREIL SALOON" to its former proprietor, I hereby wish to inform my innumerable "debtors and friends," that having once proved to them "a friend in need," (a friend indeed,) at times when to all intents and purposes they were *strapped,* and unable to come up to the *scratch,* thus reluctantly obliging me to book their accounts, that "now is the acceptable time" to make a demonstration of their gratitude. For this purpose I would now gently jog the memory of such as might otherwise be forgetful. I ask as a favor that all indebted to me attend promptly to this matter, for as I am about to leave the country, these accounts MUST be closed.

S. L. D. WESTBROOK.

Olympia, July 31, 1857. no.36-tf.

MEDICAL.

G. K. WILLARD, M. D.,

HAS REMOVED TO THE BUILDING LATELY OCCUPIED BY E. SYLVESTER, MAIN STREET, OLYMPIA.

THE undersigned takes this method of informing the citizens of Olympia and surrounding country, that he has opened an office at the above place, for the practice of MEDICINE in its various branches; and will hold himself in readiness at all times, to attend to any calls in the line of his profession, to which his entire attention will be devoted.

G. K. WILLARD.

Olympia, April 9, 1857. no.20-ly.

ALTA HOUSE,

VANCOUVER, WASHINGTON TERRITORY.

THE parties heretofore occupying the ALTA HOUSE, and known under the name and style of GOODWIN & SPEARS, have this day by mutual consent dissolved copartnership. The house will hereafter be conducted under the style of SPEAR & MAYHEW, whose whole desire will be to please, and make the weary traveler feel himself entirely at "home." No pains will be spared to accommodate, and all we ask is a call to insure your patronage.

SPEAR & MAYHEW.

Vancouver, Aug. 28, 1857. no.40-tf.

Hair Cutting, Champooing, &c.

NOW OPENED in Olympia, one door south of the Nonpareil Saloon, a *magnum bonum,* "A No. 1" BARBER SHOP, in which the various functions of such an establishment will be satisfactorily performed, or no charge made.

A supply of fancy soaps, oils, cologne water, perfumes, &c., constantly on hand and for sale.

Call and be *shaved.*

Olympia, May 22, 1857. 26tf.

United States District Court.

THE regular sessions of the United States District Court, as fixed by a majority of the Judges of the Supreme Court, are as follows:—

FIRST JUDICIAL DISTRICT,

At Vancouver, 2d Monday in April, and 1st Monday in October.

—Associate Justice O. B. MCFADDEN, presiding.

SECOND JUDICIAL DISTRICT,

At Olympia, 2d Monday in March, and 1st Monday in September.

—Chief Justice EDWARD LANDER, presiding.

THIRD JUDICIAL DISTRICT,

At Coveland, 2d Monday in February, and 1st Monday in August.

—Associate Justice F. A. CHENOWETH, presiding.

The duration of the terms are limited to a period of three weeks, but may be adjourned before the expiration of that time.

By order of a majority of the JUDGES.

Olympia, March 7, 1857. tf-no.15.

L. P. FISHER'S

Advertising Agency,

SAN FRANCISCO, CAL.

NO. 171½ Washington Street, up stairs, nearly opposite Maguire's Opera House.

L. P. FISHER is the authorized agent of the
PIONEER & DEMOCRAT, Olympia, W. T.;
Marysville Herald;
Sacramento Union;
Pacific Methodist, Stockton;
Sonora Herald;
Nevada Journal;
Grass Valley Telegraph;
Red Bluff Beacon;
Tuolumne Courier;
El Dorado Democrat, Placerville;
San Joaquin Republican, Stockton;
Columbia Gazette;
Mountain Democrat, Placerville;
Calaveras Chronicle, Mokelumne Hill;
Shasta Courier;
Mariposa Gazette;
Yreka Weekly Union;
Trinity Journal, Weaverville;
Iowa Hill News;
Volcano Ledger;
Weekly Ledger, Jackson;
San Jose Telegraph;
Sonoma County Journal;
Folsom Dispatch;
California Mining Journal;
Los Angelos Star;
Santa Barbara Gazette;
San Diego Herald;
Alameda County Gazette;
Placer Courier, Yankee Jim's;
Napa County Reporter;
Sierra Democrat, Downieville;
Humboldt Times;
Oregonian, Portland, O. T.;
Oregon Statesman, Salem, O. T.;
Herald, Jacksonville, O. T.;
Pacific Christian Advocate, Salem, O. T.;
Polynesian, Honolulu, S. I.;
Pacific Commercial Advertiser, Honolulu, S. I.;
Mexican Extraordinary, City of Mexico;
Hongkong Register, China.

ADVERTISING IN THE ATLANTIC STATES.

L. P. F. has now completed his arrangements for the forwarding of advertisements to all the principal largest circulating Journals and Newspapers published in the Atlantic States.

A fine opportunity is here offered to those who wish to advertise in any part of the Union, of doing so at the lowest rates, and in a prompt and satisfactory manner.

Sept. 4, 1857. no.41-tf.

C. B. ADAMS,

ATTORNEY FOR CLAIMS

AGAINST THE EXECUTIVE DEPARTMENTS OF THE GOVERNMENT, PRIVATE CLAIMS, NOTES, DRAFTS, &C.,

AND FOR

BOUNTY LANDS, PNSIONS AND PTNTS.

Office: No. 505, SEVENTH STREET, Washington, D. C.

Established n 1853.

WELLS, FARGO & CO'S

EXPRESS COMPANY.

Treasure, Packages, Parcels, Letters and Freight forwarded from all parts of Washington Territory by every steamer to all parts of California and the Atlantic States, leaving the office at Olympia about the 5th and 20th of every month.

Drafts procured on California and all the Eastern cities, and particular attention paid to the collection of notes, accounts, &c., in all parts of the United States.

All orders for the purchase of merchandise, books, &c., attended to with punctuality and dispatch.

S. WILLIAMS, Agent,

At the store of J. & C. E. Williams.

Olympia, Feb. 18, 1856.

To Mechanics, Inventors and Manufacturers.

IN ANNOUNCING THE THIRTEENTH Annual Volume of the Scientific American, the Publishers respectfully inform the public that in order to increase and stimulate the formation of clubs, they propose to offer

ONE THOUSAND FIVE HUNDRED DOLLARS IN CASH PREMIUMS

for the fifteen largest lists of subscribers sent in by the 1st of January, 1858; said premiums to be distributed as follows:

For the largest list, $300; 2d, $250; 3d, $200; 4th $150; 5th, $100; 6th, $90; 7th, $80; 8th, $70; 9th, $60; 10th, $50; 11th, $40; 12th, $35; 13th, $30; 14th, $25; 15th, $20.

Names of subscribers can be sent in at different times and from different Post Offices. The cash will be paid to the orders of the successful competitors, immediately after the 1st of January, 1858.

Southern, Western, and Canada money will be taken for subscriptions. Canadian subscribers will please to remit Twenty-six cents extra on each year's subscription to pre pay postage.

TERMS OF SUBSCRIPTION.—Two Dollars a Year, or One Dollar for Six Months.

CLUB RATES.—Five Copies, for Six Months, $4; Five Copies, for Twelve Months, $8; Ten Copies for Six Months, $8; Ten Copies for Twelve Months, $15; Twenty Copies, for Twelve Months, $28.

For all Clubs of Twenty and over, the yearly subscription is only $1 40.

The new volume will be printed upon fine paper with new type.

The general character of the SCIENTIFIC AMERICAN is well known, and, as heretofore, it will be chiefly devoted to the promulgation of information relating to the various *Mechanical and Chemical Arts, Manufactures, Agriculture, Patents, Inventions, Engineering, Mill Work,* and all interests which the light of *Practical Science* is calculated to advance. It is issued weekly, in form for binding; it contains annually from 500 to 600 finely executed Engravings, and Notices of American and European Improvements, together with an Official List of American Patent Claims published weekly in advance of all other papers.

It is the aim of the Editors of the SCIENTIFIC AMERICAN to present all subjects discussed in its columns in a practical and popular form. They will also endeavor to maintain a candid fearlessness in combating and exposing false theories and practices in Scientific and Mechanical matters, and thus preserve the character of the SCIENTIFIC AMERICAN as a reliable Encyclopedia of Useful and Entertaining Knowledge.

Specimen copies will be sent gratis to any part of the country.

MUNN & CO., Publishers, and Patent Agents, No. 128 Fulton street, New York.

Emerson's Magazine

AND

PUTNAM'S MONTHLY.

The friends of these favorite Monthlies will be pleased to learn that in their consolidation the best literary and artistic talent of both publications has been secured, and that the most attractive features of each will be retained in the combined work.

In its literary tone, and in its pictorial embellishments, the publishers will spare no pains or expense to make it a worthy representative of American literature and American art.

In its criticisms it will aim to be just and truthful, and in its discussions fearless and independent.

It will be purely national in its character, and will be careful to preserve and cultivate that wholesome moral and religious tone so highly cherished by the American public, and so essential to the welfare of the race.

We hope to merit the continued favor of all the old friends of both "Putnam" and "Emerson," and to make hosts of new ones in all quarters.

Though the consolidated Magazine will contain a few less pages, yet there being nearly one-third more matter on each page, each number will contain as much as "Putnam" since the enlargement.

All subscribers having paid in advance for either of the Magazines will receive the combined work to the full amount of their subscription.

TERMS—Three Dollars a year; Single copies, 25 cents.

For sale by all Booksellers and News Dealers. A liberal per centage allowed to Postmasters and Agents for circulating the Magazine.

CLUBS—Two copies, Five Dollars; Five copies, Ten Dollars. A splendid LIBRARY OF FORTY LARGE BOUND VOLUMES is presented to every person who gets up a Club of 24 subscribers. Full particulars on application. We prefer that Clubs shall not be formed where the Magazine is for sale in the trade.

We will furnish any of the readers of "Putnam" the July, August and September numbers of "Emerson," containing the opening chapters of the "Life of Washington," for fifty cents. The "Life of Washington" will be continued through the next volume, and the whole will be illustrated with several hundred fine original engravings.

"My Thirty Years Out of the Senate," by Major Jack Downing, was commenced in the January number of "Emerson," 1857, and will be continued through several numbers more. The letters embraced in each number will be found of exceeding interest, not only for their humor and drollery, but also for their historical character.

Volumes commence in July and January, yet subscribers may commence at any time.

Any of the nine volumes of "Putnam" that have been published, neatly bound in cloth, may be had through any bookseller or news agent, price $2 each, or half morocco, $3. As the plates are about to be melted up, this is the last opportunity that will be offered for obtaining a set of this standard American work.

Four volumes of "Emerson" have been published. Vols. I, II and III, elegantly bound and profusely illustrated, can be obtained at $1 50 each, and Vol. IV at $2.

Odd numbers of back volumes furnished when desired.

J. M. EMERSON & CO., Publishers, No. 371 Broadway, New York.

ELISHA KENT KANE,

BIOGRAPHY.

BY WILLIAM ELDER.

IN announcing the life of DR. KANE, we are but anticipating the wishes of thousands and tens of thousands of the admirers of the great man.

Having been a personal friend of the deceased, and enjoying a large share of his confidence, Dr. Elder is well qualified to do justice to the subject.

This work will be issued in one handsome octavo volume, and will equal in every respect the superb volumes of "Arctic Explorations," recently published. It will contain a new full face portrait, executed on steel, as well as engravings of his residence, tomb, medals, &c.

In order to give this work a large circulation it will

MORE THAN 300,000 SOLD WITHIN 9 MONTHS.

DR. KANE'S GREAT WORK,

ARCTIC EXPLORATIONS,

Is now being read by more than two hundred thousand persons, old and young, learned and unlearned. It is just the book which should be owned and read by every American.

500 Newspapers

have each pronounced it the most remarkable and marvelous work ever published.

THE FOREIGN JOURNALS

and the most distinguished *savans* of Europe are extravagant in its praise.

It is more interesting than

ROBINSON CRUSOE,

being a faithful account of privations and hardships, the narrative of which cannot be read without a shudder.

OUR MOST EMINENT MEN

have vied with each other in extolling its merits.

Two vols., octavo, Superbly Illustrated.

Three Hundred Engravings.

Price $5.

DR. KANE'S FIRST NARRATITE.

The United States Grinnell Expedition in Search of Sir John Franklin, During the years 1850—51.

A Personal Narrative, by Elisha Kent Kane, M. D. U. S. N. One volcme, 8vo., upwards of 550 pages, containing 200 Steel Plates and Wood Engravings, including a fine steel Portrait of Sir John Franklin, being the only one ever engraved in America, also, a Biography of Franklin, by S. Austin Allibone, Esq. $3.00.

This work is totally distinct from the second Arctic Expedition, and embraces much valuable and interesting matter never before published. It should be owned by all who have purchased the last Expedition, as it makes Dr. Kane's works complete.

A PHOTOGRAPH OF DR. KANE.

TAKEN FROM LIFE BY BRADY OF NEW YORK.

Price $5 00.