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LAWS OF THE TERRITORY OF WASHINGTON.

PUBLISHED BY AUTHORITY.

AN ACT regulating the practice and proceedings in Civil Actions.

Passed, March 28th, 1854.

[CONTINUED.]

Sec. 267. The party to whom such lease or deed is given, shall upon the receipt thereof take the same to the clerk of the district court of the county where the land lies, or to which said county is attached for judicial purposes, who shall enter in his book of levies, where the levy is recorded, what disposition has been made of such portion of the real estate; and shall endorse the fact upon the deed or lease, with the date when presented to him, and when made. And no recorder shall record any such deed or lease without such endorsement.

Sec. 268. When the sheriff shall levy upon personal property, by virtue of an execution, he may permit the defendant to retain the same, or any part thereof, in his possession until the day of sale, upon the defendant executing a bond to the sheriff, with sufficient surety, in double the value of such property, to the effect that it shall be delivered to the sheriff at the time and place of sale, and for non-delivery thereof, an action may be maintained upon such bond by the sheriff or the plaintiff in the execution.

Sec. 269. If at the time appointed for the sale, the sheriff should be prevented from attending at the place appointed, or being present, should deem it for the advantage of all concerned to postpone the sale, for want of purchasers, or other sufficient cause, he may postpone the sale, not exceeding one week, next after the day appointed and so from time to time for like cause, giving notice of every adjournment by public proclamation, made at the same time, not exceeding the life of the execution.

Sec. 270. When the purchaser of any personal property, capable of manual delivery, shall pay the purchase money, the sheriff shall deliver to him the property, and shall give him a receipted bill of sale. When such personal property shall not be capable of manual delivery, the sheriff shall execute and deliver to the purchaser a receipted bill of sale.

Sec. 271. The lease and sale of real estate under execution, after the same is confirmed, shall be absolute.

Sec. 272. Where property liable to an execution against several persons is sold thereon, and more than a due proportion of the judgment is levied upon the property of one of them, or one of them pays without a sale more than his proportion, he may compel contributions from the others; and when a judgment is against several, and is upon an obligation or contract of one of them as security for another, and the surety pays the amount, or any part thereof, either by sale of his property or before sale, he may compel repayment from the principal. In such cases, the person so paying or contributing, shall be entitled to the benefit of the judgment to enforce contribution or repayment, if within thirty days after his payment, he file with the clerk of the court where the judgment was rendered, notice of his payment, and claim to contribution or repayment; upon filing such notice, the clerk shall make an entry thereof in the margin of the docket where the judgment is entered.

PROCEEDINGS SUPPLEMENTARY TO THE EXECUTION.

Sec. 273. After the issuing of an execution against property and upon proof by affidavit of a party, or otherwise, to the satisfaction of the district court, or any judge thereof, that the judgment debtor has property or effects liable to execution which he unjustly refuses to apply towards the satisfaction of the judgment, such court or judge may, by an order, require the judgment debtor to appear and answer under oath concerning the same before such court or judge, or before a referee oppointed by such court or judge, at the time and place specified in the order, the place to be within the county in which the judgment debtor resides, and disobedience to such order may be punished as for a contempt.

Sec. 274. The judgment debtor on his appearance may be examined on oath concerning his property, and his answers reduced to writing, and filed with the clerk of the court by whom the execution was issued. Either party may also examine witnesses in his behalf, and if during such examination any property, rights or credits of such judgment debtor, not exempt by law, be discovered, they may be levied upon by execution.

Sec. 275. After the issuing of execution against property, any person indebted to the judgment debtor may pay to the sheriff the amount of his debt, or so much thereof as may be necessary to satisfy the execution, and the sheriff's receipt shall be a sufficient discharge for the amount so paid.

Sec. 276. After the issuing or return of an execution against property of a judgment debtor, or of any one of several debtors in the same judgment, and upon an affidavit that any person or corporation has property of such judgment debtor, or is indebted to him in an amount exceeding twenty-five dollars, the district court, or any judge thereof, may by an order require such person or corporation, or any officer or member thereof, to appear at a specified time and place before such court or judge, and answer concerning the same. If before a referee, the examination shall be taken by the referee and certified to the court or judge. The court or judge may also, in their discretion, require notice of such proceeding to be given to any party to the action, in such manner as may seem to him proper.

Sec. 277. At any time after the making of such order, the judgment creditor may exhibit written allegations and interrogatories touching the property, stock, or credits of the judgment debtor in the possession of, or held by such person or corporation as garnishee, or debts owing to the judgment debtor by him or it, and such garnishee shall be required to make full, direct and true answers to the same, on oath.

Sec. 278. On the day when the garnishee shall be required to attend before the court, judge or referee, he shall exhibit on oath his answer to the allegations and interrogatories of the judgment creditor, unless for cause shown a further time shall be allowed; in default of such answer, the judgment creditor may take judgment by default against him at the next term thereafter, or the court or judge may punish him as for a contempt.

Sec. 279. Such judgment by default may be proceeded on to final judgment in like manner as action against defendants, but no final judgment shall be rendered against the garnishee for a greater amount than that specified in the execution.

Sec. 280. The judgment creditor may except to the answer of any garnishee for insufficiency, and if the same shall be judged insufficient, the court or judge may allow the garnishee to amend his answer in such time, and upon such terms as shall be just, or the judgment creditor may take judgment by default, or move the court or judge to attach the body of the garnishee, to compel a sufficient answer.

Sec. 281. The judgment creditor may deny the answer of the garnishee in whole or in part, and the issue shall be tried as ordinary issues between plaintiff and defendant. If the answer of the garnishee be not excepted to, or denied in such time as the court or judge may deem proper, it shall be taken to be true and sufficient.

Sec. 282. If by the answer not excepted to or denied, or if upon trial it shall appear that the garnishee is possessed of property or effects of the judgment debtor, or is indebted to him, the value of such property or effects, or of the debt, being ascertained, judgment may be rendered against the garnishee for the proper amount in money, but if such debt be not yet due, execution shall not be awarded against the garnishee until it becomes due; and in such cases the court may make him a reasonable allowance for his trouble in answering, to be paid out of the fund in his hands.

Sec. 283. Whenever any property, effects, money or debts belonging or owing to the judgment debtor shall be confessed or found by the court, judge or referee or jury, to be in possession of the garnishee, he may at any time before final judgment, discharge himself by delivering the same to the sheriff.

Sec. 284. The judgment debtor or claimant may be required to attend before the court, judge or jury, for the purpose of giving any necessary information respecting property or effects alleged to be in the possession of the garnishee, and may be thereupon examined on oath concerning the same.

Sec. 285. In all cases of controversy between the judgment creditor and garnishee, the parties may be adjudged to pay or recover costs as in ordinary cases between plaintiff and defendant.

Sec. 286. Execution may be issued to collect any judgment rendered against a garnishee, as in ordinary cases of judgment against defendants.

Sec. 287. The earnings of a judgment debtor for personal services, at any time within sixty days next preceding the judgment against a garnishee, shall not be included in such judgment.

Sec. 288. No Territorial or county treasurer, sheriff, constable, or other public officer, shall be liable to answer as garnishee for moneys in his possession as such public officer, belonging to or claimed by any judgment debtor.

EVIDENCE—COMPETENCY OF WITNESSES.

Sec. 289. Every person of sound mind, suitable age and discretion except as hereinafter provided, may be a witness in any action or proceeding.

Sec. 290. No person offered as a witness shall be excluded from giving evidence by reason of his interest in the event of the action but such interest may be shown to effect his credibility.

Sec. 291. The last section shall not apply to a party to the action, nor to any person for whose immediate benefit it is prosecuted or defended. When any assignor of a thing in action or contract is examined as a witness on behalf of any person deriving title through or from him, the adverse party may offer himself as a witness to the same matter in his own behalf, and he shall be so received. But such assignor shall not be admitted to be examined in behalf of any person deriving title through or from him, against any executor or administrator.

Sec. 292. No person offered as a witness shall be excluded from giving evidence, by reason of conviction for crime, but such conviction may be shown to affect his credibility; Provided, that no person who shall have been convicted for the crime of perjury shall be a competent witness in any case, unless such conviction shall have been reversed or unless he shall have received a pardon.

Sec. 293. The following persons shall not be competent to testify:

1st. Those who are of unsound mind, or intoxicated at the time of their production for examination.

2d. Children under ten years of age, who appear incapable of receiving just impressions of the facts respecting which they are examined, or of relating them truly.

3d. Indians, or persons having more than one half Indian blood, in an action or proceeding to which a white person is a party.

Sec. 294. In order to encourage confidence, and to preserve it inviolate, the following persons shall not be examined as witnesses:

1st. A husband shall not be examined for or against his wife, nor a wife for or against her husband; nor can either, during marriage or afterwards, be, without the consent of the other, examined as to any communication made by one to the other during marriage. But this exception shall not apply to a civil action or proceeding by one against the other; nor to a criminal action or proceeding for a crime committed by one against the other.

2d. An attorney or counsellor shall not, without the consent of his client, be examined as to any communication made by the client to him or his advice given thereon in the course of professional employment.

3d. A clergyman or priest shall not, without the consent of the person making the confession, be examined as to any confession made to him in his professional character, in the course of discipline enjoined by the church to which he belongs:

4th. A regular physician or surgeon shall not, without the consent of his patient, be examined in a civil action as to any information acquired in attending such patient, which was necessary to enable him to prescribe or act for the patient.

MANNER OF COMPELLING THE ATTENDANCE OF WITNESSES.

Sec. 295. No person shall be obliged to attend as a witness before any court of record, judge, justice of the peace, commissioner, referee or other officer, in any civil action out of the county in which he resides, unless his residende be within twenty miles of such court, judge, justice of the peace commissioner, referee or other officer. And no person shall be compelled to attend as a witness in any civil action or proceeding, unless the fees be paid or tendered to him, which are allowed by law for one days attendance as a witness, and for travelling to and returning from the place where he is required to attend, provided such fees be demanded by him at the time of service of the subpœna.

Sec. 296. The subpœna may require not only the personal attendance of the person to whom it is directed, at a particular time and place to testify as a witness, but may also require him to bring with him any books, documents, or things under his control; but no public officer or person having the possession or control of public records or papers, which by law are required to be kept in any particular office or place, shall be compelled to produce the same in any court.

Sec. 297. The subpœna shall be issued as follows:

1st. To require attendance before a court of record, or at the trial of an issue therein, it shall be issued in the name of the United States, and be under the seal of the court before which the attendance is required, or in which the issue is pending;

2. To require attendance out of such a court, before a judge, justice of the peace, commissioner, referee or other officer authorized to administer oaths, or to take testimony in any matter under the laws of this Territory, it shall be issued by such judge, justice of the peace, commissioner, referee or other officer before whom the attendance is required;

3. To require attendance before a commissioner appointed to take testimony by a court of any other State, Territory or county, it may be issued by any judge or justice of the peace, in places within their respective jurisdictions.

Sec. 298. Such subpœna may be served by any white person over eighteen years of age, by exhibiting and reading it to the witness, or by giving him a copy thereof, or by leaving such copy at the place of his abode. When service is made by any other person other than an officer authorized to serve process, proof of service shall be made by affidavit.

Sec. 299 A person present in court or before a judicial officer, may be required to testify in the same manner as if he were in attendance upon a subpœna issued by such court or officer.

Sec. 300. If any person duly served with a subpœna, and obliged to attend as a witness, shall fail so to do, without any reasonable excuse, he shall be liable to the aggrieved party for all damages occasioned by such failure, to be recovered in a civil action.

Sec. 301. Such failure to attend, as required by the subpœna, shall also be considered a contempt, and upon due proof, the witness may be punished by a fine not exceeding fifty dollars, and stand committed until said fine and costs are paid or until discharged by due course of law.

Sec. 302. The court, judge, justice of the peace or other officer, in such case, may issue an attachment to bring such witness before them to answer for contempt, and also to testify as a witness in the cause in which he was subpœnaed.

Sec. 303. If the witness be a prisoner confined in a jail or prison within this Territory, an order for his examination in prison, upon deposition, or for his temporary removal and production before a court or officer, for the purpose of being orally examined, may be issued.

Sec. 304. Such order can only be made upon affidavit, showing the nature of the action or proceeding, the testimony expected from the witness, and its materiality.

EXAMINATION OF PARTIES.

Sec. 305. A party to an action or proceeding may be examined as a witness, at the instance of the adverse party, or of one of several adverse parties, and for that purpose may be compelled in the same manner, and subject to the same rules of examination as any other witness to testify at the trial, or he may be examined on a commission.

Sec. 306. Instead of the examination being had at the trial, as provided by the last section, the plaintiff, at the time of filing his complaint or afterwards, and the defendant, at the time of filing his answer or afterwards, may file in the clerk's office, interrogatories for the discovery of facts and documents material to the support or defence of the action, to be answered on oath by the adverse party.

Sec. 307. Such interrogatories shall be answered, and such answers filed in the clerk's office within twenty days after the same are served on the party interrogated, unless for cause shown, a further time be allowed by the court or judge thereof.

Sec. 308. A party to an action having filed interrogatories to be answered by the adverse party, as prescribed by the last two sections, shall not thereby be precluded from examining such adverse party as a witness at the trial.

Sec. 309. The testimony of a party, either upon an examination at the trial, or upon interrogatories filed, may be rebutted by adverse testimony.

Sec. 310. If a party refuse to attend and testify at the trial, or to be examined upon a commission, or to answer any interrogatories filed, his complaint, answer, or reply may be stricken out, and judgment taken against him, and he may also, in the discretion of the court, be proceeded against as in other cases for a contempt: Provided, that the preceding sections shall not be construed so as to compel any person to answer any question, where such answer may tend to criminate himself.

Sec. 311. A party examined by an adverse party, as in this act provided, may be examined on his own behalf in respect to any matter pertinent to the issue. But if he testify to any new matter not responsive to the inquiries put to him by the adverse party, or necessary to explain or qualify his answer thereto, or to discharge, when his answer would charge himself, such adverse party may offer himself as a witness on his own behalf, in respect to such new matter, and shall be received.

Sec. 312. A person for whose immediate benefit the action is prosecuted or defended, though not a party to the action, may be examined as a witness in the same manner, and subject to the same rules of examination, as if he were named as a party.

OF DPOSITIONS.

Sec. 313. The testimony of a witness in this Territory may be taken by deposition, to be read in evidence in any action, suit, or proceeding commenced and pending in any court in this Territory, in the following cases:

1. When the witness resides out of the county, and more than twenty miles from the place of trial;

2. When the witness is about to leave the county, and go more than twenty miles from the place of trial, and there is a probability that he will continue absent when the testimony is required.

3. When the witness is sick, infirm, or aged, as to make it probable that he will not be able to attend at the trial.

Sec. 314. Either party may have the deposition of a witness taken in this Territory, before any judge, of the district court, justice of the peace, clerk of the supreme or district courts, mayor of a city, or notary public, on serving on the adverse party or his attorney previous notice of the time and place of examination. Such notice shall be at least three days, and in addition one day, Sundays excepted, for every ten miles of the distance of the place of examination from the residence of the person to whom notice is given.

Sec. 315. The deposition shall be written by the officer taking the same, or by the witness, or by some disinterested person in the presence and under the direction of such officer. When completed, it shall be carefully read to or by the witness, corrected if desired, and subscribed by him, and certified by the officer substantially as follows:

Territory of Washington, } ss.
County of ———. }

I, A. B., justice of the peace in and for said county (or judge, clerk, &c., as the case may be) do heredy certify that the above deposition was taken before me, and reduced to writing by myself (or witness, as the case may be), at —— in said county, on the —— day of —— 18— at —— o'clock, in pursuance of notice hereto annexed that the above named witness, before examination, was sworn (or affirmed) to testify the truth, the whole truth and nothing but the truth, and that the said deposition was carefully read to (or by) said witness, and then subscribed by him.

Dated at —— the — day of — 18 .

A. B. Justice of the Peace.

Sec. 316. The deposition shall be enclosed in a sealed envelope by the officer taking the same, and directed to the clerk of the court, arbitrators, referee or justice of the peace, before whom the action is pending, or to such person as the parties in writing may agree upon, and either delivered to the clerk of the court, or other person, or transmitted through the mail or by some private opportunity.

Sec. 317. Such deposition may be used by either party, upon the trial or other proceeding against any party giving or receiving the notice, subject to all legal exceptions, to the competency or credibility of the witness, or the manner of taking the deposition. But if the parties attend at the examination, no objection to the form of an interrogatory shall be made at the trial, unless the same was taken at the time of the examination. It shall be the duty of the person taking the deposition to propound to the witness every question proposed by either party, and to note all objections to the form of any interrogatory, and when any interrogatory is objected to on account of form, unless the form is amended and the objection waived, he shall write after the question and before the answer the words "objected to," and when any witness declines to answer a question on the ground that it will tend to criminate himself, that fact shall also be noted after the question is written down. The deposition may be taken in the form of a narative, or by question and answer, or partly in either form, as either party present at the examination shall require. When taken by question and answer, the officer shall first write down the question, and then the answer as nearly as may be in the language of the witness; but when the deposition is read to the witness previous to signing it, he shall be permitted to amend his answer to any question, or any part of his deposition; such amendment however, unless both parties shall otherwise agree, shall not be made by way of interlining or erasing, but shall be added at the end of the deposition, under the title "amendment by the witness," and such amendment shall intelligibly refer to the part so amended.

Sec. 318. No deposition shall be used if it shall appear that the reason for taking it no longer exists: Provided, however, that if the party producing the deposition in such case, shall show any sufficient cause then existing for using such deposition, it may be admitted.

Sec. 319. When the plaintiff in any action shall discontinue it, or when it shall be dismissed for any cause, and another action shall afterwards be commenced for the same cause between the same parties, or their respective representatives, all depositions lawfully taken in the first action, may be used in the other in the same manner, and subject to the same conditions and objections as if originally taken for such other action: Provided, that the deposition shall have been duly filed in the court where the first action was pending, and shall remain in the custody of the court, from the termination of the first action until the commencement of the other.

Sec. 320. When any action shall have been appealed from one court to another, all depositions lawfully taken to be used in the court below, may be used in the appellate court in the same manner, and subject to such exemptions for informality or irregularity and none other, as were taken to such depositions in writing in the court below.

Sec. 321. Any witness may be subpœnaed and compelled, by any officer authorized to take depositions, to appear and give his deposition at any place within twenty miles of the abode of such witness, in like manner and under the same penalties as he may be subpœnaed and compelled to attend as a witness in any court.

OF DEPOSITIONS TAKEN OUT OF THE TERRITORY.

Sec. 322. The testimony of a witness out of this Territory, may be taken by deposition, to be read in evidence in any action, suit or proceeding pending in any court in this Territory.

Sec. 323. The deposition of a witness out of the Territory shall be taken upon a commission issued by the clerk, under the seal of the court, upon an order of the court or a judge thereof, which order may be made on the application of either party, upon giving to the adverse party, or his attorney, ten days previous notice in writing, together with a copy of the interrogatories intended to be put to such witness. It shall be issued to a person or persons, not exceeding three in number, agreed upon by the parties or their attorneys, or if they do not agree, to any judge, justice of the peace, notary public, or other competent person, selected by the court or judge granting the order for the commission.

Sec. 324. Such proper interrogatories, as well on part of the plaintiff as on part of the defendant, as the respective parties may prepare to be settled, if they disagree as to form by the court or judge thereof granting the order for the commission, shall be annexed to the commission; or where the parties agree to that mode, the examination may be without written interrogatories.

Sec. 325. The commission shall authorize the commissioner or commissioners to administer an oath to the witness, and to take his deposition in answer to the several interrogatories annexed to such commission, or when the examination is to be without interrogatories, in respect to the question in dispute, to certify the deposition to the court, and to direct it to the clerk of the court, or such other person designated or agreed upon, and foward it to him by mail or other usual channel of conveyance.

Sec. 326. A trial or other proceeding shall not be postponed by reason of a commission not returned except upon affidavit or other evidence satisfactory to the court that the testimony of the witness is necessary and that proper diligence has been used to obtain it.

OF PROCEEDINGS TO PERPETUATE TESTIMONY.

Sec. 327. When any person shall be desirous to perpetuate the testimony of any witness, he shall make a statement in writing setting forth briefly and substantially his title, claim or interest in or to the subject concerning which he desires to perpetuate the evidence, and the names of all persons interested or supposed to be interested therein, and also the name of the witness proposed to be examined which statement shall be under oath and filed in the district court. If the subject of the proposed deposition relate to real estate within this territory the statement shall be filed in the county where the lands or any part thereof lie, otherwise in the county where the parties interested or some of them reside. Upon such statement an application may be made to such court or a judge thereof to allow the examination of such witness.

Sec. 328. The court or judge shall appoint a time and place for hearing such application and shall order notice thereof and of the statement to be served on all persons mentioned therein as adversely interested in the matter. The notice shall be served personally on all those living in the Territory at least twenty days before the time of hearing the application. Upon those who are not residents of the territory it shall be served by publication or otherwise in the same manner as a summons is served upon a non-resident.

Sec. 329. If upon such hearing of the parties or of the applicant alone, should no adverse party appear, the court or judge shall be satisfied that there is sufficient cause for taking the deposition, an order shall be made allowing the examination of the witness, and such court or judge shall direct a commission to issue therefor, in like manner as a commission to take the testimony of witnesses in other cases.

Sec. 330. The deposition of such witness whether residing in this territory or not shall be taken upon written interrogatories filed by the applicant and cross interrogatories filed by any party adversely interested if he shall think fit, and it shall be taken and returned substantially in the same manner as if taken upon commission to be used in any cause pending in the same court.

Sec. 331. The deposition when returned shall be filed in the office of the clerk of the court by whom the commission was issued and if a trial be had between the person at whose request the deposition was taken and the persons named in the statement or any of them or their successors in interest, upon proof of the death or insanity of the witness or of his inability to attend the trial by reason of age, sickness or settled infirmity, the deposition or a certified copy thereof may be used by either party subject to all legal objections. But if the parties attend at the examination no objection to the form of the interrogatory shall be made at the trial unless the same were taken at the time of the examination.

PROVISIONS RELATING TO RECORDS, DOCUMENTS, AND OTHER WRITINGS.

Sec. 332. Any court in which an action is pending, or a judge thereof, may upon notice, order either party to give to the other, within a specified time, an inspection and copy, or permission to take a copy, of any book, document, or paper in his possession, or under his control, containing evidence relating to the merits of the action, or the defence therein. If compliance with the order be refused, the court may exclude the book, document, or paper from being given in evidence, or if wanted as evidence by the party applying, may direct the jury to presume it to be such as he alleges it to be, and the court may also punish the party

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Sec. 360. If the plaintiff be a trustee for any other, or if the action be in the name of a plaintiff who has no real interest in the contract upon which the action is founded, so much of a demand existing against those whom the plaintiff represents, or for whose benefit the action is brought may be set off, as will satisfy the plaintiff's debt, if the same might have been set off in an action brought by those beneficially interested.

Sec. 361. In actions brought by executors and administrators, demands against their testators and intestates and belonging to defendant at the time of their death, may be set off by the defendant in the same manner as if the action had been brought by and in the name of the deceased.

Sec. 362. When a set off shall be established in an action brought by executors or administrators, and a balance found due to the defendant, the judgment rendered thereto against the plaintiff's shall have the same effect as if the action had been originally commenced by the defendant.

Sec. 363. In actions against executors and administrators and against trustees and others sued in their representative character, the defendants may set off demands belonging to their testators or intestates or those whom they represent, in the same manner as the persons so represented would have been entitled to set off the same in an action against them.

Sec. 364. To entitle a defendant to a set off, he must set the same forth in his answer.

Sec. 365. If the amount of the set off duly established, be equal to the plaintiff's debt or demand, judgment shall be entered that the plaintiff take nothing by his action; if it be less than the plaintiff's debt or demand, the plaintiff shall have judgment for the residue only.

Sec. 366. If there be found a balance due from the plaintiff in the action to the defendant, judgment shall be rendered in favor of the defendant for the amount thereof, but no such judgment shall be rendered against the plaintiff, when the contract which is the subject of the action shall have been assigned before the commencement of such action, nor for any balance due from any other person than the plaintiff in the action.

COSTS IN CIVIL ACTIONS.

Sec. 367. The measure and mode of compensation of attorneys and counsellors shall be left to the agreement express or implied of the parties, but there may be allowed to the prevailing party upon the judgment, certain sums by way of indemnity for his expenses in the action, which allowances are termed costs.

Sec. 368. Costs shall be allowed the party in whose favor the judgment is rendered, except as is otherwise provided by law.

Sec. 369. The plaintiff shall not be entitled to costs in any action within the jurisdiction of a justice of the peace, which shall be commenced in the district court, where the recovery is for a less amount than one hundred dollars.

Sec. 370. In an action for an assault or an assault and battery, or for false imprisonment, libel, slander, malicious prosecution, criminal conversation or seduction, if the plaintiff recover less than ten dollars, he shall be entitled to no more costs or disbursements than the damages recovered.

Sec. 371. When several actions are brought on one bond, undertaking, promissory note, bill of exchange or other instrument in writing, or in any other case for the same cause of action against several partirs, who might have been joined as defendants in the same action, no costs or disbursements shall be allowed to the plaintiff in more than one of such actions, which may be at his election, if the parties proceeded against in the other actions were, at the commencement of the previous action, openly within this Territory.

Sec. 372. In all cases where costs and disbursements are not allowed to the plaintiff, the defendant shall be entitled to have judgment in his favor for the same.

Sec. 373. In all actions where there are several defendants, not united in interest, and making separate defences by separate answers, and the plaintiff fails to recover judgment against all, the court may award costs to such of the defendants as have judgment in their favor, or any of them.

Sec. 374. When allowed to either party, costs shall be as follows:

1st. In all actions settled before issue is joined, five dollars;

2d. In all actions where judgment is rendered without a jury, ten dollars;

3d. In all actions where judgment is rendered after empanneling a jury, fifteen dollars;

4th. In all actions removed to the supreme court and settled before argument, ten dollars;

5th. In all actions when judgment is rendered in the supreme court after argument, fifteen dollars.

Sec. 375. The prevailing party, in addition to the allowance for costs as provided in the last section, shall also be allowed for all necessary disbursements, including the fees of officers allowed by law, the fees of witnesses, the necessary expenses of taking depositions, by commission or otherwise, and the compensation of referees.—The disbursements shall be stated in detail and verified by affidavit, which shall be filed with the clerk of the court.

Sec. 376. The fees of referees shall be four dollars to each, for every day spent in the business of the reference, but the parties may agree in writing upon any other rate of compensation, and thereupon such rate shall be allowed.

Sec. 377. When an application shall be made to a court or referees to postpone a trial, the payment to the adverse party of a sum not exceeding ten dollars, besides the fees of witnesses, may be imposed as the condition of granting the postponement.

Sec. 378. When in an action for the recovery of money only, the defendant alleges in his answer that before the commencement of the action he tendered to the plaintiff the full amount to which he was entitled, in such specie as by agreement ought to be tendered, and thereupon brings into court, for the plaintiff, if in money, the amount so tendered, and the allegation be found true, the plaintiff shall not recover costs, but shall pay them to the defendant.

Sec. 379. If the defendant in any action pending shall at any time deposit with the clerk of the court, for the plaintiff, the amount which he admits to be due, together with all costs that have accrued, and notify the plaintiff thereof, and such plaintiff shall refuse to accept the same in discharge of the action, and shall not afterwards recover a larger amount than that deposited with the clerk, exclusive of interest and cost, he shall pay all costs that may accrue, from the time such money was so deposited.

Sec. 380. In all civil actions tried before a justice of the peace, in which an appeal shall be taken to the district court, and the party appellant shall not recover a more favorable judgment in the district court than before the justice of the peace, such appellant shall pay all costs accruing after the appeal.

Sec. 381. When costs are adjudged against an infant plaintiff, the guardian or person by whom he appeared in the action, shall be responsible therefor, and payment may be enforced by execution.

Sec. 382. In an action prosecuted or defended by an executor, administrator, trustee of an express trust, or a person expressly authorized by statute, costs shall be recovered as in an action by or against a person prosecuting or defending in his own right, but such costs shall be chargeable only upon or collected off the estate of the party represented, unless the court shall direct the same to be paid by the plaintiff or defendant personally, for mismanagement or bad faith in such action or defence.

Sec. 383. When the cause of action after the commencement of the action by assignment, or in any other manner becomes the property of a person not a party thereto, and the prosecution or defence is thereafter continued, such person shall be liable to the costs in the same manner as if he were a party, and payment thereof may be enforced by attachment.

Sec. 384. In all actions prosecuted in the name and for the use of the territory, or in the name and for the use of any county, the territory or county shall be liable for costs in the same cases and to the same extent as private parties.

Sec. 385. When the decision of a court of inferior jurisdiction in an action or special proceeding is brought before the supreme court, or a district court, for review, such proceedings shall for purposes of costs be deemed an action at issue upon a question of law from the time the same is brought into the supreme court, or district court, and costs thereon may be awarded and collected in such manner as the court shall direct, according to the nature of the case.

Sec. 386. In the following cases the costs of an appeal to the supreme court shall be in the discretion of the court:

1st. When a new trial shall be ordered.

2d. When a judgment shall be affirmed in part and reversed in part.

Sec. 387. In all other actions and proceedings than those mentioned in this chapter, where no provision is made for the recovery of costs, they may be allowed or not, and if allowed may be apportioned between the parties in the discretion of the court.

Sec. 388. Any party aggrieved by the taxation of costs by the clerk of the court, may upon application have the same retaxed by the court in which the action or proceedings is had.

Sec. 389. When the plaintiff in an action resides out of the county, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant. When required, all proceedings in the action shall be stayed until a bond executed by two or more persons be filed with the clerk, conditioned that they will pay such costs and charges as may be awarded against the plaintiff by judgment, or in the progress of the action, not exceeding the sum of two hundred dollars. A new or additional bond may be ordered by the court, or judge, upon proof that the original bond is insufficient security, and proceedings in the action stayed until such new or additional bond be executed and filed. The plaintiff may deposit with the clerk the sum of two hundred dollars in lieu of a bond.

[TO BE CONTINUED.]

☞ The 4th of July dinners at the hotels in this place, abounded with all the varieties of the vegetable kingdom grown in the territory, notwithstanding the backwardness of the season—such as new potatoes, beans, peas, carrots, onions, turnips, radishes, lettuce, &c., &c.

Kanahameha III, king of the Hawaiian Islands, has issued a proclamation, declaring the entire neutrality of those Islands in the war now impending between the Great Maritime Powers of Europe.

Senator Everett has resigned his seat in the U. S. Senate.

James Montgomery, the poet, is dead.

Ex-President Fillmore has been traveling through the southern States, no doubt to manufacture capital for the next whig candidateship for the Presidency.

It is stated, according to the Baltimore Sun, that a movement is on foot at Washington to reorganize the whig party, and to urge the name of the Hon. John Bell, of Tennessee, as a candidate for the next Presidency. Other names, however, are mentioned, and among the most prominent are Millard Fillmore, of New York, Edward Everett, of Massachusetts, and John J. Crittenden, of Kentucky

Pioneer and Democrat.

OLYMPIA, WASHINGTON TERRITORY,
SATURDAY, JULY 8, 1854.

J. W. WILEY, EDITOR.

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

To the Democracy of Thurston County.

By reference to another column, it will be perceived that about the time of the adjournment of the legislature the members of the whig party held a caucus for the purpose of a thorough organization of the same. The proceedings were handed to us a few weeks ago for publication, and inasmuch as they were withheld for an unusual length of time, if publicity was intended, we have been in no hurry in giving them an insertion until, at last, a proper time to warn the democracy of the complete organization of the opposition throughout the territory—secret it is true, but active and vigorous in its operation for success at the approaching election. They will bring out their strongest men in every county, and of course will leave no resort unavailed of to secure their object.

Particularly in Thurston county will an unusual effort be made by the whigs to consummate their designs, and it is time that the democracy should see the party line tightened in order that they may be enabled to distinguish a friend from a foe.

The democratic county committee for this county, has fixed upon Olympia, as the place for holding the approaching convention, and on Saturday, the 5th day of August next, as the most judicious time—giving a month's time prior to the election for our party harmoniously to agree to support, to a man, the nominations of the convention. Unless that determination is adopted and acted upon in good faith, partial and perhaps total defeat will be the consequence. The convention, as has been stated some time since, will be of a *delegate* character—authorizing the appointment of one delegate to each ten voters throughout the several precincts—fractions to count in favor of the smaller precincts only.

Eight election precincts have been established in this county by the commissioners, a list of which will be found in another column, very judiciously distributed. Every voter in the county can attend the polls and cast his vote, and it is to be hoped that no *democratic* voter will fail to do so.

Although in the creation of two of the new counties by the last legislature, two strong democratic precincts were lost to our party, yet there is no reasonable doubt that we have a clear majority, if unanimity of action can be obtained; and there can be no existing reason why that same harmony cannot be obtained in our ranks at the coming election, that characterized the opposition in the previous one.

Under the present arrangement—the delegate system—(which has been adopted in most of the States by both parties), entire satisfaction cannot fail to crown the deliberations of the convention which is proposed to be holden. All that it is necessary for each precinct to do in its primary action, will be to hold meetings—count the number of voters, or examine the census roll, and appoint their delegates in accordance therewith—men who will take an interest in democratic measures, and will be certain to attend the convention. Strict and impartial justice will thus be meted out to every portion of the county—all sections will have a proportionate voice in the selection of candidates, and all should be satisfied after the nomination of candidates. It is only in this way that the supremacy of the democratic party has been maintained over the grinding tyranny of capital against labor—unequal and impartial legislation against special enactments—restriction of the right of suffrage—protection to the capital of the rich—chartered monopolies, and a catalogue of wrongs and abuses, all of which would tend to reduce our Union of Republican States to a monarchy. The same whig party that now seeks to elevate to office representives of the people, and their law-makers, belong in sentiment and feeling to that monarchy which granted a charter to a powerful company, a part of which is now within our borders, and which gave birth to a certain "Puget Sound Agricultural Company" that would eagerly claim our whole territory as its domains. Everywhere and at all times, aristocracy and wealth have been opposed to the principles which govern the democratic party.

Will the people of this county and territory elevate men to office who would pass laws opposed to their best interests, and to every sense of justice? If so, vote for the whig candidates. If not, support those of the democratic party.

We have every reason to believe that the democracy will be united in the coming election. We have assurances from every quarter that the decision of a delegate convention will be considered binding on the party. With this assurance, all ill-grounded apprehensions that any one particular locality would endeavor to control the actions of the others, can at once be dispelled, if they were ever entertained. Let the precincts be true to themselves in sending up delegates, and there will be no cause for murmur after the nominations are made. Let the democracy in each precinct send in the names of persons whom they desire to become candidates for all or any particular office, subject to the decision of the convention, for publication, and then the convention will have a mass of names to select from. Above all things, let the democracy hang together, or they may expect the whig party to hang the county on the political gibbet erected through the dissensions in our own ranks.

☞ Since the above was in type we have received a notice (which will be found in another column), from the whig central committee of Thurston county, calling a whig convention at Olympia, on the 29th inst., to make nominations, &c.

The call of the democratic central committee will also be found in another column.

The Hudson Bay Company.

We took occasion a few weeks since to refer to the fact that Gov. Stevens had given official notice to the Hudson Bay Company, trading within this territory, that their commercial intercourse with the Indians must cease on the first of the present month.

It would not have been continued as long as it has, had the whig appointee of Indian affairs for Oregon had the best interests of the country at heart. However, but little could have been expected from him, or the right kind of instructions be expected from his superiors in office, as the whole tendency of whig measures has ever been to bolster up soulless monopolies, such as the present corporation of adventurers under consideration.

That the notice given by Gov. Stevens was entirely proper, no democratic American will deny, and, as will be seen by the following extract, was in strict accordance with the instructions of the commissioner of Indian Affairs.

It is certainly time that this powerful monopoly should confine itself to the legitimate business guaranteed to the company under our treaty with Great Britain of 1846. It is time that they, the Chief Factors, should know, that as foreigners, acting under a charter from a foreign government, cannot and will not be permitted to transgress the laws of the United States, if the laws regulating intercourse with the Indians is strictly enforced; and it is useless to suppose that the authorities of our government, to whom is intrusted the high and responsible duty of seeing our laws executed, will permit themselves to see them shamefully violated.

The Indians too, should be made to understand that it is the government of the United States, and not the Chief Factors of the *Honorable* Hudson Bay Company, to whom they are to look for protection when their rights are violated, or whom they have to fear when evil councils prevail, and they are induced to pass the barriers a wise and munificent government has instituted to guard the respective rights of the white man and Indian.

To show that our government has not been unmindful of what is due to its subjects, we here annex the instructions of Mr. G. W. Manypenny, commissioner of Indian Affairs, to Gov. Stevens, of this territory:

"It has been represented, that most of the goods that have been given to the Indians of Oregon have been purchased of the Hudson Bay Company, thereby conveying to the Indians the false impression that they were conferred by persons belonging to a foreign government. It is to be hoped that this has not been done to an extent to produce, as yet, much bad effect; but as it is adverse to the policy of our Indian relations, as well as injurious and insulting to our government, to cause these people to believe themselves recipients of foreign gratuities, I would suggest that you make all your purchases from American citizens, when practicable, and embrace every opportunity to impress on the Indians that it is the American government, and NOT the British, that confers upon them these benefits. The Indians should also be prevented from crossing the line into the British possessions.—The Hudson Bay Company has long wielded an undue influence over all Indians within their reach, that you may perhaps find it a difficult matter to carry out these views; but perseverance will no doubt finally effect it, or at least go far toward correcting the present condition of affairs. Under no circumstances should the company be permitted to have trading establishments within the limits of our territory; and if any such establishments now exist, they should be promptly proceeded with, in accordance with the requirements of the Intercourse law."

Had commissioner Manypenny been a resident of this territory at the time he penned those instructions, in the face of personal knowledge, he could not well have arrived at more correct conclusions, as to the injurious effect of the trade of the Hudson Bay Company with our native population.

Every person who is informed on the subject knows that there is a large majority of the Indians of the territory who are more under the influence and control of the British Hudson Bay Company that of our American authorities. Let this undue influence have a termination. Let the instructions of the government be obeyed. Let the laws of the country be enforced. Let the people determine to back the instructions in whatever way it may be necessary, until the influence which has been exerted over our native population shall have ceased to exist.

The position which this and Oregon territory occupies towards the Hudson Bay and Puget Sound companies, is beginning to attract deserved attention by the Atlantic journals, as an evidence of which we extract from a variety of notices on the subject, the following from the Baltimore *Sun*:

"THE HUDSON'S BAY DIFFICULTIES.—Our threatened difficulties in Washington Territory with the Puget Sound and Hundson's Bay Companies have nothing alarming in them. If the agents of the Hudson's Bay Company want to trade with our Indians, they must take out a license, as other traders, which may be granted or refused, as we may think proper; and if the Puget Sound Company have any title to lands, they must prove up title when the lands shall be surveyed, and in other respects conform to our customs and laws. If a moderate price is asked for the possessions and privileges of these companies, within our territory, it may, perhaps, be thought advisable to pay them a reasonable sum, in the shape of quit claim."

Celebrations.

Within the last two weeks, there has occurred two celebrations—the one, the birth day of St. John the Baptist, one of the great christian patrons of Masonry, June 24th—and the other one, the glorious FOURTH of July—the birth day of American liberty and independence.

St. John's day was observed in an appropriate manner by the Brethren of Olympia Lodge, No. 5, together with a number of Brethren from Steilacoom Lodge, No. 7, and although the day was exceedingly unfavorable for the object intended, being that of laying the corner stone of the new Masonic Hall with full ceremonies, yet there was an almost universal attendance of the brethren of this county, Pierce and Lewis.

The Lodge assembled in their hall at ten o'clock, where a procession was formed under the direction of Bro. W. A. SLAUGHTER, Marshal of the day, when it proceeded to the new Hall. The corner stone being laid in due form by Bro. W. H. WALLACE, assisted by Bro. T. F. MCELROY and the Brethren, the procession was again formed and proceeded to the elegant hall of the "Pacific House," where an able and truly Masonic address was delivered by Bro. J. PATTON ANDERSON. The address was well arranged—well delivered, and we will endeavor to abtain the manuscript for publication, as soon as we can spare a little more room.

Dinner was next in order, and the *Order* seemed to enjoy it with a proper appreciation, as much as to say, that Bro. WM. COCK, of the Pacific House, was capable of getting up as good a dinner as can be furnished on the *Pacific* coast.

After a full enjoyment of the substantials and luxuries provided for the occasion, the procession then returned to the hall.

The festivities of the *day* were enlivened in the *evening* by a dance at the Pacific House—and thus ended joyously and harmoniously the 24th of June.

The 4th of July was awakened at an early hour with a national salute, which was continued at noon and evening. The Star Spangled Banner was made to float aloft, not only from the stately liberty pole and the house top of the Kendall Co.'s store, but the *ensign* waived on high from the tall "lone pine" in front of the Washington Hotel. Although no particular order of celebration had been adopted, the people of the county assembled in large numbers. The day was pleasant, and each one seemed disposed to celebrate the day after his own liking. Everything passed off quietly and with the utmost propriety, and the day, *as it should*, wore more the appearance of a joyous Sabbath than anything else.

During the day, a party of ladies and gentlemen availed themselves of the polite offers of Col. I. N. EBEY, collector of customs, and Capt. SLATER, of the use of the revenue boat and sloop "Sarah Stone, and took a pleasure excursion a few miles down the bay. Returning in the evening, a general attendance was given to one of the gayest balls which perhaps has ever taken place in either territory.

There were fully forty ladies in attendance, and the spacious hall of the Washington Hotel (32 by 11 feet) exhibited a scene of youth, beauty and gaiety that would rival any similar assemblage almost anywhere. A supper was served up in the host's (Mr. ENSIGN'S) usual elegant and discriminating style, and thus ended the ever memorable 4th.

ON DITS.—Attorney General J. S. CLENDENIN, and lady, left this place a few days since, for an excursion down the sound.—Chief Justice LANDER left in company, for his judicial district.

Col. J. PATTON ANDERSON, Marshal of the territory, left here a few days ago on a visit to Oregon.

Col I. N. EBEY, Collector of customs, left this place yesterday, in the sloop "Sarah Stone," on official business down the Sound.

☞ An error occured in the printing of of the election law in the extra of last week. The qualifications of voters at an election read it required a residence in the territory of six months. It should have read *three* months, next preceding the day of election. The error occurred in the certified copy.

THANKS—To Hon. Columbia Lancaster, and Hon. Joseph Lane, delegates in Congress from Washington and Oregon Territories, for public documents, &c.

Road across the Cascades.

The road across the Cascade mountains, for the construction of which our citizens subscribed so liberally last year, and, which was opened sufficiently to admit the ingress of a portion of the immigration of last year, will soon be rendered eminently practicable as a good wagon road.

The (Nah Chess,) pass through which the road has been constructed, has been decided upon by the Secretary of War as the one for the construction of the Military road leading from Fort Walla Walla to Fort Steilacoom, for which an appropriation was granted by Congress of $20,000—$15,000 of which will be expended on it this year.

Mr. E. J. ALLEN of this place, to whose energy and the faithful discharge of duty of the men under him, the people of the territory are indebted for the prosecution of labor on the road thus far, started from Steilacoom yesterday with a party of fifty men, to complete, as far as possible, the work commenced, in time better to enable immigrants to cross the mountains with less difficulty, and more ease and comfort than has heretofore been enjoyed for admission into either this or Oregon Territory west of the mountains. Instructions from Washington with regard to the expenditure of the appropriation of Congress, have been so long delayed, and the season is so far advanced, that it will require all the energy of Mr. ALLEN and faithful labor of his party to be of material service for the benefit of the present immigration; but judging from the past we have reason to expect *much* as the result of the labor about to be undertaken.

It is not at all improbable that the Nah Chess pass will be found to be of a better grade, than any other pass of the Cascades leading into this territory; and the better to decide that matter, Lieut. ARNOLD, attached to Gov. Stevens' expedition, is at present engaged with a small party in making a thorough examination of the pass to determine its practicability for the construction of the Pacific railroad through it, whenever that great national work is undertaken. At all events a good wagon road can be made in that direction, and we expect it will be done this season, as far as $15,000 can make it.

In this connection we would refer to the fact that WHITFIELD KIRTLEY, Esq., JAMES K. HUND, and many others of this place and vicinity, are entitled to no small praise for the part they performed in the competion of the road thus far. We understand that Mr. HUND starts for Ft. Boise on Monday, to apprise the immigrants of the road being opened.

A Steam Propeller for the Sound.

Mr. JOHN H. SCRANTON, merchant at San Francisco, arrived in this place week before last and is at present down the Sound for the purpose of ascertaining whether sufficient interest would be taken by our citizens to induce him to bring from San Francisco a steam propeller calculated to do all the business at present required to be transacted between this place and Victoria, (V. I.,)—landing at all intermediate points, on the Sound, carrying the mails, passengers, freight, &c.

The vessel of which Mr. Scranton is the owner, is the "Major Tompkins," and by those who have made a thorough examination of her hull, machinery, &c., is pronounced to be *the* very vessel required on the Sound.

The "Major Tompkins" is considered to be worth, $20,000 by those who have examined her, and as an inducement for Mr. Scranton to bring her on these waters, he proposes to risk and retain one half the stock, provided the other half can be taken in shares of $100 or more, by the citizens of this territory. The terms will be made easy and advantageous to persons engaged in the coal, lumber, timber, or the fishery business.

The "Major Thompkins," during the Mexican war served as one of the regular packets between New Orleans and Vera Cruz, and has been recently engaged in the coast trade between San Francisco and San Diego, &c. She is thought to be admirally calculated for the trade on the Sound—her decks being adapted to the carrying of cattle or other cumbrous freight, at the same time having excellent cabins and good appointments generally.

That a steamer of this description is much needed here all will agree, and that one is absolutely required, the citizens down the Sound have had fearful testimony. Let but the stock be taken, and there will be no humbug about its being brought here forthwith. Nothing will be required in advance except responsibility, and when the owner of the vessel proposes to run the hazard of paying expenses of his proportion, out of the trade that now is and will accumulate, we can see no reason for apprehensions of loss by those of our citizens who are able and might feel disposed to take stock in the vessel. We *need* a steamer, and ere long *must* have one, and the present seems to be a favorable opportunity of obtaining one.

By Stuart's Express!

Through from Portland in two Days!!

STUART, with his express arrived here on Sunday, June 25th, bringing Oregon dates of June 24th! This we call doing the Express business up "brown" and to some purpose, and is an evidence of what men can do when they go to work in earnest about anything. We hope the people of the territory will duly appreciate this manner of *dispatching* business, and procure for Mr. Stuart all the business in their power, particularly at this time when the mail arrangements appear to be in a sort of state of '*klonas*,' or in other words, no person appears to know exactly how.

The papers furnished by Mr. Stuart, contain a considerable amount of news of late date, amongst which we find the following:

The Portland *Times*, is inclined to think from the returns from the several counties so far as heard from, that the question of calling a convention to form a state government, has been decided in the negative.

In speaking of the latest news from Washington city, the *Times* says:

From Washington we see by the debates that Gen. Lane was passing through his bill, modifying the Land law, making it more favorable to those settling. He conducted the debate with tact and ability—and we think he will succeed in getting it through. We will publish the debate next week. Judge Lancaster of Washington Territory participated also.

We would publish the debate in the Pioneer and Democrat, but that our columns are so burdened with the laws at present.

Gen. Lane was making an effort to have the salaries of the federal officers of Oregon raised. Also to get an additional appropriated of $75,000 to pay of the residue of the Cayuse war claims.

From the Seat of War in Europe, we have nothing late or important.

Congress has done nothing of importance in which this Territory is interested since our last. The next Express will probably bring the fate of the Nebraska bill, and then we hope to announce its passage in something like its original shape.

The relations of the U. S. Government with Spain relative to the 'Black Warrior' affair remain unsettled and unsatisfactory.

According to the most reliable accounts Mr. Soule, American Minister at the court of Madrid, demanded $30,000 and the recall of the Captain General of Cuba, as an indemnity for the Black Warrior outrage. The government at Madrid refused to comply with the demand, and instead of making concessions as for the insults offered to the American flag, endorsed the action of the Captain General in the premises. Whether, under these circumstances the administration will sustain Mr. Soule, has not been ascertained, but the orders which have been issued to the ships of-war Massachusetts and Decatur to await advices from Madrid, may be looked upon as somewhat significant.

A writer in the *New Era* furnishes the following information in relation to the treatment by the Japanese of foreigners at a former period. It would seem by this that they have been more liberal than has been generally supposed:

"Now that the Empire of Japan is to be soon opened to the commerce of the United States, and most likely to the trade of the world, it may not be out of season to learn that in 1612, "The Worshipful Fellowship of the Merchants of London," trading to the East Indies, dispatched Capt. John Sares, in the ship *Clove*, on a mission to the Emperor of Japan, bearing valuable presents from James I. The *Clove* anchored near Firando on the 11th of June, 1613. Capt. Sares was very kindly and hospitably received, and after a short residence he concluded a treaty to the following effect:

"Art. 1. We give free access to the King of England's subjects, Sir Thomas Smith, Governor and Company of the East India merchants, forever, safely to come into any of our ports or Empire of Japan, with their ships and merchandise; and to abide, buy, sell or barter, according to their endeavor, with all nations; and to tarry so long as they will, and depart at their pleasure."

The second article exempted English goods from all manner of customs or duties; the third granted to the English full freedom of building houses in any part of the Empire, which houses, at their departure, they might freely sell; the sixth article placed the property of any English subject that might be in the Empire under the sole control of the Captain-Merchant or English President, and exempted entirely all English subjects, whatever their offences, from the somewhat summary process of the Japanese laws; and the three remaining articles were all of the same liberal and most friendly spirit.

The privileges granted under that treaty, with some modifications, were confirmed in 1616. The English, under that treaty traded with Japan for some years, but the trade being badly managed, was relinquished as unprofitable.

The original policy of the Japanese was one of extreme liberality to all foreign merchants and to all creeds. It was not until after the teachers of Chistianity began to intermeddle in the affairs of state, that the recent policy of an interdict upon that religion and of the exclusion of all foreigners, without any other exception but that of the Dutch (who are reported to have assisted the Japanese in extirpating the Christains.) was adopted.

It is to be hoped that the Japanese, when fully informed that the kingdom of Christ is not of this world, that all political interference is contrary to its dearest maxims, and that other nations as well as the United States abjure all right to interfere with the established religion or civil government of foreign nations, will revert to their primitive policy, and consent to a trade equally beneficial to themselves and to the world.

☞ A recent letter from Umatilla valley announces the arrival of Mr. F. W. Lander at that point. Mr. Lander met with a severe accident before reaching there, dislocating his shoulder, and otherwise injuring him—but was still determined to push on. He had determined the fact of a practicable route to turn the Blue mountains by the head of John Day's and Malheur rivers and was sanguine as to the other difficult points upon his survey. Mr. Lander has probably ere this reached Washington. The result of his survey will be looked for with the greatest interest by our citizens, and may success crown his perilous undertaking.

☞ Mr. Henry Cock, Dr. Kanby, Judge Roundtree, and some half a dozen others of this place and vicinity, started on Wednesday morning last for the Yakima country to prospect for gold. Report says there is gold there, and that from $3 to $8 per day to the hand, has been obtained from the washings in some of the streams.

PRECINCTS IN THURSTON COUNTY.—The following election precincts were established at the last meeting of the board of county commissioners—designating the places of holding the election and the judges thereof:

One at the Nisqually bottom—the election to be held at the house of the Nisqually Mill Company, and Wm. Packwood, James McAllister and John W. McAllister to be judges of election.

One at South Bay—the election to be held at the house of the South Bay Mill Company, and Dr. Willard, Levi Knott and Harvey R. Woodward to be judges of election.

One at Olympia—the election to be held at the office of the county Auditor, and Wm. Cock, George A. Barnes and R. M. Walker to be judges of election.

One at Black Lake settlement—the election to be held at the house of Wm. O. Thompson—Daniel Kizer, Wm. O. Thompson, and Wm. McLane, judges of election.

One at Rocky Prairie—the election to be held at the house of Antonio B. Rabison, and Charles Eaton, B. F. Yantis and Joseph Brushares to be judges of election.

One at Chambers Prairie—the election to be held at the house of William Patterson, sen., and William White, Wm. Parsons, sen., and Joseph A. White to be judges of election.

One at Yelm Prairie—the election to be held at the house of James Hughes, and Levi Shelton, S. D. Barnard and James Longmyre, to be judges of election.

One at Mound Prairie—the election to be held at the house of Leonard Durgin and Samuel James, James Goodell and Abram Tilley to be judges of election.

Whig Convention in Washington Territory.

In pursuance to notice, the whigs of Washington Territory met on Friday evening the 20th April, at the hall of the House of Representatives in the town of Olympia.

On motion of Hon. Wm. Strong, Hon. Gilmore Hays, of Thurston, was called to the chair, and on motion of Elwood Evans, Esq., S. D. Howe, of Island, was appointed secretary.

The Hon. Wm. Strong being invited to state the object of the assemblage, made a few appropriate and eloquent remarks, and concluded by introducing the following resolution:

Resolved, That a central and corresponding committee, to consist of one from each county in this territory, be appointed by this meeting, and that no general convention of the whig party be called except at a time and place to be agreed upon by said committee, or a majority of them. The representation in such convention shall be as follows: in each county, one for every member of the House of Representatives, and two for each member of the Council, to which such county or counties shall be entitled.

Resolution unanimously adopted, and the meeting proceeding to appoint said committee, the following gentlemen were selected:

R. V. Peabody, Whatcom county; John A. Alexander, Island county; L. B. Hastings, Jefferson county; John Hargrave, Clalm county; Chas. C. Terry, King county; Wm. H. Wallace, Pierce county; Gilmore Hays, Thurston county; Hugh A. Goldsborough, Sawamish county; D. C. Welden, Chehalis county; J. D. Holman, Pacific county; William Strong, Wahkiacum county; Alexander Abernethy, Cowlitz county; Edward D. Warbass, Lewis county; Henry A. Gulliger, Clark county; Daniel F. Bradford, Skamania county; George C. Bumford, Walla Walla county.

On motion of Hon. Wm. Strong, Hon. Gilmore Hays, of Thurston, was unanimously elected chairman of the central committee.

On motion of Col. S. P. Moses, Dr. Geo. Lathrop was elected secretary of the said whig central committee.

On motion, proceedings be published in the *Oregonian* and *Pioneer*. Then adjourned.

GILMORE HAYS, Chm'n.
S. D. HOWE, Secretary.

Notice to the Democrats of Thurston County.

The democracy of Thurston county are respectfully called upon to select their delegates at a day sufficiently early to be in readiness to attend a general Democratic County Convention, to be held in Olympia, *on Saturday, the 5th day of August next*, for the purpose of nominating Democratic candidates for members of the House of Representates of the next Legislative Assembly of the territory of Washington, and also to nominate democratic candidates for the different county offices for the support of the party, at the election which takes place *on Monday, the 4th day of September next*.

The several precincts are requested to act in this matter in time, in order that a full delegation may be in attendance from all.

By order of the Committe.
CHARLES E. WEED,
Ch'n. Dem. Cent. Com.

MARINE.—Sailed—The brig "Cyrus," from South Bay on Saturday, the 1st inst., for San Francisco, with a cargo of piles, and square timber.

The bark "Ella Francis," Capt. Mitchell, from Port Gamble, on the 2d inst., with sawed lumber for San Francisco.

The bark "Juno," from Port Madison on June 28th, with a cargo of piles for San Francisco.

The brig "Cyclops," Capt. McDonald, from Hood's Canal, June 22d, with piles and square timber for San Francisco.

Arrived—At Port Townsend, on the 23d June, an English Bark for piles.

The schooner "Sapphronia" Capt. Jewett, arrived at Olympia on the 3d inst. from Port Townsend with 2 passengers and Stuart's express.

A number of vessels have recently arrived and departed to and from Seattle, Alki, Penn's Cove, &c., all of which places are becoming, and have been, points of considerable commercial importance.

Whigs of Thurston County!

ATTENTION!!

A COUNTY convention to be made up of Delegates from the various precincts of Thurston county will be held at Olympia on

Saturday, the 29th day of July, 1854,

For the purpose of nominating a ticket to be supported at the election on the 4th day of September next. The officers to be elected are

Four members of the House of Representatives; three County commissioners; a Prosecuting attorney for 2d Judicial district; a County Auditor; a County treasurer; a county superintendent of schools; a judge of probate; a sheriff and a coroner.

The late meeting of the Board of Commissioners divided the county into nines precincts, to wit: Nisqually, South bay, Olympia, Black Lake, Chambers' Prairie, Rock Prairie, Grand Mound, Coal Banks and Yelm Prairie from each of which it is earnestly hoped delegates will be in attendence.

By order of the whig county committee of Thurston county.

GILMORE HAYS,
G. A. BARNES,
GEO. A. LATHROP.

July 8, 1854.-n44-3w

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.

STUART'S EXPRESS!

From Olympia, W. T., to Portland, O. T.,

CONNECTING WITH

ADAMS & CO'S EXPRESS,

FOR THE

ATLANTIC STATES AND EUROPE!

HAVING made arrangements with the well known house of Messrs. Adams & Co., all matters entrusted to my care will be forwarded to destination under their charge. I shall dispatch a regular Express from Olympia semi-monthly in time to connect with the P. M. S. S. Co's steamers, touching at Cowlitz Landing, Monticello, Rainier and St. Helens. Returning will leave Portland for Olympia immediately on the arrival of the Express from California.

Bills of exchange procured of Adams & Co. on California, Atlantic States and Europe. Particular attention paid to collection of notes, bills, &c.

Every description of Express matter forwarded promptly.

Office in Olympia at Parker's,
" " Portland, at Adams & Co's.

A. B. STUART.

Olympia, July 8, 1854.

For Sale.

A SALMON fishing seine with rope, corks and lead attached, all new. Also a quantity of Haxall Flour in barrels, Hard Bread and Barley, at the store of

C. & J. BROWN,
July 8, 1854. 3w44 Lower Steilacoom.

Cowlitz River Notice.

THE undersigned will run a regular line of canoes up and down the Cowlitz river, starting from Rainier and Monticello on the arrival of the steamers from San Francisco and Oregon, and starting from Cowlitz Landing to connect with the above steamers at the mouth of the Cowlitz. Also extras always ready. I have engaged the best Indians, and shall accompany the canoes myself. Passage and freight to suit the times.

WILLIAM SIMMONS.
Rainier, June 30, 1854. 44tf

JAMES C. STRONG,

ATTORNEY AT LAW,

WILL, in connection with Hon. Wm. Strong, practice in the courts in Washington Territory.

CATHLAMET, W. T.
March 25, 1854. 6m29

Horses! Horses!!

PERSONS desirous of procuring good horses to ride to the Cowlitz Landing, can be accommodated by leaving orders at the Washington Hotel, Olympia, or calling on the farm of Geo. Bush.

Travelers overland from Oregon will also find good horses at the Cowlitz Landing by calling at the residence of

F. A. CLARKE.
Cowlitz Landing, July 2, 1853. 42tf.

Notice.

NOTICE is hereby given that the Catholic Church holds under the act of Congress organizing Washington Territory, a grant of 640 acres of land at each one of the following stations:

1st. At the Mission of the Mountain near the forks of the Chihalis river in Louis County, W. T.

2d. At Monticello, where the Mission claims the whole of the land formerly occupied, and since abandoned by I. Thibault, bounding on the north side by Smith's claim.

All persons are hereby forbidden trespassing upon any of the said grants.

J. B. A. BROUILLET.
Fort Vancouver, W. T., June 19, 1854-n43-4w

NEW ARRIVAL

At the Tin, Copper and Sheet Iron Manufactory of

GEORGE GALLAGHER.

COMPRISING a general assortment of Hardware. Carpenter's tools mill Saws, mill saw files, Builder's Hardware, ploughs, Scythes, Hoes, Shovels, Drawing knives, Nails, Augers, Brace and Bits, Whips, whip-lashes, Curry-combs, Horse Cards, Horse Brushes, Bed cords, Oil stones, Gun nipples; together with all kinds of Stove and Tin ware, which will be sold at reduced rates.

GEORGE GALLAGHER.
Olympia June 10, 1854-n40

THOMAS JOHNSTON,

GROCER AND PROVISION DEALER,

Next door to Betman & Brands,

BEGS leave to inform country purchasers, Farmers and families, that he has on hand a supply of Groceries, Boots, Clothing and Hardware, at the lowest market price. Those desirous of getting their supplies at lows price will do well to give him an early call.

June 10, 1854.-n40

Ex. Sarah Warren.

June 24.

100 Bbls. Haxall Sweet Flour,
5,000 lbs. Cut Nails and spikes,
7 Tons assorted Iron,
Invoice Powder and Shot,
Bales sheetings and prints,
40 Cook Stoves, No. 2 to 5,
Mill Saws, Tenon Saws and Carpenters' Tools,
100 glazed Window Sashes,
80 eastern Pine Doors, and
Other goods for sale by the

KENDALL CO.
Olympia, June 9, 1854.

SPRING AND SUMMER GOODS.

M. LOUISSON, I. LIGHTNER, A. FRANKEL.

M. LOUISSON & Co.,

HAVE just received the largest and best assortment of Spring and Summer Goods, that ever has been offered for sale before in Olympia. All our goods are carefully selected by one of our firm, who resides permanently in San Francisco, and knows the market well. We would particularly call the attention of the Ladies, to our DRESS AND FANCY GOODS.

If you want new and fashionable goods call at M. LOUISSON & Co's. cheap cash store and be sure you can be suited. We are now opening an invoice of

Black and fancy Brocade Dress Silk,
Black silk Mantillass and collored silk Visites,
Genuine long fringed Canton crape shawls,
French Muslin de Laine and poplins,
Merrimack, Turkey red and French furniture prints,
Ginghams and Chambreys, suitable for dress and riding robes,
A variety of French lawns, Swiss mill, jaconett and cross-barred muslin, and embroidered or dotted Cambric,
An assortment of thread, Swiss, cotton and jaconett,
Edgings, lace and cuffs, and insertings,
Fine white embroidered courtain cambric with Gimps,
Genuine needle work, collars and pocket handkerchiefs to suit,
Real Marseilles white and pink counterpanes,
An assortment of Ladies and Misses hose,
Bleached and brown table linen, diaper and cloth, fine white striped and plain skirts,
Leghorn, straw and Gimp Bonnets,
Bonnet, neck and cap Ribbons and artificials,
Ladies morocco lasting and patent leather gaiters,
Kid, Lisle thread and silk gloves and mitts,
Papier mache toilett cases, fans, perfumery,
Silver thimbles, &c., &c.

AND

All kinds of Domestics generally asked for in Dry Goods stores. Our gentleman department has been replenished with

Black and fancy broad cloth frock and sack coats,
Velvet, cassimerett, brown and yellow linen coats,
Superfine black doeskin and fancy cassimere pants
Satinet, corde roy, cottonade and jeans "
White and brown linen "
Fine black Satin and fancy silk vests,
" White Marseilles vests for parties and balls,
A good stock of fine white linen shirts,
Silk, cotton and woolen undershirts and drawers,
Black Italian silk cravats and stocks,
Fine white cambric, silk and pongee gents hdk's.
Gents riding buckskin and kid gloves,
Woolen, cotton and fancy striped socks,
Moleskin, Leghorn, straw and Metropolitan gents and boys hats,
A general assortment of boots and shoes, kid and lasting gaiters &c., &c.
Trunks, valieses and carpet bags,
Satinets, Kentucky jeans, brown and bleached,
Irish linen &c., &c.,

And in addition to these we keep constantly on hand a full assortment of CROCKERY WARE, and many other articles too numerous to mention, but which will be sold to suit the times.

M. LOUISSON & Co.
June 24, 1854.-n42

ARRIVAL OF THE

"EOLIAN,"

DIRECT FROM NEW YORK.

S. J. McCORMICK,

Has just received, by the above named vessel, direct from New York, one of the largest and best selected stocks of miscellaneous

BOOKS AND STATIONERY,

Ever brought to this Territory, and having purchased them in New York, he is enabled to sell them at prices fully thirty per cent less than San Francisco rates.

SCHOOL BOOKS.—Sanders' first book in reading; do second do do; do third do do; do fourth do do; do fifth do do; do pictorial primary primer; do spelling book. The above series of school readers are used in all the principal schools in Oregon, and are decidedly superior to any other extant. Webster's elemeutary spelling book.

ARITHMETICS.—Thompson's primary arithmetic; do mental do; do practical do; do higher do.

DICTIONARIES.—Webster's unabridged; do octavo edition; do university do; do high school do; do primary do; do pocket do.

SCIENTIFIC WORKS.—Comstock's philosophy; do chemistry; do botany; do mineralogy; do physiology; do geology; do Zoology; Dick's complete works, 2 vols; Ure's dictionary of arts and science.

GRAMMARS.—Kirkham's; Smith's; Greene's; Brown's; Bullion's; Ollendorf's Spanish, with key; do French do; do German do; Bullion's Greek grammar; do Latin do.

ATLASES.—Mitchell's 4th geography and atlas; Olney's do do do and primary.

SCHOOL ROOM STATIONERY.—Slates, all sizes and best quality; slate pencils and holders; copy books, plain or with copies; reward of merit cards, in variety; pens, quill and steel, of best makers; drawing paper, all sizes; do books, in numbers; pencils, writing or drawing, in numbers; ink, black, blue and red; parallel and other rulers; camel hair pencils; map of the United States on rollers; do world do; Osborne's water colors, in boxes; primers, all sizes, plain and colored; ink stands, a great variety, cheap; india rubber bands and erasors; pen holders, an endless variety; perforated paper, assorted colors; blotting paper, white and red; motto wafers in sheets and boxes.

STANDARD WORKS, POETRY.—Byron's; Moore's Goldsmith's; Tupper's; Milton's; Shakspeares; Burn's; Shelley's; Heman's; Scott's; Cowper's; Pollok's; Campbell's; Ossian's; Young's. The above are all uniform editions, splendidly bound and well printed on fine paper. A copy of any poet will be sent to any part of Oregon or Washington Territories (post free) on receipt of $2. Byron's life and complete works, in calf, cloth, or morocco, gilt or plain; Moore's life and complete works, in calf, cloth or morocco, gilt or plain; Chamber's Information for the people; Aesop's fables, various editions; carpenter's guide's in architecture; the new clerk's assistant; the American farm and barn book; the poltry keeper's guide book; Downing's fruit and fruit trees; Youatt and Martin on cattle; Youatt on the diseases of the horse; Miss Leslie's complete cookery; Byrne's engineer's pocket guide; Hoswell's do do do; Scribner's lumber ready reckoner; piano forte instructors.

Together with a variety of other works too numerous to mention. Also, 2, 3, 4, 6, 9 and 10 quire full and half-bound blank books.

FRANKLIN BOOK STORE, Front Street, Portland, Oregon.

☞ Books sent by mail, express, or otherwise, to any part of the Territory.

June 17, 1854.-n41-1m

For Sale Cheap.

TWO Concord Coaches, with Harness complete for sixteen horses, nine seat. For particulars apply at Van Winkle & Duncan's, 4th, between I and J streets, Sacramento, or to L. S. Van Winkle, No. 16 Carswell House, Sansome Street, San Francisco, or address Van Ward, "Sun Office."

May 20, 1854. 2m37.

Honorable Hudson Bay Co.

Dishonored Drafts for Sale.

NOT having means to meet a certain draft against the above Honorable Co's. agents at this place, and the same having been in consequence dishonored, I now offer the said draft for sale to the highest bidder. Tenders will be received at my office untill the 1st August prox. The amount of the draft £——

TIMOTHY DOUBLEASS.
Victoria, May 1st, 1854.-n42-4w

Cabinet Shop.

FURNITURE of various kinds kept constantly on hand, and orders filled at short notice.

A variety of work made of beautiful curled maple now in readiness. The citizens of Olympia and vicinity are respectfully invited to call and examine.

A. J. LINVILL.
Olympia, April 29, 1854. 34tf

ENOCH H. WILSON. JAS. K. HURD.

WILSON & HURD,

COMMISSION MERCHANTS,

OLYMPIA, W. T.

☞ All business entrusted to them will be promptly attended to.

Olympia, May 1st, 1854. 35tf

MERRITT & GOVE'S

NEW LINE OF PACKETS now on the way from the States—the "LIVE YANKEE" to be followed by the "YANKEE NOTION" and "YANKEE DOODLE," all to run regular between San Francisco and Puget Sound.

Agents—S. MERRITT, San Francisco, and JOS. CUSHMAN, Olympia.

April 15, 1854. 32tf

THE PUGET MILL CO.,

HAVE an excellent engine Lathe, of 22 in. swing, in operation, under charge of an experienced machinist and engineer, who will execute orders in his line, in a superior style and finish, with dispatch.

—ALSO—

Blacksmithing and Shipsmithing, by a good mechanic, done at short notice. Apply to

J. P. KELLER, Agent.
Teekalet, W. T.

A supply of Provisions, Clothing, Boots and Shoes, Dry Goods, Hardware, Nails, Doors, Window Glass, &c., constantly on hand by the Puget Mill Co. at Teekalet, Hood's Canal, between which place and San Francisco several vessels are running regularly.

March 14, 1854. 32tf

Drugs & Medicines.

THE subscriber having located at Seattle, King Co., W. T., takes this opportunity to inform the citizens of the Territory, that he has opened and offers for sale the most complete assortment of GENUINE DRUGS AND MEDICINES to be found in the country.

Persons in want of good medicines, will do well to call on him, at the Seattle Drug Store, corner of Main and Commercial Streets, Seattle. Orders promptly attended to.

HORACE MORSE.
Seattle, W. T., May 3d, 1854. 6m36.

AT TEEKALET,

Harbor of Port Gamble—Hood's Canal,

THE PUGET MILL CO.

HAVE a Steam Saw Mill—gang and single saws—and Shingle machine in operation, and have on hand and are manufacturing lumber of a variety of sizes and lengths, of a superior quality for building and shipping purposes. Also piles and hewn timber.

All orders promptly attended to by

J. P. KELLER,
at Tekalet, Washington Territory, or
A. J. POPE,
San Francisco, California.

Tekalet, March 14, 1854. 32ly

Great Inducements!

THE subscriber has just received, ex LEONESA a full and desirable assortment of goods, consisting in part of the following articles:

Flour, Pork, Butter,
Lard, Cheese, Bread, Syrup,
Sugar, Tea, Coffee, Cooking Stoves,
Box Stoves and full assortment of Tin-ware,
Boots, coarse and fine, Patent Leather Shoes, Ladies' Gaiters and Bootees, Pantaloons, coarse and Fine, Shirts, Double Barrel Guns,
Powder, Shot, Dr'd Apples,
Candles, &c, &c, &c.

Being anxious to leave for the Atlantic States, I will close out the present cheaper than can be purchased elsewhere in the Territory. Please call and examine.

Terms Cash.

C. C. TERRY.
Alki, April 26, 1854. -tf.

IMPORTANT TO THE PUBLIC.

Goldman & Rosenblatt,

HAVE recently received an assortment of goods which they offer for sale at wholesale and retail, at prices to suit purchasers.

DRY GOODS.

A complete assortment, such as Merinoes, Alpaccas, Figd Mousline and Barege de Laine; French, English and American prints; Ginghams; Lawns; Plaid; Linen Diaper; Holland; Curtain Damask; Flannel; White Jeans and Sheeting; Toweling; Blk Broad Cloth; Cottonade; Bed Tick; superior white Jackonet; Cambric; Swiss Mull; Checked and Satin striped Muslins; Embr. Curtain Muslin.

Marseilles, white and colored Counterpanes;
N. W. Chemisette, Collars and under sleeves;
Veils, Mourning Collars and Chemisette;
Silk and Cotton Laces; fine Silk Parasols;
Ladies Silk, Cashm. and Cotton Hose.

An assortment of Gloves, Perfumery and Fancy articles.

CLOTHING.

Cloth Coats; Pants; Black Satin Vests; Silk and Satin Cravats; Blue and Scarlet Flannel over Shirts; Merino under Shirts; L. B. Shirts; Hickory, Check and Calico Shirts; Moleskin, Cashmere, Beaver, Fur and Panama Hats; Boys black Cashmere Hats;

BOOTS & SHOES.

Calf skin and Kip Boots; Gents and Boys P. Lea Brogans; Ladies Bootees, Gaiters and Shoes, a variety.

An assortment of Stationery and Hardware, and a great number of articles not mentioned.

The above named goods will be sold at greatly reduced prices.

Call, examine our stock and convince yourselves.
Our motto—Quick Sales and small profits.
Our system—Equal justice to all.

GOLDMAN & ROSENBLATT.
Olympia, W. T., May 27, 1854. 3mo38

MEDICINE.

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.

Office, two doors south of Parker's store.

G. A. LATHROP, M. D.
June 25, 1853. 42-1y

SAMUEL HOLMES,

DAGUERREOTYPIST,

OLYMPIA, W. T.

Will attend to all orders for the taking of Daguerreotype LIKENESSES, and all other matters connected with the art.

Rooms over the Cabinet Shop of D. C. Beatty.

May 13, 1854. 36tf

J. S. SMITH,

ATTORNEY AT LAW,

PENN'S COVE, WHIDBY'S ISLAND,

WILL attend to any business entrusted to him in the courts of the Territory or before the Surveyor General of Oregon.

REFER TO
A. Campbell, A. C. Bonnell, Portland, Oregon.
Collins, Cushman & Co., San Francisco.
Hon. C. Lancaster, Washington City.

ELWOOD EVANS,

Attorney at Law,

Olympia, Washington Territory.

June 24, 1854

PACIFIC HOUSE.

THE UNDERSIGNED having recently erected and fitted up a Hotel in Olympia, is now prepared to accommodate boarders and travelers with private rooms, and afford such entertainment as he trusts will be appreciated by a liberal and discriminating public.

The Pacific House is situated on the corner of Main and Fourth Streets, where the proprietor will, at all times, take pleasure in giving hospitable entertainment to his guests, on as moderate terms as can elsewhere be procured.

WM. COCK.
Olympia, March 18, 1854. 28tf

John G. Parker, Jr.,

—DEALER IN—

GROCERIES AND PROVISIONS,

OLYMPIA, W. T.
April 15, 1854. 32tf

NOTICE

IN RELATION TO THE REMOVAL OF THE OFFICE OF THE SURVEYOR GENERAL FROM OREGON CITY TO SALEM, IN OREGON TERRITORY.

IN virtue of the authority vested in the President of the United States by the 2d section of the Act of Congress, approved September 27, 1850, entitled "An act to create the office of Surveyor General of the public lands in Oregon," &c., and in accordance with the request of the Legislature of said Territory, NOTICE is hereby given, that the office of Surveyor General of Oregon will be removed from Oregon City to Salem, in Oregon Territory,

On the first day of August next.

Given under my hand, at the city of Washington, this fifteenth day of March, A. D. 1854.

FRANKLIN PIERCE.

By the President:
JOHN WILSON,
Commissioner of the General Land Office.

EX. SARAH WARREN.

APRIL 3.

5 TONS assorted Iron;
1000 lbs Tobacco;
50 Tins fancy assorted Crackers;
20 Cans Imperial and Gun Powder Tea;
10 Kegs Pickles;
70 Boxes Candles;
50 Kegs Sugar House Syrup;
18000 lbs California Blue Seed Potatoes;
40 Kegs Nails and Spikes;
8 Cases Boots and Shoes;
25 Barrels Smoked Shoulders;
5 Hogsheads Side Bacon;
50 Cases Whiskey and Brandy Punch;
10 Quarters Old Rye Whiskey;
20 Cases best Champagne;
60 Casks best Goshen Butter;
50 Half barrels best Apples;
20 Barrels sugar cured Hams;
10 Barrels Porter and Ale;
25 Cases Porter and Ale;
20 Cases Brandy Peaches;
10 Barrels Crushed and Pulverised sugar;
150 Boxes assorted soaps;
60 Sacks Oats;
20 Cases Buckwheat Flour, in Tins;
20 Cases best Leaf Lard;
15 M. Segars;
25 Jars Apple Pulp;
400 lbs Cream Tartar;
10 Bbls. Split Peas;
10 Bbls. Carolina Rice;
50 Bbls. Gallego and Haxall Sweet Flour;
600 lbs Rye Flour;
75 Half bbls. dried Corn Meal;
4 Tons Cadiz Salt;
50 Bbls. Mess Pork;
2 Tons Ship Chains, for logging.

Invoices Dry Goods, Wooden Ware, Furniture, &c., &c.

All which, at the present low prices in San Francisco, comprises much the largest invoice ever brought into the Territory, and will be sold low for cash at the Store of

KENDALL CO.,
By J. Cushman.

P. KEACH & CO.

HAVE just received Ex G. W. KENDALL, and now offer for sale at Wholesale and Retail, the largest assortment of Goods on Puget Sound.

COMPRISING IN PART THE FOLLOWING GOODS,

Pork, Shoulders, Sugar, crushed and powdered, Sugar Clarified, No. 1, E. B. Syrup in kegs, No. 1, Molasses, Teas, every variety, Coffee, old Java and Rio, Chili Beans, Apples, Butter, Cheese, Lard, Preserved Fruits. Also, 150 bbls. excellent Flour.

WINES, LIQUORS AND SEGARS,

EVERY VARIETY,

DRY GOODS AND CLOTHING.

Fancy Prints, Calicoes, Mous de Lanes, Alpaccas, figured and plain, Shirting and Sheeting, Flannels, Red and white, Cassimers, Velvets, muslins, figured and embroidered Handkerchiefs, Irish Linens, Thread, Silk, &c., &c.

COATS,

Frock and Dress, heavy Beaver and Pilot Overcoats, Pants, black and fancy Doeskin, Cloth, Satin and Silk vests, extra fine white Shirts, Calico, Linen, Check, and Hickory do., and a large assortment of under and over Shirts.

BOOTS AND SHOES,

30 Cases Boots and Shoes, for Gents, Ladies, Boys and Misses.

HATS AND CAPS.

Lima, Moleskin, and Kossuth, Mexican and Brush Hats, Navy and Boston glazed Caps.

A Very Large Supply

Of cooking stoves, Premium and Western World, Office and Parlor stoves, store pipe, Zinc, &c.

Hard Ware.

Cutlery, Log Chains, Carpenter's tools, Glass-ware, Wooden-ware, Powder, Shot, Tobacco, Pipes, Knives and Forks, &c. Besides hundreds of other articles too numerous to mention.

We would respectfully invite the inhabitants of this Territory, to call before purchasing elsewhere at our New Store in Steilacoom City.

Steilacoom City, March 18, '54. 28tf

JUST RECEIVED

PER bark "Carib," invoice Dry Goods, Groceries and Indian trade, which we offer low for cash.

GEORGE & CO.
Alki, Dewamph Day, April 13, 1854. 37tf

FOR SALE.

12 YOKE of Steers, large and in fine condition.—Apply to G. F. Whitworth, Olympia, or Judge Yantis on Gravelly Prairie.

Olympia, June 10, 1854.-n40

WASHINGTON HOTEL.

(THE LONE PINE TREE IN FRONT.)

CORNER OF MAIN AND SECOND STREETS

OLYMPIA, W. T.

THE proprietors of this hotel having erected an additional building, and completed other extensive improvements, are now prepared to offer as good accommodations and fare as any hotel in our own or neighboring territory.

The Bar will always be supplied with the best Liquors and Cigars.

A good Stable is attached to the premises.

Our motto—Clean Beds and Warm Rooms.

CORLISS & ENSIGN.
October 1, 1853. 4tf

OLYMPIA BAKERY AND BEEF MARKET!

THE undersigned would respectfully inform the public that they are prepared to furnish Bread, Cakes, and Pies of every description, on reasonable terms. Balls and parties furnished on the shortest notice.

Also Beef, Butter, Eggs, Potatoes, &c.

J. K. HURD.
Olympia, Sept. 1, 1853. 1tf

"PRINT IN MONEY."

I HAVE made arrangements with Parkes, Colter & Co's Express to forward watches and jewelry, to be repaired. Persons in Washington Territory desirous of having their WATCHES AND JEWELRY REPAIRED, can now have their wishes complied with by leaving them at P. C. & Co's Express Office. They will be returned as early as possible.

G. C. ROBBINS.
Portland, Oregon, Sept. 1, 1853.

[CONTINUED FROM FIRST PAGE.]

refusing as for a contempt. This section shall not be construed to prevent a party from compelling another to produce books, papers, or documents, where he is examined as a witness.

Sec. 333. If either party at any time before trial, allow the other an inspection of any writing, material to the action, whether mentioned in the pleadings or not, and deliver to him a copy thereof, with notice that he intends to read the same in evidence on the trial of the cause, it may be so read without proof of its genuineness or execution, unless denied by affidavit before the commencement of the trial. If such denial be made of any writing not mentioned in the pleadings, the court may give time to either party to procure evidence when necessary for the furtherance of justice.

Sec. 334. The records and proceedings of any court of the United States, or of any State or Territory, shall be admissable in evidence in all cases in this Territory, when authenticated by the attestation of the clerk, prothonotary or other officer having charge of the records of such court, with the seal of such court annexed.

Sec. 335. Whenever any deed, conveyance, mortgage, bond or other writing shall have been recorded or filed, in pursuance of law, copies of such deed, conveyance, bond or other writing, duly certified by the officer having the lawful custody thereof, with the seal of office annexed, if there be such seal, if no seal, then with the official certificate of such officer, shall be received in evidence, to all intents and purposes, as the originals themselves.

Sec. 336. Copies of all papers on file in the offices of the Surveyor Generals of Oregon and Washington Territories, Secretary of Washington Territory, Territorial Treasurer, Territorial Auditor and county Treasurer, or any matter recorded in either of said offices, duly certified by the respective officers with the respective seals of office annexed, shall be evidence in all the courts of this Territory.

Sec. 337. Any certificate of residence and cultivation upon the public lands, issued by the Surveyor General of Oregon or Washington Territories, in pursuance of law, shall be evidence in all courts in this Territory.

Sec. 338. A seal of a court or public office, when required to any writ, process, or proceeding, or to authenticate a copy of any record or document, may be affixed by making an impression directly on the paper, which shall be as valid as if made upon a wafer or on wax.

Sec. 339. Printed copies of the statute laws of any State, Territory, or foreign government, if purporting to have been published under the authority of the respective governments, or if commonly admitted and read as evidence in their courts, shall be admitted in all courts in this Territory, and on all other occasions as presumptive evidence of such laws.

OF WRITS OF ERROR AND APPEALS.

Sec. 340. Every final judgment, order or decision of a district court, in a civil action, may be re-examined upon a writ of error in the same court for error in fact, and in the supreme court for error in law.

Sec. 341. Every such writ shall be prosecuted within two years, and not after. But if the party entitled to have such writ shall be absent from the Territory, and shall not have been personally served with process, nor appeared to the action; or if such party be an infant, married woman, or imprisoned, or insane, then such writ may be prosecuted within two years from the removal of such disability, and not after: Provided, that absence from the Territory shall not entitle the party to a longer time than five years; the time limited shall include the day on which the judgment is rendered, or the order of decision is made, or on which the disability ceases.

Sec. 342. The party desirous of taking his writ of error, shall file with the clerk of the court in which the judgment was rendered, a precipe, containing a particular description of the judgment, order or decision upon which he wishes to bring his writ of error and his claim, whether upon error in fact or error in law; which precipe shall also contain an order directing the clerk to issue, under the seal of the court, notice to the adverse party of the filing of such precipe, and of the court and term at which such writs of error will be prosecuted; and the writ of error shall be deemed to have issued at the time of the filing of such precipe.

Sec. 343. The notice shall be issued and served in the same manner that a summons is served, and shall be returned to the court in which such writ of error is to be prosecuted, by the first day of the term at which said writ of error is to be heard. It may be served on the defendant or his attorney of record, in any county in the Territory. And if service of the notice cannot be had from any cause, the court at such term, upon being satisfied that the precipe has been filed and notice issued, may direct the manner in which such notice shall be given; and after the order for giving notice has been fully complied with, may proceed as though notice had actually been given.

Sec. 344. Upon the filing of such precipe, and the payment of his fees, the clerk shall issue the notice to the defendant in error; and if the precipe direct the return of the writ of error to the supreme court, he shall make out a full transcript of the record, and send the same to the clerk of the supreme court, by mail or other safe opportunity.

Sec. 345. The transcript of the record shall contain a copy of the writ and return, the pleadings, the journal entries, judgment, order or decision, bills of exception, execution and return, and all matters pertaining to the case, but it shall not be necessary to send copies of subpœnas, motions, or depositions, unless the same, by bill of exceptions, have been made part of the record.

Sec. 346. Whenever from any cause the transcript of the record shall not be received by the clerk of the supreme court, or shall be lost, the court shall order a new transcript to be sent up, in such time and manner as they shall see fit: Provided, that in all cases where the failure arises from the neglect of the plaintiff in error to comply with the provisions of this act, the writ of error or appeal shall be dismissed. Either party may, upon a suggestion of a diminution of the record, and upon a proper case made, have an order that a further record be sent up.

Sec. 347. If the notice shall have been served ten days or more before the term of the court to which the record is returnable, the case shall stand for trial at such term; and it may stand for trial if the parties appear in court, bring in the record and waive the notice.

Sec. 348. The court of error may fix the time for assigning errors and filing joinders. If errors in law be assigned no joinder shall be necessary. One or more errors in fact may be assigned and the defendant may put in the common joinder as a demurrer thereto or may traverse or confess and avoid the facts assigned for error and a separate issue shall be made on each.

Sec. 349. If at the time of filing the precipe with the clerk, or at any time thereafter the plaintiff in error shall file with the clerk a bond with sureties to the satisfaction of the clerk in double the amount of the judgment if it is for money, and if the judgment is for the restraining or performing any other act or the determination of any other right, then in such a sum as a judge of the supreme court shall direct conditioned that, the plaintiff pay all costs and damages, and perform such judgment as the court on the trial of the writ of error shall adjudge against him, then no further execution shall be had upon the original judgment until the determination of the writ of error, and any execution previously issued shall be recalled.

Sec. 350. The judgment or other matter complained of may be affirmed or may be reversed or set aside in whole or in part, or may be modified or a different judgment or order may be substituted for that complained of, and the cause may be remitted to the district court for such further proceedings as the supreme court by mandate shall direct. Execution may issue from the supreme court or its judgments may be executed by the district court an a mandate for that purpose.

Sec. 351. In case the judgment of the court below, shall have been for a sum of money and shall be affirmed against the plaintiff in error, damages may be awarded to the defendant in error not exceeding ten per cent on the amount exclusive of interest and costs of such judgment. And in all cases interest and costs shall be allowed on the original judgment.

Sec. 352. Any person who may be a party or privy to any judgment, order or decision may prosecute a writ of error, to reverse the same and the reversal shall inure to the benefit of all parties and privies therein, and no other party or privy shall afterward prosecute a writ of error for the same cause.

Sec. 353. When it shall appear that any other person should be made a party to any proceeding upon a writ of error the court shall require such person to be made a party and shall direct in what manner notice shall be given.

Sec. 354. The reversal of a judgment, order, or decision, shall not affect the title of property sold upon an execution issued upon such judgment, order, or decision, if such property be purchased at the sale by a stranger, but if purchased by the judgment creditor, the plaintiff in error may bring an action for the recovery thereof, and the court may award restitution or render such other judgment as justice shall require.

Sec. 355. When the supreme court shall be equally divided in opinion, the cause shall stand continued until all the judges are present.

Sec. 356. Whenever upon the trial of any civil action in the district court it shall be found to turn upon important questions of law, the court may direct a special verdict to be found, and in all cases the parties may make an agreed statement of facts signed by themselves or their attorneys, which shall be entered of record, and all questions of law arising on special verdicts, agreed statements, motions for new trial, and others in any manner arising in the district court, may under the direction of the district court be taken to the supreme court by way of appeal. And for that purpose the court shall render a judgment in form only which shall not be executed until the final decision of the cause, and the supreme court on hearing the appeal may give judgment, or remand the cause, or make any order, according to the law and justice of the case.

Sec. 357. In all cases of writs of error, or appeals in the supreme court, the court shall consider and adjudge upon all errors and mistakes which shall appear in the entire record by which plaintiff in error may have been prejudiced, if the same were excepted to at the time, whether interlocutory or final, and whether the plaintiff in error had according to the strict rules of law waived the same by proceeding with the case under the order of the court after such exception taken, provided that the court shall consider all amendments which could have been made as made, and in such case shall not reverse any judgment, order, or decision, unless it shall appear that injustice may have been done, and the plaintiff in error, or his attorney, shall make oath that injustice has been done him in the judgment which is sought to be reversed.

Sec. 358. All cases either in law or equity which have heretofore been decided in this Territory, may at any time within the time limited in this act, be examined upon a writ of error under the provisions of this act, and in adjudging upon such cases the court shall be governed in their judgment or errors by the rules of the common law.

SET OFF.

Sec. 359. The defendant in a civil action upon a contract expressed or implied, may set off any demand of a like nature against the plaintiff in interest which existed and belonged to him at the time of the commencement of the suit. And in all such actions other than upon a negotiable promisory note, or bill of exchange negotiated in good faith, and without notice before due, which has been assigned to the plaintiff—he may also set off a demand of a like nature existing against the person to whom he was originally liable, or any subsequent assignee prior to the plaintiff of such contract; provided such demand existed at the time of the assignment thereof, and belonged to the defendant in good faith before notice of such assignment, and was such a demand as might have set off against such person to whom he was originally liable, or such assignee while the contract belonged to him.

(CONTINUED ON SECOND PAGE.)

CHEAP STORE!

WHOLESALE & RETAIL.

THE undersigned having permanently located himself at Olympia, in the mercantile business, has now on hand and is constantly receiving goods adapted to the wants of the country. Among his assortment may be found.

DRY GOODS, GROCERIES, HARDWARE,

BOOTS, SHOES, TIN WARE, CUTLERY, CLOTHING, &c.

All of which will be sold "Cheaper than the cheapest."

Persons desirous of purchasing goods will do well to call before making their purchases.

A word to the wise is sufficient.

G. A. BARNES.

Olympia, Sept. 7, 1853.—1y1.

NEW MUSIC STORE.

PILLOW & DREW,

Watchmakers and Jewelers,

HAVE in connection with their regular business, opened a music room and have on hand Piano Fortes of the most celebrated makers. We also have on hand piano forte, flute, accordeon and melodeon music and music books. All orders filled at short notice.

Dec. 3, 1853. 6m.

NEW BLACKSMITH SHOP.

THE Undersigned would respectfully inform the citzens of Steilacoom city and vicinity, that he is prepared to do all work in the Blacksmithing line lower than at any other establishment on Puget Sound. All orders from a distance executed with neatness and dispatch.—PLOWS, MILL IRONS, &c., of a superior quality can be obtained upon short notice, and at very reasonable rates.

Shop, corner of Second and Columbia streets.

S. F. LIKENS.

Steilacoom city, Sept. 5, 1853.—2tf.

DR. J. R. CARDWELL,

DENTAL SURGEON,

PORTLAND, OREGON.

DR. C. is prepared to insert the improved Porcelain Gum Teeth on the atmospheric pressure principle, which may be worn with comfort, answering every end of the natural teeth.

Particular attention paid to the plugging of decayed teeth with gold or tin foil, thereby preventing further decay. Teeth extracted with insqroved forceps, giving the least possible pain.

☞ All operations warranted to give entire satisfaction, or no charge made. Ladies visited at their residence if requested.

Feb. 18, 1854. 24tf

D. R. BIGELOW, QUINCY A. BROOKS.

BIGELOW & BROOKS,

ATTORNEYS AT LAW,

OLYMPIA, THURSTON COUNTY,

WASHINGTON TERRITORY.

Advice given in regard to filing notifications of land claims, and all Agencies of Town property, entrusted to our care, belonging to non-residents, faithfully and promptly attended to according to order. 15

Olympia, Dec. 17, 1753.

Steilacoom Ship Yard.

BOLTON & WILSON,

SHIP CARPENTERS AND CHANDLERS,

STEILACOOM, PUGET SOUND.

VESSELS of all classes built, rigged and fitted for sea. Sails, spars, rigging, netting, chandlery &c., supplied to order. Caulking and all other repairs made in the most satisfactory manner. Ship carpenters will be despatched to any part of the Sound whenever required. The patronage of persons wishing to build, owners, consignees and masters of vessels, is respectfully solicited.

Steilacoom, Aug. 6th. 1853.—1y 48.

CARTER & PAGETT,

DEALERS IN

PRODUCE, MERCHANDIZE,

GROCERIES AND PROVISIONS,

Cowlitz anding, W. T.

Also, proprietors of the

COWLITZ HOTEL,

where travellers can find good fare and accommodations.

Dec. 3, 1853. 13-

DISSOLUTION.

THE copartnership existing under the name and style of L. B. Hastings & Co., have this day dissolved by mutual consent, and the business will be continued by L. B. Hastings and Alfred A. Plummer, under the name and style of Hastings and Plummer, who will settle up all the business of the late firm of L. B. Hastings & Co.

F. W. Pettygrove will remain in the Office until the business is settled up.

L. B. HASTINGS,
F. W. PETTYGROVE,
A. A. PLUMMER.

Port Townsend, Feb. 20, 1854. 28tf

HOLMAN HOUSE,

BURBOS & BOOTH, PROPRIETORS,

NEAR THE STEAMBOAT LANDING,

SALEM, MARION COUNTY, OREGON.

Feb. 18, 1854. 24tf

Sayward's Line

OF PACKETS, consisting of the ship Sarah Parker, Brig Merchantman, and schooner Willimantic will run regularly between Puget Sound and San Francisco. All orders for goods will be promptly attended to.

July 30, 1853. 47ly

W. T. SAYWARD,

HAS established himself at Port Ludlow, where he has now, and will keep constantly on hand the largest assortment of

PROVISIONS, GROCERIES, AND DRY GOODS

to be found in Washington Territory—and will sell at wholesale or retail at the lowest price possible. And having a very large Launch, Clipper built, will forward them to any port on Puget Sound.

Port Ludlow, July 30, 1853.—47ly.

STEAMER FASHION.

THE FASHION is now plying and will continue to ply regularly between

MONTICELLO AND PORTLAND,

twice a week, connecting with the boats and canoes on the Cowlitz river, and with the PEYTONA, Capt. Hatch, from Portland to Oregon City.

Passengers may confidently expect to meet the Fashion at Portland every Monday and Thursday mornings, and at Monticello on the evenings of the same days.

C. VAN BERGEN.

Dec. 1, 1853.

New Goods,

SECOND STREET, POST OFFICE BUILDING.

JUST received and now opening a general assortment of

Dry Goods, Groceries, Clothing, &c., &c.,

Such as Frock, Dress, Sack, Prince Albert, Business and Over Coats.
Doe Skin, Fancy, Cassimere, Satinet and moleskin Pants.
Black Satin, Cassimere and Fancy Vests.
Hats, Ladies' and Gentlemen's Boots, Shoes, Gaiters, Slippers and Children's Shoes of all kinds.

A good assortment of white, colored, calico, hickory, check, over and under Shirts at prices to suit the times.

Also—Crape and Merino Shawls, Ribbons, Bonnets, Lace, Gloves, Hosiery, Perfumery, Fresh ground Corn Meal, Dried Apples, Rice, Sugar, Coffee, Tea, Candles Tobacco and Soap.

All of which will be sold very low.

W. M. RUTLEDGE.

Olympia, June 9,-'54. -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

J. & C. E. WILLIAMS, Portland, O. T. } { FR. WATERMAN, Olympia, W. T.

Williams & Waterman,

WHOLESALE AND RETAIL DEALERS IN GROCERIES, PROVISIONS AND LIQUORS,

Main Street, Olympia, W. T.

April 15, 1854. 3m32

CHIPS & ETHRIDGE,

ARCHITECTS AND BUILDERS,

OLYMPIA, WASHINGTON TERRITORY.

BEING the pioneers in Olympia, we take this method informing the public generally that we are prepared to contract and furnish materials for buildings on the improved "rat plan," which cannot be surpassed "nary time."

TERMS—Cash.

Olympia, Nov. 12, 1853. 10tf

ALLAN, LOWE & CO.,

COMMISSION MERCHANTS,

123 CLAY STREET, SAN FRANCISCO.

Allan, McKinlay & Co., Oregon City and Umpqua, Oregon.

June 25, 1853. 6m42

PUYALLUP SALMON FISHERY.

THE UNDERSIGNED are now prepared to enter into contract with persons desirous of packing Salmon—deliverable on the beach, from the nett—in any quantity to suit. Apply to

RILEY & SWAN, Puyallup,

or to PHILIP KEACH, Esq., Steilacoom City.

August 12, 1853. 50tf

THE OFFICE OF

JNO. B. PRESTON,

IS over PRESTON, O'NEILL & CO'S store, Main street, Oregon City, where he is prepared to attend to any business pertaining to Land or Land laws in Oregon.

Oregon City, Dec. 1854, 16tf

STOVES.

JUST RECEIVED ex brig Tarquina, a large and splendid assortment of

PARLOR AND COOK STOVES,

Hardware, Hollow-ware, Plows

CARPENTERS' TOOLS, SCYTHES, CUTLERY, ETC.

Also on hand a large and varied assortment of plain and Japaned Tin ware.

We are prepared to manufacture to order, and at the shortest notice, all articles in our line of business.

GEORGE GALLAGHER.

Olympia, Nov. 5, 1853. 9tf

FOR SALE.

A FIRST RATE TWO HORSE WAGON for sale, on reasonable rates, by

GEORGE GALLAGHER.

Olympia, April 1, 1854. 30tf

JAMES C. STRONG,

ATTORNEY AT LAW,

WILL, in connection with Hon. Wm. Strong, practice in the courts in Washington Territory.

NOTICE TO SETTLERS.

By an arrangement with John B. Preston, Esq., late Surveyor General, I will attend to the preparation of notifications, and all business connected with the Land Office. Business at the office at Oregon City will be attended to by Mr. Preston personally.—This will insure to claimants a prompt and correct attention to their business.

Office, for the present, on Third street, three doors from Main, Olympia, Washington Territory.

Olympia, March 25, 1854. 6m29

WATCHES AND JEWELRY!

G. COLLIER ROBBINS,

WATCH MAKER & JEWELER,

(LATE OF ST. LOUIS, MO.)

TAKES pleasure in announcing to the citizens of Oregon and Washington that he has permanently located in Portland, where he is prepared to repair all kinds of

WATCHES AND JEWELRY.

G. C. R. hopes by strict attention to business and a desire to please, to merit a share of the patronage of the public.

Front street, next door to Ladd & Co.'s. Third door below the Columbian Hotel.

Sept. 10, 1853.

SEATTLE STEAM SAW MILL.

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

H. L. YESLER & CO.

Seattle, Sept. 3, 1853. 1tf.

FOR SALE!

I WILL SELL the Columbian Hotel (the best property in Olympia) and a cottage on the corner of Franklin and Third streets, also my land claim, on which there is a splendid oyster bed, and a good dry dock for shipping, situated seven miles and a half below Olympia, at a very great sacrifice for ready money. For terms and other particulars inquire at my house on the claim.

HERBERT JEAL.

Olympia, June 4, 1853. 39tf

NOTICE.

NOTICE is hereby given that the purchase from Indians of guns, utensils of husbandry or cooking utensils of the kind commonly obtained by them in their intercourse with white people, or of Blankets or any article of clothing except skins or furs, is strictly forbidden by law under a penalty of FIFTY DOLLARS, for each and every offence, and that such offences will be hereafter strictly prosecuted.

The system of private reprisals in case of thefts committed by Indians, is also strictly forbidden by law. The Superintendant will be at all times ready to compel indemnity where it can be obtained from the tribe, and on failure, the act provides for remuneration otherwise. In case of violation of this provision, the right to indemnity is forfeited, and the penalty will be enforced in addition.

ISAAC I. STEVENS,
Gov. & Supt. Indians Affairs.

Office Superintendant Indian Affairs, Olympia, W. T. Feb. 22, 1854. } tf.

Notic.

ALL persons indebted to the late G. N. McConaha, are requested to make payment without delay, and those having demands against the same will please present them as it is my desire to adjust all matters of this kind as speedily as possible.

URSULA McCONAHA.

Seattle, June 19, 1854.—n47

W. H. WALLACE,

ATTORNEY AT LAW,

STEILACOOM, W. T.

Nov. 5, 1853. 9tf

LAFAYETTE BALCH,

MERCHANT,

STEILACOOM, WASHINGTON TERRITORY.

Oct. 1853. 5tf

GEORGE L. STORY,

DRUGGIST,

DENNISON'S BUILDING, FRONT STREET,

PORTLAND, OREGON.

Dec. 3, 1853.

C. H. MASON,

ATTORNEY AT LAW,

OLYMPIA, W. T.

GEORGE GALLAGHER,

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

OLYMPIA, W. T.

Nov. 5, 1853. 9tf

I. N. EBEY,

Attorney and Counsellor at Law,

AND SOLICITER IN CHANCERY.

Office at the Custom House.

Sept. 30, 1853. 4tf

G. A. BARNES,

WHOLESALE AND RETAIL DEALER IN DRY GOODS, GROCERIES, PROVISIONS, HARD-WARE, &c.,

OLYMPIA, W. T.

Sept. 10, 1853.

H. C. MOSELEY,

ATTORNEY AT LAW,

STEILACOOM, PIERCE COUNTY, W. T.

July 9, 1853. tf

F. A. CHENOWETH,

ATTORNEY AT LAW,

Will attend the several District Courts of the Territory of Oregon.

Cascade City, Dec. 15, 1852.

DOCTOR L. C. BROY,

French Physician and Surgeon.

OFFICE—PORTLAND HOSPITAL, FRONT STREET, Portland, Oregon.

PILLOW & DREW,

Watch Makers and Working Jewelers,

FRONT, BETWEEN STARK AND OAK STREETS,

PORTLAND, OREGON.

Watches and Clocks cleaned and repaired in a workmanlike manner, and warranted.

Rings and Pins made to order, of California Gold.

Portland, Sept. 10, 1853.

J. O. MARTIN,

ATTORNEY AND COUNSELLOR AT LAW, AND SOLICITOR IN CHANCERY,

Chesterville, Near Penn's Cove,

mh 25, '54-1y.] Whidby's Island, W. T.

LARGE CARGO FOR SALE.

THE UNDERSIGNED, direct from the Sandwich Islands, has opened at the store room formerly occupied by G. A. Barnes, on First street, Olympia, the following articles designed for the supply of the trade generally:

2000 lbs first quality Goshen butter,
1500 lbs Lard in tins,
3000 lbs Hawaiian Coffee,
2000 gallons Hawaiian Molasses in half barrels,
1700 gallons Torbet Syrup,
1600 lbs Sugar in half barrels and barrels,
8000 lbs coarse salt,
2000 lbs Sugar-cured Hams,
2000 lbs extra chewing tobacco, in 21 ℔ packages,
850 lbs Tallow Candles, in 25 ℔ boxes,
20 doz. boxes Martell's Brandy,
75 doz. boxes Gin,
44 gallons Spirits Turpentine, in 6 gallon tins,
95 Iron pots,
89 pairs heavy pants,
25 doz. looking glasses,
150 pairs heavy brogans,

All of which will be sold in quantities to suit purchasers on reasonable terms.

SAMUEL C. ALLEN.

Olympia, March 25, 1854. 29tf

DE SHUTES STORE.

GROCERIES, Dry Goods, Beef, Vegitables, Bread, Cakes and Pies, can all be had cheap for cash at the Falls of Deshutes River.

WILSON & HURD.

De Shutes, April 8, 1854. n31.

LIVERY STABLE.

NEW ARRANGEMENT!

THE undersigned, having completed their large and commodious stable in Olympia, are now prepared to stable at one time ONE HUNDRED HORSES, and intend keeping a number of excellent horses for hire.

Also horses kept by the day or week.

For terms and other particulars, inquire at the Pacific House.

A. J. Baldwin will be found in the office attached to the stable night and day, ready at all times to attend to any call in the line of his business.

In connection with the above business, a team will always be on hand to accommodate those who may want teaming done on reasonable terms.

A. J. BALDWIN & CO.

Olympia, Feb. 11, 1854.

NOTICE.

THE workmen upon the western portion of the Cascade Emigrant Road are hereby notified that the amount due them upon the contract with Capt. George B. McClellan, can be had by presenting certificates of time to

EDWARD J. ALLEN.

Olympia, April 8, 1854. n31

Schiotwoot.

THE SUBSCRIBER would respectfully inform the public that the above named scow has been finished, and put in readiness to convey goods from points below to this city. She is capable of carrying a large amount of freight, and is perfectly water-tight. Orders from all parts received and promptly attended to at the lowest rates.

A. J. BALDWIN.

Olympia, Sept. 10, 1853. tf

WOODFORD C. HOLMAN,

COMMISSION MERCHANT & SHIPPING AGENT,

FIRE PROOF BRICK BUILDING,

No. 86 Sacramento Street,

March 1, 1851. tf.31 SAN FRANCISCO.

Goldman & Rosenblatt,

WHOLESALE AND RETAIL

DEALERS IN

Dry Goods, Clothing, Groceries,

BOOTS & SHOES, HARDWARE, STATIONERY, &c., &c., &c.,

OLYMPIA, W. T.

BERNARD GOLDMAN, SAMUEL ROSENBLATT.

April 20, 1854. 24tf

FRUIT TREES.

MILWAUKIE NURSERY.

H. & S. LUELLING, PROPRIETORS.

WE have had a number of our varieties bear fruit, and we find the size and flavor to exceed any in the United States. We have greatly extended our Nursery by the introduction of many new varieties of Apples, Pears, Plums, Peaches, &c., &c.—also a variety of Flowers and ornamental Trees, many of which we shall be able to furnish this fall. We have further extended our nursery business by establishing three Branch Nurseries in the upper country; one at Alfred Stanton's Marion county, four miles north-east of Salem; one at Mr. Knoxe's, Knoxe's Bute, Linn county; and one at Joseph Kelsey's near Starr's Point, Benton county.

March 11, 1853

THOMAS LAMBERT, CHARLES POTTS.

THOMAS LAMBERT & Co.,

WASHINGTON STREET,

BETWEEN BATTERY AND SANSOME.

GENERAL Commission Merchants and Importers of Provisions, Tobacco and Segars, Hardware and Cutlery, Crockery and Glass ware.—Boots and Shoes, Hosiery, Rifles and Guns, Seines and Nets, and all articles suitable to the Puget Sound trade, the prices of which will be found very moderate.

San Francisco, Jeb. 10, 1853.

PILLOW & DREW,

Watch Makers and Jewelers,

NEXT DOOR SOUTH OF ADAMS & CO'S. EXPRESS OFFICE,

PORTLAND, OREGON,

KEEP constantly on hand, and are receiving by every steamer, new and rich invoices of

Watches, Clocks and Jewelry,

which they offer at the lowest prices.

—CONSISTING OF—

Gold and Silver Watches of Every Variety, Clocks of all kinds, Gold Fob and Breast Chains, Guard Chains, Seals, Keys and Charms, Finger Rings, of Oregon Gold, Ladies' & Gentlemen's

BOSOM PINS, GOLD AND SILVER THIMBLES,

Silver plated Tea and Table spoons, German silver and Wire strengthened spoons, Butter knives & salt spoons, Britannia Tea and Coffee Pots,

Fea Rells, Shell, Ivory and Buffalo Combs, Accordeons, Music Boxes, Britannia Casters, Pocket Cutlery; every variety of Coral Necklaces and Armlets, Fancy Beads for Indian trade, Fancy Bead Bags and Purses, French Fgrt Mannles, &c., &c., &c.

PILLOW & DREW.

Feb. 18, 1854. 24tf

HENRY JOHNSON & CO.,

IMPORTERS AND WHOLESALE DRUGGISTS,

146, Washington Street, near Montgomery,

SAN FRANCISCO, CALIFORNIA.

OFFER for sale, for cash, at the lowest wholesale prices, a large and well selected assortment of East India, Mediterranean and European Drugs and Medicines; French, English and American Chemicals of all kinds; and also, an extensive variety of Perfumery, Fancy Articles, Fancy Soaps, Brushes, Paints and Oils, Dye Stuffs, Labels, Window Glass, Extracts, Bronzes, Trusses, Leeches, Surgical Instruments, Druggists' Glassware, Hatters' Goods, Shakers' Herbs and Roots, &c., together with every article comprised in the stock of a Druggist or Physician.

H. J. & Co., are the proprietors' Wholesale Agents for Dr. Jayne's Family Medicines, Sand's Sarsaparilla, Old Townsend's Sarsaparilla, Moffat's and Brandreth's Pills, Davis' Pain Killer, Congress Spring Water, &c, &c.

Henry Johnson & Co., have made such arrangements in New York, Boston and Philadelphia as will enable them to purchase their stock at the lowest rates, and they are determined to give their customers the benefit of low prices, and at the same time the best quality of goods.

July 23, 1853—46ly.

GEORGE L. STORY,

DENNISON'S BUILDING, FRONT STREET,

PORTLAND, OREGON.

OFFER AT WHOLESALE ALD RETAIL the following articles:

DRUGS AND MEDICINES.

50 doz Sand's Sarsaparilla;	500 lbs Saltpetre;
50 doz S. P. Townsend's Sarsaparilla;	800 lbs Alum;
75 doz Dr Jacob do do;	255 lbs Balsam copaiva;
30 " Jayne's Expectorant;	75 lbs Spts. Nitre Dulc;
20 " Jayne's Alternative;	100 lbs Aqua Ammonia concentd;
40 " Moffatt's Phœnix Bitters;	500 lbs Cream of Tartar
50 " do Life Pills;	350 lbs Tartaric Acid;
24 " Osgood's Indian Cholagogue;	800 lbs Bi-carb Soda;
30 " Thompson's Eye-Water;	500 lbs Beeswax;
24 " Nerve and bone Liniment;	200 lbs refined camphor;
15 " Dr. Fahnestock's Vermifuge;	400 lbs Copperas;
30 " British Oil;	500 lbs Glauber salts;
36 " Harlem do;	50 gals. cold press'd castor oil;
40 " Godfrey's Cordial;	4 boxes cast steel assy;
30 " Bateman's Drops;	3 bbls lampblack;
12 " Ayer's C. pectoral.	1 bbl Race ginger;
50 boxes Davis' Pain Killer;	50 lbs Cassia, in mats;
300 gross bottle corks;	300 lbs Hops;
70 cases Sarsap. syrup;	100 lbs Rad Rhei. Ind.;
25 " Lemon syrup;	800 lbs Sal soda;
25 " Raspberry do;	1200 lbs Epsom salts;
500 lbs Herbs, assorted;	200 lbs Sponge;
100 ozs Quinine;	75 lbs Carb. Ammonia;
20 " Strychnine;	50 doz sweet oil in bottles;
10 lbs Iodide of Pottassa;	50 lbs Indigo, Bengal;
	30 lbs Opium (new crop)
	20 lbs Prussi. Potash;
	2 bbls Sassafras bark;
	200 lbs Emery, ass'd sizes;
	125 ozs Flores Benzoin;
	15 bbls Dyewood;

Paints, Oils, &c., &c.

1200 lbs Putty;	2000 lbs White Lead;
50 gals copal Varnish;	800 lbs Red do;
75 " Japan do;	300 lbs Litharge;
400 " Spts Turpentine;	800 lbs Venetian Red;
200 " Linseed oil;	400 lbs Spanish Brown;
100 lbs essential Oils;	200 lbs light Glue;

SOUTHWORTH & CO.,

NO. 64, BATTERY STREET, CORNER OF BALLERY,

SAN FRANCISCO, CALIFORNIA,

IMPORTERS of English and American Hardware, Cutlery, &c.,

Bar and sheet Iron—Portable Grist Mills,

SAW MILL IRONS COMPLETE,

Horse Powers; Carpenters' Tools;

Tinman's Tools and Machines;

Together with a full and well assorted stock of goods in the Hardware line.

On hand and will be receiving, those celebrated steel Plows manufactured by Evans & Adams, Galena, Illinois. Also from the manufactory of Joel Porter, Plattesville, Illinois.

San Francisco, Aug. 2, 1853. 51tf

In Store and Now Receiving,

AT the Fire-Proof Brick building, Front street, Portland, Oregon, a choice and well selected assortment of

HARDWARE, GROCERIES

PAINTS, OILS, WINES AND LIQUORS;

Among which are Nails, Horse-shoes, Horse-shoe nails, Bar lead, Steel and Iron Squares, Try Squares, Board Rules, Collins' and Simmons' axes, Hand-saws, Pitch saws, Draw knives, Spirit levels, Hand-saw files, Mill saw files, Bench planes, and a fine assortment of Cutlery. Also, Sugar, Coffee, Tea, Rice, Syrup, Tobacco, Candles, Soap, Saleratus, Dried Apples and Peaches, Starch, Beans, &c. Wine glasses, Tumblers and Bar Decanters. Wines and Liquors in five, ten and twenty gallon packages. White, Black, and Red Lead, Raw and Boiled Oil, Spirits Turpentine, Sperm oil, Window Glass, Sash, &c.

W. S. LADD & CO.

Portland, June 20, 1853. tf

FOR SAN FRANCISCO!

THE NEW AND SPLENDID STEAM-SHIP

PEYTONA,

JAS. S. NASH, COMMANDER,

will leave Portland for Port Orford and San Francisco, touching at Rainier, on or about the 14th and 30th of each month.

Passengers by her can be sure of arriving in San Francisco in time to take passage in the Nicaragua or Panama steamers. For freight or passage apply on board or to

W. S. LADD & CO., Portland.

Feb. 11, 1854. 23tf

GEORGE B. ENSIGN, JOHN F. STIRLING.

ENSIGN & STIRLING,

LUMBER DEALERS,

OFFICE—Junction Market and California St. wharves,

SAN FRANCISCO, CALIFORNIA,

Will receive Oregon Lumber and Produce on Commission, and make cash advances on the same.

San Francisco. Sept. 25, 1853.

E. D. WARBASS,

DEALER IN

Produce and Merchandise.

COWLITZ PRAIRIE, W. T.

September 6, 1852.