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LAWS OF THE TERRITORY OF WASHINGTON.

PUBLISHED BY AUTHORITY.

AN ACT Respecting Executors, Administrators, and the Distribution of Real and Personal Estate.

Sec. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington*, That upon the decease of any inhabitant of this Territory, letters testamentary, or letters of administration on his estate shall be granted by the probate court for the county in which the mansion house, or place of abode of the deceased, was situated at the time of his death. If he had no mansion house or place of abode in this Territory, at the time of his death, and was possessed of lands in this Territory, letters may be granted in the county in which such land, or a part thereof, lies. If the deceased had neither mansion house, place of abode, nor lands in this Territory, at the time of his death, letters testamentary or of administration, may be granted in the county where he died, or in which the greater part of his estate may be. If he died out of the Territory, having at the time of his death neither mansion house, place of abode, or lands in this Territory, such letters may be granted in any county where his estate, or a part of it, may be.

Sec. 2. All orders, settlements, trials, and other proceedings intrusted by this act to the probate court, shall be had or made in the county in which letters testamentary or of administration, were granted.

Sec. 3. No judge of probate in his own county, and no person under twenty one years of age, or of unsound mind, shall be executor or administrator, nor shall the executor of an executor in consequence thereof, be the executor of the first testator.

Sec. 4. Letters of administration shall be granted—

1st. To the widow or next of kin, or both, as the judge of probate shall think fit; and if they do not voluntarily either take or renounce the administration, they shall, if resident in the county, be cited for that purpose by the judge;

2d. If persons so entitled to administration are incompetent, or evidently not suitable for the discharge of the trust, or if they neglect without any sufficient cause, for sixty days after the decease of the intestate, to take administration of his estate, the judge of probate may grant letters to one or more of the principal creditors, if there be any competent and willing to undertake the trust;

3d. If there be no such creditor, the judge of probate shall commit administration to such other person as he shall think fit, provided, however,

4th. That if the deceased were a married woman, administration of her estate shall in all cases be granted to her husband, if competent and willing to undertake the trust, unless she shall have made some testamentary disposition of her separate estate, which shall render it necessary or proper to appoint some other person to administer; and, provided also,

5th. That if the deceased were an alien, and left no widow or next of kin in this Territory, administration of his estate shall be granted to the consul or vice consul of the nation to which he belonged, if there be any in this Territory, and he shall claim the same in preference to his creditors.

Sec. 5. After the probate of any will, letters testamentary shall be granted to the persons therein appointed executors. If a part of the persons thus appointed refuse to act, or be disqualified, the letters shall be granted to the other persons appointed therein. If all such persons refuse to act, or be disqualified, letters of administration with the will annexed, shall be granted to the person to whom administration would have been granted, if there had been no will.

Sec. 6. When there are two or more persons named co-executors in any will, none shall have authority to act as such, or intermeddle, except those who give bond.

Sec. 7. Every executor or administrator, before entering upon the execution of his trust, shall give bond with sufficient sureties, resident in this Territory, in such sum as the judge of probate shall order, payable to the Territory of Washington. The form of the bond shall be joint and several, and the penalty shall not be less than twice the value of the estate; which value shall be as certained by the probate judge, by examination on oath of the party applying, and of any other persons he may think proper to examine. The bond shall be conditioned that the executor or administrator shall faithfully execute the duties of his trust according to law.

Sec. 8. When two or more persons shall be appointed executors or administrators, the probate judge shall take a separate bond from each of them.

Sec. 9. If the executor be a minor, or absent from the Territory, letters of administration with the will annexed, shall be granted during the time of such minority or absence, to some other person, unless there be another executor who shall accept the trust, in which case the estate shall be administered by some other executor until the disqualification shall be removed, when such minor having arrived at full age, or such absentee shall be admitted as joint executor with the former, on giving bond as before required.

Sec. 10. Every person who shall be appointed administrator with the will annexed, shall, before entering upon the execution of his trust, give bond to the Territory of Washington, in like manner, and with like condition as is required of an executor, provided that when such administrator shall be appointed in pursuance of the last preceding section, there shall be added to such condition in his bond, as follows: Faithfully to deliver the letters of administration into the probate court, in case such minor shall become of full age, or said absent executor return and obtain letters testamentary on the estate.

Sec. 11. When by reason of a suit concerning the proof of a will, or from any other cause, there shall be a delay in granting letters testamentary or of administration, the judge of probate may in his discretion appoint a special administrator, other than one of the parties, to collect and preserve the effects of the deceased; and in case of an appeal from the decree appointing such special administrator, he shall nevertheless proceed in the execution of his trust, until he shall be otherwise ordered by the district court to which such appeal is taken.

Sec. 12. Every such administrator shall, before entering on the duties of his trust, give bond with sufficient surety or sureties, in such sum as the judge of probate shall order, payable to the Territory of Washington, with condition as required of an executor, or in other cases of administratorship, to make and return into the probate court within three months, a true inventory of all the goods, chattels, rights and credits of the deceased, which have or shall come into his possession or knowledge; and that he will truly account for all the goods, chattels, debts and effects of the deceased, that shall be received by him as such special administrator, whenever required by the judge of probate, and will deliver the same to the person who shall be appointed executor or administrator of the deceased, or to such other person as shall be lawfully authorized to receive the same.

Sec. 13. Such special administrators shall collect all the goods, chattels and debts of the deceased, and preserve the same for the executor or administrator who shall thereafter be appointed; and for that purpose may commence and maintain suits as an administrator, and may also sell such perishable and other goods as the judge of probate shall order to be sold, and he shall be allowed such compensation for his services as the judge of probate shall deem reasonable.

Sec. 14. Upon granting letters testamentary or of administration, the power of the special administrator shall cease, and he shall forthwith deliver to the executor or administrator, all the goods, chattels, money and effects of the deceased, in his hands, and the executor or administrator may be admitted to prosecute any suit commenced by the special administrator, in like manner as an administrator de bonis non is authorized to prosecute a suit commenced by a former executor or administrator.

Sec. 15. Such special administrator shall not be liable to an action by any creditor of the deceased, and the time for limitation of all suits against the estate, shall begin to run from the time of granting letters testamentary or of administration in usual form, in like manner as if such special administration had not been granted.

Sec. 16. Application for letters of administration shall be made by petition in writing, signed by the applicant or his attorney, and filed in the probate court, which petition shall set forth the facts essential to giving the court jurisdiction of the case, and such applicant, at the time of making such application, shall make an affidavit stating to the best of his knowledge and belief, the names and places of residence of the heirs of the deceased, that the deceased died without a will.

Sec. 17. A similar affidavit, with such variations as the case may require, shall be made by administrators of the goods remaining unadministered, and by administrators during the time of a contest about a will, or the granting of letters of administration.

Sec. 18. Every administrator with the will annexed, and executor at the time letters are granted him, shall make an affidavit that he knows of no other and subsequent will of the deceased.

Sec. 19. No judge of the probate court, no sheriff, clerk of a court, or deputy of either, and no attorney at law, shall be taken as security in any bond required to be taken by this act

Sec. 20. The judge of probate shall take special care to take as securities, men who are solvent and sufficient, and who are not bound in too many other bonds; and to satisfy himself he may take testimony, and examine on oath the applicant or persons offered as security.

Sec. 21. The judge of probate shall cause his clerk to record in a well bound book, kept for that purpose, all bonds given by executors and administrators, and preserve the originals in regular files.

Sec. 22. The judge of probate shall cause his clerk to record in a well bound book, kept for that purpose, all letters testamentary and of administration, before they are delivered to the executors or administrators, and shall certify on such letters that they have been so recorded.

Sec. 23. Copies of such letters, or copies of the records thereof, certified by the probate judge, and under the seal of the probate court, shall be received as evidence in any court in this Territory.

Sec. 24. Letters testamentary to be issued to executors under the provisions of this act, may be in the following form:

United States of America, }
Territory of Washington, } ss.

In the probate court for the county of

Whereas, the last will of A. B., deceased, was on the day of A. D. duly exhibited, proven and recorded in our said probate court, a copy of which is hereto annexed, and whereas it appears in and by said last will, that C. D. is appointed executor thereon. Now, therefore, know all men by these presents, that we do hereby authorize the said C. D. to execute said will according to law.

In testimony whereof, I, E. F., clerk of the probate court of said county, on this day of A. D. at my office in said county, have hereunto set my name and affixed the seal of said court.

Sec. 25. Letters of administration hereafter to be issued in this Territory, may be in the following form:

United States of America, }
Territory of Washington, } ss.

In the probate court for the county of

Whereas, A. B., late of on or about the day of A. D. died intestate, leaving at the time of his death, property in this Territory subject to administration. Now, therefore, know all men by these presents, that we do hereby appoint C. D. (administrator, special administrator, administrator de bonis non, or administrator with the will annexed, as the case may require) upon said estate, and hereby authorize him to administer the same according to law.

In testimony whereof, I, E. F., clerk of the probate court of said county, on this day of , A. D. at my office in said county, have hereuntoset my name and affixed the seal of said court.

Sec. 26. Where administration with the will annexed is granted, a copy of the will shall be attached to the letters.

Sec. 27. If after letters of administration are granted, a will of the deceased be found, and probate thereof be granted, the letters shall be revoked, and letters testamentary or of administration with the will annexed shall be granted.

Sec. 28. If after a will has been found and letters thereon granted, the will shall afterwards be set aside, the letters shall be revoked and letters of administration granted on the goods unadministered.

Sec. 29. If any executrix or administratrix marry, her husband shall not thereby acquire any interest in the effects of her testator or intestate, nor shall the administration thereby devolve on him; but the marriage shall extinguish her powers and the letters be revoked.

Sec. 30. If any executor or administrator become of unsound mind, or be convicted of felony or other infamous crime, or become a habitual drunkard, or otherwise incapable of, or unsuitable for executing the trust reposed in him, or fail to discharge his official duties, or waste or mismanage the estate, or act so as to endanger any co-executor or co-administrator, the probate court upon complaint in writing made by any person interested, supported by affidavit, and due notice given to the person complained of, shall hear the complaint, and if they find it just, shall revoke the letters granted.

Sec. 31. If any heir, legatee, creditor or other person interested in any estate, file in the probate court an affidavit, stating that the affiant has sufficient cause to believe that the security in the executor's or administrator's bond, has or is likely to become insolvent, or has died or removed from the Territory, or that the principal in such bond has or is likely to become insolvent, or is wasting the estate, or that the penalty of such bond is insufficient, or that such bond has not been taken according to law, and shall have given the principal in such bond at least ten day's notice of the complaint, the court shall examine into the complaint.

Sec. 32. If any person bound as security in any executor's or administrator's bond, file in the probate court an affidavit stating that the affiant has sufficient reason to believe, and does believe his co-surety has died or has or is likely to become insolvent, or has removed from the territory, or the principal in such bond has or is likely to become insolvent or is wasting the estate, and shall have given the principal in such bond at least ten day's notice of such complaint, the court shall examine into the same.

Sec. 33. If the probate court find the complaint mentioned in either of the two preceding sections to be just, it shall order another bond and sufficient security to be given.

Sec. 34. Such additional bond when given and approved, shall discharge the former securities from any liability arising from the misconduct of the principal after the filing of the same, and such former securities shall only be liable for such misconduct as happened prior to the giving such new bond.

Sec. 35. If such person fail to give such additional bond and security for ten days after making such order or in such other time as the court may prescribe, his letters from thenceforth shall be deemed to be revoked and his authority from that time cease.

Sec. 36. If any executor or administrator shall publish for six weeks in some newspaper in this territory, in general circulation in the county wherein his letters were granted, a notice of his intention to apply to the probate court to resign his letters, and the court on proof of such publication believe that he should be permitted to resign, it shall so order; said publication of notice in the newspaper upon application to the probate court for that purpose may be dispensed with, and instead thereof the probate court may require said executor or administrator to post ten written or printed handbills containing said notice in ten of the most public places in the county where his letters were granted, at least twenty days before the term of the court at which he makes application to resign his letters.

Sec. 37. Such person shall then surrender his letters, his power from that time shall cease, and he shall pay the expenses of publication and of all the proceedings on such application.

Sec. 38. If there be more than one executor or administrator of an estate, and the letters of part of them be revoked or surrendered, or a part die or in any way become disqualified, those who remain shall perform all the duties required by law respecting the estate.

Sec. 39. If all the executors or administrators of an estate shall die, resign, or their letters be revoked, in cases not otherwise provided for, letters of administration of the goods remaining unadministered, shall be granted those to whom administration would have been granted if the original letters had not been obtained, or the person obtaining them had renounced administration, and the administrator shall perform the like duties and incur the like liabilities as the former executors or administrators.

Sec. 40. If any executor or administrator resign, or his letters be revoked, or he die, he or his legal representatives shall account for, pay and deliver to his successor or to the surviving or remaining executor or administrator, all money and property of every kind, and all rights, credits, deeds, evidences of debt and papers of every kind of the deceased at such time and in such manner as the court shall order, on final settlement with such executor or administrator or his legal representatives.

Sec. 41. The succeeding administrator, a remaining executor or administrator may proceed at law against any delinquent, former executor or administrator or his legal representative, or the securities of either or against any other person possessed of any part of the estate.

Sec. 42. All suits against securities shall be commenced within six years after the revocation or surrender of letters of administration or death of the principal.

Sec. 43. If any executor or administrator fail to make either annual or final settlement as required by law, and do not show good cause for such failure after having been cited for that purpose by the probate court, it shall order such executor or administrator to give notice when required, and to make such settlement, and may enforce obedience to such order by attachment, and may revoke his letters.

Sec. 44. If any person who has surrendered his letters testamentary or of administration, or whose letters have been revoked, or the legal representatives of any deceased executor or administrator shall fail to make final settlement as required by law after being cited for that purpose by the probate court, it shall order such delinquents to make such settlement, and may enforce obedience to such order by attachment.

Sec 45. In all cases where citations or attachments may be issued against any executor, administrator or other person for failing to settle his accounts, such delinquent shall pay all costs incurred thereby.

Sec 46. The executor or administrator on the estate of any deceased member of a co-partnership shall include in the inventory, which he is required by law to return to the probate court, the whole of the partnership property, goods, chattels, rights and credits appraised at their true value as in other cases; but the appraisers shall carry out in the footing an amount equal only to the deceased's proportional part of the co-partnership interest.

Sec. 47. The co-partnership property thus appraised shall remain with or be delivered over, as the case may be, to the surviving partner or partners, who may be disposed to undertake the management thereof agreeably to the conditions of a bond, which he or they shall be required to give to the Territory of Washington, in such sum and with such securities as are required in other cases of administration.

Sec. 48. The condition of such bond shall in substance be as follows:

The condition of the above bond is that if A. B. or A. B. and C. D., surviving partner or partners of the late firm of shall use due dilligence and fidelity in closing the affairs of the said co-partnership, apply the proceeds thereof towards the payment of the co-partnership debts, render a true account on oath to the probate court, whenever required so to do by said court, of all the co-partnership affairs, and pay over within one year, unless a longer time be allowed by the probate court, to the executor or administrator the excess, if any there be beyond satisfying the partnership debts, then this bond shall be void, otherwise remain in full force.

Sec. 49. The probate court shall have the same authority to cite such survivor or survivors to account and to adjudicate upon such account as in the case of any ordinary administration, and the parties interested shall have the like remedies by means of such bond for misconduct or neglect of such survivor or survivors as may be had against administrators.

Sec. 50. In case the surviving partner or partners having been duly cited for that purpose, shall all neglect or refuse to give the bond required in the and sections of this act, the executor or administrator on the estate of such deceased partner, on giving a bond as provided in the following sections, shall forthwith take the whole partnership estate, goods, chattels, rights and credits into his own possession, and shall be authorized to use the name of the survivor or survivors in collecting the debts due the late firm, if necessary, and shall, with the partnership property, pay the debts due from the late firm, and return or pay to the survivors his or their proportion of the excess, if any.

Sec. 51. Before proceeding to administer upon such partnership property, as provided in the preceding section, such executor or administrator shall be required by the probate court to give further bond to its satisfaction, conditioned that he will faithfully execute his trust according to law, which bond may be enforced like other administration bonds.

Sec. 52. Every surviving partner, on the demand of any administrator of a deceased partner, shall exhibit to the appraisers the partnership property belonging to the firm at the time of the death of such deceased partner, for appraisement; and in case the administration thereof shall devolve upon such administrator, the said survivor or survivors shall surrender to him, on demand, all the property of such partnership, including their books, papers, and all necessary documents pertaining to the same, and shall afford him all reasonable information and facilities for the execution of his trust.

Sec. 53. Every surviving partner who shall neglect or refuse to compiy with the provisions of the preceding section, may be cited for such neglect or refusal to appear before the probate court; and unless he comply with such provision, or show sufficient excuse for his omission, the probate court may commit him to the jail of the county, there to remain until he comply or be discharged by due course of law.

Sec. 54. When two or more persons have been appointed executors or administrators, the probate court may take a separate bond, with securities, from each of them, or a joint bond, with securities from all of them.

Sec. 55. Letters testamentary or of administration shall not be granted to a non-resident in this Territory; and when an executor or administrator shall become non-resident, the probate court having jurisdiction of the estate of the testator, or intestate of such executor or administrator, shall revoke his letters.

OF THE INVENTORY AND EFFECTS OF DECEASED PERSONS.

Sec. 56. Every executor and administrator shall make and return upon oath, into the probate court, within two months after his appointment, a true inventory of the real and personal estate of the deceased, which is by law to be administered, and which shall have come to his possession or knowledge.

Sec. 57. The estate and effects comprised in the inventory, shall be appraised by three suitable disinterested persons, who shall be appointed by the court of probate. If any part of the estate shall be in another county, than that in which letters are issued, appraisers thereof may be appointed either by the probate judge having jurisdiction of the case, or by the probate judge of such county, and such appraisers shall receive as compensation for their services three dollars per day, to be paid out of the estate.

Sec. 58. Before proceeding to the discharge of their duties, the appraisers, before any officer authorized to administer oaths, shall take and subscribe an oath to be attached to the inventory, that they will honestly and impartially appraise the property which shall be exhibited to them, according to the best of their knowledge and ability; then they shall proceed to estimate and appraise the property, and set down each article separately, with the value thereof in dollars and cents, in figures opposite the respective articles. The inventory shall contain all the estate of the deceased, real and personal, which is by law to be administered, a statement of all debts, partnership and other interests, bonds, mortgages, notes and other securities for the payment of money belonging to the deceased, specifying the name of the debtor in each security, the date, the sum originally payable, the endorsements thereon, if any, and their dates, and the sum which in the judgment of the appraisers, may be collectable on each debt, interest or security.

Sec. 59. The inventory shall also contain an account of all moneys belonging to the deceased, which shall have come to the possession or knowledge of the executor or administrator; and if none shall come to his possession or knowledge, the fact shall be so stated in the inventory.

Sec. 60. The naming any executor in a will shall not operate as a discharge from any just claim which the testator had against the executor, but the claim shall be included in the inventory and the executor shall be liable for the same as for so much money in his hands at the time the debt or demand became due.

Sec. 61. The discharge or bequest in a will of any debt or demand of the testator against any executor named in his will or against any other person, shall not be valid against the creditors of the deceased, but shall be construed as a specific bequest of such debt or demand, and the amount thereof shall be included in the inventory and shall if necessary be applied in payment of his debts, if not necessary for that purpose, it shall be paid in the same manner and proportion as other specific legacies.

Sec. 62. The inventory shall be signed by the appraisers and the executor or administrator shall take or subscribe an oath before the probate judge, that the inventory contains a true statement of all the estate of the deceased, which has come to his possession or knowledge, and particularly of all monies belonging to the deceased, and of all just claims of the deceased against the executor or administrator, and the oath shall be endorsed upon or annexed to the inventory.

Sec. 63. If any executor or administrator shall neglect or refuse to return the inventory within the time prescribed or within such further time not exceeding three months as the court shall allow, the court shall revoke the letters testamentary or of administration and the executor or administrator shall be liable on his bond for any injury sustained by the estate through his neglect.

Sec. 64. Whenever property not mentioned in any inventory that shall have been made, shall come to the knowledge or possession of the executor or administrator, he shall cause the same to be appraised in the manner prescribed in this chapter, and an inventory to be returned, subscribed and, sworn to, as is provided in section of this chapter, within two months after the discovery thereof; and the making of such inventory may be enforced after notice, by attachment or removal from office.

Sec. 65. The executor or administrator shall have a right to the possession of all the real as well as personal estate of the deceased, and may receive the rents and profits of the real estate, until the estate shall be settled or delivered over by order of the probate court, to the heirs or devisees, and shall keep in good tenantable repair, all houses, buildings and fixtures thereon, which are under his control.

Sec. 66. The personal estate of the deceased which shall come into the hands of the executor or administrator, shall be first chargeable with the payment of the debts and expenses; and if the goods, chattels, rights and credits in the hands of the executor or administrator, shall not be sufficient to pay the debts of the deceased, the expenses of administration and the allowance to the family of the deceased, the whole, or so much as may be necessary of the real estate, may be sold for that purpose by the executor or administrator, in the manner prescribed in this act.

Sec. 67. If any person, before the granting of letters testamentary or administration, shall embezzle or alienate any of the moneys, goods, chattels or effects of any deceased person, he shall stand chargeable and be liable to the action of the executor or administrator of the estate, in double the value of the property so embezzled or alienated, to be recovered for the benefit of the estate.

Sec. 68. If any executor, administrator, heir, legatee, creditor, or other person interested in the estate of any deceased person, shall complain to the probate judge on oath, that any person is suspected of having concealed, embezzled, smuggled, conveyed away or disposed of any moneys, goods or chattels of the deceased, or that he has in his possession or knowledge, any deeds, conveyances, bonds, contracts or other writings which contain evidence of, or tend to disclose the right, title, interest or claim of the deceased to any real or personal estate, or any claim, demand or last will of the deceased, the said judge may cite such person to appear before the probate court, and may examine him on oath upon the matter of such complaint If such person be not in the county where letters have been granted, he may be cited and examined, either before the probate court for the county where he may be found, or before the court issuing the order or citation; but in the latter case, if he appear and be found innocent, his necessary expenses shall be allowed him out of the estate.

Sec. 69. If the person so cited refuse to appear and submit to such examination,

or to answer such interrogatories as may be put to him touching the matter of such complaint, the court may, by warrant for that purpose, commit him to the county jail, there to remain in close custody until he shall submit to the order of the court; and all such interrogatories and answers shall be in writing, and shall be signed by the party examined, and filed in the probate court.

Sec. 70. The probate judge, upon the complaint on oath of any executor or administrator, may cite any person who shall have been entrusted with any part of the estate of the deceased person, to appear before the probate court, and may require such person to give a full account on oath of any moneys, goods, chattels, bonds, accounts or other papers belonging to the estate which shall have come to his possession in trust for such executor or administrator, and of his proceedings thereon; and if the person so cited shall refuse to appear and answer such account, the court may proceed against him as provided in the preceding section.

PROVISION FOR THE SUPPORT OF THE FAMILY.

Sec. 71. When a person shall die leaving a widow and minor child or children, the widow, child or children shall, until letters have been granted and the inventory returned, be entitled to remain in possession of the homestead, and of all the wearing apparel of the family, and of all the household furniture of the deceased, and shall also be entitled to a reasonable provision for their support, to be allowed by the probate judge.

Sec. 72. Upon the return of the inventory, the court shall set apart for the use of the widow, minor child or children, all the property of the estate by law exempt from execution.

Sec. 73. If the amount thus exempt be insufficient for the support of the widow and minor child or children, the probate court shall make such further reasonable allowance out of the estate as may be necessary for the maintenance of the family according to their circumstances during the progress in the settlement of the estate, but no such allowance shall be made after one year from the granting letters testamentary or of administration.

Sec. 74. Any allowance made by the court in accordance with the provisions of the preceding section, shall be paid by the executor or administrator in preference to all other charges except funeral charges and expenses of administration.

Sec. 75. When property shall have been set apart for the use of the family in accordance with the provisions of this chapter, if the deceased shall have left a widow and no minor children, such property shall be the property of the widow, if he shall have left also a minor child or children, one half to the widow, and the remainder to such child or in equal shares to such children if there are more than one; if there be no widow, then the whole shall belong to the minor child or children.

Sec. 76. If on the return of the inventory of any intestate's estate who died, leaving a widow or minor children, it shall appear that the value of the estate does not exceed three hundred dollars, the probate court shall by decree for that purpose, assign for the use and support of the widow and minor children of the intestate, or for the support of the minor child or children if there be no widow, the whole estate after the payment of the funeral expenses and expenses of administration, and there shall be no further proceeding in the administration unless further estate be discovered.

Sec. 77. If intestate leave no widow or minor children, all his estate shall be assets in the hands of the administrator, after payment of funeral expenses and expenses of administration for the payment of the debts of the deceaed or to be distributed according to law.

OF CLAIMS AGAINST THE ESTATE.

Sec. 78. Every executor or administrator shall immediately after his appointment cause to be published in some newspaper printed in the county if there be one, if not, then in such newspaper as may be designated by the court, a notice to the creditors of the deceased, requiring all persons having claims against the deceased to exhibit them with the necessary vouchers within one year after the date of such notice to such executor or administrator, at the place of his residence or transaction of business to be specified in the notice. Such notice shall be published as often as the judge of probate shall deem necessary, but not less than once in a week for four successive weeks.

Sec. 79. After the notice shall have been published, a copy thereof together with the affidavit attached thereto of the publisher or printer of the paper in which the same was published, shall be filed by the executor or administrator in the probate court.

Sec. 80. If a claim be not presented within one year after the first publication of the notice it shall be barred, provided, if it be not then due, or if it be contingent it may be presented within one year from the time it shall become due or absolute.

Sec. 81. Every claim presented to the administrator shall be supported by the affidavit of the claimant that the amount is justly due, that no payments have been made thereon, and that there are no offsets to the same to the knowledge of the claimant.

The oath may be taken before any officer authorized to administer oaths. The executor or administrator may also require satisfactory vouchers to be produced in support of the claim.

Sec. 82. When a claim accompanied by the affidavit required in the preceding section has been presented to the executor or administrator, he shall endorse thereon his allowance or rejection with the day and date thereof. If he allow the claim it shall be presented to the probate judge who shall in the same manner endorse on it his allowance or rejection.

Sec. 83. Every claim which has been allowed by the executor or administrator, and the judge of probate, shall be filed in the probate court, and be ranked among the acknowledged debts of the estate, to be paid in the course of the administration.

Sec. 84. When a claim is rejected by either the executor, administrator, or the probate judge, the holder must bring suit in the proper court against the executor or administrator, within three months after it becomes due, otherwise the claim shall be forever barred.

Sec. 85. No claim shall be allowed by the executor, administrator, or probate judge, which is barred by the statute of limitations.

Sec. 86. No holder of any claim against an estate, shall maintain any action thereon, unless the claim shall have been first presented to the executor or administrator.

Sec. 87. The time during which there shall be a vacancy in the administration, shall not be included in any limitations herein prescribed.

Sec. 88. If any action be pending against the testator, or intestate, at the time of his death, the plaintiff shall in like manner present his claim to the executor or administrator, for allowance or rejection, authenticated as in other cases; and no recovery shall be had in the action unless proof be made for the presentment.

Sec. 89. Whenever any claim shall have been presented to any executor or administrator, and the probate judge, and a part thereof shall be allowed, the amount of such allowance shall be stated in the indorsement. If the creditor shall refuse to accept the amount so allowed in satisfaction of his claim, he shall recover no costs in any action he may bring against the executor or administrator, unless he shall recover a greater amount than that offered to be allowed, exclusive of interests and costs.

Sec. 90. The effect of any judgment rendered against any executor or administrator, shall be only to establish the claim in the same manner as if it had been allowed by the executor or administrator, and the probate judge; and the judgment shall be that the executor or administrator pay, in due course of administration, the amount ascertained to be due. A certified transcript of the judgment shall be filed in the probate court, and no execution shall issue upon such judgment, nor shall it create any lien upon the property of the estate, or give the judgment creditor any priority of payment.

Sec. 91. When any judgment has been rendered against the testator or intestate, in his lifetime, no execution shall issue thereon after his death, but it shall be presented to the executor or administrator as any other claim, but need not be supported by the affidavit of the claimant; and if justly due and unsatisfied, shall be paid in due course of administration; provided, however, that if it be a lien upon any property of the deceased, the same may be sold for the satisfaction thereof; and the officer making the sale shall account to the executor or administrator for any surplus in his hands.

Sec. 92. If the executor or administrator doubt the correctness of any claim presented to him, he may enter into an agreement in writing with the claimant, to refer the matter in controversy to some disinterested person, to be approved by the probate judge, upon filing the agreement and approval of the probate judge in the office of the district court, for the county in which the letters testamentary or of administration were granted, and the clerk shall either in term time or vacation, enter a rule referring the matter in controversy to the person so selected.

Sec. 93. The referee shall thereupon proceed to hear and determine the matter, and make his report thereon to the court in which the rule for his appointment shall have been entered. The same proceedings shall be had in all respects, and the referee shall have the same powers, and be entitled to the same compensation, and subject to the same control as if the reference had been made in an action in which such court might by law direct a reference. The court may set aside the referee and appoint another in his place, or may set aside or confirm the report, and adjudge costs as in actions against executors and administrators; and the judgment of the court thereon shall be as valid and effectual in all respects, as if the same had been rendered in a suit commenced by the ordinary process.

Sec. 94. If the executor or administrator is himself a creditor of the testator or intestate, his claim, duly authenticated by affidavit, shall be presented for allowance or rejection to the probate judge, and its allowance by the judge shall be sufficient evidence of its correctness.

Sec. 95. If any executor or administrator shall neglect for two months after his appointment, to give notice to creditors as prescribed by this article, it shall be the duty of the court to revoke his letters.

Sec. 96. At the same time at which the executor or administrator is required to return his inventory, he shall also return a statement of all claims against the estate which shall have been presented to him, when required by the court, and from time to time thereafter, shall present a statement of claims subsequently presented to him; and in all such statements he shall designate the names of the creditors, the nature of each claim, when it did or will become due, and whether it was allowed or rejected by him.

SALES OF PROPERTY BY EXECUTORS AND ADMINISTRATORS.

Sec. 97. No sale of any property shall be valid unless made under order of the probate court.

Sec. 98. All applications for orders of sale shall be by petition in writing, in which shall be set forth the facts showing the sale to be necessary, and upon the hearing, any person interested in the estate may file his written objections, which shall be heard and determined.

Sec. 99. At the term of the court at which the inventory is returned the executor or administrator shall apply for an order to sell the perishable property of the estate and so much other property as may be necessary to be sold to pay the allowance made to the family of the deceased.

If claims against the estate have been allowed, and a sale of property shall be necessary for their payment or of the expenses of the administration, he shall also apply for an order to sell so much of the personal estate as shall be necessary. He shall make a similar application giving at least two week's previous notice in a newspaper in general circulation in the county where letters were granted or by posting written or printed notices thereof in ten of the most public places in the county from time to time, so long as any personal property remains in his hands, and a sale is necessary to pay any demands against the estate.

Sec. 100. If it appear to the court that a sale is necessary, it shall so order. In making such sale the court shall order such articles as are not necessary for the support and subsistence of the family of the deceased or not specially bequeathed, to be first sold.

Sec. 101. Sales of personal property shall be made at public auction and after notice given for at least two weeks, which notice shall be given by notices posted in the public places in the county or by publication in a newspaper if the judge shall so order, in which shall be stated the time and place of sale.

Sec. 102. If it be made to appear to the satisfaction of the probate court, that it will be for the interest of the estate to allow the executor or administrator to sell some small portion or the whole of the personal estate at private sale the court may so order.

Sec. 103. When the personal estate in the hands of the executor or administrator shall be insufficient to pay the allowance to the family, and all the debts and charges of the administration, the executor or administrator may sell the real estate for that purpose upon the order of the judge of probate to obtain such order, he shall present a petition to the probate court setting forth the amount of the personal estate that has come to his hands and how much if any remains undisposed of, a list and the amounts of the debts outstanding against deceased as the far as the same can be ascertained, a description of all the real estate of which the testator or intestate died seized, the condition and value of the respective lots and portions, the names and ages of the devisees if any, and of the heirs of the deceased, which petition shall be verified by the oath of the party presenting the same.

Sec. 104. If it shall appear by such petition that there is not sufficient personal estate in the hands of the executor or administrator to pay the allowance to the family, the debts outstanding against the deceased and the expenses of administration and that it is necessary to sell the whole or some portion of the real estate for the payment of such debts, the probate judge shall thereupon make an order directing all persons interested to appear before him at a time and place specified not less than four nor more than eight weeks from the time of making such order, to show cause why an order should not be granted to the executor or administrator to sell so much of the real estate of the deceased as shall be requisite to pay such allowance, charges and debts.

Sec. 105. A copy of such order to show cause, shall be personally served on all persons interested in the estate at least ten days before the time appointed for hearing the petition, or shall be published at least four successive weeks in such newspaper as the court shall order, provided however, if all persons interested in the estate shall signify in writing their assent of such sale the notice may be dispensed with.

Sec. 106. The probate judge, at the time and place appointed in such order, or at such other time to which the hearing may be adjourned, upon proof of the due service or publication of a copy of the order, or upon filing the consent in writing to such sale, of all parties interested shall proceed to the hearing of such petition; and if such consent be not filed, shall hear and examine the allegations and proofs of the petitioners, and of all persons interested in the estate who may oppose the application.

Sec. 107. If any of the devisees or heirs of the deceased are minors, and have a general guardian in the county, the copy of the order shall be served on the guardian. If they have no such guardian, the court shall before proceeding to act on the petition, appoint some disinterested person their guardian, for the sole purpose of appearing for them and taking care of their interests in the proceedings.

Sec. 108. The executor or administrator may be examined under oath, and witnesses may be examined by either party, and process may be issued to compel their attendance and testimony, by the probate court, in the same manner and with like effect as in other causes.

Sec. 109. If it shall appear to the court that it is necessary to sell a part of the real estate, and that by a sale of such part, the residue of the estate or some specific part or piece thereof, would be greatly injured, the court may authorize the sale of the whole estate, or of such part thereof as may be adjudged necessary, and most for the interest of all concerned.

Sec. 110. If the probate judge shall be satisfied after a full hearing upon the petition, and on examination of the proofs and allegations of the parties interested, that a sale of the whole or some portion of the real estate is necessary for the payment of the allowance to the family, and all valid claims against the estate and charges of administration, or if such sale be assented to by all the persons interested, he shall make an order of sale, authorizing the executor or administrator to sell the whole, or so much and such parts of the real estate described in the petition, as he shall judge necessary or beneficial.

Sec. 111. The order shall specify the lands to be sold and the terms of sale, which may be either for cash, or on credit not exceeding six months, as the court may direct. If it appear that any part of such real estate has been devised, and not charged in such devise with the payment of debts, the court shall order that part descended to heirs to be sold before that so devised.

Sec. 112. If the executor or administrator shall neglect to apply for an order of sale, whenever it may be necessary, any person interested in the estate may make application therefor, in the same manner as the executor or administrator, and notice thereof shall be given to the executor or administrator before the hearing.

Sec. 113. Upon making such order, the clerk of the probate court shall deliver to the executor or administrator, who shall be thereupon authorized to sell the real estate as directed.

Sec. 114. When a sale is ordered, notice of the time and place of sale shall be posted in ten of the most public places in the county where the land is situated, at least twenty days before the day of sale, and shall be published in some newspaper in this Territory, in general circulation in said county, for three successive weeks next before such sale, in which notice the lands and tenements shall be described with common certainty.

Sec. 115. Such sale shall be in the county where the lands are situated, at public auction, between the hours of ten o'clock in the morning and the setting of the sun the same day; but if the executor or administrator shall deem it for the interest of all concerned, that the sale should be postponed, he may adjourn it for any time not exceeding fourteen days.

Sec. 116. In case of such adjournment, notice thereof shall be given by a public proclamation at the time and place first appointed for the sale, and if the adjournment shall be for more than one day, further notice shall be given by posting or publishing as the time and circumstances may admit.

Sec. 117. The executor or administrator shall when the sale is on credit take the note or notes of the purchaser for the purchase money with surety and a mortgage on the property to secure their payment.

Sec. 118. The executor or administrator making any sale of real estate shall at the next term of the court thereafter make a return of his proceedings to the probate judge, who shall examine the same, and if he shall be of opinion that the proceedings were unfair or that the sum bidden is disproportionate to the value, and that a sum exceeding such bid at least ten per cent exclusive of expenses of a new sale may be obtained, he shall vacate such sale and order another to be had of which notice shall be given, and the sale shall be conducted in all respects as if no previous sale had taken place.

Sec. 119. When the return of the sale is made, any person interested in the estate may file written objections to the confirmation of the sale, and may be heard and produce witnesses in support of his objections.

Sec. 120. If it appear to the court that the sale was legally made and fairly conducted, and that the sum bidden was not disproportionate to the value of the property sold, or if disproportionate, that a greater sum as above specified cannot be obtained, the court shall make an order confirming the sale, and directing conveyances to be executed; and such sale from that time shall be confirmed and valid.

Sec. 121. Such conveyances shall thereupon be executed to the purchaser, by the executor or administrator. They shall contain and set forth at large the original order authorizing a sale, and the order confirming the same, and directing the conveyances; and they shall be deemed to convey all the estate, rights and interest of the testator or intestate, at the time of his death.

Sec. 122. Before any order is entered confirming the sale, it shall be proven to the satisfaction of the probate judge, that notice of the sale was given as herein prescribed, and the order of confirmation shall state that such proof was made.

123. When a testator shall have given any legacy by will that is effectual to charge real estate, and his goods, chattels, rights and credits, shall be insufficient to pay such legacy, together with his debts and charges of administration, the executor or administrator with the will annexed, may obtain an order to sell his real estate for that purpose, in the same manner and upon the same terms and conditions as are prescribed in this act, in case of a sale for the payment of debts.

Sec. 124. If the testator shall make provision by his will, or designate the estate to be appropriated for the payment of his debts, the expenses of administration or family expenses, they shall be paid according to the provision of the will, and out of the estate thus appropriated, so far as the same may be sufficient.

Sec. 125. When any division has been made or any property directed to be sold, the executor or administrator with the will annexed, may proceed to sell without the order of the probate court, but he shall be bound as an administrator to give notice of the sale, and to proceed in making the sale in all respects, as if he were under the order of the court, unless there are special directions given in the will, in which case he shall be governed by such directions, but in all cases he shall make return of the sale to the probate court, who shall vacate such sale, unless the same shall appear in all respects to be made according to law, in like manner as upon sales made by administrators.

Sec. 126. If the provision made by the will or the estate appropriated be not sufficient to pay the debts and expenses of administration and family expenses, such part of the estate as shall not have been disposed of by the will if any shall be appropriated for that purpose according to the provisions of this act.

Sec. 127. The estate real and personal given by the will to any legatees or devisees shall be held liable for the payment of the debts, the expenses of administration and of the family in proportion to the value or amount of the several devises or legacies, if there shall not be other sufficient estate, except that specific devises or legacies may be exempted, if it shall appear to the court necessary to carry into effect the intention of the testator, if there shall be other sufficient estate.

Sec. 128. When the estate given by any will has been sold for the payment of debts and expenses, all the devisees and legatees shall be liable to contribute according to their respective interests, to any devisee or legatee from whom the estate devised to him may be taken for the payment of the debts or expenses; and the probate court, when distribution is made, shall by decree for that purpose, settle the amount of the several liabilities, and decree how much each person shall contribute.

Sec. 129. If a deceased person at the time of his death was possessed of a contract for the purchase of lands, his interest in such land, and under such contracts may be sold on the application of his executor or administrator, in the same manner as if he had died seized of such lands; and the same proceedings may be had for that purpose as are prescribed in this act, in respect to lands of which he died seized, except as hereinafter provided.

Sec. 130. Such sale shall be made subject to all payments that may thereafter become due on such contracts; and if there be any such payments thereafter to become due, such sale shall not be confirmed by the probate judge, until the purchaser shall have executed a bond to the executor or administrator, for his benefit and indemnity, and for the benefit and indemnity of the persons entitled to the interest of the deceased, in the lands so contracted for, in double the whole amount of the payments thereafter to become due on such contract, with such securities as the probate judge shall approve.

Sec. 131. Such bond shall be conditioned that the purchaser will make all payments for such land as shall become due after the date of such sale, and will fully indemnify the executor or administrator and the persons so entitled, against all demands, costs and charges, and expenses, by reason of any covenant or agreement contained in such contract; but if there be no payments thereafter to become due on such contract, no bond shall be required of the purchaser.

Sec. 132. Upon the confirmation of such sale, the executor or administrator shall execute to the purchaser on assignment of the contract, which assignment shall vest in the purchaser, his heirs, and assigns, all the right, title, and interest, of the persons entitled to the interests of the deceased in the lands sold at the time of the sale, and such purchaser shall have the same rights and remedies against the vendor of such lands as the deceased would have had if living.

Sec. 133. If any person die having mortgaged any real or personal estate, and shall not have devised the same, or provided for the redemption thereof by will, the probate court upon the application of any person interested, may order the executor or administrator to redeem the estate out of the personal assets, if it should appear to the satisfaction of the court that such redemption would be beneficial to the estate, and not injurious to creditors.

Sec. 134. If such redemption be not deemed expedient, the court shall order such property to be sold at public sale, which sale shall be with the same notice, and conducted in the same manner as is required in other cases of real estate provided for in this act, and the executor or administrator shall execute a conveyance to the purchaser, which conveyance shall be effectual to convey to the purchaser all the right title and interest which the deceased would have had in the property, had not the same been mortgaged by him, and the purchase money after paying the expenses of sale shall first be applied to the payment and discharge of such mortgage, and the residue in due course of administration.

Sec. 135. If there shall be any neglect or misconduct in the proceedings of the executor or administrator in relation to any sale by which any person interested in the estate shall suffer damages, the party aggrieved may recover the same in a suit upon the bond of the executor or administrator or otherwise as the case may require.

Sec. 136. Any executor or administrator who shall fraudulently sell any real estate of his testator or intestate, contrary to the provisions of this act, shall be liable in double the value of the land sold as damages to be recovered in an action by the person or persons having an estate of inheritance therein.

Sec. 137. No action for the recovery of any estate sold by any executor under the provisions of this act, shall be maintained by any person claiming under the deceased testator or intestate unless it be commenced within three years next after the sale.

Sec. 138. The preceding section shall not apply to minors or others under any legal disability to sue at the time when the right of action shall first accrue, but all such persons may commence such action at any time within three years after the removal of the disability.

Sec. 139. Whenever a sale shall have been made by an executor or administrator of any property of the estate real or personal, it shall be his duty to return to the probate court at its next term thereafter, an account of sales verified by his affidavit.

Sec. 140. No executor or administrator shall directly or indirectly purchase any property of the estate.

OF THE POWERS AND DUTIES OF THE EXECUTOR AND ADMINISTRATOR, AND OF THE MANAGEMENT OF THE ESTATE.

Sec. 141. The executor or administrator shall take into his possession all the estate of the deceased real and personal, and collect all debts due to the deceased.

Sec. 142. Actions for the recovery of any property real or personal, or for the possession, and all actions founded upon contracts may be maintained by and against executors and administrators in all cases in which the same might have been maintained by or against their respective testators or intestates.

Sec. 143. Executors and administrators may maintain actions against any person who shall have wasted, destroyed, taken, carried away or converted into his own use the goods of their testator or intestate in his lifetime, also may maintain actions for trespass committed on the estate of the deceased during his lifetime.

Sec. 144. Any person or his personal representatives shall have an action against the executor or administrator of any testator or intestate, who in his lifetime shall have wasted, destroyed, taken or carried away or converted to his own use the goods and chattels of any such person, or committed any trespass on the real estate of such person.

Sec. 145. Any administrator may in his own name for the use and benefit of all parties interested in the estate maintain actions on the bond of an executor or of any former administrator of the same estate.

Sec. 146. Whenever a debtor of a deceased person shall be unable to pay all his debts, the executor or administrator may with the approbation of the probate judge, compound with him and give him a discharge upon receiving a fair and just dividend of his effects.

Sec. 147. When there shall be a deficiency of assets in the hands of an executor or administrator, and when the deceased shall in his lifetime have conveyed any real estate, or any right or interest therein, with intent to defraud his creditors or to avoid any right, duty or debt of any person or shall have so conveyed such estate that by law the deeds or conveyances are void as against creditors, the executor or administrator may, and it shall be his duty to commence and prosecute to final judgment any proper action for the recovery of the same, and may recover for the benefit of the creditors all such real estate so fraudulently conveyed, and may also for the benefit of the creditors, sue and recover all goods, chattels, rights and credits which may have been so fraudulently conveyed by the deceased in his lifetime, whatever may have been the manner of such fraudulent conveyance.

Sec. 148. No executor or administrator shall be bound to sue for such estate as mentioned in the preceding section, for the benefit of the creditors, unless on application of the creditors of the deceased, nor unless the creditors making such application shall pay such part of the costs and expenses or give such security to the executor or administrator thereof as the probate judge shall direct.

Sec. 149. The real estate so recovered shall be sold for the payment of debts in the same manner as if the deceased had died seized thereof upon obtaining an order therefor from the probate court, and the proceeds of all goods, chattels, rights and credits so recovered, shall be appropriated in payment of debts of the deceased in the same manner as other property in the hands of the executor or administrator.

OF THE CONVEYANCE OF REAL ESTATE BY EXECUTORS AND ADMINISTRATORS IN CERTAIN CASES.

Sec. 150. When any person who is bound by contract in writing to convey any real estate, shall die before making the conveyance, the probate court may make a decree authorizing and directing the executor or administrator, to convey such real estate to the person entitled thereto, in all cases where such deceased person if living might be compelled to make such conveyance.

Sec. 151. On presentation of a petition of any person claiming to be entitled to such conveyance, from any executor or administrator, setting forth the facts upon which such claim is predicated, the probate judge shall appoint a time and place for hearing such petition, which shall be at a regular term of the court, and shall order notice of the pending thereof, and the time and place of hearing, to be published at least four successive weeks next before such hearing, in such newspaper in this Territory as the court shall designate.

Sec. 152. At the time and place appointed for such hearing, or at such other time as the same may be adjourned to, upon proof by affidavit of the due publication of the notice, the court shall proceed to a hearing; and all persons interested in the estate may appear and defend such petition, by filing their objections in writing, and the court may examine on oath the petitioner, and all who may be produced before him for that purpose.

Sec. 153. After a full hearing upon such petition, and objections and examination of the facts and circumstances of the claim, if the probate judge is satisfied that the petitioner is entitled to a conveyance of the real estate described in his petition, he shall make a decree authorizing and directing the executor or administrator to execute a conveyance thereof to the petitioner.

Sec. 154. Any person interested may appeal from such decree to the district court for the same county, as in other cases; but if no appeal be taken from such decree within the time limited therefor by law, or if such decree be confirmed on appeal, it shall be the duty of the executor or administrator to execute the conveyance according to the directions contained in the decree; and a certified copy thereof shall be recorded with the deed, in the office of the recorder of the county where the lands lie, and shall be evidence of the correctness of the proceedings, and of the authority of the executor or administrator to make such conveyance.

Sec. 155. If upon a hearing in the probate court as hereinbefore provided, the probate judge shall doubt the right of the petitioner to have a specific performance of the contract, he shall dismiss the petitioner without prejudice to the rights of the petitioner, who may at any time within six months thereafter, proceed in the district court to enforce a specific performance.

Sec. 156. Every conveyance made in pursuance of a decree of the probate court, as provided in this act, shall be effectual to pass the estate contracted for as fully as if the contracting party himself were still

living, and then executed the conveyance.

Sec. 157. A copy of the decree for the conveyance made by the probate court, and duly certified and recorded in the office of the recorder where the lands lie, shall give the person entitled to the conveyance, a right to the possession of the lands contracted for, and of holder, the same according to the terms of the intended conveyance, in like manner as if they had been conveyed in pursuance of the decree.

Sec. 158. The recording of any decree as provided in the preceding section, shall not prevent the court making such decree from enforcing the same by other process.

Sec. 159. If the person to whom the conveyance was to be made, shall die before the commencement of the proceedings according to the provisions of this act, or before the completion of the conveyance, any person who would have been entitled to the conveyance under him, as heir, devisee, or otherwise, in case the conveyance had been made according to the terms of the contract, or the executor or administrator of such deceased person, for the benefit of the person entitled, may commence such proceedings or prosecute the same if already commenced; and the conveyance shall be so made as to vest the estate in the same persons who would have been entitled to it, or in the executor or administrator for their benefit.

OF ACCOUNTS TO BE RENDERED BY EXECUTORS OR ADMINISTRATORS, AND OF THE PAYMENT OF DEBTS.

Sec. 160. No executor or administrator shall be chargeable upon any special promise to answer damages, or to pay the debts of the testator or intestate out of his own estate, unless the agreement for that purpose, or some memorandum or note thereof, is in writing, and signed by such executor or administrator, or by some other person by him thereunto specially authorized.

Sec. 161. Every executor or administrator shall be chargeable in his own account, with the whole estate of the deceased which may come into his possession, at the value of the appraisement contained in the inventory, except as provided in the following sections, and with all the interest, profit and income of the estate.

Sec. 162. He shall not make profit by the increase, nor suffer loss by the decrease or destruction without his fault of any part of the estate.

He shall account for the excess when he shall have sold any part of the estate for more than the appraisement, and if any has been sold for less than the appraisement he shall not be responsible if the sale has been justly made.

Sec. 163. No executor or administrator shall be accountable for any debts due the estate if it shall appear that they remain uncollected without his fault.

Sec. 164. He shall be allowed all necessary expenses in the care, management and settlement of the estate and for his services such fees as the law provides, but when the deceased by will shall have made some other provision for the compensation of his executor, that shall be deemed a full compensation for his services unless he shall by a written instrument filed in the probate court, renounce all claim for compensation provided by the will.

Sec. 165. No administrator or executor shall purchase any claim against the estate he represents, and if he shall have paid any claim for less than its nominal value he shall only be entitled to charge in his account so much as he shall have actually paid.

Sec. 166. When no compensation shall have been provided by will, or the executor shall renounce his claim thereto he shall be allowed commission upon the whole estate, accounted for by him as follows: For the first one thousand dollars, at the rate of seven per cent; for all above that sum and not exceeding two thousand dollars, at the rate of five per cent, for all above that sum at the rate of four per cent, and the same commission shall be allowed to administrators. In all cases such further allowance may be made as the probate judge shall deem just and reasonable, for any extraordinary services not required of an executor or administrator in the common course of his duty; provided, that the total amount of such allowance shall not exceed the amount of commission allowed in this section.

Sec. 167. Within six months after his appointment and thereafter at any time when required by the court either upon its own motion or the application of any person interested in the estate, the executor or administrator shall render for the information of the court an exhibit, under oath, showing the amount of money received and expended by him, the amount of all claims presented against the estate and the names of the claimants and all other matters necessary to show the condition of its affairs.

Sec. 168. If the executor or administrator fail to render an exhibit within six months as required in the last preceding section it shall be the duty of the probate judge to issue a citation requiring him to appear and render it.

Sec. 169. Any person interested in the estate, may at any time before the final settlement of accounts present his petition to the probate judge, praying that the executor or administrator be required to appear and render such exhibit, setting forth the facts showing that it is necessary and proper that such an exhibit shall be made.

Sec. 170. If the probate judge be satisfied either from the oath of the applicant or from any other testimony that may be offered, that the facts alleged are true and shall consider the showing of the applicant sufficient, he shall issue a citation to the executor or administrator requiring him to appear on some day named in the citation, which shall be during a term of the court and render an exhibit as prayed for.

[CONCLUDED NEXT WEEK.]

A rumor has reached New Orleans from Vera Cruz that fifty Americans had been arrested a San Blas, for landing without passports, and ordered to be shot.

Ex-Gov. Nehemiah R. Knight, of Rhode Island, died at Providence, March 18.

Pioneer and Democrat.

OLYMPIA, WASHINGTON TERRITORY,
SATURDAY, JUNE 3, 1854.

J. W. WILEY, EDITOR.

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

A word to Grumblers.

We fear that a large majority of our readers will never thoroughly understand how difficult it is for a person engaged in the conducting of a public Journal to please every person, or even a fractional part, with either the matter or manner of its publication. Could even a MAJORITY of the reading public be made sensible, that any publisher of a newspaper, (deserving the name,) generally endeavors to use his best efforts for the gratification of his readers—at the same time keeping an eye to the duty he owes to the state or territory in which his lot has been cast—we opine that grumbling and fault finding would soon be at a discount.

A divided duty, is an extremely difficult one to discharge satisfactorily, and we at present find ourself occupying that very unenviable dilemma.

In the first place, there are a class of readers who appear to feel no interest in the perusal of the laws passed by the recent legislature, and GRUMBLE because they occupy so large a share of our paper, to the exclusion of other matters of general interest.

Another class, embracing the legal profession, judges, justices of the peace, sheriffs, constables and county officers in general, desire the publication of the laws as paramount to every other consideration. It is necessary, for instance, that the assessor should know the description of property upon which the law authorizes a tax to be levied, and it is equally important that the tax-payer should know the per centum required to be collected. The duties of judges of probate—of administrators and executors; the act relating to justices of the peace and constables, and the practice before justices of the peace; the act to regulate the practice and pleadings in prosecution for crimes; the act relative to crimes and punishments and proceedings in criminal cases—the practice act, and many others, have been loudly and earnestly demanded for the benefit of the public, and we have been compelled to crowd almost everything out of our columns in order to secure their publicity.

Once and for all, we will briefly state the relation which we sustain towards our readers, and towards the territory:

It will be remembered that before the adjournment of the recent legislature, that body, with the aid of the commission, framed a code of laws which entirely superseded those which had heretofore been extended over us by Oregon. All the laws of that territory, in force here, were repealed.

The legislature then authorized the publication of the laws in the PIONEER & DEMOCRAT, legalizing the laws thus published, as competent of being read in evidence, in any court of justice in this territory, until the first Monday in August next.

It having been utterly impossible for us to print the laws in book form, so as to be made available for county and territorial officers, in the discharge of their immediate duties, the only alternative left has been to follow the instruction and direction of the legislature, and commence the publication of such laws as are most urgently required, in giving direction to county officers and others, in order that they might know what to do, and how to do it.

The question is—shall we have no laws at all, capable of being acted upon, until published in book form, and thus, for some time to come, permit the action of the legislature to remain a dead letter—or shall they be presented at once, in order that all may have an opportunity of becoming acquainted with, and be directed by them?

We shall proceed as heretofore, until they are concluded—devoting such space as convenience will permit, to matters of common interest—hoping, after the laws are all published, to make suitable amends for the space they have occupied.

A Word to the Democracy of the Territory.

Whilst our columns are heavily loaded down with the laws (the result of the action of the recent legislature) so much so that we can scarcely get in a word "edge ways," we would nevertheless take occasion to remind the democracy that there will be another trial of strength between you and the opposition on the first Monday in September next, and that meanwhile active preparations should be made to secure the success of our party. An organization in each precinct throughout the Territory is absolutely important to secure such a victory as would be worthy the young Territory of Washington.

It will not do for the democracy to sleep in supposed security in consequence of the victory achieved at the late election. We have now a secret and thorough whig organization to contend against—whose plans have been matured, and whose mode of action has been determined upon. Especially in this county will the opposition carry on the war with a death-like desperation—and in view of which, we hope that all unkind political feeling, or unfriendly breaches which may have occurred in our party here will be at once healed up, that the democracy may present an unbroken front on the day of the election. Let each precinct then determine at an early day upon its delegates to attend a county convention for the nomination of democratic members of the legislature and other county officers.

☞ A general system of police duty appears to have been instituted by our citizens generally, by way of collecting all the rubbish of the streets, alleys and vacant grounds into heaps and destroying them with fire.—Olympia now presents a very neat appearance, and when the additional buildings contemplated to be erected this summer shall have been completed, it will show off quite city-like.

☞ We have had a cold and backward spring—much more so than has been known for many years, although the farmers say that most kinds of crops look about as well as they did this time last year. As the summer months have now opened, we may reasonably expect the opening up of more pleasan weather.

Affairs in the Straits.

We took occasion a few weeks ago to refer to the disgraceful and insulting conduct of some of the suppliant tools of the Hudson Bay Company towards Col. Ebey, Collector of Customs for the District of Puget Sound, whilst on a visit to the Island of San Juan, south of the Straits of Harro, in pursuance of the duties of his official station. It will be recollected that Col. Ebey left an Inspector on the Island previous to his departure therefrom—that threats were made by the Hudson Bay authorities that he should be taken prisoner to Victoria, and that strong fears were entertained that they had carried their designs into execution. We take pleasure in being able to inform our readers, that at the last accounts the American Inspector was still at his post in the discharge of his duties. An attempt was made, shortly after the departure of Col. Ebey and crew from the island, by a possee of white-livered *slaves* of Gov. Douglass, and by his written authority, to arrest the aforesaid Inspector (Capt. Webber) and take him before his august majesty. But it was soon ascertained that it might cause them a little *uneasiness* to make a successful arrest, and they consequently returned to Victoria, (no doubt to report and receive fresh orders from their master), promising to "call again."—Col. Ebey is at present in that direction, and will see that the rights of the American government and of its citizens are respected. We have a rod in pickle for the H. B. Co., at Vancouver's Island, and we will make use of it ere long.

☞ P. S. Since the above was in type, we learn from Capt. Robert Johnson, who arrived at at this place from Victoria on Wednesday, and left that place on Saturday morning last, that he seen Capt. Webber at Victoria, Vancouver's Island, before his departure, but is not aware whether he is or is not a prisoner of the H. B. Co.

Capt. J. also informs us that about the first of last week a regular line of ten large war canoes arrived at the Island, containing between five and six hundred Fort Simpson Indians, armed to the teeth, and on Friday of last week, a party of eight of the band shot, and as is supposed, fatally wounded an Englishman by the name of Bayley—mistaking him, as it is said, for an American. Gov. Douglass immediately ordered out his forces at the fort, and pursued them to their canoes, in which the Indians embarked and made their escape, as is supposed, in the direction of Bellingham Bay.

This difficulty is supposed to have originated in consequence of the shooting of one of the Fort Simpson tribe on Butler's claim a few miles below this place, a few weeks since. Where the disturbance will end God only knows. Perhaps the whole settlement at Bellingham Bay will be found in a defenceless condition, and a general massacre may occur there, and extend to Whidby's Island and elsewhere. We will, no doubt have further particulars next week.

☞ PARKER furnished us a bundle of late papers in advance of the mail last week. The attentions of Mr. P. have been unremitting in supplying us with the latest news, and our only regret is that for want of space we cannot render his favors as available to the public as we should like to do.

☞ To J. W. SULLIVAN, Newspaper and Literary Depot, Post Office Buildings, San Francisco, and ADAMS & Co.'s Express, we are indebted for files of papers from California and the Atlantic States.

☞ Mr. B. CORNELIUS is gathering around him a very interesting class of scholars, all of whom, we believe, are delighted with their teacher. Parents who live at a distance, and are deprived of schools for their children, would do well to place them under the care of Mr. C., in order that they may reap the advantages of the course of instruction which he has adopted.

Rev. CHARLES BILES will preach at Olympia, in the Hall of the House of Representatives, on Sunday the 25th inst.

☞ The schooner "Saphrona," Capt. Jewett, from Bellingham Bay, arrived at Olympia 21st inst., with nine passengers.

Bark "Success," Capt. Cope, sailed from Oak Harbor on the 18th inst., with piles and lumber for San Francisco.

The schooner "Nile," Capt. Rose, sailed from Seattle on the 20th inst., with cargo of sawed lumber for Honolulu, Oahu.

The bark "Julia" sailed from Bellingham Bay on the 15th inst., for Seattle, for a cargo of sawed lumber.

In speaking of recent transactions of Mr. Buchanan, American Minister at the court of St. James, the New York Herald says—

"We learn that we shall shortly receive from Great Britain the draft of a convention concluded between Mr. Buchanan and the Earl of Clarendon, on behalf of their respective governments, by which England admits, in the approaching European war, the doctrine that the flag covers both ship and cargo, and that free ships make free goods; she also renounces the right of search for the impressment of seamen so far as American vessels are concerned, and concedes the restriction as to the law of blockade.

In return, the United States is pledged to strict neutrality and non-interference in the coming contest between the Western Powers and Russia. This is a most important convention, and has been negotiated by Mr. Buchanan without instructions from Washington. It is important as it affects our rights and our commerce, and places us in the position that we should have occupied years and years ago. It secures our neutrality without any treaty stipulations, as it removes the cause of war and at once enables us to become the great carriers on the seas of the world."

NEWS BY EXPRESS!

Mr. G. GALLAGHER, of this place, who returned on Sunday last from a visit to San Francisco, and brought through a letter and newspaper express from Adams & Co., San Francisco—contains much valuable and highly interesting intelligence.—The necessity of having the laws published within a given period, forbids us giving but a few items, which we extract mainly from the California *Chronicle*.

Our dates from San Francisco are up to May 19th, and from the Atlantic States as late as April 20th.

No news from Oregon of interest.

The legislature of California adjourned on the 15th inst., without electing a U. S. Senator to supply the place of Dr. Guynn, whose term of office does not expire until the 4th March next. The bill for the extension of the city front of San Francisco has been defeated by the legislature.

Capt. Walker, the fillibustering President of Lower California, Sonora, &c., with eight or ten men arrived at San Francisco on the steamer *Southerner*, on the 15th inst. Capt. W. surrendered to Maj. McKinstry and Capt. Burton, U. S. A., at San Diego, and on a parole of honor have since reported themselves to Gen. Wool, commanding the Pacific Division, U. S. A. The expedition has been of a very disastrous character. Of the handful of men with which Capt. Walker embarked ten were killed, eight were wounded, and seven died. The few who returned in safety, are said to have presented the very embodiment of wretchedness.

In Congress, "much ado about nothing" seems to be the favorite performance, in which most of the members seem well "posted up" in their respective parts. The Gadsden treaty was rejected on the 17th ult., by a vote of 27 to 18. It is thought the Nebraska bill cannot, in its present shape pass the House. Our Delegate Judge Lancaster, had not arrived at Washington at our latest dates.

In China the revolutionists or insurrectionists appear to be obtaining the vantage ground, and are pushing their conquests with great vigor.

It seems by the "China Mail" that the Russian fleet, heretofore noticed as hanging in the rear of Com. Perry and watching his movements before Uraga, Japan, and other places in that direction, has taken advantage of the temporary absence of the American Commodore, and effected an arrangement for the speedy opening of the ports of that empire for the commerce of the world.

The following important notification of the British government is taken from the New York Herald:

"The British government have notified the United States government that they shall, immediately on the commencement of hostilities, blockade all the Russian ports on the Pacific. Orders no doubt have long since been transmitted to that effect to their Admiral commanding on the Pacific station, and will be carried out so soon as he hears of the opening of the ball in Europe. It appears there is an ample naval force in that sea for the purpose, and it is only another proof how efficiently it is intended to wage the war on the part of Great Britain, and how fully all the necessary measures have been adopted for the purpose. It would, however, be rather a "lick back" if it should be found that Russia has a larger naval force in that quarter than had been known or anticipated, and that John Bull should most unexpectedly find himself in a naval inferiority, and his ships snapped up in detail on their way, or when at their blockading stations. Such a result might well be, for the Russian government is far-seeing, and that portion of their territory is so little visited by foreigners that they could have built numerous ships of war there without the world being at all aware of the fact. The recent unexpected appearance of a Russian squadron in the Japan sea, to watch, as is reported, the progress and proceedings of our squadron under Commodore Perry, is at any rate a proof that Russia has not entirely neglected her naval armaments in her Pacific ports; and it is highly probable that there are more where they come from. There is now a very considerable commerce carried on between San Francisco and the Russian settlements, which will be entirely broken up by this blockade, to the great disadvantage and loss of the parties concerned."

Santa Ana, with all his new-fledged greatness, since his return from exile, is again about to be driven from Mexico, through the instrumentality of a formidable insurrection, headed by Gen. Alvarez. A pronunciamento will shortly be published, in which Juan Bantista Carrollos will be declared President.

From Europe the news is of the most exciting character. The entire continent might almost be compared to one vast volcano, which, having thoroughly manufactured the elements for an explosion, is only awaiting premonotory symptoms for a general outbreak.

War has been formally and almost simultaneously declared by England and France against Russia, and there appears to be no retreat from the position taken by Queen Victoria and the British Parliament, or by Emperor Napoleon and the French Assembly.

The following is the declaration of Her Brittanic Majesty, which breathes that just spirit of liberality towards neutral powers, worthy the age in which we live:

"DECLARATION.—Her Majesty, the Queen of the United Kingdom of Great Britain and Ireland, having been compelled to take up arms in support of an ally, is desirous of rendering the war as little onerous as possible to the Powers with whom she remains at peace.

"To preserve the commerce of neutrals from all unnecessary obstructions, her Majesty is willing, for the present, to waive a part of the belligerent rights appertaining to her by the law of nations.

"It is impossible for her Majesty to forego the exercise of her right of seizing articles contraband of war, and of preventing neutrals from bearing the enemy's dispatches; and she must maintain the right of a belligerent to prevent neutrals from breaking any effective blockade which may be established with an adequate force against the enemy's forts, harbors, or coasts.

"But her Majesty will waive the right of seizing enemy's property laden on board a neutral vessel, unless it be contraband of war.

"It is not her Majesty's intention to claim the confiscation of neutral property not being contraband of war found on board enemy's ships; and her Majesty further declares, that being anxious to lessen as much as possible the evils of war, and to restrict its operations to the regularly organized forces of the country, it is not her present intention to issue letters of marque for the commission of privateers.

Westminster, March 28, 1854."

The Convention between Turkey, England and France has been published. It was signed on the night of March 12, and embraces five articles, in substance as follows:

1. England and France engage to support Turkey by force of arms, until the conclusion of a peace that shall secure the independence and integrity of the Sultan's dominions.

2. The Porte shall not conclude peace without the consent of her allies.

3. The allies shall evacuate the Turkish territories after the war.

This treaty shall remain open for the adhesion of other Powers of Europe.

4. Turkey guarantees to all the subjects of the Porte, without distinction of creed, perfect equality in law.

Several protocols are attached, regulating the details.

Meanwhile the campaign has began in earnest.

Austria, it appears, desires to remain neutral with the rest of Germany, which is all that the Czar desires; and it is reported that a German army of 40,000 men has been assigned to the duty of making that neutrality respected.

Denmark and Sweden also occupy neutral ground.

It is confirmed that the Russians have crossed the Danube in great force, and that there are now not less than 50,000 Russians on the Turkish side of the Danube. It seems, however, that Omar Pacha is prepared. He has 40,000 men in the right wing, with a line of works connecting Sylestria with Shamia.

The Russians were making stern preparations for hostilities in the Baltic.

It was supposed that the first collision would occur at Vesel Island.

The Czar and his sons were personally superintending the preparations.

A division of the British fleet—23 strong—passed the Great Belt on the morning of the 25th March. They arrived off Kiel the next day.

Fifteen thousand French troops had already embarked, and the remainder of the army, 50,000, will be in Turkey by the 1st of May. 4,000 were landed at Gallipoli on the 26th.

It was reported that the British land force was to be increased 30,000 more.

The first division of the expeditionary force was being rapidly forwarded from Malta to Constantinople.

THE NEW PROPOSITION OF THE EMPEROR OF RUSSIA.

Berlin, Monday, April 1, 1854.

Prince George of Mecklenburg Strelitz arrived here yesterday, the bearer of a letter from the Emperor of Russia to the King of Prussia, in answer to the mission of General Lidheim. Its tenor is as follows:

When the Western Powers succeed in securing the emancipation of the Christians in Turkey by treaty, the Czar will be willing to evacuate the Principalities simultaneously with the evacuation of the Euxine by the combined fleets.

By the arrival of the steamship Asia at New York, April 20th, from Liverpool April 8th, the following additional news has been received:

"No battle yet in the Baltic. The Russians are dismantling their fortresses on the island of Aland. Napier's fleet is still at Kioge Bay. April 5th, the navigation was open from Revel to St. Petersburg.

Napier has issued the following address to the fleet:

"Lads!—War is declared! We are to meet a bold and numerous enemy! Should they offer us battle, you know how to dispose of them. Should they remain in port we must get at them.

"Success depends upon the quickness and precision of your fire!' Lads! sharpen your cutlasses and the day is your own!"

A private dispatch says that the allied fleets have entered the Black Sea, to effect a movement in conjunction with Omer Pacha. The fleets have steered for Varna.

As soon as hostilities commence in the Baltic, the Empress and Russian Court are to be removed to Moscow.

The Russian crossing of the Danube into Dobudzcha is confirmed by details. They are razing all the forts, but their general considered his situation so critical, that after crossing he immediately demanded reinforcements from Besserabie, Odessa, and even from Sebastopol. The Turks are falling back in good order on Trajan's Wall.

A number of most distressing shipwrecks have recently occurred on the Atlantic side, within the past few months, particularly in the severe gales of wind about April 18th.

The emigrant packets "Humboldt," from Hamburg, and the "Powhattan," from Baltimore, were wrecked on the Jersey shore. At last accounts 58 bodies had already been washed ashore, and were hourly being followed by others. The Powhattan had 200 emigrants on board, not a soul of whom escaped.

The schooner "Manhattan," of Bangor, Me., was also wrecked in the same neghborhood, and all hands perished save one.

A vessel on shore on Brigantine Shoals would go to pieces in a short time, and those bodies probably came from a third vessel wrecked on that dangerous place.

RETAIL PRICES CURRENT.

CORRECTED WEEKLY FOR THE PIONEER AND DEMOCRAT
By Williams & Waterman.

OLYMPIA, W. T., June 3, 1854.

Provisions—		Groceries—	
Beef, fresh, ₩ lb.	14@18	Sugar, bro. ₩ lb.	10@12½
Mutton, " ₩ "	25@30	Sugar, white crush. per lb.	@20
Pork, fresh and salt, ₩ lb.	20@25	Coffee, ₩ lb.	18@22½
Mess Pork, ₩ bbl.	@$35	Tea, " "	75@$1
Clear Pork, ₩ "	$40@$45	Rice, Caro., ₩ lb.	10@12½
Bacon, clear, ₩ lb.	25	Dried Apples, ₩ lb	16@
Hams, ₩ lb.	25@30	Dried Peaches " "	18
Shoulders, ₩ lb.	@22	Chili Peaches, " "	none
Salmon, ₩ lb.	none	Soap, ₩ lb.	12½@15
Codfish, ₩ lb.	@12½	Starch, ₩ lb.	37½
Mackerel, ₩ bf bbl.	$15	Candles, mld, ₩ lb	25
Butter, ₩ lb.	37@62½	do Adm. " "	50
Lard, " "	20@25	do Sperm, " "	75
Cheese, " "	@37	Tobacco, ₩ lb.	50@75
Flour, ₩ 100 lbs.	@$10	Saleratus, " "	25
Corn Meal, ₩ lb.	@8	Pepper, grain, ₩ lb	37½
Salt, fine, " "	@5	Molasses, ₩ gal.	50@62½
Salt, course, ₩ "	@4	Syrup, " "	75@$1
Potatoes, ₩ bush.	$1.50	Vinegar, cider, ₩ gallon,	75
Onions, " "	4.00	Lamp oil, ₩ gal.	$2.00
Beets, " "	3.00	**Liquors—**	
Turnips, " "	1.50	Brandy, ₩ gal.	$2@$3.50
Beans, Chili, ₩ lb.	9@12½	Whiskey, " "	1.25@1.50
Beans, white, ₩ lb.	@12½	Gin, ₩ gal.	2.50@$3
Eggs, ₩ doz.	75	Port Wine, ₩ gal.	2.50
Dry Goods—		Cherry Brandy, ₩ gallon.	2.50
Sheetings, bro. 4-4 per yard.	15	**Sundries—**	
Shirtings, bro. 3-4 per yard.	12½	Nails, ₩ keg.	$9
Shirtings, bla. 4-4	16½	Window glass, ₩ box.	$7
Drillings, bro. ₩ yd	16½	Sash, ₩ light.	20@75
Prints, ₩ yard.	12½@20	Axes,	$1.50@$3
Blankets, ₩ pr.	$7@$9	Buckets, 3 hoop,	75
Hosiery, wool hlf, per doz.	$3@$5	Brooms,	50
do cotton, ₩ doz.	2.50	**Lumber—**	
Paints, &c.—		Sawed fir, ₩ M.	$25
Lead, white, ₩ lb.	20	" cedar, "	$30
do colors, " "	25	Shingles, ₩ M.	$4@$5
Linseed oil, ₩ gal	$2.00	Square timber, ₩ foot.	12@14
Turpentine, " "	3.00	Piles, ₩ foot.	5@6

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. 3mif

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 Beans 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 colered Counterpanes;
N. W. Chemissetts, Collars and under sleeves;
Veils, Mourning Collars and Chemissetts;
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

HANDS WANTED!

FIFTY MEN can find employment at Sayward's Saw Mill, Port Ludlow, Washington Territory. For terms, apply to

ELWOOD EVANS, Olympia.
May 27, 1854. 3w38

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.

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

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.

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.

D. C. BEATY.

Olympia, April 29, 1854. 34tf

ENOCH H. WILSON. JAS. S. 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 machineist 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

Information Wanted,

OF EDMUND STEVENS, who crossed the plains in 1853, and went into Oregon. Any information of his whereabouts communicated to his brother at Olympia, will be thankfully received. Oregon papers please copy.

March 25, '54. GABRIEL STEVENS.

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.

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

NEW GOODS!

ARRIVAL OF THE TARQUINA!

Silk Poplins; Barege and Barege de lains;
French and Scotch Ginghams;
French Calicoes;
Silk Ribbons and Trimmings;
Marsailles and Silk Bed Spreads;
Kentuck Jeans and Satinet;
Ladies' and Gentlemen's Gaiters;
Crome Dress Linen;
Irish Linen;
Wadding;
Moleskin Hats, &c., &c., &c..

The subscribers take this method to inform the public in general, Ladies particularly, that in addition to their former stock they have received a variety of goods too numerous to mention, but which they will show without any extra charges, and sell on terms to suit ALL, big and SMALL.

Come on, Come all!
Our motto: Small profits and quick sales!
Our system: One price and no deviation!

M. LOUISSON & CO.

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

Olympia, W. T., April 20, 1854. 33tf

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.

SURVEYOR GENERAL'S NOTICE

TO SETTLERS

In Township	3	North	Range	1	East	in	W. T.
In	"	4	"	"	1	West in	do
In	"	5	"	"	1	" in	do
In	"	2	"	"	1	East in	O. T.
In	"	2	"	"	1	West in	do
In	"	3	"	"	1	" in	do
In	"	4	"	"	1	" in	do
In	"	5	"	"	1	" in	do

The above townships having been surveyed, and the plats thereof approved on the 5th inst., all persons who have claims or parts of claims therein before the date of such approval, are required to present the notifications of their claims, respectively, at this office, WITHIN THREE MONTHS from the date hereof, where I shall be prepared to receive the notifications of their claims, and enter upon the adjustment of the same, and the settlement according to law of all conflicts of boundary lines that may be found to exist among them.

And every person who has settled, or shall settle within such townships, AFTER the date of approval aforesaid, is required by law to file at this office the notification of his claim, specifying the precise tract or tracts claimed by him, WITHIN THREE MONTHS from the date of his settlement, and he hereby is requested so to do at any convenient time within such term.

Given under my hand at Oregon City, this 5th day of May, 1854.

C. K. GARDNER,
Surveyor General of Public Lands in Oregon.

May 20, 1854. 4w37

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

WATCHES! WATCHES!

C. TURNER would inform the public that he has opened a shop in Olympia, and is now prepared to

REPAIR WATCHES AND JEWELRY

in a neat and workmanlike manner, and on short notice. All work warranted.

Nov. 12, 1853. 10tf

NOTICE.

COUNTY AUDITORS are hereby requested to forward without delay to the Territorial Auditor a statement of the amount of Territorial tax levied in their respective counties for the year 1853; and county treasurers are requested to forward forthwith all money due to the Territory as Territorial tax for the said year 1853, to Wm. Cock, Territorial Treasurer.

DANIEL R. BIGELOW,
Territorial Auditor.

Olympia, May 1st, 1854. 6w35

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 loging.

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 China, 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, Alapaccas, figured and plain, Shirting and Sheeting, Flannels, Red and white, Cassimers, Velvets, muslins, figured and embroidered Handkerchiefs, Irish Linnen, 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, stove 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, Dewampsh Day, April 13, 1854. 32tf

WOODFORD C. HOLMAN,

COMMISSION MERCHANT & SHIPPING AGENT,

FIRE PROOF BRICK BUILDING,

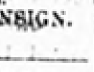
No. 86 Sacramento Street,

March 1, 1851. tf.31 SAN FRANCISCO.

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, 1852. 1tf

NOTICE

IS HEREBY GIVEN that books will be open to receive subscriptions to the capital stock of the Cowlitz River Steamboat Company, at the house of Seth Catlin, Monticello, John R. Jackson, Cowlitz, C. H. Hale, Olympia, John W. Chapman, Steilacoom, on and after the fifteenth day of May till the capital stock is taken.

Per order of Company.

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.

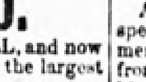
Portland, Sept. 10, 1853.

NEW ARRIVAL!

NEW STORE AND NEW GOODS.

CHEAP AS THE CHEAPEST!

THE subscriber would inform the public that he has received direct from San Francisco and is now opening at the Post Office building on Second street, one door east of the Washington Hotel, a large, new and well selected assortment of



DRY GOODS,

SHOES, BOOTS, HATS,

CAPS, &C., AND A SPLENDID LOT OF

READY MADE CLOTHING.

As the above goods were selected from personal inspection, the subscriber has no hesitation in recommending his assortment as of a superior quality, and from his long experience in the business, he considers himself competent to judge judiciously in making purchases to suit the wants and demands of the people of this part of the country. The above stock will be sold on as reasonable terms, as can be obtained elsewhere in the Territory.

W. M. RUTLEDGE.

Olympia, Jan. 21, 1853. 20tf

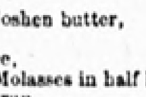
J. O. MARTIN,

ATTORNEY AND COUNSELLOR AT LAW, AND SOLICITOR IN CHANCERY,

Chesterville, Near Penn's Cove,

mh 25, '54-ly.] 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 Hawlian Coffee,
2000 gallons Hawiian 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 lb packages,
850 lbs Tallow Candles, in 25 lb 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, 1864. 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.

All persons indebted to Edmund Sylvester on account, are requested to call at my office and settle the same.

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

Schictwoot.

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

COOPERING.

THE undersigned has located himself at the Puyallup Fishery Station where he is prepared to fill orders for Salmon Barrels at the shortest notice.

March 11, 1854. tf. C. BAIRD.

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. } { PH. 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 of 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.

Oregoa City, Dec. 1854, 16tf

STOVES.

JUST RECEINED 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.

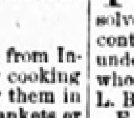
CO-PARTNERSHIP NOTICE.

THE undersigned have this day entered into partnership in the Livery Stable business, and will continue to carry it on under the firm of

ANDREW J. BALDWIN,
EDMUND SYLVESTER.

Olympia, Feb. 1, 1854.

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.

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, 1843.

L. E. MORGAN & CO.,

SUCCESSORS TO

T. ADAMS & CO.,

Peoria Premium Steel Plow

MANUFACTURERS,

CORNER BROADWAY AND BATTERY STREETS,
San Francisco, California.

The above named plows are kept for sale in Olympia, by GEO. GALLAGHER

March 18, 1854. 28tf

FOR COWLITZ LANDING.

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

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. 43tf.

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.—ly1.

Groceries, Provisions, &c.,

—EX TARQUINA—

FLOUR—Chili and Gallego;
Pork—in hlfs and whole bbls;
Hams & Bacon, choice;
Butter, New York Goshen;
Ale, Read's draught;
Ale, Tennant's Bottled;
Lard, Ad. Candles;
Pilot Bread, Cav. Tobacco;
White lead and linseed oil;
Nails and Window sash;
Powder, shot, caps and lead,

Just received and for sale at PARKER'S

Olympia, April 22, 1854. 33tf

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.

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 citizens 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 improved 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

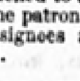
Olympia, Dec. 17, 1753.

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.—ly 48.

CARTER & PAGETT,

DEALERS IN

PRODUCE, MERCHANDIZE,

GROCERIES AND PROVISIONS,

Cowlitz Landing, 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,

DUBOIS & 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. J. O. VAN BERGEN.

Dec. 1, 1853.

THOMAS LAMBERT. CHARLES POTTER.

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 Bells, 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 Fert Mannies, &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;	256 lbs Balsam copaiva;
30 " Jayne's Expectorant;	75 lbs Spts. Nitre Dulc;
20 " Jayne's Alternative;	100 lbs Aqua Ammonia concent;
40 " Moffatt's Phoenix Bitters;	500 lbs Cream of Tartar
50 " do Life Pills;	350 lbs Tartaric Acid;
24 " Osgood's Indian Chologogue;	800 lbs Bi-carb Soda;
30 " Thompson's Eye-Water;	500 lbs Beeswax;
24 " Nerve and bone Liniment;	200 lbs refined champhor;
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 soap;
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. Indi;
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 baskets.
10 lbs Iodide of Pottassa;	50 lbs Indigo, Bengal;
	30 lbs Opium (new crop)
	20 lbs Pruss. 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 HALLECK,
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

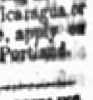
HARDWARE, GROCERIES,

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, Back-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 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 STEAMSHIP

PEYTONA.

JAS. S. NASH, COMMANDER,

will leave Portland for Port Orford and San Francisco, touching at Rainier, on or about the 14th and 28th 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 H. 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 FARMS, W. T.

September 6, 1852. -tf.