PIONEER AND DEMOCRAT.

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

VOL. II. OLYMPIA, WASHINGTON TERRITORY, SATURDAY, JULY 1, 1854. NO. 43.

The Pioneer and Democrat.

PUBLISHED ON EVERY SATURDAY MORNING
By BERRY, DOYLE & CO.,
PROPRIETORS.

A. M. BERRY, R. L. DOYLE, J. W. WILEY.

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For one year, when sent by mail or taken at the office, $5.00; for 6 months $3.00. Single copies, 25 cts.
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LAWS OF THE TERRITORY OF WASHINGTON.

PUBLISHED BY AUTHORITY.

AN ACT regulating the practice and proceedings in Civil Actions.

Passed, March 28th, 1854.

[CONTINUED.]

Sec. 155. If any plaintiff or other person in his behalf, shall satisfy the court or judge in the manner required in this act, of the existence of any of the causes authorizing an arrest in a civil action against any garnishee he may have an order for a warrant of arrest which shall be issued and the same proceedings had thereon as in ordinary cases of arrests in civil actions.

Sec. 156. Final judgment shall not be rendered against a garnishee until the action against the defendant in attachment is determined; and if the plaintiff fails to recover judgment either against the defendant or the garnishee, the garnishee shall be discharged and recover his costs.

Sec. 157. The return of *"no property found,"* upon the writ of attachment, shall not affect the proceedings against the garnishee.

Sec. 158. If the plaintiff recover judgment against the defendant and the garnishee deliver up to the sheriff, before judgment against him, all the defendant's goods and chattels, or other effects in his possession, subject to execution, or a sufficient amount thereof to satisfy the plaintiff's judgment or an inventory thereof, and pay to the sheriff or into court all moneys due from him, or belonging to the defendant, or a sufficient amount thereof to satisfy the plaintiff's judgment, the costs in the proceeding against the garnishee shall be paid by the defendant; but if the garnishee shall not appear, or if appearing, shall refuse truly to confess the matter alleged, and on the trial the plaintiff shall recover judgment against him, or if he admit that he has moneys, credits or effects belonging to the defendant in his hands, and shall refuse to pay or deliver the same as above provided, he shall pay costs.

Sec. 159. A garnishee in attachment shall not be compelled in any case to pay or perform any contract in any other manner, or at any other time, than he would be bound to do for the defendant in attachment.

Sec. 160. A garnishee may pay the moneys owing to the defendant by him to the sheriff, or into court, and shall be discharged from liability to the defendant for money so paid, not exceeding the plaintiff's claim; and not be liable for costs if paid at or before the first term after the writ or notice is served upon the garnishee, or as soon as the same shall be due.

Sec. 161. A garnishee, or officer of a corporation summoned as a garnishee, at any time after fifteen days from the service of the summons, may be examined in open court on oath, and if it be discovered on such examination that at the time, or after the service of the summons upon him, he or the corporation was possessed of any property of the defendant, or was indebted to him, the court may order the delivery of such property, and the payment of any such indebtedness into court, or the execution of a bond by the garnishee with sufficient sureties, to be approved by the court, payable to the plaintiff, to the effect that the indebtedness shall be paid, or the property forthcoming as the court shall direct.

Sec. 162. Any creditor of the defendant, upon filing his affidavit and bond, as hereinbefore required of the attaching creditor, may, at any time before the final adjournment of the suit, become a party to the action, file his complaint and prove his claim or demand against the defendant, and may have any person summoned as garnishee, or held to bail, who has not before been summoned or held to bail, and propound interrogatories to the garnishee, and enforce answers thereto, in like manner as the creditor who is plaintiff.

Sec. 163. A dismissal of his action or proceedings in attachment by the first attaching creditor, shall not operate as a dismissal of the action or proceedings of any subsequent attaching creditor.

Sec. 164. Any defendant against whom a writ of attachment has been issued may, after appearing to the action, move to have the attachment discharged and restitution awarded of any property taken under it; but an appearance to the action shall not operate to discharge the attachment unless a bond be filed as required in Sec. 148. If the defendant appear and judgment be rendered in favor of the plaintiff, and any part thereof remain unsatisfied, after exhausting the property attached, such judgment shall be deemed a judgment against the defendant personally and shall have the same effect as other judgments, and execution shall issue thereon accordingly, for the collection of such residue. If the plaintiff's bond be insufficient, he shall have a reasonable time to file an additional one.

Sec. 165. If the judgment in the action is rendered for the defendant, the attachment shall be discharged, and the property attached, or its proceeds returned to him.

Sec. 166. If judgment in the action be rendered for the plaintiff, or one or more of several plaintiffs, and sufficient proof be made of the goods, chattels, rights, credits, moneys and effects in the possession of the garnishee, the court shall also give judgment in favor of the plaintiff or creditors against the garnishee or the property of the defendant, or both as the case may require, which may be enforced by execution.

Sec. 167. After judgment for the plaintiff, or one or more of several plaintiff's property attached and remaining unsold may be sold on execution, as in other cases.

Sec. 168. The money realized from the attachment and the garnishee shall, under the direction of the court, after paying all costs and expenses and the debt of the creditor who commenced the attachment, provided sufficient shall have been attached on writs issued by him, be paid to the several creditors, in proportion to the amount of their several claims as adjusted, and the surplus, if any shall be paid to the defendant.

Sec. 169. Every defendant shall be entitled to an action on the bond of the plaintiff or creditor, by whose proceedings in attachment he shall have been aggrieved, if it shall appear that the proceedings were wrongful and oppressive, and he shall recover damages at the discretion of a jury.

Sec. 170. When an order of attachment is fully executed or discharged, the sheriff shall return the same, with his proceedings thereon, to the court.

RECEIVES AND DEPOSITS IN COURTS.

Sec. 171. A receiver may be appointed by the court in the following cases:

1st. In an action by a vendor to vacate a fraudulent purchase of property or by a creditor to subject any property or fund to his claim;

2d. In actions between partners or other persons jointly interested in any property or fund.

3d. In all actions where it is shown that the property, fund or rent, and profits in controversy is in danger of being lost removed or materially injured.

4th. In actions by a mortgage for the foreclosure of a mortgage and the sale of the mortgaged property when it appears that such property is in danger of being lost, removed, or materially injured or when such property is sufficient to discharge the mortgage debt, to secure the application of the rents and profits accruing before a sale can be had.

5th. When a corporation has been dissolved or is insolvent or is in imminent danger of insolvency or has forfeited its corporate rights.

5th. And in such other cases as may be provided for by law, or when in the discretion of the court it may be necessary to secure ample justice to the parties.

Sec. 172. No party or attorney or other person interested in an action shall be appointed receiver therein.

Sec. 173. Before entering upon his duties the receiver must be sworn to perform them faithfully, and with one or more sureties approved by the court execute a bond to such person as the court may direct, conditioned that he will faithfully discharge the duties of receiver in the action and obey the orders of the court therein.

Sec. 174. When it is admitted by the pleading or examination of a party that he has in his possession or under his control any money or other thing capable of delivery which being the subject of the litigation is held by him as trustee for another party or which belongs or is due to another party, the court may order the same to be deposited in court or delivered to such party with or without security subject to the further direction of the court.

Sec. 175. Whenever in the exercise of its authority a court shall have ordered the deposit or delivery of money or other thing and the order is disobeyed the court besides punishing the disobedience as for contempt may make an order requiring the sheriff to take the money or thing and deposit or deliver it in conformity with the direction of the court.

Sec. 176. Money deposited or paid into court in an action shall not be loaned out, unless with the consent of all the parties having an interest in, or making claim to the same.

Sec. 177. The receiver shall have power under the control of the court to bring and defend actions—to take and keep possession of the property—to receive rents—collect debts, and generally to do such acts respecting the property as the court may authorize.

Sec. 178. When the answer of the defendant admits part of the plaintiff's claim to be just, the court on motion may order the defendant to satisfy that part of the claim and may enforce the order by execution or attachment.

OF THE TRIAL AND JUDGMENT IN CIVIL ACTIONS, ISSUES AND THE MODE OF TRIAL.

Sec. 179. Issues arise upon the pleadings when a fact or conclusion of law is maintained by the one party and controverted by the other, and are of two kinds:

1st. Of law; and

2nd. Of fact.

Sec. 180. An issue of law arises upon a demurrer to the complaint, answer, or reply, or to some part thereof.

Sec. 181. An issue of fact arises:

1st. Upon a material allegation in the complaint controverted by the answer; or

2d. Upon new matter or a set-off controverted by the reply; or

3d. Upon new matter in the reply.

Sec. 182. Issues both of law and of fact may arise upon different parts of the pleadings in the same action. In such cases the issues of law shall be first tried unless the court otherwise direct.

Sec. 183. An issue of law shall be tried by the court, unless referred upon consent as provided in this act. An issue of fact shall be tried by a jury, unless a jury trial be waived, or a reference be ordered as provided in this act.

Sec. 184. A notice to continue a trial on the ground of the absence of evidence, shall only be made upon affidavit showing the materiality of the evidence expected to be obtained, and that due dilligence has been used to procure it. The court may also require the moving party to take upon affidavit the evidence which he expects to obtain, and if the adverse party admit that such evidence would be given, and that it be considered as actually given on the trial, or offered and overruled as improper, the trial shall not be continued.

TRIALS BY JURY.

Sec. 185. When the action is called for trial, the clerk shall prepare separate ballots, containing the names of the jurors summoned who have appeared and not been excused, and deposit them in a box. He shall then draw from the box twelve names, and the persons whose names are drawn shall constitute the jury. If the ballots become exhausted before the jury is complete, or if from any cause a juror or jurors be excused or discharged, the sheriff, under the direction of the court, shall summon from the bystanders or citizens of the county so many qualified persons as may be necessary to complete the jury. The jury shall consist of twelve persons, unless the parties consent to a less number. The parties may consent to any number not less than three, and such consent shall be entered by the clerk on the minutes of the trial.

Sec. 186. Either party may challenge the jurors, but when there are several parties on either side, they shall join in a challenge before it can be made The challenge shall be to individual jurors, and shall be peremptory, or for cause. Each party shall be entitled to three peremptory challenges.

Sec. 187. Challenges for cause may be taken on one or more of the following grounds:

1. A want of any of the qualifications prescribed by law to render a person competent as a juror:

2. Consanguinity, or affinity within the third degree to either party:

3. Standing in the relation of guardian and ward, master and servant, employer and clerk, or principal and agent to either party; or being a member of the family of either party; or a partner in business with either party; or being security on any bond for either party.

4. Interest on the part of the juror in the event of the action, or in the main question involved in the action.

5. Having formed or expressed an unqualified opinion or belief as to the merits of the action.

6. The existence of a state of mind in the juror evincing enmity against either party.

Sec. 188. Challenges for cause, shall be tried by the court. The juror challenged, and any other person as a witness, may be examined on the trial of the challenge.

Sec. 189. As soon as the jury is full, an oath or affirmation shall be administered to the jurors in substance that they will well and truly try the matter in issue between the plaintiff and the defendant, and a true verdict give according to the evidence.

Sec. 190. When the jury is full and sworn, the ballots containing the names of the jurors sworn shall be laid aside till the jury so sworn is discharged, and then they shall be returned to the box; and every ballot drawn containing the name of a juror not so sworn, shall be returned to the box as soon as the jury is completed.

Sec. 191. The jurors may be kept together in charge of a proper officer, or may, in the discretion of the court, at any time before the submission of the case to the jury, be permitted to separate; in either case they may be admonished by the court that it is their duty not to converse with any person, or allow any other person to converse with them, or among themselves on any subject connected with the trial, or to express any opinion thereon until the case is finally submitted to them.

Sec. 192. If, after the empanneling of the jury, and before a verdict, a juror become sick so as to be unable to perform his duty, the court may order him to be discharged. In that case, unless the parties agree to proceed with the other jurors, a new juror may be sworn and the trial began anew, or the jury may be discharged, and a new jury then or afterwards empanneled.

Sec. 193. When the evidence is completed, the plaintiff or party having the burden of proof may, by himself or counsel, address the court and jury upon the law and the facts of the case, after which the other party may address the court and jury in like manner, and be followed by the party first addressing the court, by himself or one counsel. The court shall then proceed to charge the jury upon the law in the case, when either party may ask, in writing, such instructions to the jury as he may deem proper; and if the court refuse to give such instructions, the party asking the same may except. Either party shall have the right to except to the charge of the court or any part thereof; but no exception shall be regarded which does not point out the particular points excepted to.

Sec. 194. The jury may either decide in the court room, or retire for deliberation. If they retire, they shall be kept together in a room provided for them, or some other convenient place, under the charge of one or more officers, until they agree upon their verdict, or are discharged. The officer shall, to the utmost of his ability, keep the jury together, separate from other persons; he shall not suffer any communication to be made to them, or make any himself, unless by order of the court, except to ask them if they have agreed upon their verdict; and he shall not, before the verdict is rendered, communicate to any person the state of their deliberations, or the verdict agreed upon.

Sec. 195. Upon retiring for deliberation, the jury may take with them the pleadings in the cause, and all papers which have been received as evidence on the trial, or copies of such parts of public records or private documents given in evidence as ought not, in the opinion of the court, to be taken from the person having them in possession.

Sec. 196. After the jury have retired for deliberation, if there be a disagreement between them as to any part of the testimony, or if they desire to be informed of any point of law arising in the cause, they may require the officer to conduct them into court. Upon their being brought into court, the information required shall be given in the presence of, or after notice to the parties or counsel.

Sec. 197. While the jury are absent, the court may adjourn from time to time, in respect to other business; but it is nevertheless to be deemed open for every purpose connected with the cause submitted to the jury until a verdict is rendered or the jury is discharged. A final adjournment of the court discharges the jury.

THE VERDICT.

Sec. 198. The verdict of a jury is either general or special. A general verdict is that by which the jury pronounces generally upon all or any of the issues, either in favor of the plaintiff or defendant. A special verdict is that by which the jury find the facts only, leaving the judgment to the court.

Sec. 199. In an action for the recovery of specific personal property, if the property have not been delivered to the plaintiff, or the defendant by his answer claim a return thereof, the jury shall assess the value of the property, if their verdict be in favor of the plaintiff, or if they find in favor of the defendant, and that he is entitled to a return thereof; and may at the same time assess the damages, if any are claimed in the complaint or answer, which the prevailing party has sustained by reason of the detention, or taking and withholding such property.

Sec. 200. In every action for the recovery of money only, or specific real property, the jury, in their discretion, may render a general or special verdict. In all other cases the court may direct the jury to find a special verdict in writing upon all or any of the issues; and in all cases may instruct them, if they render a general verdict, to find upon particular questions of fact, to be stated in writing, and may direct a written finding thereon. The special verdict or finding shall be filed with the clerk and entered upon the minutes.

Sec. 201. When a special finding of facts shall be inconsistent with the general verdict, the former shall control the latter, and the court shall give judgment accordingly.

Sec. 202. When a verdict is found for the plaintiff in an action for the recovery of money or for the defendant when a set-off for the recovery of money is established beyond the amount of the plaintiff's claim established, the jury shall also assess the amount of the recovery when the court give judgment for the plaintiff on the answer.

Sec. 203. If the verdict be informal, it may be corrected by the jury under the advice of the court, or the jury may be again sent out. When rendered, the verdict shall be entered by the clerk on his minutes.

TRIAL BY THE COURT.

Sec 204. Trial by jury may, with the assent of the court, be waived by the several parties, in the manner following:

1. By failing to appear at the trial;

2. By written consent, in person or by attorney, filed with the clerk;

3. By oral consent in open court, entered in the minutes;

Sec. 205. Upon the trial of an issue of fact by the court, its decision shall be given in writing and filed with the clerk. In giving the decision, the facts found, and the conclusions of law shall be separately stated. Judgment upon the decision shall be entered accordingly.

TRIAL BY REFEREES.

Sec. 206. All or any of the issues in the action, whether of fact or law, or both, may be referred upon the written consent of the parties.

Sec. 207. When the parties do not consent, the court may, upon the application of either, or of its own motion, direct a reference in the following cases:

1. When the trial of an issue of fact shall require the examination of a long account on either side; in which case the referees may be directed to hear and decide the whole issue, or to report any specific question of fact involved therein; or

2. When the taking of an account shall be necessary for the information of the court, before judgment upon an issue at law, or for carrying a judgment or order into effect; or

3. When a question of fact, other than upon the pleadings, shall arise, upon motion or otherwise, in any stage of the action; or

4. When it is necessary for the information of the court in a special proceeding.

Sec. 208. A reference may be ordered to any person or persons, not exceeding three, agreed upon by the parties. If the parties do not agree, the court or judge may appoint one or more, not exceeding three, who reside in the county in which the action is brought, or the proceeding is triable.

Sec. 209. When the appointment of referees is made by the court or judge, each referee shall be:

1. Qualified as a juror as provided by statute;

2. Competent as a juror between the parties.

Sec. 210. The trial by referees shall be conducted in the same manner as a trial by the court. They shall first be sworn well and faithfully to discharge their duties as such referees, and shall have the same power to administer oaths to witnesses, and to grant continuances as the court upon such trial. They shall state the facts found, and the conclusions of law, separately, and their decision shall be given, and may be excepted to and reviewed, in like manner. The report of the referees upon the whole issue shall stand as the decision of the court, and judgment may be entered thereon at the next term of the court after the decision is made, in the same manner as if the action had been tried by the court. When the reference is to report the fact, the report shall have the effect of a special verdict.

EXCEPTIONS.

Sec. 211. An exception is an objection taken at the trial to a decision upon matter of law, whether such trial be by jury, court or referees, and whether the decision be made during the formation of a jury, or in the admission of evidence, or in the charge to the jury, or at any other time from the calling of the action for trial to the rendering of the verdict or decision.—But no exception shall be regarded on a motion for a new trial, or on an appeal, unless the exception be material, and affect the substantial rights of the parties.

Sec. 212. The point of exception shall be taken at the time when the decision is made, be particularly stated in writing, and may be signed by the judge and filed with the clerk, or may, by the order of the court, be entered at large upon the journal.

Sec. 213. No particular form of exception shall be required. The objection shall be stated, with so much of the evidence or other matter as is necessary to explain it, but no more.

Sec. 214. When a cause has been tried by the court, or by referees, and the decision or report is not made immediately after the closing of the testimony, the decision or report shall be deemed accepted on a motion for a new trial or on appeal, without any special notice that an exception is taken thereto.

NEW TRIAL.

Sec. 215. A new trial is a re-examination of an issue, in the same court after a trial and decision by a jury, court or referees.

Sec. 216. The former verdict or other decision may be vacated, and a new trial granted on the application of the party aggrieved for any of the following causes, materially affecting the substantial rights of such party:

1. Irregularity in the proceedings of the court, jury or adverse party, or any order of the court, or abuse of discretion by which such party was prevented from having a fair trial;

2. Misconduct of the jury or prevailing party;

3. Accident or surprise, which ordinary prudence could not have guarded against.

4. Newly discovered evidence, material for the party making the application, which he could not with reasonable diligence have discovered and produced at the trial.

5. Excessive damages, appearing to have been given under the influence of passion or prejudice.

6. Insufficiency of the evidence to justify the verdict or other decision, or that it is against law.

Sec. 217. When the application is made for a cause mentioned in the first, second third, and fourth subdivisions of the last preceding section, the facts upon which it is based shall be made to appear by affidavit. For any other cause it shall be made upon a written statement.

Sec. 218. Notice of an intended motion for new trial shall be given on the day when the verdict is rendered, or within two days thereafter; and all motions shall be made during the term at which a cause is tried, unless for good cause the court allow further time.

Sec. 219. If the application be made upon affidavits filed, the adverse party may use counter affidavits on the hearing; but such counter affidavits shall be filed with the clerk previous to the hearing.

JUDGMENT IN GENERAL.

220. A judgment is the final determination of the rights of the parties in the action.

221. Judgment may be given for one or more of several plaintiffs, and for or against one or more of several defendants; and it may, when the justice of the case requires it, determine the ultimate rights of the parties on each side as between themselves.

Sec. 222. In an action against several defendants the court may, in its discretion render judgment against one or more of them, whenever a several judgment is proper, leaving the action to proceed against the others.

Sec. 223. An action may be dismissed, or a judgment of non-suit entered in the following cases:

1. By the plaintiff himself, at any time either in term time or in vacation, before the jury retire to consider of their verdict, unless set-off be interposed as a defence or unless the defendant sets up a counter claim to the specific property or thing which is the subject matter of the action;

2. By either party, upon the written consent of the other;

3. By the court, when the plaintiff fails to appear on the trial, and the defendant appears and asks for the dismissal;

4. By the court, when upon the trial and before the final submission of the case, the plaintiff abandons it;

5. By the court, on the refusal or neglect of the plaintiff to make the necessary parties, after having been ordered by the court;

6. By the court, on the application of some of the defendants, where there are others, whom the plaintiff fails to prosecute with diligence.

7. By the court, for disobedience by the plaintiff, of an order concerning the proceedings in the action.

8. By the court, upon notice of the defendant, when upon the trial the plaintiff fails to prove a sufficient cause for the jury.

Sec. 224. In every case, other than those mentioned in the last section, the judgment shall be rendered on the merits.

JUDGMENT UPON FAILURE TO ANSWER.

Sec. 225. Judgment may be had on proof of the service of the summons and complaint, if the defendant fail to answer the complaint, as follows:

1st. In an action arising upon a contract for the recovery of money only, if no answer be filed with the clerk of the court within the time prescribed by law, or such further time as may have been granted, the court at its next term, upon the application of the plaintiff, may direct the clerk to enter the default of the defendant, and immediately thereafter enter judgment for the amount mentioned in the summons, including the costs against the defendant, or against one or more of several defendants, in the cases provided for in section forty-three of this act.

2d. In other actions, if no answer be filed with the clerk of the court within the time prescribed by law, or such further time as may have been granted, the court shall in like manner direct the clerk to enter the default of the defendant, and thereafter the plaintiff may apply at that or any subsequent term of the court for the relief demanded in the complaint. If the taking of an account or other proof of any fact, be necessary to enable the court to give judgment, or to carry the judgment into effect, the court may take the account, or hear the proof, or may, in its discretion, order a reference for that purpose. And when the action is for the recovery of damages only, or of specific, real, or personal property, with damages for the withholding thereof, the court may order the damages to be assessed by a jury, or if to determine the amount of damages, the examination of a long account be necessary, by a reference as above provided.

3d. In actions where the service of the summons shall be by publication, the plaintiff may in like manner apply for judgment and the court shall thereupon require proof to be made of the demand mentioned in the complaint, and if the defendant be not a resident of the territory, shall require the plainfiff or his agent to be examined on oath respecting any payments that have been made to the plaintiff, or to any one for his use, on account of such demand, and may render judgment for the amount which he is entitled to recover. Before rendering judgment, the court may, in its discretion, require the plaintiff to cause to be filed satisfactory security to abide the order of the court touching the restitution of any property collected or received under the judgment, in case the defendant or his representatives shall be admitted to defend the action, and succeed in the defence.

4th. The court may, in its discretion, before final judgment, set aside any default upon affidavit, showing good and sufficient cause, and upon such terms as may be deemed reasonable.

(See Fourth Page.)

AN ACT establishing a Common School system for the Territory of Washington.

Passed April 12, 1854.

CHAPTER I.

Sec. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the principal of all moneys accruing to this Territory from the sale of any land heretofore given, or which may hereafter be given by the Congress of the United States for school purposes, shall constitute an irreducible fund; the interest accruing from which shall be annually divided among all the school districts in the Territory, proportionally to the number of children or youth in each between the ages of four and twenty-one years, for the support of common schools in said districts, and for no other use or purpose whatever.

Sec. 2. For the purpose of establishing and maintaining common schools, it shall be the duty of the county commissioners of each county to lay an annual tax of two mills on a dollar, on all taxable property of the county, as shown by the assessment rolls made by the county assessors for the same year, and to include the same in their warrant to the collector, and the said collector shall proceed to collect the said tax in the same manner as the other county tax is collected; and the said money so collected shall be paid over to the county treasurer to be appropriated for the hire of school teachers in the several school districts, to be drawn in the manner hereinafter prescribed.

Sec. 3. For the further support of common schools, there shall be set apart by the county treasurer, all money paid into the county treasury, arising from all fines for a breach of any penal laws of this Territory. Such moneys shall be paid into the county treasury, and be added to the yearly school fund raised by tax in each county, and divided in the same manner.

CHAPTER II.—COUNTY SUPERINTENDENTS.

Sec. 1. There shall be elected by the legal voters of the respective counties, at the annual elections, a county superintendent of common schools for each county, who shall hold his office for the term of three years, and until his successor is duly qualified.

Sec. 2. The superintendent shall qualify within ten days after notice of his election, by taking an oath faithfully to discharge the duties of his office, and to the best of his ability promote the interest of education within his county; which oath shall be in writing and placed on file in the county clerk's office.

Sec. 3. It shall be the duty of the superintendent to divide such portion of his county as shall be inhabited, into convenient shool districts; to define the boundaries and numbers; and to prepare and keep in his office a map of the districts of the county upon which the lines and boundaries of each district shall be clearly defined; he shall lay off new districts, or divide old ones when the public good shall require it.

Sec. 4. Whenever any school district shall be formed by the superintendent, it shall be his duty to prepare a notice in writing of the establishment of such district, describing its boundaries, and to deliver the same to some taxable inhabitant of such district, who shall have asked for the formation of the same. It shall be the duty of said inhabitant, within two weeks after the receipt of such notice, to notify the other inhabitants of the district of the time and place of the first district meeting, which time and place he shall fix by written notices, and which shall be posted up in three public places in the district, at least ten days previous to the time of meeting. In case the inhabitants fail to attend in sufficient numbers to do business as hereafter directed, notice may be renewed at such times as may be thought proper.

Sec. 5. It shall be the duty of the superintendent to examine all persons who wish to become teachers in his county; he shall examine them in orthography, reading, writing, arithmetic, English grammar and geography; and if he be of the opinion that the person examined is competent to teach said branches, and that he or she is of good moral character, he shall give such person a certificate, certifying that he or she is qualified to teach a common school in said county; such certificate shall be for the term of one year only, and may be revoked sooner by the superintendent for good cause.

Sec. 6. The superintendent shall visit all the schools taught in his county by a qualified teacher, at least once a year; he shall give such information and encouragement as he may think necessary, and endeavor to promote the introduction of a good and uniform system of school books throughout the county.

Sec. 7. It shall be the duty of the superintendent to receive the district reports hereinafter provrided for, and keep them on file in his office; and he shall at least ten days before the first Friday in November of each year, make out from the district reports, a statement of the number of the scholars in the county—the number of school libraries—the number of school houses—the number of districts—in how many districts a school has been kept in the past year—what school books are principally used—what proportion of all the scholars in the county have attended school for the past year—and the amount of money paid to teachers. This statement, together with such other information and suggestions as he may deem important to the cause of education, he shall file in his office, and may, if convenient, publish it in some newspaper in this Territory.

Sec. 8. It shall be the duty of the superintendent, at least fifteen days before the first Friday in November of each year, to make an apportionment of the school fund in the county treasury among the several school districts in their respective counties, in proportion to the number of persons in the district over the age of four and under twenty-one years, and certify the amount due to each district, which shall be drawn as hereafter directed; and he shall forthwith notify the clerks of the school districts of the amount due their respective districts.

Sec. 9. When the districts shall have complied with the law, as hereafter directed, it shall be the duty of the superintendent to issue orders on the county treasury in favor of the clerks of the districts, for the amount of the school funds appropriated to each; on the presentation of which order, the treasurer of the county shall pay over to the clerks of the districts all moneys due the respective districts, and the clerks shall endorse on said order a receipt for so much as shall be paid thereon, and they shall also sign a duplicate receipt, which shall be deposited with the superintendent, who shall credit the treasury of the county therewith, and charge the same to the proper district.

Sec. 10. The superintendent shall, in the name of the county, collect, or cause to be collected, all moneys due the school fund from fines, or from any other source in his county; and until the legislature shall make some provision for the disposal of the school lands given by Congress to the Territory for school purposes, it shall be the duty of the superintendent to preserve said lands from injury and trespass; and when it shall come to his knowledge that any trespass has been committed on such lands, he shall make complaint of the same before the grand jury of the proper county, at the first regular term of court after he has obtained a knowledge of such trespass; and all fines and other moneys thus collected shall be paid over to the treasurer of the county for the use of common schools, and divided in said county in the same manner as other school funds.

Sec. 11. Any person trespassing upon or injuring the school lands, as mentioned in the preceding section, shall be liable to be indicted for the same, and upon conviction, shall be punished by imprisonment in the county jail not exceeding six months, or by fine not exceeding five hundred dollars.

Sec. 12. The said superintendent shall be allowed out of the county treasury, in compensation for his services, the sum of twenty-five dollars a year. The county commissioners may, in their discretion, if they think the services rendered demand it, increase his salary to any sum not exceeding five hundred dollars a year.

CHAPTER III.—SCHOOL MEETINGS.

Sec. 1. A school meeting may be called at any time for the purpose of organizing a new district, as provided in section four, under the title of county superintendent.—No number less than five legal voters shall constitute a quorum, to do business in any disrict meeting.

Sec. 2. Such school meeting shall have power to do all necessary business the same as the regular annual school meeting would have.

Sec. 3. Such meeting when assembled, shall organize by the appointment of a chairman and secretary. It shall then proceed by ballot to elect three directors. Of those so elected, the person having the highest number of votes, shall hold his office for the term of three years, and the persons having the next highest number shall hold his office for two years, and the person next highest one year, and each shall continue in office until his successor is elected and qualified. In case two or more persons of those so elected receive an equal number of votes, the duration of their term of office shall be determined by lot, in presence of the chairman and secretary.

Sec. 4. The term of office of a director not elected at the regular annual meeting, shall continue for the term of one, two or three years, as he may have been elected, from the next annual school meeting, unless such director shall be elected to fill vacancy, in which case he shall continue in office for the unexpired term. So that at every annual school meeting after the first, there shall be elected one school director for the term of three years.

Sec. 5. The directors shall qualify within ten days after their election, by taking an oath or affirmation faithfully to discharge the duties of the office, to the best of their abilities; and to promote the interest of education within their district. This oath shall be in writing and filed with the clerk of the district.

Sec. 6. It shall be the duty of the directors of every school district:

1st. To call special meetings of the district whenever they shall deem it necessary;

2d. To make out a tax list of every district tax containing the names of the taxable inhabitants in the district, and the amount of tax payable by each inhabitant set opposite his name.

3d. To annex to such tax list a warrant directed to the clerk of the district for the collection of the sums in such list mentioned. including five per cent. for the fees of said clerk;

4th. To purchase or lease a site for the district school house as designated by a meeting of the district, and to build, hire or purchase, keep in repair and furnish such school house with necessary fuel and appendages out of the funds collected and paid to the clerk for such purpose, and to have the custody and safe keeping of the district school house;

5th. To contract with and emply teachers; Provided, that no teacher shall be employey who shall not produce a certificate from the county superintendent as is required by law, of good moral character, and qualification to teach a district school;

6th. To give orders to the teachers on the district clerk for ther wages.

Sec. 7. Any two of said directors shall constitute a quorum to do business.

Sec. 8 It shall be the duty of the directors to visit and examine the school or schools of their respective districts, at least twice in each term; they shall endeavor to procure the introduction of a good and uniform system of school books in their district; and when the teacher experiences difficulty in the government of the school, it shall be his duty to refer the cases of disorderly sehollars to the directors, who shall decide how such scholars shall be punished, or whether they shall be dismissed from school.

CLERKS.

Sec. 9. The first annual school meeting shall also elect a district clerk, who shall continue in office for the term of three years. He shall qualify within ten days after his election, by giving bond to the district directors in such sum as they may require, that he shall well and truly perform the duties of his office, and pay over all moneys coming into his hands by virtue of his office as by law directed. If a clerk be elected to fill a vacancy, he shall continue in office for the unexpired term; and if elected at the first meeting, not being the regular annual meeting, he shall continue in office three years from the next annual meeting.

Sec. 10. It shall be duty of the clerk of each district:

1st. To record the proceedings of his district in a book, to be provided for that purpose by the district;

2d. To give notice of annual or special meetings;

3d. To procure a list of all persons in the district between the ages of four and twenty-one years;

4th. To collect all district taxes which he shall be required by the warrant from the directors to collect within the time limited in each warrant for its return; and he shall have the same authority to enforce the collection of such tax as the county collector has for collecting the county tax, and he shall be allowed five per cent. for collecting;

5th. To retain a copy of all reports made to the county superintendent relating to the affairs of the district.

Sec. 11. It shall be the duty of the clerk to furnish the county superintendent at least twenty days before the first Friday in November of each year, a report containing the number of scholars in his district, over four and under twenty one years of age; how long a school has been kept in his district the past year; what school books are principally used; what proporportion of the scholars in the district have attended school; and the amount of money paid to teachers.

Sec. 12. The clerk of each district shall, at the close of each year of his office, make out in writing a just and true account of all moneys received by him for the use of the district, and the manner in which the same shall have been expended, which account shall be read at the annual district meeting. The clerk shall pay over all moneys remaining in his hands belonging to the district to his successor, when his successor has legally qualified, and upon a refusal or neglect so to do, the directors shall forthwith bring suit upon his bond.

Sec. 13. There shall be an annual school meeting held in each district upon the first Friday in November; and notices of all annual or special meetings shall be in writing, signed by the directors or the clerk of the district, and shall state the object for which the meeting is called; and shall be posted up in three public places in the district, at least six days previous to the holding of such meeting.

Sec. 14. Every inhabitant over the age of twenty-one years, who shall have resided in any school district for three months immediately preceding any district meeting, and who shall have paid, or be liable to pay any tax except road tax in said district, shall be a legal voter at any school meeting, and no other person shall be allowed to vote.

Sec. 15. Any school meeting shall have power to adjourn from time to time as occasion may require.

Sec. 16. A school meeting legally called shall have power by the vote of a majority present, to levy a tax on all the taxable property in the district, as the meeting shall deem sufficient to purchase or lease a suitable site for a school house, and to build, hire or purchase a school house and keep it in repair, and to furnish the same with necessary fuel and appendages, and to levy an additional tax on the district for the purchase or increase of a district library, globes, maps and such apparatus as the interest and well being of the school shall require. The library shall consist of such books as the district meeting shall direct.

Sec. 17. In all cases when a tax is to be levied, it shall be stated in the notices given of the meeting for what purpose or purposes a tax is to be levied.

Sec. 18. When a district is organized, it shall be to all intents and purposes a body corporate, capable of suing and being sued, and fully competent to transact all business appertaining to schools or school houses in their own district; and it shall be the duty of the directors to prosecute or defend any demands for or against their district, and notice shall be served upon one of the directors of any suit brought against a district.

Sec. 19. All district taxes shall be assessed by the directors according to the valuation of property made for the assessment of county taxes, and shall be collected by the clerk of the district, with an addition of five per cent. on the same, which the clerk shall receive for his services. Any person aggrieved by an excessive assessment of the directors of any school district, may have the same reduced by his own affidavit or any competent testimony, to the satisfaction of the clerk.

TEACHERS.

Sec. 20. It shall be the duty of every teacher of a common school, to procure a certificate of qualification and good moral character, before entering on the duties of a teacher. It shall be his duty to keep a register of the names of the children attending school, their age, the time when they begin, the time they continue, and of their daily attendance, which register shall be filed with the clerk of the district at the close of every term.

CHAPTER IV—MISCELLANEOUS PROVISIONS.

Sec. 1. The minutes of the first school meeting shall be signed by the chairman and secretary, and delivered to the clerk of the district, who shall file the same in his office.

Sec. 2. In all school meetings, the director whose term of office shall first expire, shall act as chairman, and the clerk of the district shall act as secretary.

Sec. 3. Districts shall have power to repeal, alter or modify their proceedings from time to time as occasion may require.

Sec. 4. District meetings legally called, shall have power to levy a tax upon the property of the district for any purpose whatever, connected with and for the benefit of schools, and the promotion of education in the district.

Sec. 5. Any new district failing to organize and report to the county superintendant the number of children over four and under twenty-one years of age in said district, at least twenty days before the first Friday in November, or any district having been organized for the term of one year or more, failing to report to the county superintendent, as is required in section eleven of the chapter entitled "School meetings," in this act, shall not be entitled to any portion of the county school fund for the year; *Provided*, that if the clerk of any school district shall fail to make such report, any inhabitant of such district may make such report, verified on oath, and the county superintendent shall receive it, the same as if made by the clerk.

Sec. 6. The county superintendent shall apportion all the county school fund for that year among those districts only which have organized and reported according to law.

Sec. 7. No district shall be allowed to draw the county school fund from the treasury, apportioned to it, until it shall raise an amount by tax or otherwise in said district to be expended in paying teachers and building school houses in said district, equal to the amount to which such district is entitled out of the county school fund; nor until it shall satisfy the county superintendent that a school has been kept in said district by a qualified teacher for at least three months during the year immediately following the apportionment.

Sec. 8. When the clerk of any district shall satisfy the county superintendent that an amount has been raised by tax or otherwise in his district for the support of teachers, equal to the amount apportioned to them from the county fund, and that a school has actually been kept by a qualified teacher as provided in the preceding section, the superintendent shall then issue an order on the county treasury in favor of the clerk of said district for the amount to which such district is entitled, out of the county school fund.

Sec. 9. Any district failing to comply with the provisions of the two preceding sections for the term of one year after any apportionment, shall forfeit its apportionment, and the amount thereof shall be again added to the county school fund, and divided again among all the districts.

Sec. 10. Whenever a school is kept in any district, the teacher of which shall be supported out of the general county school fund, or by tax on the district as aforesaid, such school shall be open and free to all children between the ages of four and twenty-one years in such district.

Sec. 11. The directors of any district may permit scholars living out of the district to attend school with or without charge, as they may deem proper.

Sec. 12. No person shall be disqualified to hold the office of county superintendent, district director or clerk, on account of holding any other office within the territory at the same time.

Sec. 13. It shall be the duty of the directors to appoint a suitable person for librarian, when the district shall have procured a library.

I certify the foregoing is a true copy of the the original act.

C. H. MASON,
Secretary of the Territory of Washington.

CUBA.—The Captain General of Cuba has published a proclamation in which he decidedly denies the truth of the recent rumors in regard to the "Africanization of Cuba." "The Queen," he declares, "will not distrub her Cuban subjects in the possession of their (slave) property legitimately acquired." The official announcement, it is to be believed, will leave the impetuous Mr. Slidell quite destitute of what is called, by courtesy, argument, to say nothing of the effect which it will have of putting out the pipe of the *Washington Union*. Not that, substantially, the proclamation makes any difference; for if the Capt. General should go to the extreme lehgth of inviting over Mr. William Lloyd Garrison to superintend immediate emancipation in Cuba, we really cannot see that it would be any of our business. A thorough refutation of the rumor, will leave the Louisiana gentleman without the shadow of an excuse for his rascally resolutions. Perhaps, for all that, he might still press them with unabated vigor. It would be characteristic of the man, and in perfect keeping with the whole measure.

A southern paper states that the annual productions of Cuba comprise $13,500,000 worth of sugar; tobacco to the amount of $5,100,000; coffee $2,210,000; corn, $2,000,000; and other agricultural productions, about $7,000,000. The grand total of her productions, including dairy and domestic animals, averages $59,000,000 per annum. The population of the Island in 1841 was 1,007,624, including 418,391 whites, 429,495 slaves, and 152,838 free colored people. The latter, we presume, include the class known as emancipados, who are far from being free. Five years subsequently the white population had increased 7536, while the blacks decreased 106,872—making an aggregate population then of but 898,752. In the city and suburbs of Havana, in 1841, the entire population was 160,750. Five years later, in 1846, it comprised but 128,597. Cuba is 600 miles in length. In its narrowest part it is but 35 miles broad; in its broadest, 132 miles. From the southern part of Florida to the northern part of Cuba, the distance is 113 miles.

The United States revenue cutter *Wm. L. Marcy*, arrived at Mazatlan on the 19th of May, having on board Major Roman, Consul for Guaymas.

Pioneer and Democrat.

OLYMPIA, WASHINGTON TERRITORY,
SATURDAY, JULY 1, 1854.

J. W. WILEY, EDITOR.

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

☞ We understand from Col. ANDERSON that the Chief Justice received, by the last mail, Treasury drafts to an amount sufficient to pay off the grand and petit jurors who served at the last regular terms of the U. S. District Courts, and that these drafts are now in the hands of the Marshal for that purpose. As soon as Col. ANDERSON can get them converted into cash, the proper amounts will be sent to the respective counties. He desires that no juror will transfer or otherwise dispose of his claim *at a discount*, as the full amount will be paid to each one.

TREATY WITH JAPAN.—Com. Perry has at last succeeded in making a treaty with Japan. By the terms of the treaty the port of Simoda, near the entrance of the bay of Yedo, is to be opened immediately to our vessels and commerce, and another port in twelve months—that vessels in distress may put into any of their ports, and receive relief and assistance, if compelled by stress of weather and inability to reach the ports opened. Protection and care is guaranteed to any of our seamen who may be cast upon the coast. They also agree to furnish us any amount of coal, at reasonable rates, that may be required for our steamers, and provision is made for the reception of an American consul whenever the Emperor or the President may think it necessary. A treaty of commerce was expected to be negotiated soon.

The harbor of Kakodah, to the north, is a very important one for our whalers, it being easy of access, and just in their cruising track, while Simoda, at the south end of the island, will be valuable as a depot for coal when our steam lines are established. Other ports will be opened hereafter, when the interests of trade and commerce demand it, but for the present it is deemed that the two conceded will be sufficient.

☞ The Baltimore Patriot expresses the opinion that the war on the Eastern Question will be of short duration, and assigns, among other reasons, the following:

"Not only England and France, but all monarchial Europe are looking with anxiety upon the progress of the United States. One obvious consequence of an obstinate war, would be the rapid advance and established supremacy of American commerce. Another would be, the immense immigration of mechanics—who, preferring cheap provisions and protection to bran-bread and conscription, would move their work-benches across the Atlantic, and thus become within thirty days the competitors of those with whom they had learned their trades. A war in Europe is a bounty to the American farmer, and by raising the wages and provisions of foreign operatives, is in effect a protective tariff to our manufacturers. For this reason, the maritime and manufacturing powers ought to terminate this conservative war as soon as possible. Besides, our relations with Spain are becoming very intricate, and we have been assured, the alliance of England and France is not a mere partnership limited to the protection of Turkey, but extends to our own continent. Those powers therefore feel more apprehensive about the fate of Cuba than Constantinople."

☞ We exclude other matter this week to give place to two important laws—the Election and School laws—which are of importance to the people of this Territory.

ACKOWLEDGMENTS TO—Stewart's Express, two days only from Portland—Capt. Dall, of steamship Columbia,, and J. W. Sullivan, San Erancisco, for full files of late papers.

☞ The attention of our readers is directed to administrator's sale of farm stock on Vancouver's Island.

Four days later from Europe.

A telegraphic despatch announces the arrival at New York on Monday of the the steamship Atlantic, from Liverpool May 3.

Her news is not greatly important.

Prices for breadstuffs in the Liverpool market varies without material change.—Corn had declined 2s, wheat unchanged.—Provisions at former rates.

The cotton market was dull, and prices lower; middling qualities 6d decline.

From the seat of war we learn that Odessa was bombarded on the 12th, and part of the city laid to ruins.

Sir Charles Napier's fleet remained quiet.

The Russians were making tremendous preparations for an attack on Silistria about the 1st of May.

The Greek insurgents had been defeated with a great loss.

Russia has imposed a heavy war tax on all classes.

The Bremen bark Favorite, with 180 passengers, sunk in the Channel, all of whom but five were lost.

The ratification of the Austrian and Prussian treaty had taken place.

The bombardment of Odessa by the allied fleets of 26 sail, continued ten hours, during which four gun fort houses were dismounted, four Russian and one Austrian merchant ship burt in the harbor, and a part of the city laid in ruins. Three British bombarding steamers were badly damaged. The attempts of the allies to land 1800 men was unsuccessful. The Russian fleet came out of Sabastopol during the fight and threatened the allied fleet, but returned without a battle.

The Russian account is in these terms: "The English and French Admirals demanded the surrender of the Russian ships in the port of Odessa. This being refused, bombardment began from eighteen ships. A small part of the city was destroyed. An attempt to land 1800 men failed; the bombardment produced no effect.

The Russians have completely evacuated Little Wallachia. The Russians right wing now rests on the Aluta river, with the head quarters at Bucharest, therefore the interest of the campaign is again concentrated on operations below Nicopolis.

The Turks have come out of Kalafat and are occupying all the towns in the track of the Russians.

Ports in the Gulfs of Finland and Bothnia are in a state of blockade.

France has ordered Russian Consuls to leave.

A despatch in the Vienna Oeste, states that the Peterowzoff Palace was entirely destroyed during the bombardment, and that four frigates were severely damaged.

The London Times says, "We receive intelligence of the bombardment of Odessa with feelings which are mixed with regret. It was expected that the first operations of war, which the combined fleets now in the Black Sea, would inflict, would be a severe blow on the enemy, and would prove with what overwhelming force the naval armaments of England and France are provided; but we must be allowed, without the slightest disparagemet to the gullantry of the officers of the magnificent fleets under their orders, to feel some regret that the first blow in the war should have fallen upon a commercial city, other than a military or naval post."

The Baltic Fleet had been further reinforced, and was awaiting the arrival of a French Squadron. Unless the latter arrives a British force will cruise off the Gulfs of Finland and Bothnia. On the 21st, nineteen ships anchored before Stockholm.

The important position of Sellistria is closely vested, but a telegraph despatch of the 26th says that up to then the fortress suffered no damage.

Accounts from Bucharest of April 19th, mention that Sellistria had been hard pressed since the 14th, and would ere then have fallen but for the determined valor of its defenders, who express themselves able to hold out until aid shall arrive. The Russians on the contrary, expect to reduce the place in a few days. The Turks have a strong garrison, but said to be well victualled or properly supplied with amunition. The fort is in possession of the Russians, as are also the entrenchments at the junction of the Drichsde. The Russians were intending to make an assault on the 1st of May with 30,000 men. They have erected 17 heavy batteries, under cover of which they will cross the river. The passage to Altenitza is expected at the same time. Notwithstanding all these formidable statements Sellistria is too strong a position to be carried without a severe and perhaps prolonged struggle.

ST. PETERSBURGH, April 23.—The following war tax is now being levied:—On tradesmen and merchants of the first guild, 300 silver rubles; on those of the second, 160; and on the third, 106. All housekeepers without distinction are assessed 10 per cent. on the actual rent they pay or receive.

HONOLULA, March 23, 1854.

"The subject of the annexation is being freely discussed in all circles; it is the great measure of the day here. The natives are holding meetings nightly to discuss the measure in their own language. As a matter of course there are two parties on this great measure—the annexation party and the anties—the former comprise nine-tenths of our planters, merchants and business men: the latter party or "anties," is headed by the French Commissioner, and British Consul-General, and composed of such satellites as they can draw from their own countrymen and a few renegade Americans. A party thus composed of rag-tag, and bobtail, are capable of resorting to the lowest means of political warfare. They do not hesitate to circulate among the natives the grossest falsehoods; such as that the annexationists desire to make slaves of them—that in the United States they buy and sell all people of dark color—that no treaty stipulation would be regarded by that country, &c. The doubt thus thrown upon the native mind, forms in fact the only real opposition to annexation.

"To counteract these gross falsehoods, a new paper printed in the native language advocating annexation and American interests generally, called the *Ka Nu Hoa*, (News) has just been issued; it handles this mongrel party without gloves. The first number was well received by the native population—as they can all read it. It is the first political paper ever published in the native tongue. This paper created a great commotion among the "anties;" it exposes their low, base intrigues and thwarts them in all their manoeuvres.

"It is rumored and generally believed that there is a coalition between the remnant of the "Committee of Thirteen" and the French and British Consuls; the Thirteen are to unite with them to oppose annexation; and should the "Thirteen" hereafter be able to overthrow this government and establish another pledged against annexation, these two officials, for their respective governments are to recognise the new government, and as the "Committee of Thirteen" has "caved in" the three or four that remain of that august body have sold themselves.

"The Legislature meets on the 8th of April next—the lower house, elected by the people, and representing the masses, are in favor of annexation. The complexion of the upper house is not so well understood, but that house will no doubt be influenced and controlled in a great degree by the immediate representatives of the people."—*Cor. of Times and Trans.*

Religious Notice.

☞ There will be preaching at the Representatives' Hall to-morrow at 11 o'clock, also at 3 o'clock, P. M.

Parents and others are informed that a Sabbath School, under superintendence of Mr. WHITWORTH, will be commenced at 2 o'clock, P. M.

RETAIL PRICES CURRENT.

CORRECTED WEEKLY FOR THE PIONEER AND DEMOCRAT

By Williams & Waterman.

OLYMPIA, W. T., July 1, 1854.

We have no improvement to note in the amount of business transactions since our last, but in the beneficial influence exerted on the main interests of the Territory by the improved condition of the weather, we find sufficient reason to look with confidence to an early resumption of trade.

Last advices from San Francisco report an advance in many articles, particularly of groceries, and indicate a general upward tendency in most articles of imported goods having any claim to the character of staples.

We would particularly direct the attention of purchasers of lumber, timber and piles, to the unequaled facilities for shipment afforded by the harbors of Puget Sound, and the very favorable rates at which cargoes of the articles can be procured. Our reported rates below, it will be seen, refer only to the retail demand and to small orders sawed out.

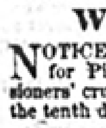
Provisions—		**Groceries—**	
Beef, fresh, ℔ lb...	12@18	Sugar, bro. ℔ lb...	@12½
Mutton, " ℔ "...	25@30	Sugar, white crush. per lb.........	@20
Pork, fresh and salt, ℔ lb........	20@25	Coffee, ℔ lb.......	@22½
Mess Pork, ℔bbl....	@$35	Tea, " "......	75@$1
Clear Pork, ℔ "	none.	Rice, Caro., ℔ lb.	10@12½
Bacon, clear, ℔ lb......	25	Dried Apples, ℔ lb	16@
Hams, ℔ lb........	@25	Dried Peaches " "	18
Shoulders, ℔ lb....	@22	Chili Peaches, " "	none
Salmon, ℔ lb......	none	Soap, ℔ lb........	12½@15
Codfish, ℔ lb......	@12½	Starch, ℔ lb......	37½
Mackerel, ℔ hf bbl.	$15	Candles, ml'd, ℔ lb	25
Butter, ℔ lb......	37½@50	do Adm. " "	50
Lard, " ".......	20@25	do Sperm, " "	62
Cheese, " ".......	@37	Tobacco, ℔ lb.....	50@75
Flour, ℔ 100 lbs...	@$9	Saleratus, " "	25
Corn Meal, ℔ lb....	@8	Pepper, grain, ℔ lb	37½
Salt, fine, " "...	@5	Molasses, ℔ gal...	50@62½
Salt, course, ℔ ℔..	@1	Syrup, " ".....	75@$1
Potatoes, ℔ bush.	$1.25	Vinegar, cider, ℔ gallon.........	75
Onions, " "	4.00	Lamp oil, ℔ gal..	$2.50
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.	none	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@20	**Sundries—**	
Shirtings, bro. 3-4 per yard........	12½	Nails, ℔ keg.....	$9
Shirtings, blea. 4-4	16⅔	Window glass, ℔ box...........	$7
Drillings, bro. ℔ yd	16⅔	Sash, ℔ light....	20@25
Prints, ℔ yard....	12½@20	Axes, ...	$1.50@$2
Blankets, ℔ pr...	$5@$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..	$20
Lead, white, ℔ lb.	20	" cedar, " ..	$25
do colors, " "	25@37½	Shingles, ℔ M...	$4@$5
Linseed oil, ℔ gal	$2.50	Square timber, ℔ foot...........	12@14
Turpentine, " "	3,00	Piles, ℔ foot.....	5@6

STUART'S EXPRESS FOR

Oregon, California and the Atlantic States,

Will close Saturday, July 1, 1854, at six o'clock, P. M. Treasure, packages, &c., received until five P. M. Office at Parker's. A. B. STUART.

STEILACOOM LODGE, U. D.



The regular communications of Steilacoom Lodge, U. D., of Ancient Free and Accepted Masons, are held on the first Saturday evenings in each month. Brethren of the order in good standing are invited to attend.

W. H. WALLACE, W. M.

Probate Court, Pierce County, Washington Territory.

NOTICE is hereby given that a term of said court for Pierce County will be held at the Commissioners' court room, in Steilacoom City, on Thursday the tenth day of July proximo.

M. H. FROST, P. J.

Steilacoom City, June 27th, A. D. 1854.

Victoria, Vancouver's Island.

SALE AT AUCTION!

BY ORDER OF THE EXECUTRIX TO THE WILL OF THE LATE R. J. STAINES.

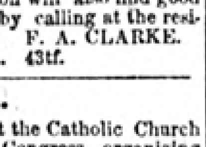
On Saturday the 8th July prox. the whole of the stock, crops, farming implements, &c., &c., on the property of the late R. J. Staines, deceased, will be offered at public sale, consisting of

Six oxen, 11 cows with calves, 5 heifers, 7 yearlings, 2 plow horses, 3 mares, 9 sows, some with pigs, 14 pigs, 24 fowls, 11 turkeys; 16 acres wheat, 5 acres oats, 1½ acres barley, 8 acres peas, 4 acres potatoes, 5 acres turnips, ½ acre beets, ½ acre garden well stocked, carts, plows, harrows, &c.

Terms of sale—Cash, allowing 5 per cent. discount, or approved bills at 3 months.

To suit the convenience of purchasers from the American side, the stock will be allowed to run on the farm, at the risk of the buyers, for one month after the sale, free of charge.

Horses! Horses!!



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

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

Cowlitz Landing, July 2, 1853. 43tf.

Notice.

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

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

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

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

J. B. A. BROUILLET.

Fort Vancouver, W. T., June 19, 1854–n43-4w

Probate Court, Lewis County, Washington Territory.

NOTICE is hereby given, that a term of this Court for Lewis county, will be held at the Court house, Cowlitz Landing, on Monday the tenth day of July proximo. JAMES GARDINER, P. J.

Forks of Cowlitz, June 17, '54–n41-3w

Notice.

IS hereby given, that the assessor of Thurston county Washington Territory, will be found at the office of the county auditor, in the town of Olympia, on the 29th and 30th days of June, and on the first day of July, to correct all errors that may have occurred during the assessment.

All persons who may feel themselves aggrieved as to the manner in which their property has been assessed, are invited to come forward and have the necessary corrections made, or properly adjusted, before the assessment roll is returned to the county commissioners.

WHITFIELD KIRTLEY.
Assessor Thurston co.

Olympia, June 10th, 1854.–3t.

NEW ARRIVAL

At the Tin, Copper and Sheet Iron Manufactory of

GEORGE GALLAGHER.

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

GEORGE GALLAGHER.

Olympia, June 10, 1854.–n40

THOMAS JOHNSTON,

GROCER AND PROVISION DEALER.

Next door to Betman & Brands,

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

June 10, 1854.–n40

Ex. Sarah Warren.

June 3d.
100 Bbls. Haxall Sweet Flour,
5,000 lbs. Cut Nails and spikes,
7 Tons assorted Iron,
Invoice Powder and Shot,
Bales sheetings and prints,
40 Cook Stoves, No. 2 to 5,
Mill Saws, Tenon Saws and Carpenters' Tools,
100 glazed Window Sashes,
80 eastern Pine Doors, and
Other goods for sale by the

KENDALL CO.

Olympia, June 9, '54.

SPRING AND SUMMER GOODS.

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

M. LOUISSON & Co.,

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

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

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

AND

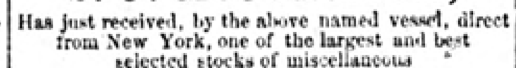
All kinds of Domestics generally asked for in Dry Goods stores. Our gentleman department has been replenished with

Black and fancy broad cloth frock and sack coats,
Velvet, cassimerett, brown and yellow linen coats,
Superfine black doeskin and fancy cassimere pants
Satinet, corde roy, cottonade and jeans "
White and brown linen "
Fine black Satin and fancy silk vests,
" White Marseilles vests for parties and balls,
A good stock of fine white linen shirts,
Silk, cotton and woolen undershirts and drawers,
Black Italian silk cravats and stocks,
Fine white cambric, silk and pongee gents hdk's.
Gents riding buckskin and kid gloves,
Woolen, cotton and fancy striped socks,
Moleskin, Leghorn, straw and Metropolitan gents and boys hats,
A general assortment of boots and shoes, kid and lasting gaiters &c., &c.
Trunks, valieses and carpet bags,
Satinets, Kentucky jeans, brown and bleached, Irish linen &c., &c., And in addition to these we keep constantly on hand a full assortment of CROCKERY WARE, and many other articles too numerous to mention, but which will be sold to suit the times.

M. LOUISSON & Co.

June 24, 1854.–n42

ARRIVAL OF THE



"EOLIAN,"

DIRECT FROM NEW YORK.

S. J. McCORMICK,

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

BOOKS AND STATIONERY,

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

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

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

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

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

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

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

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

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

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

FRANKLIN BOOK STORE, Front Street, Portland, Oregon.

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

June 17, 1854.–n41-1m

For Sale Cheap.

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

May 20, 1854. 2m37.

Honorable Hudson Bay Co.

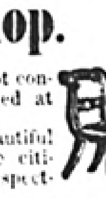
Dishonored Drafts for Sale.

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

TIMOTHY DOUBLEASS.

Victoria, May 1st, 1854. n42-1w

Cabinet Shop.



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

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

A. J. LINVILL.

Olympia, April 29, 1854. 34tf

ENOCH H. WILSON. JAS. K. HURD.

WILSON & HURD,

COMMISSION MERCHANTS,

OLYMPIA, W. T.

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

Olympia, May 1st, 1854. 35tf

MERRITT & GOVE'S

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

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

April 15, 1854. 32tf

THE PUGET MILL CO.,

HAVE an excellent engine Lathe, of 22 in. swing, in operation, under charge of an experienced 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

Drugs & Medicines.

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

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

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

AT TEEKALET,

Harbor of Port Gamble—Hood's Canal,

THE PUGET MILL CO.

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

All orders promptly attended to by

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

Tekalet, March 14, 1854. 32ly

Great Inducements!

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

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

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

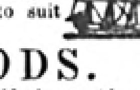
Terms Cash.

C. C. TERRY.

Alki, April 26, 1854. -tf.

IMPORTANT TO THE PUBLIC.

Goldman & Rosenblatt,



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

DRY GOODS.

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

Marseilles, white and colered Counterpanes;
N. W. Chemissetts, Collars and under sleeves;
Veils, Mourning Collars and Chemissetts;
Silk and Cotton Laces; fine Silk Parosols;
Ladies Silk, Cashm. and Cotton Hose.
An assortment of Gloves, Perfumery and Fancy articles.

CLOTHING.

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

BOOTS & SHOES.

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

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

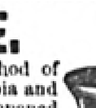
The above named goods will be sold at greatly reduced prices.

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

GOLDMAN & ROSENBLATT.

Olympia, W. T., May 27, 1854. 3mo38

MEDICINE.



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

Office, two doors south of Parker's store.

G. A. LATHROP, M. D.

June 25, 1853. 42-1y

SAMUEL HOLMES,

DAGUERREOTYPIST,

OLYMPIA, W. T.

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

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

May 13, 1854. 36tf

J. S. SMITH,

ATTORNEY AT LAW,

PENN'S COVE, WHIDBY'S ISLAND,

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

REFERS TO

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

ELWOOD EVANS,

Attorney at Law,

Olympia, Washington Territory.

June 24, 1854.

PACIFIC HOUSE.

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

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

WM. COCK.

Olympia, March 18, 1854. 28tf

John G. Parker, Jr.,

—DEALER IN—

GROCERIES AND PROVISIONS,

OLYMPIA, W. T.

April 15, 1854. 32tf

NOTICE

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

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

On the first day of August next.

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

FRANKLIN PIERCE.

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

EX. SARAH WARREN.

APRIL 3.

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

FOR SALE,

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

Olympia, June 10, 1854.–n40

WASHINGTON HOTEL.

(THE LONE PINE TREE IN FRONT.)

CORNER OF MAIN AND SECOND STREETS

OLYMPIA, W. T.

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

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

A good Stable is attached to the premises.

Our motto—Clean Beds and Warm Rooms.

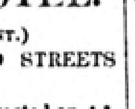
CORLISS & ENSIGN.

October 1, 1853. 4tf

OLYMPIA BAKERY

AND

BEEF MARKET!



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

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

J. K. HURD.

Olympia, Sept. 1, 1852. 1tf

"TIME IS MONEY."

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

tf. G. C. ROBBINS

Portland, Oregon, Sept. 1, 1853.

W. H. WALLACE,

ATTORNEY AT LAW,

STEILACOOM, W. T.

Nov. 5, 1853. 9tf

LAFAYETTE BALCH,

MERCHANT,

STEILACOOM, WASHINGTON TERRITORY.

Oct. 1853. 5tf

GEORGE L. STORY,

DRUGGIST,

DENNISON'S BUILDING, FRONT STREET,

PORTLAND, OREGON.

Dec. 3, 1853.

C. H. MASON,

ATTORNEY AT LAW,

OLYMPIA, W. T.

GEORGE GALLAGHER,

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

OLYMPIA, W. T.

Nov. 5, 1853. 9tf

I. N. EBEY,

Attorney and Counsellor at Law,

AND SOLICITER IN CHANCERY.

Office at the Custom House.

Sept. 30, 1853. 4tf

G. A. BARNES,

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

OLYMPIA, W. T.

Sept. 10, 1853.

H. C. MOSELEY,

ATTORNEY AT LAW,

STEILACOOM, PIERCE COUNTY, W. T.

July 9, 1853. tf

F. A. CHENOWETH,

ATTORNEY AT LAW,

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

Cascade City, Dec. 15, 1852.

DOCTOR L. C. BROY,

French Physician and Surgeon.

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

PILLOW & DREW,

Watch Makers and Working Jewelers,

FRONT, BETWEEN STARK AND OAK STREETS, PORTLAND, OREGON.

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

Rings and Pins made to order, of California Gold.

Portland, Sept. 10, 1853.

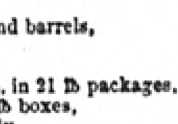
J. O. MARTIN,

ATTORNEY AND COUNSELLOR AT LAW, AND SOLICITOR IN CHANCERY,

Chesterville, Near Penn's Cove,

mh 25, '54-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 Hawiian Coffee,
2000 gallons Hawlian 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 Braudy,
75 doz. boxes Gin,
44 gallons Spirits Turpentine, in 6 gallon tins,
95 Iron pots,
89 pairs heavy pants,
25 doz. looking glasses,
150 pairs heavy brogans,

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

SAMUEL C. ALLEN.

Olympia, March 25, 1854. 29tf

DE SHUTES STORE.

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

WILSON & HURD.

De Shutes, April 8, 1854. n31.

LIVERY STABLE.

NEW ARRANGEMENT!

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

Also horses kept by the day or week.

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

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

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

A. J. BALDWIN & CO.

Olympia, Feb. 11, 1854.

NOTICE.

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

Olympia, April 8, 1854. n31

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

WOODFORD C. HOLMAN,

COMMISSION MERCHANT & SHIPPING AGENT,

FIRE PROOF BRICK BUILDING,

No. 86 Sacramento Street,

March 1, 1851. tf.31 SAN FRANCISCO.

Goldman & Rosenblatt,

WHOLESALE AND RETAIL

DEALERS IN

Dry Goods, Clothing, Groceries

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

OLYMPIA, W. T.

BERNARD GOLDMAN, SAMUEL ROSENBLATT.

April 20, 1854. 24tf

FRUIT TREES.

MILWAUKIE NURSERY.

H. & S. LUELLING, PROPRIETORS.

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

March 11, 1843.

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. 35tf

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

TERMS—Cash.

Olympia, Nov. 12, 1853. 10tf

ALLAN, LOWE & CO.,

COMMISSION MERCHANTS,

123 CLAY STREET, SAN FRANCISCO.

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

June 25, 1853. 6m42

PUYALLUP

SALMON FISHERY.

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

RILEY & SWAN, Puyallup,

or to PHILIP KEACH, Esq., Steilacoom City.

August 12, 1853. 50tf

THE OFFICE OF

JNO. B. PRESTON,

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

Oregon City, Dec. 1854, 16tf

STOVES.

JUST 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.

SEATTLE STEAM SAW MILL.

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

H. L. YESLER & CO.

Seattle, Sept. 3, 1853. 1tf.

FOR SALE!

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

Olympia, June 4, 1853. 39tf

NOTICE.

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

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

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

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

New Goods,

SECOND STREET, POST OFFICE BUILDING.

JUST received and now opening a general assortment of

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

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

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

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

All of which will be sold very low.

W. M. RUTLEDGE.

Olympia, June 9, '54. -tf.

Notic.

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

URSULA McCONAHA.

Seattle, June 10, 1854.–n40

JUDGMENT BY CONFESSION.

Sec. 226. Any defendant may appear in court, in person or by attorney, duly authorized in writing, and confess judgment for any amount due or owing by him—and such confession shall be a waiver of all errors for want of service or complaint. When made upon a written power of attorney, the execution thereof shall be proved to the satisfaction of the court, and the power of attorney filed with the clerk.

Sec. 227. In all cases the plaintiff or his attorney shall make oath that the amount for which the judgment is taken is actually due, and that the confession is not made by collusion with the defendant, or for the purpose of hindering, defeating, or defrauding any creditors of the defendant.

Sec. 228. Judgments by confession shall have the effect of ordinary judgments from the day on which they are rendered.

THE MANNER OF TAKING AND ENTERING JUDGMENT.

Sec. 229. When a trial by jury has been had, judgment shall be entered in conformity to the verdict at the term during which it is rendered, unless an affidavit or statement of grounds for a new trial shall be filed, or unless the court order the case to be reserved for argument or further consideration, or grant a stay of proceedings.

Sec. 230. When the case is reserved for argument or further consideration, as mentioned in the last section, it may be brought by either party before the court for argument at the first term thereafter.

Sec. 231. If a set-off established at the trial exceed the plaintiff's demand, so established, judgment for the defendant shall be given for the excess; or if it appear that the defendant is entitled to any other affirmative relief, Judgment shall be given accordingly.

Sec. 232 In an action to recover the possession of personal property, judgment for the plaintiff may be for the possession, or the value thereof, in case a delivery cannot be had, and damages for the detention. If the property have been delivered to the plaintiff, and the defendant claim a return thereof, judgment for the defendant may be for a return of the property, or the value thereof, in case a return cannot be had, and damages for taking and withholding the same.

Sec. 233. Immediately after entering the judgment, the clerk shall attach together all the papers in the case, and carefully keep them in his office.

Sec. 234. Every clerk shall keep in his office a well bound book, to be called the execution docket, which shall be a public record, and open during usual business hours to all persons desirous of inspecting it.

Sec. 235. Within thirty days after the close of any term of the court, the clerk shall enter in said execution docket, a statement of each final judgment rendered at such term containing

1st. The names at length of all the parties.

2d. The date of the judgment, and against whom rendered.

3d. The amount or nature of the judgment, and costs.

4th. An abstract of the costs of each party, and to whom belonging.

Sec. 236. The clerk shall also enter in his execution docket, a minute, in like manner, of any transcript of a judgment from the Supreme Court, or from the District court of any other county, or from a justice of the peace, when the same are presented to him for that purpose, as shall be provided for by law.

Sec. 237. He shall leave space on the same page, if practicable, with each case, in which he shall enter, in the order in which they occur, all the proceedings subsequent to the judgment in said case, until its final satisfaction, including the time when, and to what county, the execution is issued, and when returned, and the return, or substance thereof. When the execution is levied on personal property, which is returned unsold, the entry shall be, "levied" (noting the date) "on personal property, not sold." When any sheriff shall furnish the clerk with a copy of any levy upon real estate on any judgment, the minutes of which are entered in his execution docket, the entry shall be, "levied upon real estate," noting the date, and shall refer to the page upon the book of levies where the same is entered, as is hereinafter provided. When any execution, issued to any other county, is returned levied upon real estate in such county, the entry in the execution docket shall be, "levied on real estate of ———, in —— county," noting the date, county, and defendant whose estate is levied upon; and when the money is made or any part thereof, the amount and time when made shall be entered; also, when a writ of error has been taken, or the judgment is appealed, reversed, modified, discharged, or in any manner satisfied the facts in respect thereto shall be entered. The parties indebted may also assign or discharge such judgment, on such execution docket, when the judgment is fully satisfied, in any way, the clerk shall write the word "satisfied" in large letters across the face of the entry of such judgment.

Sec. 238. The clerk shall prefix to the execution docket a full and correct alphabetical index containing the names of all persons parties to judgments; plaintiffs and defendants in separate columns.

Sec. 239. The clerk shall also keep in his office a well bound book to be called the "Book of Levies," which shall be a public record and open during usual business hours to all persons desirous of inspecting the same in which he shall enter all levies upon real estate in his county when delivered to him by the sheriff as is provided by law. An alphabetical index shall be prefixed to the book of levies containing the names of all persons upon whose real estate such levies have been made, and when such levies are discharged in any manner an entry thereof shall be made in the margin of the book of levies where the levy is recorded.

JUDGMENT LIENS.

Sec. 240. The real estate of any judgment debtor and such as he may acquire shall be held and bound to satisfy any judgment of the district or supreme court, or any judgment of a justice of the peace authorized by law to be levied upon real estate, for the period of five years from the day on which said judgment was rendered, said lien to commence as follows: On judgments of the district court of the county where the land is situated from the date of the rendition of the judgment: In all other cases from the date on which the levy is made provided the levy shall be lodged with the clerk to be recorded in the book of levies in the manner and at the time prescribed by law. If not so lodged with the clerk within such time, then from the time when it shall be so lodged. An appeal to the supreme court, writ of error, or stay of execution shall not affect any existing lien, and in all cases of an appeal or writ of error, the time from which the five years shall commence to run shall be from the date of the final judgment in the supreme court.

Sec. 241. Personal property shall only be held from the time it is actually levied upon.

EXECUTION.

Sec. 242. The party, in whose favor judgment is given, may at any time within five years thereafter, issue a writ of execution for its enforcement as prescribed by law.

Sec 243. After the lapse of five years from the date of the judgment, an execution can be issued only by leave of the court, upon motion, with personal notice to the adverse party, unless he be absent or non-resident or cannot be found, in which case it may be given by publication, or in such other manner as the court shall direct; such leave shall not be given, unless it be established by the oath of the party or other satisfactory proof that the judgment or some part thereof remains unsatisfied and due.

Sec. 244. When a judgment requires the payment of money or the delivery of real or personal property, the same may be enforced in those respects by execution, as provided in this act. When it requires the performance of any other act, a certified copy of the judgment may be served on the party, against whom it is given, or the person or officer who is required thereby, or by law to obey the same, and a writ shall be issued commanding him to obey or enforce the same. If he refuse he may be punished by the court as for a contempt.

Sec. 245. There shall be four kinds of executions: one against the property of the judgment debtor; another against his person; the third for the delivery of the possession of real or personal property, or such delivery with damages for withholding the same. And the fourth commanding the enforcement of or obedience to any special order of the court. And in all cases there shall be an order to collect the costs.

Sec. 246. The writ of execution shall be issued in the name of the United States sealed with the seal of the court, and subscribed by the clerk, and shall be directed to the sheriff, or coroner when the sheriff is a party or interested, and shall intelligibly refer to the judgment, stating the court, the county where the judgment was rendered, the names of the parties, the amount of the judgment if it be for money, and the amount actually due thereon, and shall require the sheriff substantially as follows:

1st. If it be against the property of the judgment debtor, it shall require the shiriff to satisfy the judgment with interest out of the personal property of such debtor, and if sufficient personal property cannot be found out of his real property upon which the judgment is a lien.

2d. If it be against real or personal property, in the hands of personal representatives, heirs, devisees, legatees, tenants of real property or trustees it shall require the sheriff to satisfy the judgment with interest out of such property.

3d. If it be against the person of the judgment debtor, it shall require the sheriff to arrest such debtor and commit him to the jail of the county until he shall pay the judgement with interest, or be discharged according to law.

4th. If it be for the delivery of the possession of real or personal property, it shall require the sheriff to deliver the possession of the same, particularly describing it, to the party entitled thereto, and may at the same time require the sheriff to satisfy any charges, damages, or rents and profits, recovered by the same judgment, out of the personal property of the party against whom it was rendered, and the value of the property for which the judgment was recovered to be specified therein, if a delivery thereof cannot be had, and if sufficient personal property cannot be found, then out of his real property.

Where it is to enforce obedience to any special order, it shall particularly command what is required to be done or to be omitted. Where the nature of the case shall require it, the execution may embrace one or more of the requirements above mentioned. And in all cases, the execution shall require the collection of all interest, costs, and increased costs thereon.

Sec. 247. When the execution is against the property of the judgment debtor, it may be issued to the sheriff of any county in this territory, but it shall not be issued in the first instance, to the sheriff of any other county than that in which the judgment is rendered, unless the plaintiff or his attorney shall first make and file with the clerk an affidavit that the defendant has not subject to execution, sufficient property real or personal in said county, to satisfy the judgment, but that he has property subject to execution in some other county or counties. But after an execution has been returned "no property found," in the county in which judghment was rendered, an execution may be issued to any other county, upon the plaintiff or his attorney making oath that the defendant has property subject to execution in some other county or counties. When it requires the delivery of real or personal property, it shall be issued to the sheriff of the county where the property or some part thereof, is situated.

Sec. 248. The sheriff shall endorse upon a writ of execution, the time when he received the same, and such execution shall be returnable within ninety days after its date to the clerk who issued the same.

Sec. 249. If the action be one in which the defendant may be arrested as provided by law, an execution against the person of the judgment debtor, may be issued to any county in the Territory; *Provided*, That the sheriff shall not arrest the defendant if he shall deliver to him property subject to levy sufficient to satify said judgment.

Sec. 250 A person arrested on execution shall be imprisoned within the jail or the liberties thereof, and kept at his own expense until satisfaction of the execution, or his legal discharge, but the plaintiff shall be liable to the sheriff in the first instance for such expense as in other cases of arrest, in the same manner and to the same extent as herein prescribed.

Sec. 251. All property real and personal of the judgment debtor, not exempt by law, shall be liable to execution.

EXEMPTION.

Sec. 252. All real and personal estate to which any married woman shall hereafter become entitled to in her own right, and all which may at the time of her marriage belong to her, and all the issues rents and profits of such real estate shall not be liable to attachment for, or execution upon any liability of a judgment against the husband so long as she or any minor heir of her body shall be living; Provided that her separate property shall not be exempt from attachment or execution where the debts were owing by the wife, previous to marriage, or may have been contracted for her benefit.

Sec. 253. The following property shall be exempt from execution, except as herein otherwise specially provided:

1st. Dwellings and other buildings to the value of five hundred dollars; all private libraries, all articles of clothing of married women and children under twenty-one years; and to each family kitchen and cupboard ware to the amount of one hundred and fifty dollars; one bed for every two persons in the family; two cows; two horses or two yokes of oxen; one wagon, two hogs; farming utensils actually used by the family; produce raised upon the farm or garden sufficient for six months' consumption, and all tools of mechanics used to carry on their trade. But no article of property mentioned in this section, shall be exempt from an execution issued on a judgment, recovered for its price, or upon a mortgage thereon, or for any tax levied thereon.

Sec. 254. In all cases the defendant himself may select the property which is exempt.

Sec. 255. When a sheriff or other officer has levied upon or attached, or is about to levy upon or attach, personal property which is claimed to be by law exempt from execution or attachment, the sheriff or other officer shall, if required by the person claiming, forthwith summon three discreet and disinterested men, having the qualifications of jurors, being householders and resident in the vicinity where the property is found, and administer to them an oath impartially to examine and determine how much, if any, of said property is so exempt. Such persons shall have full power to summon witnesses, administer the necessary oaths, and adjourn from time to time not longer than three days in all. They shall also have power to appraise the property claimed, and the other property of the claimant, so far as may be necessary to determine what portion, if any, is so exempt. They shall deliver their decision to the sheriff in writing, and he shall forthwith deliver to the person claiming, such property as is by them decided exempt from execution; but nothing in this section contained, shall prev ent the person claiming the property, from giving a bond and trying his right before the district court, as is provided in cases for trying the right of property claimed by other persons than the judgment debtor.

ADVERSE CLAIMS TO PROPERTY LEVIED UPON.

Sec. 256. When any other person than the judgment debtor shall claim property levied upon or attached, he may have the right to demand and receive the same from the sheriff or other officer making the attachment or levy upon his making an affidavit that the property is his or that he has a right to the immediate possession thereof stating on oath the value thereof, and giving to the sheriff or officer a bond with sureties in double the value of such property, conditioned that he will apear at the next term of the District Court of the county in which the property was seized, which shall commence ten days or more after the bond is accepted by the sheriff or officer, and make good his title to the same or that he will return the property or pay its value to the said sheriff or other officer. If the sheriff or officer require it the sureties shall justify as in other cases, and in case they do not so justify when required, the sheriff or officer shall retain the property, if the sheriff or officer do not require the bail to justify he shall stand good for their sufficiency. He shall date and endorse his acceptance upon the bond.

Sec. 257. The officer shall return the affidavit, bond and justfication if any to the office of the clerk of the District Court of the county in which the property was seized, and the clerk shall place the same upon his trial docket at the first term which shall commence ten days or more after it was accepted by the sheriff or officer as above provided for, and it shall stand for trial at that term.

Sec. 258. The person claiming the property shall be plaintiff and the sheriff and plaintiff in the execution defendants.

Sec. 259. If the claimant makes good his title to the property, the bond shall be cancelled, if to a portion thereof a like proportion of the bond shall be cancelled, but if he shall not maintain his title, judgment shall be rendered against him and his sureties for the value of the property, or for such a less amount as shall not exceed the amount due on the original execution or attachment. Where the judgment is in favor of the sheriff for the entire property, the claimant shall pay the costs, where the claimant recovers all the property judgment shall be given in favor of the claimant for costs, where the claimant recovers a portion of the property only, the costs shall be apportioned. When the plaintiff prevails the costs may be taxed against the defendant who was plaintiff in the execution or attachment, or the court may, if they shall be of opinion that the sheriff attached or levied upon said property without the exercise of due caution, adjudge him to pay the costs or any portion thereof.

SALE OF PROPERTY TAKEN IN EXECUTION.

Sec. 260. Before the sale of property on execution notice thereof shall be given as follows:

1st. In case of personal property, by posting written or printed notice of the time and place of sale, in three public places of the county where the sale is to take place, not less than fifteen days before the day of sale.

2d. In case of real property, by posting a similar notice particularly describing the property in three public places of the county where the property is situated, one of which shall be where the property is to be sold for four weeks prior to the day of sale and publishing a copy thereof once a week for the same period, in a newspaper of the county, if there be one, or if there be none, then in a newspaper of the Territory published nearest the place of sale.

Sec. 261. All sales of property under execution shall be made by auction, between nine o'clock in the morning and four o'clock in the afternoon, after sufficient property has been sold to satisfy the execution no more shall be sold, neither the officer holding the execution, nor his deputy shall become a purchaser or be interested in any purchase at such sale, when the sale is of personal property capable of manual delivery, it shall be within view of those who attend the sale, and be sold in such parcels as are likely to bring the highest price, and when the sale is of real property, and consisting of several known lots or parcels, they shall be sold separately, or when a portion of such real property is claimed by a third person, and he requires it to be sold separately, such portion shall be thus sold. Sales of real property shall be made on the premises if occupied by the defendant or any person holding under him, otherwise such sales shall be made at the court house door.

Sec. 262. The form and manner of sale of real estate by execution, shall be as follows:

The sheriff shall proclaim aloud, at the place of sale, in the hearing of all the bystanders—"I am about to sell the following tracts of real estate, (here reading the description,) upon the following execution: (here reading the execution.) He shall also state the amount which he is required to make upon the execution, which shall include damages, interests, and costs, up to the day of sale and increased costs.

If town property, and divided into two or more known lots, he shall ask,

1st. Who will pay this debt for a seven years' lease of all these lots? If there is a bidder, he shall then inquire:

2d. Who will pay the debt for a seven years' lease of any less number of lots than the whole? If there is a bidder, he shall inquire in respect to the smallest number of lots, for a lease of which any bidder is willing to pay the debt.

3d. Who will pay this debt, for the lease, for the least period of time?

If other lands, and divided into known tracts or parcels, he shall make similar inquiries concerning the whole, and the several parcels, and the separate acres in each parcel. If a single tract of land, he shall make similar inquiries concerning the whole and the number of acres. If there is no bidder who is willing to pay the debt for such lease of the whole, or of any part know as separate lots, parcels or acres, he shall then inquire who will pay the debt for the whole, or any known part, in lots, parcels or acres, as the case may require. If he shall have a bidder, he shall then offer for sale to the highest bidder above the debt, the lowest number of lots, or parcels, or acres for which any one is willing to pay the debt. If he has no bid for the whole, or any portion equal to the amount of the debt, he shall then offer the land for sale, the lots and parcels separately or together, as he shall deem most advantageous. All land, except town lots, shall be sold by the acre.

Sec. 263. Where the land is sold by the acre and any less number of acres than the whole tract or parcel is sold, it shall be measured off to the purchaser in a square form from the north-east corner of the tract or parcel, unless some person having an interest in the land shall, at the sale or prior thereto and before the bidding is made, request that the land sold shall be taken from some other part, or in some other form; in such case, if such request is reasonable, the officer making the sale shall sell accordingly.

Sec. 264. When any entire tract or parcel is sold by the acre, it shall not be measured, but shall be deemed and taken to contain the number of acres named in the description, and be paid for accordingly; and where the number of acres is not contained in the description, the officer shall declare according to his judgment how many acres are contained therein, which shall be deemed and taken to be the true number of acres.

Sec. 265. The officer shall strike off the land to the best bidder, who shall forthwith pay the money bid to the officer, who shall return the money with his execution and his doings thereon to the clerk of the court from which the execution issued, according to the order thereof.

Sec. 266. Upon the return of any sale of real estate as aforesaid, the clerk shall enter the cause on which the execution issued by its title in the docket of the term next after such return, and mark opposite the same, "sale of land for confirmation," and if no objection is made, the court at such term shall confirm such sale and order the officer to make out and deliver to the purchaser a deed or lease of the land sold as the case may require. If the court shall be satisfied that by any irregularity of the officer, or from any cause, injustice has been done, the court shall set aside the sale or lease and order a new execution.—When the sale is confirmed, the money shall be paid to those entitled thereto.—When the sale is set aside the money shall be repaid to the purchaser.

[TO BE CONTINUED.]

CHEAP STORE!

WHOLESALE & RETAIL.

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

DRY GOODS, GROCERIES, HARDWARE,

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

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

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

A word to the wise is sufficient.

G. A. BARNES.

Olympia, Sept. 7, 1853.—1y1.

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

NEW MUSIC STORE.

PILLOW & DREW,

Watchmakers and Jewelers,

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

Dec. 3, 1853. 6m.

NEW BLACKSMITH SHOP.

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

Shop, corner of Second and Columbia streets.

S. F. LIKENS.

Steilacoom city, Sept. 5, 1853.-2tf.

DR. J. R. CARDWELL,

DENTAL SURGEON,

PORTLAND, OREGON.

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

Particular attention paid to the plugging of decayed teeth with gold or tin foil, thereby preventing further decay. Teeth extracted with imqroved 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.

Stellacoom Ship Yard.

BOLTON & WILSON,

SHIP CARPENTERS AND CHANDLERS,

STEILACOOM, PUGET SOUND.

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

Steilacoom, Aug. 6th. 1853.—1y 48.

CARTER & PAGETT,

DEALERS IN

PRODUCE, MERCHANDIZE,

GROCERIES AND PROVISIONS,

Cowlitz anding, W. T.

Also, proprietors of the

COWLITZ HOTEL,

where travellers can find good fare and accommodations.

Dec. 3, 1853. 13-

DISSOLUTION.

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

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

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

Port Townsend, Feb. 20, 1854. 28tf

HOLMAN HOUSE,

DUBOIS & MOOTH, 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.

Dec. 1, 1853. J. O. VAN BERGEN.

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 Rells, Shell, Ivory and Buffalo Combs, Accordeons, Music Boxes, Britannia Casters, Pocket Cutlery; every variety of Coral Necklaces and Armlets, Fancy Beads for Indian trade, Fancy Bead Bags and Purses, French 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;
50 doz S. P. Townsend's Sarsaparilla;
75 doz Dr Jacob do do;
30 " Jayne's Expectorant;
20 " Jayne's Alternative;
40 " Moffatt's Phœnix Bitters;
50 " do Life Pills;
24 " Osgood's Indian Cholagogue;
30 " Thompson's Eye-Water;
24 " Nerve and bone Liniment;
15 " Dr. Fahnestock's Vermifuge;
30 " British Oil;
36 " Harlem do;
40 " Godfrey's Cordial;
30 " Bateman's Drops;
12 " Ayer's C. pectoral.
50 boxes Davis' Pain Killer;
300 gross bottle corks;
70 cases Sarsap. syrup;
25 " Lemon syrup;
25 " Raspberry do;
500 lbs Herbs, assorted;
100 ozs Quinine;
20 " Strychnine;
10 lbs Iodide of Pottassa;
500 lbs Saltpetre;
800 lbs Alum;
255 lbs Balsam copaiva;
75 lbs Spts. Nitre Dule;
100 lbs Aqua Ammonia concent;
500 lbs Cream of Tartar
350 lbs Tartaric Acid;
800 lbs Bi-carb Soda;
500 lbs Beeswax;
200 lbs refined camphor;
400 lbs Copperas;
500 lbs Glauber salts;
50 gals. cold press'd castor oil;
4 boxes cast steel cap;
3 bbls lamphlack;
1 bbl Race ginger;
50 lbs Cassia, in mats;
300 lbs Hops;
100 lbs Rad Rhet. Ind.;
800 lbs Sal soda;
1200 lbs Epsom salts;
200 lbs Sponge;
75 lbs Carb. Ammonia;
50 doz. sweet oil in baskets.
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;
50 gals copal Varnish;
75 " Japan do;
400 " Spts Turpentine;
200 " Linseed oil;
100 lbs essential Oils;
2000 lbs White Lead;
800 lbs Red do;
300 lbs Litharge;
800 lbs Venetian Red;
400 lbs Spanish Brown;
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, Buck-saws, Draw knives, Spirit levels, Hand-saw files, Mill saw files, Bench planes, and a fine assortment of Cutlery. Also, Sugar, Coffee, Tea, Rice, Syrup, Tobacco, Candles, Soap, Saleratus, Dried Apples and Peaches, Starch, Beans, &c. Wine glasses, Tumblers and Bar Decanters. Wines and Liquors in five, ten and twenty gallon packages. White, Black, and Red Lead, Raw and Boiled Oil, Spirits Turpentine, Sperm oil, Window Glass, Sash, &c.

W. S. LADD & CO.

Portland, June 20, 1853. tf

FOR SAN FRANCISCO!

THE NEW AND SPLENDID STEAM-SHIP

PEYTONA,

JAS. S. NASH, COMMANDER,

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

Passengers by her can be sure of arriving in San Francisco in time to take passage in the Nicaragua or Pahama steamers. For freight or passage, apply on board or to W. S. LADD & CO., Portland.

Feb. 11, 1854. 23tf

GEORGE R. 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 3, 1852. tf.