The Oregon Argus.

W. L. ADAMS, EDITOR AND PROPRIETOR.

OREGON CITY:

SATURDAY, JULY 21, 1855.

Where is the Seat of Government?

There seems to be a variety of opinions upon this point just now, owing to recent instructions or "opinions" which have reached here from Washington. If we are to have another "location difficulty," we have not the least idea of entering the "ring" this time. Those who are most interested in the matter must settle their own muss. "Opinions" however seem to be perfectly free in this great country, of free enquiry, and have heretofore been "dog cheap" from the fact that the market has been rather overstocked with them. As it is rather expected however, that a public journal will either express a positive opinion, on all matters of such great importance, or else get astride of the fence, and lean just enough to one side or the other to discover its proclivities to a man with a good eyesight, who carefully takes it in range with a tree," and as we have been solicited for an expression of some opinion, we shall give our own honest convictions, in reference to this matter, in just as few words as possible, and in order to get at the matter in a short way you will find our off hand opinion, upon this matter contained in the following

CATECHISM:

Question.—Where is the seat of government for Oregon?

Ans.—Salem and Corvallis both claim it.

Ques.—How are we to decide between the two places?

Ans.—By examining the comparative merits of the arguments, upon which the two parties base their claims.

Ques.—Upon what ground does Salem claim the seat of government?

Ans.—She adopts the opinion of the secretary of the treasury and others upon this matter.

Ques.—What is that opinion?

Ans.—"I understand that the secretary of the treasury has based the decision above referred to, on the ground that Congress in ratifying and confirming the old location law, made it her own act, and that as a consequence the legislature cannot repeal the law, and remove the seat of government without the assent of Congress."

Consequently the act of the legislature, of last winter, which removed the seat of government from Salem to Corvallis, was a usurpation of power not delegated to it, by Congress, which of course makes the act null and void, and leaves the seat of government just where it was before the act was passed.

Ques.—Has Corvallis any thing to say why, sentence should not be pronounced against her, as having unlawfully come in possession of the seat of government?

Ans.—She urges a few considerations.

Ques.—What are some of them?

Ans.—She urges in the first place, that she very much doubts whether any "opinion" of the kind refered to, has ever been given by any of the members of this Administration.

Ques.—Why should she be so incredulous?

Ans.—She says, that it is impossible for her to believe that an Administration which talks so loudly about "squatter sovereignty" or the "right of the people to govern themselves," could possibly be so inconsistent as to wish to deprive us of even the small privilege of fixing our own seat of government.

Ques.—Has she nothing better to urge than that?

Ans.—She contends that the legislature, during its last session in removing the seat of government from Salem, was acting within her legitimate sphere in accordance with an express license in the "Organic act," and in contravention with no law of Congress, consequently the act was not "null and void" but as valid and binding as any other act.

Ques.—How does she show that the legislature acted within her legitimate sphere or within the prescribed limits of the Organic act?

Ans.—She points to section 15 of that act which reads as follows:

"The Legislative Assembly of the Territory of Oregon, shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said first session or as soon thereafter as they shall deem expedient, the Legislative Assembly shall proceed to locate and establish the seat of government for said Territory, at such place as they may deem eligible, which place however *shall thereafter be subject to be changed by said Legislative Assembly.*"

Ques.—How does she get along with the "opinion" of the comptroller, and others who have decided adversely to the validity of the law?

Ans.—She looks upon their opinion as of no more weight than that of any other person, possessing the same legal attainments, and having the same opportunities for understanding the whole state of the case, and that the acts of our Legislature, if within the limits of constitutional legislation, are binding, and in full force from the day of their enactment, until disapproved by Congress.

Ques.—How does she prove that?

Ans.—By that clause of the 6th section of the Organic act, which says:

"All the laws passed by the Legislative Assembly shall be submitted to the Congress of the United States, and if disapproved, shall be null and of no effect."

Plainly intimating that they are in full force until they are "*disapproved*" by Congress. The same section (6) of the Organic act declares, that

"Any law or laws, inconsistent with the provisions of this act, (the Organic act) shall be utterly null and void."

Ques.—Well what of that?

Ans.—She concludes that, the "act" by which the seat of government was removed from Salem to Corvallis, was, plainly and expressly given to our Legislature, by that clause which says:

"Which place however *shall thereafter be subject to be changed by said Legislative Assembly.*"

Consequently the "act of removal," not "being inconsistent with the provisions of this act" (the Organic act) is *not* "utterly null and void," and can never be so pronounced by the Supreme Court, which is the only proper tribunal, for trying the *constitutionality* of the law, and as it has never yet been "disapproved by Congress" it is unquestionably "in full force from the day of its enactment, until (so) "disapproved."

Ques.—How does she regard the position taken by Secretary Guthrie, that

"Congress in ratifying and confirming the old location law, made it her own act, and that as a consequence the Legislature cannot repeal the law, and remove the seat of government without the assent of Congress?"

Ans.—She looks at the action of Congress in the matter, as nothing more nor less than the passage of a "joint resolution (as it is plainly expressed in the title) *approving* and *confirming* an act of the Legislative Assembly of the Territory of Oregon entitled,"

"An act to provide for the selection of places for location and erection of the Public Buildings, of the Territory of Oregon, and for other purposes."

A resolution, *which created no new act*, but which simply "*approved* and *confirmed*" an act previously passed by the Legislature of Oregon, and which the resolution simply *declared to have been good and valid law.*

Ques.—If the act was valid what necessity was there for such an announcement by Congress?

Ans.—The necessity is fully set forth in the preamble to the resolution,

"*Whereas doubts have arisen as to the validity of said act &c.*"

The resolution was got up, not for the purpose of "an act locating the seat of government, &c.," but for the purpose of *openly* approving an act of the Legislature, about the validity of which "doubts had arisen" in the minds of the people of Oregon and which Congress announces was *good and valid law before it was presented to that body for its approval.*

Simply for the purpose of a final adjustment of a great difficulty, which had grown out of the fact that "doubts had arisen," not only in the minds of the people of the Territory, but also in those of some of the members, of our judicial and Legislative bodies, in reference to the binding force of the act in question. Congress chose by this open public declaration, to settle a matter of what *it* considered a misconception, on the part of many instead of letting the matter take a long course of judicial investigation.

Ques.—How do you prove that the location act was considered "good and valid" by Congress before it was presented to that body for their approval?

Ans.—By section 2 [of H. R. No. 17]

"And be it further resolved, that the late session of the Legislative Assembly of said Territory, held at Salem in conformity with the provisions of the act above referred to, be and the same is hereby declared, *to have been held in conformity to the provisions of law.*"

Ques.—Admitting the seat of government to be located at Corvallis, can the money appropriated by Congress for the completion of the Public Buildings, be lawfully used, in the construction of public works at the seat of government?

Ans.—The money appropriated by the general government for a specific object, can never be diverted from the immediate use to which the donor designed it, unless, said donor, shall by a subsequent act positively sanction such an use of the fund.

Ques.—Must not the appropriations, made by Congress pass through the commissioners hands, as well as through those of the governor, in a legal disbursement of the public funds?

Ans.—It would certainly look that way to a man "up a tree."

Ques.—What power appoints these commissioners?

Ans.—The Legislative power of Oregon.

Ques.—Has the Legislature the power to remove them?

Ans.—It probably has.

Ques.—How then can the governor, usurp the power of reinstating commissioners, which the Legislature has removed, and in whose places other men have been appointed?

Ans.—That is his own look out.

Ques.—As things seem to be "rather mixed" just now, what would be a proper course to pursue, in order to avoid another serious "location difficulty?

Ans.—Let the Legislature meet at the seat of government (which is with us at Corvallis most unquestionably) and if they want to remove it to Salem, Eugene city, or Mt. Hood, let them proceed to do so. Then if they are not satisfied let them "try again." Keep moving it, and spend the whole session in "moving," until they get the thing "fixed," *permanently* fixed, so that we may begin to realize some benefit as a Territory from our appropriations.

This is our private opinion, of the law, the fact, and the policy of the whole case. If any body don't like it, we shall charge nothing for it.

Blessing and Cursing.

We publish the two following communications, for the purpose of showing our friends how difficult it is for an editor to please everybody, especially if he advocates living, active, real principles, regardless of favor, instead of merely working for a party triumph, and without any thing special in view but the tickling of the ears of those who think but little and reason less, and who have committed their souls, bodies, and spirits into the keeping of party leaders, to the extent that they unhesitatingly adopt whatever is handed out to them as political orthodoxy.

Considering the sources from whence come the smiles and the frowns, we feel on the whole very much strengthened and encouraged, and feeling quite confident that we are right, we shall continue to "go ahead."

Our correspondents are both strangers to us, but we judge of the men by their fruits, which we give below:

BLESSING.

TUALATIN, July 4.

W. L. Adams, Esq.,

DEAR SIR: It is with great pleasure that I mark the rapid increase of the circulation of your invaluable sheet, as it tells of an increasing power in the country, that has for its end the great reforms (or isms, as Bush calls them,) of the day, which are agitating our beloved country from its centre to its circumference. Although we have been routed as "Americans" and "Temperance men," yet the voice of THE ARGUS will, (I hope) tell a story for the future good of Oregon, which will cause many a blessing to be pronounced upon your head.

You see by the list of names for this office that we are not entirely asleep, nor do we expect to be. We have strong friends to the great reform of the day, "Americanism," who would rather die (politically) than give up the contest.

Old democrats stood at the polls and voted the *blue ticket* in full.

All that is wanted is light. That light is only to be obtained through the medium of the Printing Press.

Your paper, thus far, appears to fill the wants of the people in this respect, and will receive the support of every true American. With God's blessing on your efforts, allow me to subscribe myself,

Yours for Reform,
R. C. RAYMOND.

CURSING.

ASTORIA, July 12.

EDITOR—*Dear Sir*

The Argus is not the paper that we subscribed for. The prospectus promised a *neutral* paper, advocating the cause of temperance. This last was my main object for subscribing. I expected a paper suitable to be read in the family circle, and one that would be sought after in such circle. Need I say that I was disappointed, in receiving a violent political paper, poisoned with the most objectionable Isms of the day advocating *Intolerence, Proscription* and even the *Underground Rail Road*, and then if a temperance man could not swallow the whole, he too must be proscribed and read out of the temperance church, not even sparing ministers of the Gospel (Witness the Salem *jingle*, that would disgrace the most corrupt political paper in the most corrupt times.) Lord deliver us from such temperance advocates. I opine that the cause of temperance will not prosper much in the immediate vicinity of such an advocate. Let temperance stand upon its own merits, and not lay upon its shoulders such weights as an underground rail way and all its connections, and call upon temperance men to support it, and read them out of the *fold* if they make a wry face at the dose. Relieve temperance men from all these, and it is safe. I do not write this by way of dictation, I do not even expect you to "repent and be converted." for I much fear, that you have sined away the *Day of Grace*. I request you to give this a place in the ARGUS as an act of Justice to a *Son of Temperance*.

SAML. T. MCKEAN.

OREGON CITY, July 14, 1855.

Mr. Saml. T. McKean—

DEAR SIR: Your contribution to my paper, dated July 12th, has safely come to hand. I first thought upon glancing over it that the sentiment, tone, and character, of your production were such that the rules laid down in my prospectus, (to which I have endeavored this far strictly to confine myself,) would not allow me to publish a piece of that character. My paper is, as you rather intimated, designed for a family companion, and although I feel like gratifying as many of my would-be correspondents as I possibly can, I dislike, my dear sir, to degrade my paper, and depart from my original platform, by publishing an article that is at war with the King's English, at war with the principles of truth, righteousness, and virtue, which are so dearly cherished by the moral, temperate, and intelligent portion of our citizens, and which contains a cool and deliberate enunciation of not less than four or five positive falsehoods. Every child who reads my paper will be able to detect in your production a number of charges which are without the semblance of truth. Now what sort of an influence, suppose you, should I be exerting in a Christian family circle, to publish statements over the proper signature of a "pious" man, which every child of twelve years of age knew to be untrue, without note or comment? You say that "THE ARGUS is not the paper that we subscribed for." That is barely *possible*. But we are inclined to think you are mistaken, for two reasons. One is, that if you had subscribed for the "Statesman," instead of THE ARGUS, either you or some of your neighbors would have discovered the mistake before this late period. Another reason why I am inclined to think you are mistaken, Bro. McKean, is, that my printer informs me that you called at my office some *two or three weeks after I had commenced publishing*, and after you had had abundant time to look over my issues, and see whether I was taking the "right chute,"—and ordered him to enter your name upon my book! If you had entered for the Statesman or "Vox Populi," my typo would have informed you that we were not agents for either of those works. Now these reasons induce me to believe that THE ARGUS *is* the paper you subscribed for; but I am always disposed to do the "fair thing," and if you still want the the Statesman, I will send you that paper, as often, at least, as the publisher sends it to me, which is quite irregular.

You do not throw any light upon this difficulty by informing me that you "expected a paper suitable to be read in the family circle, and one that would be sought after in such circle." I have lived long enough, and traveled enough, to learn that the character of "family circles" varies about as much as that of *individuals*, and the kind of paper sought after in a family depends very much upon the kind of *head* that family has. For instance, I have learned that the *intelligent, moral, temperance* (true ones.) families of every order, and party, are seeking for just such a paper as mine, and the fact that my list is increasing rapidly, and men who stand high in the community as gentlemen, Christians, and divines, are all the time pouring in letters upon me from every part of Oregon, expressing their entire approval of my course, assuring me that I have their best wishes and their prayers, and exhorting me to "continue faithful to the end," I say these facts have induced me to believe that my paper *is* sought after among just such families as I am apt to fancy intelligent, virtuous, and refined. On the other hand I am induced to believe that I am right from the fact that those families which have, unfortunately, a weak, ignorant, intemperate *head*, seldom "seek after my paper.

I am also encouraged by the fact that I have met with the most violent opposition, and hatred, from grogsellers, gamblers, whoremongers, those who "make and love a lie," and those *professed* Christians (?) who love to give currency to such falsehoods as are concocted by the sons of darkness, in grogshops and brothels, and published to the world in their "Corvallis advocate." I have received many letters from the vicious and bad, denouncing me in the bitterest terms, and giving me to understand that I as well as other co-workers for reform are a set of "d—d fanatics." All this I expected. I counted the cost, coolly surveyed the Sebastopol of moral darkness and degradation, upon which I opened my batteries, and as I have enlisted for the war, I expect never to surrender the field until I see their last gun dismounted, and our foes all vanquished, whether they are commanded by clergymen in sheep's clothing, or by some common scavenger.

I have endeavored, thus far, to contend earnestly for the truth, always abjuring personal abuse and vulgarity, and endeavoring to speak forth candidly and fearlessly the words of truth and soberness, and never sacrificing a single principle for either *money* or *popularity*. I have confidence enough in the virtue and intelligence of our citizens to believe that I shall be supported. But, if not, I shall remain at my post until I have sacrificed my last dollar, for which I have honestly toiled on my farm for the last seven years in Oregon, and when I have given our foes the last "shot in the locker," and my family is in need of bread, I will again take up my ax, spade, or grub-hoe, (all of which I know how to handle,) and work for a living, while I tabernacle in the flesh, and finally die with a clear conscience, if, as you intimate, I *am* to be damned at last. Now, my dear friend, I do not claim to be infallible. I may advocate error sometimes, through ignorance, but never through a desire to make money or to be popular. Intelligent men are always willing to bear with those who are right in the main, but who may differ with them on some matters. Hence I have many subscribers who assure me that they differ with me politically, but who like the tone and moral principles of my paper, and consequently are willing to "prove all things" in order to "hold fast that which is good." But, sir, to some of your charges. You say I have advocated the "most objectionable isms of the day, *Intolerance, Proscription*, and even the *Underground Railroad*. Now, my dear sir, you must excuse me for *denying ever having done any such thing*, and I challenge you to produce the proof. Neither can you point to the place where I have ever advocated the "objectionable isms" called Mormonism, Deism, Nebraskaism, Blackguardism, or Durhamism. On the contrary I have respectfully and steadily opposed them all, as at war with virtue, and a dead weight upon the wheels of the golden car of reform.

The organ of the sect of "Durhams" at Corvallis you either know, or ought to know, has adopted free whiskey as a "safe and wholesome stimulus," besides the "licensing of brothels by law, as a better safe-guard to virtue, than legal prohibition," as a fundamental article in the creed of that sect. If that sect ever was the true church, (political,) it is now Babylon, and if the saints do not "come out of her" they must be "partakers of her plagues." "The Spirit and the bride say come," and *I* have said come, and thank God, the elect *are* coming. Now, if, in applying my battering rams to her huge, massive walls, I have shaken the foundation on which a few clerical watchmen stood, crying "Good Lord, good Devil," I have done that which has caused a universal shout of applause to go up from clergymen of all denominations, and from such Christians as place the Bible ahead of the "organ."

I have had the approving smiles and the warm applaudit of "well done" from the bone and sinew of the church to which these "Divines" (?) profess to belong. The time my dear sir, is rapidly coming "and now is" when there must be a plain line of demarkation drawn between those who are really for virtue, morality and human liberty, and those who *practically* support their very opposites. The rabid and ignorant devotees of rum, of roman catholic and foreign influence in the government, and of an unlimited slavery extension, are fast marshalling their hosts, they are already reading us, who choose to advocate *truth, virtue*, and *justice* towards all men, out of the church. Why, my dear sir, I, together with multitudes in my own religious connection have been branded with the unpopular names of K. N's., whigs, abolitionists, advocates of the isms of the day &c &c, besides having a hundred willfull malicious falsehoods, made up by such characters as correspond with the Corvallis organ, and received, loved, magnified, and peddled from one end of the Territory to the other, by men who profess to be followers of the meek and lowly Savior, and have often called us brethren, but who are now willing to join in the shout of rummies, and their supporters, "away with him," "ostracise him, ostracise him." What has all this been for? Simply because we have dared to stand up and oppose the wrong and defend the right. Because we have advocated the moral well being of society as of more importance than the triumphs of a party.—Demagogues first raised the howl, and a thousand and one, who would never have mistrusted any danger of themselves, have "pitched in" and sent back their feeble echo. When such a crisis has arrived think you not that it is high time for the saints to come out of Babylon?

As to my having advocated an "underground railroad" I acknowledge that "you have got me there," as I am as entirely ignorant of what you mean as "the man in the moon" and I feel as innocent as a lamb, for I have scratched my head, for some two hours, in order to refresh my memory upon this point, but to save my life I cannot exactly make out any thing that I have ever said about it. In fact I have not thought of such a thing before, since I started THE ARGUS. I may have said something about a railroad from Astoria out into the Willamette valley, and may have intimated that it would be necessary to cut a tunnel through Saddle mountain, in constructing it. But suppose I did, what harm was there in that? Are you so fearful that the "rocks and mountains would fall on you" "before your time" that the man is culpable who even hints, at the necessity of making such an improvement? Could not the timid and "fearful" get out of the cars and climb over the mountain, rather than run such imminent perils?

You say "let temperance stand upon its own merits and not lay upon its shoulders such weights as an underground railway, and all its connections, and call upon temperance men to support it." So say I. For be assured my dear friend, that I should be very much pained to see temperance so effectually *buried* as to be placed as one of the supports under the railway track, clear down in the bowels of Saddle mountain, or of any other mountain, and then witness all those "connections" of huge iron cars groaning under their heavy freights of live stock and salmon from Astoria, pressing right down upon it, and you certainly cannot think me so hard hearted as to desire to see "temperance men" compelled to get under and support temperance, thus buried, under the sills of an underground railway, under a mountain, and pressed down by such a mighty load of awful "connections." The very idea of seeing a temperance man thus situated makes me shudder. I should not be at all surprised however, if we ever get a railroad in Oregon, to hear of several of our Oregon temperance (?) men, getting their necks under the wheels of some of the cars occasionally, as we have often read of such men being found in the States, hard by a railway track, with their bodies decapitated and a bottle protruding from the pocket.

You close by saying that you expect I have "sinned away my day of grace," and consequently you have no hopes of me.—Now I have much more charity for *you* than you have for *me*. I just here recollect to have seen a sentiment like this:

"And while the lamp holds out to burn,
"The *vilest* sinner may return."

You say you are a "Son of Temperance." I hope if you are a "prodigal son," you will speedily return to your father's house, where there is bread enough and to spare, instead of throwing your influence on the side of intemperance by tabernacling with, and supporting those who would rejoice in nothing more than in seeing temperance buried even under an "underground railroad."—For want of further time I shall just here subscribe myself,

W. L. ADAMS.

P. S.—Since writing the above I have been informed that you voted for the law *licensing* grog-shops whilst you was a member of our Legislature. Now it is not at all surprising to me that you, and many other temperance men, who advocate temperance with the mouth, and build up grog-shops with the hand, should find many objections to me, who advocate the support of temperance at the polls, whether the political party to which we may happen to belong, may favor or oppose it. Those candidates who are willing to *carry out my principles* are the men which I, and every other real temperance man will support, and I want no better test of a man's real position than to know the principles he supports at the polls. I exercise great charity for you, however, knowing the strength of early prejudice, the depravity of the human heart, and remembering that I once took a very similar view of things myself, and, like you, opposed the truth "ignorantly, through unbelief."

"Cool."

By referring to our advertising columns, a short article under this head will be found, which we extract from the Corvallis Statesman. It will be found to consist of a low-lived attack upon the respectable body of men who met at Albany on the 27th ult., in the capacity of a Free Soil Convention.—Any other paper, but that sheet, if it had declined publishing the proceedings of the meeting, would have respectfully done so, without belching forth such a violent and unmeaning torrent of miserable abuse. We think it an exceeding unkind cut to make in such an indiscriminate manner, especially as one or two of the members in that Convention voted for the Nebraska candidate at the last election, and will doubtless vote the "clean ticket" at the next Presidential election, when Lane runs for President, Waymire for Vice President, and Bush takes a seat in the Cabinet.

The great majority of them, however, will take different ground, which is probably the reason why they have met with the recent warm reception from the Corvallis Statesman. The reason we have put this precious extract in our advertising columns, is, it would disgrace a family paper, to put it in our reading columns. We intend hereafter to make an occasional extract from that sheet, in order to show those who never see it the kind of literature and morals that are in demand among the readers of this organ and exponent of *Oregon democracy!!*

We have long wanted to make extracts of this kind, in order to show our readers the kind of spirit with which the good and virtuous are called upon to contend in this country, but we have feared to publish them, for fear of the influence they might exert upon the children of those families who are blessed with Christian parents.

We feel as though it would not be doing a wrong, however, to keep our readers posted up as to what kind of spiritual and political wickedness they have to contend with, if we put the "samples" we select among our advertisements. The children seldom read advertisements, and the parents ought to be careful and not read them on Sunday.

Winters in the New Mining Region.

In answer to many inquiries which have been made of us in reference to the possibility of keeping stock through the Winter in the vicinity of Ft Colville, we reply that we have had a conversation with Mr. McKinlay of this city, who is well acquainted with the country in question. He informs us that the Winters there are very similar to those of this valley, although as a general thing rather colder, and the snow falls in larger quantities. Sometimes the snow lies on from about Christmas to the first of March. Last winter, however, was very open and mild, and the Winters vary there about as much as they do here. The Indians keep their horses through the Winter without feed, but they are compelled to paw off snow much of the time, in a hard Winter, to get at the grass. The grazing is fine in Summer. Timber is also abundant, consisting mostly of beautiful groves of pine, with some tamarack and other varieties.—Mr. McKinlay informs us that in a hard Winter the Indians are liable to lose considerable stock.—The probability seems to be that horses taken from this valley, and reaching the mines in tolerable plight, would get through an ordinary Winter there very well.

From the Gold Mines.

No new intelligence has been received. There are a thousand rumors afloat after which many are running, but which are little better than legendry tales. As fast as we hear anything reliable we shall publish it.