The Democratic Times. Official Paper for Jackson & Josephine Counties. Judge Mosher, in the case of James C. 000. CHARLES NICKELL. SATURDAY ... **.DECEMBER 13, 1873** 

Some time ago, U. S. District Attor-

RADICAL JUSTICE.

issue a venire for a new set of jurors view. to sit in the cases of persons accused of bribery and repeating in favor of Hiram Smith at the late Congressional new jury was summoned. A short time these proceedings, and strongly hinted amined the assessment roll, which had course. Such is Radical justice. This with erime by ordering a subordinate officer to desist in doing his duty. Revelations are likely to occur which to shield himself and his satellites from the degradation they richly deserve.

P. S. Since the above was in type, only found it necessary to pass upon we learn that Gibbs has been removed the following : and Rufus Mallory, of Salem, appointed. proper remedy. The Lost Tribe of Modocs.

The Secretary of the Interior, in his the assessments between the counties derly of the Jail Hospital. annual report on Indian affairs, thus by ordering the County Boards to add

JUDGE MOSHER'S DECISION. The following is the decision of

Hays vs. Benton county, concerning EDITOR. the legality of the action of the State more. Board of Equalization in raising the assessment made by the County As-

sessor and approved by the County Board of Equalization :

James C. Hays vs. The County ney Gibbs requested Judge Deady to Court of Benton county ; writ of re-

This is a writ of review allowed on tion. the petition of the plaintiff, who alleges that he is a tax-payer of the county of Benton, and that the County resigned his position on account of ill election, and who were wrongly exon- Court of said county, at the November health. erated by the former Grand Jury. term, 1873, erred in increasing the as-The Judge granted the request, and a sessment of his property at the order of the State Board of Equalization. The return shows that at the Septem- rapidly. afterwards, Attorney-General Williams ber term the County Court, sitting for telegraphed to Gibbs for the meaning of the transaction of county business, exat removing him, if he persisted in his been previously passed upon by the County Board of Equalization, found the same to be correct, ordered a copy the Virginius, but it is now guarded is perhaps the first time that an individ- to be forwarded to the Secretary of ual holding the high position that "old State, and proceeded to make the levy Flaxbrake" does, stooped to connive for the coming year. That at the November term the County Court, acting ing to cut down the wages of their under an order from the State Board of Equalization, increased the assessment of the plaintiff by adding therewill be damaging to Williams' aspira- to a certain percentage upon the value India. Former famines in that countions, and he prostitutes his position of his land, cattle, horses and swine, try have already carried off millions. which was fixed by the State Board.

Several questions were raised in the argument of the case, but the Court

1. That the writ of review is the

Board has authority only to equalize "statesman." He was appointed Or- \$850,000.

GENERAL NOTES AND NEWS. Texas Democratic. Majority, 40,-

Train has arrived in New York once

The difficulty with Spain has almost entirely blown over.

Latest reports say that the Virginius has not been scuttled by the Spaniards. Tweed is said to have died of heart disease, but the report lacks confirma-

Senator Casserly of California has a common foe.

Congress is now in full blast, and moves the Pittsburgh Post to say : ed up from the depths of the ocean. business is now being proceeded with The Democratic party is now possessed of more positive strength than it ever

It is a neat fact that the average of had, for there are at this moment more heavy bank defaulters for 1873 is exmen ready to vote with it than in its actly one a week. palmiest days. All it has to do is to

An attempt has been made to burn adhere to its organization and its timehonored principles, and be careful in its by regular soldiers. choice of its leaders, and win it must

Employers in the East are endeavorand will. We express this decided opinion simply because we believe this men, and strikes are numerous. country has a great mission to peform,

A famine is likely to devastate East and that its performance must need be committed to the Democratic party. PACIFIC COAST NEWS.

The Spanish press very much disap-

Wm. O. Bruen has been re-elected prove of General Grant's message, and are very indignant at his interference Chief of the Portland Fire Departin Cuban affairs. ment.

When asked his occupation at the The Palace Hotel, to be erected on 2. That by the Act of 1872 the State County Jail recently, Tweed answered Market street, San Francisco, will cost

Mr. Camahan, of Clatsop Plains,

persons perished, while only eighty- the 4and grant,' and, as a last resort, seven were saved.

The Charleston News and Courier session, to pass a law guaranteeing the says : God speed the Democracy ! The payment of the interest on their bonds. hopes of the South rest upon their suc- In consideration of this the Company cess. The only possible escape for us gives up the land grant and the same from utter ruin and degradation rests in reverts back to the Government."

their restoration to power. We would According to the latest theory, encourage caution and fidelity to prin- guano has not, as is generally supposed, ciple. Let every lover of his country been deposited by birds, but is the give aid and support. Let us purify result of the accumulation of fossil mathe errors of the party, if any exist, rine plants and animals, whose organic Guaranteed to give satisfaction. uniting North and South, for a com- matter has been transformed into nimon cause in a common effort against trogenous substance, leaving the min- Excels all others, Latest ! Simplest ! Best !

originally deposited on the bottom of The silly Radical clamor about the the sea, but the islands on which it is bined by a rotary Slide, causes the machine disbanding of the Democratic party now found have themselves been lift- to operate smoothly and evenly on a newly

they intendasking Congress, at its next

# AboutPre-Emption Rights.

some parts of the country that under late rulings of the Interior Department all inchoate pre-emption rights are assignable. Careful inquiry shows that the following is the practice of the Department, in accordance with a decision of the Federal Supreme Court. In case of Meyers against Secoft, it held that where no inhibition or assignment is contained in a statute giving special pre-emption rights, such as the Act of improvements of the age. July 23, 1866, authorizing pre-emption

rights, by bona fide purchasers under THE DOMESTIC rejected Mexican grants, the right of pre-emption is assignable or inheritable; but in cases arising under the general pre-emption law, which does contain such an inhibition, no right of

assignment exists or can be recognized prior to entry.' The public should un-

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eral part behind. Of course it was No Cog-wheels or other complicated machinery. A positive movement of Straight Needle and oscillating Shuttle Driver comapplied principle. Warranted for five years. Price No. 1, 860 ; No. 2, 865 ; No. 3, 870. Either Machine promptly sent to any address on receipt of Price. The only Agency in Portland receiving direct from manufactur-An erroneous impression prevails in ers. Largest Commissions given to Local and Traveling Agents. A few more wanted in counties not taken in Oregon, Washingon and Idaho Territories. Send for samles of work and Circulars. All kinds of Machine Needles and Oil for sale.

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the Modocs: "The experience which the Modoc difficulty has furnished the that office to take measures calculated to prevent recurrence of like difficulties under similar circumstances. It is now the intention of the Government to separate the members of this tribe

and place them with different bands of Indians, taking care in doing this not to separate families, and to keep together as far as possible women and children whose husbands and male and when the County Court assumes relatives were destroyed by the conflict. The Indian is greatly attached to his tribal organization, and it is believed this example of extinguishing as they were approved by the Court in their so-called national existence and September. merging their members into other tribes, while in reality humane punish- thus decided unconstitutional, and ment will be esteemed by them as the as there is, according to District Atseverest penalty that could have been torney Chenoweth, no appeal to be inflicted, and tend by its example to taken to the Supreme Court, the raise deter hostile Indians in future from serious and flagrant insurrections."

## Very Ridiculous.

The Builetin a few days ago contain- date of December 1st : ed an article asserting that the State Board of Equalization increased the Judge Mosher, at the Benton County 27 to 35 cents for fine, and 25 to 30 for imagined robbers trying to break into taxes so as to make up some deficien- Circuit Court, annulling that part of coarse. cies dishonestly made by the State ad- the work of the State Board of Equalministration. This assertion is as ridiculous as it is untrue. The Bulletin puts the deficiencies at \$102,000, while County Boards of Equalization, and the latter will no doubt be unable to the raise in the assessments through- the exigences of the State and County out the State does not amount to \$30,- finances admitting of no delay in the 000. How silly, then, is this assertion ! public collections, I am compelled to The Salem Mercury and Portland News aired the Bulletin in such a thorough manner on this subject that it therefore so far as the State is concernand the single Republican journal (the ed will stand upon the action of the Sentinel), that re-published its false- County Boards of Equalization. hoods, have not deemed it safe to make

a reply. We shall say more on this subject next week. Postal Telegraph.

One of the schemes which is likely beaten peak of Mount Washington, property. to engross the attention of Congress rock-rooted in the crust of the earth A dispatch of the New York Herald this Winter is the purchase of the and buttressed with eternal hills, still states that Minister Sickles on Decem-Western Union Telegraph by the Gov- lifting its hoary summit into the sky ber 6th tendered his resignation as erament. Although there are many after clouds have hidden it for many Minister on account of the Spanish points in favor of this measure, it days. The war-clouds and the politi- complications, he disagreeing with Secwould be extremely improper to adopt cal storms which have obscured the retary Fish. the postal telegraph system now. A Democracy for a long period could no During the year ending June 30, telegraph under the management of more annihilate its principles than con- 1873, the mails of the United States 1874. an upright administration would be of great benefit to the people, but under the present would be a most dangerous instrument of oppression and centralization. It is to be hoped that it will not find favor with Congress. Americans."

speaks of the disposition to be made of to, or deduct from the total assessment, deem just. It has no authority to in Mexico, and the Government has equalize between individuals, by alter-Indian office will, it is believed, enable ing the assessment on any particular species of property. This duty is confined to the County Boards of Equalization.

3. The County Court has no authority to raise any assessment. This authority is conferred upon the County Boards of Equalization by the Act of 1870. In this case the County Board of Equalization had finished its business and adjourned before the order from the State Board was received; duties it exceeded its jurisdiction and its acts are void.

This act of the County Court was annulled and the assessment rolls left

As the action of the State Board is in the assessment cannot be collected, and Hon. S. F. Chadwick, Secretary

ment. of State, has forwarded the County Clerks the following document, under

Owing to the recent decision of ization which increased the assessments of various classes of property above the rates established by the ment in the Credit Mobilier suits, and charge up the amounts against the the United States is now composed of several counties according to the orig- 290 members. Of this number oneinal assessment rolls. The assessments

The Democratic Party.

Encouraging the Growth of Timber.

growth of timber. The Secretary also

affirmed the decision of Commissioner

Drummond requiring parties to pay a

GALTILATE Source

The World, describing the Democratic party since the recent elections, says that it "stands, like the storm-

Religious disturbances between the wants a premium on a rutabaga turnip such a percentage as the Board may Catholics and Protestants are brewing which weighs 24 pounds.

> An Indian was candidate for Mayor taken measures to quell them. in the city of Jefferson, and came with-

A bill has been introduced in Con- in eight votes of being elected. gress for the repeal of the salary steal. The bill proposes, however, that the President's salary shall stand. farmers are correspondingly elated.

Ex-Senator Richard Yates died sud-Salem, through her Common Coundenly at St. Louis on Nov. 29th. He cil, offers a reward of \$250 for the was a confirmed drunkard, and was apprehension of any person guilty of expected to drop off at any moment.

arson or burglary in her borders. The snow storm which prevailed Captain Jack's widows have shaken off their mourning, and now stand out here last week, extended throughout arrayed in sixteen yards of red and the whole State and also the greater

orange fiannel, and No. 9 cavalry boots. portion of the Coast. It was quite se-The Indiana Democracy will call a vere everywhere.

convention on the 8th of January for Mainly through the votes of a numthe purpose of reorganization. Let ber of non-residents, the Republicans the hosts of Oregon follow her exam- carried the city election in Salem. Salem has always been a Radical

Late advices from Washington indi- stronghold, but of late has been chang- THE PAIN-KILLER cate that our Government will give ing for the better, and would have the Spanish authorities reasonable time elected the Citizens' ticket but for out- THE PAIN-KILLER to carry out the terms of their agree- siders.

A young man at Hawkinsville, in The Eastern wool market is active Siskiyou county, at the time of the

earthquake, pulled out his pistol and and there is a higher and improved ran all around his cabin to shoot the demand. Prices are also good, being

his domicile. Another young man in town, hearing the shake, pointed his The Connecticut Federal Circuit pistol towards the door, and sung out, Court has decided against the Govern-

"Come on." The Columbia river is still filled with floating ice, and navigation about the mouth is closed. Steamers are still running to Astoria by way of the slough. This is the earliest closing of the Columbia for twelve years. The telegraph

line between Portland and the alles is almost entirely prostrated. The weather has moderated, but it is still below the freezing point.

At a meeting of the Executive Committee of the State Grange of the Patrons of Husbandry, begun and held in the city of Salem on Wednesday, the 26th day of November, A. D. 1873, the following proceedings were had, that is to say, A. J. Dufur was duly constituted and appointed a general business agent for the Order, to reside at and hold his office in the city of Portland; to enter upon the duties ness at the old stand. Thankful for past fa-

of such office on the first day of March, vors tendered the old firm, I respectfully so-

derstand, however, that the practice of the Department under Commissioner

modified in many important particulaas, namely : so as to now hold that after an entry has been perfected under the general pre-emption laws, the Considerable rain has fallen in Caliduplicate receipt may be assigned, and a patent will be issued to the assigned. fornia and Oregon already, and the

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HE PAIN-KILLER Is equally applicable and efficacious to young and old. THE PAIN-KILLER Is both an Internal and External rem-

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MIE PAIN-KILLER Will cure Painter's Colic. THE PAIN-KILLER

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Is almost a certain cure for CHOL-ERA, and has, without doubt, been more successful in curing this terrible disease than any other known remedy, or even the nost eminent and skillful physician. In India, Africa and China, where this dreadful disease is ever more or less prevalent, the PAIN-KILLER is considered by the natives, as well as European residents in those climates, a Sure Remedy THE PAIN-KILLER Each bottle is wrapped with fall direc-

tions for use. THE PAIN-KILLER

Is sold by druggists and dealers in Family Medicines.

# Dissolution of Co-Partnership.

THE CO-PARTNERSHIP HERETOfore existing between the undersigned this day dissolved by mutual consent, N. Fisher withdrawing from the firm. All outstanding accounts and notes must be settled before the first day of January, 1874. A. FISHER, N. FISHER. Jacksonville, Nov. 25, 1873.

The undersigned will continue the busi-

## Wilson and his predecessors has been W. J. HORNE, GENERAL AGENT,

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extended to Ohio and did considerable

damage to buildings, fences and other

half were members of the last Con-Two-thirds of all were Repubgress. licans. The late gale in the East which we have noticed as prevailing at Buffalo, and at several localities in Tennessee,

obtain redress for the present.

The House of Representatives of

### A Democratie Triumph.

The city election in Albany has resulted in a decided triumph for the Democracy, who elected its candidates for Mayor, Recorder, Marshal, and four of the six Councilmen. Mart. Brown was the Democratic candidate for Mayor, and received 78 majority. Albany generally goes Republican, which makes the victory all the more gratifying.

## Another Democratic Victory.

Latest returns from Texas establish beyond a doubt that the "Lone Star State" has gone Democratic. The mavit. splendid victory.

cealing thick weather could drive away were carried 119,908,650 miles. The the mountains which tower in everincrease over the previous year was lasting grandeur, and whose foundanearly 5,000,000 miles. tions are as deep as the world. De-

The report of the Department of mocracy is the permanent creed of Agriculture for November and December, shows that the average tobacco crop in comparison with that of last year is 94. A falling off of 17,000,000

distance north The Secretary of the Interior has bushels of potatoes is indicated. try, on one o affirmed the decision of the Commis-Several parties of Mormon converts River. The sioner of the General Land Office, that who emigrated from the old country and the blend no more than one quarter section can to Salt Lake, last Summer, have within ors and the e be entered by one individual under the the last few weeks returned disappoint- are certainly Act of March 3, 1873, to encourage the

ed and disgusted. Some twelve or skill. fifteen in company go back in a day or two, and others are preparing to go.

The Moun the settlers o

fee of \$10 for an additional entry, un-Another terrible catastrophe at sea ago, received has occurred. The steamship Ville de office informi der the Soldiers' Homestead Act of March 2, 1873, and requiring those Havre, while on her way from New they were li making such additional entry to ap-York to Havre, France, was run into Northern Pa

pear in person at the local office and by the Lachine, bound for New York These parties will be glad to know that jority is given at 40,000 ! Another make the necessary application affida- from London, and sank shortly after- this Company have ascertained the Address, wards. Two hundred and seventy-six fact that it cannot build the road with

1	1874.	licit a continuance of the same. 48x50. A. FISHER.	American Window Glass, crystal-sheet, en- ameled, stained and cut glass. Glazing done to order at San Francisco prices, and satis- faction guaranteed.
	The Salem Statesman says : Mr. Wm.	NOTICE	
	Parrott has just completed the first of a series of eight or ten views of Oregon scenery which he is painting. This scene, we believe, is about ten and a half by fifteen feet in size, and is taken from a point in the mountains some	IS HEREBY GIVEN THAT I HAVE appointed James W. Crutcher, Esq., my agent, to attend to all necessary business during my absence in the East. I have also placed my notes and accounts in the hands of H. K. Hanna, Esq., for col- lection. Parties interested will govern them- selves accordingly. JAMES T. GLENN. Jacksonville, October 18, 1873. 43tf.	HARDWARE, IRON, STEEL, HUBS, SPOKES, RIMS, OAK, ASH & HICKORY PLANK, NORTHRUP & THOMPSON, Portland, Ogn.
	distance northwest of the Modoc coun- try, on one of the tributaries of Lost River. The work is done in oil colors, and the blending of the different col- ors and the effects of light and shade are certainly evidences of a fine artistic skill.	IMPORTANT NOTICE. A LL PERSONS HAVING ACCOUNTS against the undersigned are requested to meet at the store of A. Fisher by the 1st of January, 1874, for the purpose of making arrangements for the settlement of the same. ERNEST CARO. Jacksonville, December 5, 1873. t3.	<ul> <li>T. DITTENHOEFER, Importer of</li> <li>Tobacco, Cigars, Yankee Notions and FANCY GOODS,</li> <li>59 Front Street. Portland. Oregon.</li> </ul>
	The <i>Mountaineer</i> says: "Many of the settlers of this county, some time ago, received notice from the land office informing them that the lands	\$5 to \$20 per day ! Agents wanted ! All classes of working peo- ple, of either sex, young or old, make more money at work for us in their spare mo- ments, or all the time, than at anything else. Particulars free. Address G. STINSON & Co., Portland, Me.	J. K. GILL & Co., Wholesale and Retail Booksellers and STATIONERS,
	they were living on belonged to the Northern Pacific Railroad Company.	DAVIS' PRESS,	75 First Street, Portland, Oregon.

F. HAYS, 50 Morrison street, Portland, O. A. DAVIS. Ogn. Orders for all kinds of Hair Work Ashland, Oregon. promptly attended to by mail or express.

FOR HAY, COTTON OR WOOL, IS NO Wigs, Switches and Curls, doubt the best hand press now in use. Ashland, Dec. 5th, 1873.