

In the Matter of the Estate of George P. Funch, Deceased.

NOTICE is hereby given that the undersigned have been appointed Administrators of said estate, and that all persons having claims against said estate are required to present them with proper vouchers, to the undersigned at their offices, in the town of Jacksonville, within six months from the date of this notice.

S. J. DAY, J. JALORS.

March 6th, 1869.

WILLIAM DAVIDSON, Office, No. 64 Front Street, Adjuncting the Telegraph Office, Portland Ogn.

SPECIAL COLLECTOR OF CLAIMS, BONDS, PROMISSORY NOTES, BOOK ACCOUNTS, AND ALL OTHER CLAIMS, Will be made a specialty and promptly collected.

Redemption State County Bonds.

STATE OF OREGON, Treasurer's Office, 12th St., February 11th 1869.

Sealed proposals will be received by the undersigned at his office, until 12 o'clock, M. March 13, 1869, for the surrender of BOUNTY BONDS to volunteers of this State, enlisted in the service of the United States, approved Oct. 21, 1864 at the lowest rate (not exceeding par value) as may redeem the greatest number of Bonds.

Bids to include interest to date of surrender. Eighteen thousand dollars now in the Treasury applicable to the redemption of said Bonds. Bids addressed to: E. N. COOK, State Treasurer.

Redemption State Relief Bonds.

STATE OF OREGON, Treasurer's Office, 12th St., Feb. 11, 1869.

Sealed proposals will be received by the undersigned at his office, until 12 o'clock, M. March 13, 1869, for the surrender of BOUNTY BONDS to volunteers of this State, enlisted in the service of the United States, approved Oct. 21, 1864 at the lowest rate (not exceeding par value) as may redeem the greatest number of Bonds.

Bids to include interest to date of surrender. Ten thousand dollars now in the Treasury applicable to the redemption of said Bonds. Bids addressed to: E. N. COOK, State Treasurer.

SUMMONS.

STATE OF OREGON, County of Jackson, Justice Court for the precinct of Jacksonville.

John Woodson vs. John Woodson, Civil action for recovery of money.

You are hereby notified that the undersigned, in and to wit, the 15th day of April, A. D. 1869, and receive the complaint filed in said Court, and that you are hereby notified to appear at the Court on the 22nd day of April, A. D. 1869, at 10 o'clock, A. M., to answer to the said complaint, and to show cause why the same should not be granted.

It is ordered by the Court that publication of this summons be made for three weeks in the Oregon Sentinel, a weekly newspaper printed in Jacksonville, Oregon.

And you are notified that if you fail to appear and defend as above required, the plaintiff will file a decree in his favor, to wit: GLENN, DRUM & CO., Attorneys, Jacksonville, O. R., Feb. 11, 1869.

Cheap Lumber.

THE public are informed that our new Shanty Saw-mill, on Wagner Creek, at Bassett's, Ore., is now in successful operation, and we are prepared to furnish lumber of superior quality at short notice, and the lowest rates.

We also cheerfully recommend to the public Mr. B. T. Sisson, late of the York-Pony mill, who planned our saw mill, installed the machinery and superintended the cutting of the lumber and engine (including his own hand). We believe that our mill will sell better and its cost will be well warranted.

WAGNER CREEK STEAM SAW-MILL, Feb. 11, 1869.

Executors Notice.

THE undersigned having been appointed by the County Court of Jackson County, Oregon, executors of the last will and testament of Thomas Croxon, late of said county deceased. All persons having claims against the estate are required to present them with proper vouchers, to the undersigned, on or before the 15th day of March, 1869, at his residence near Grant's Pass in said county; and all persons indebted to said estate are required to make immediate payment.

JAMES T. TUFFS, WILLIAM KAHLER, Executors.

January 18th, 1869.

DRS. BUSH & MCALISTER

DENTISTS, No. 704, Market Street, San Francisco Cal.

Dr. McAlister, of the above named firm, will be at Jacksonville in a short time, and remain for a few days. To any person who has had a set of teeth that they cannot use, I will make a set on their leaving the amount of my bill with any responsible firm in town, the amount or teeth to be sent to me within a specified time. Teeth filled and restored to their natural form with fine gold, and made useful for years or no charge.

For Sale, Dr. Greenman offers his house and lot situated in Jacksonville at the most reasonable terms. The lot is one of the best and best located in town, and the improvements are of the best and of the most substantial kind. All persons desiring a pleasant home cannot do better than come and see him.

WANTED AT THE CITY DRUG STORE: BEES-WAX, SEED PEAS AND ONION SEEDS.

To the Reading Public. We have fitted up a comfortable Reading Room and Circulating Library, which will give everyone who wishes to read a chance. For particulars enquire at the City Drug Store, dec'd.

Teams Wanted for Camp Warner.

ON and after the first day of October, 1868, the undersigned have determined to sell for cash exclusively—except upon special contract. Those indebted to the firm must positively pay up, as all accounts will be closed October 1st.

SEND FIVE CENTS FOR SIMPLE COPY of the AMERICAN WIT. Address: "AMERICAN WIT," 69 Cedar street, N. Y. P. O. Box 624.

Articles of association had been signed by a few persons. After its designation other persons signed the article of association and they were filed; but it has been determined by the Secretary of the Interior, and that seems to be the prevailing opinion among legal gentlemen, that this designation made in 1868 was a void designation.

Subsequent to this time the Legislature assembled, in 1868, and designated another company, called there the east side company. The company that the Legislature undertook to designate in the first place was called the west side company. The Legislature designated the east side company in 1868, but that designation was made after the expiration of the year within which the company designated was to file its assent.

Mr. CORBETT. Was the second corporation formed before or after the first designation?

Mr. WILLIAMS. It was formed a short time after the first designation. There was no company at all formed at the time of the first designation. There were articles of association signed by eight persons. Immediately after the designation other persons signed the articles of association. They were filed, and the company proceeded to organize, but some of the persons who had signed the articles of association for the first company, finding that, as they supposed, the designation was void, proceeded to organize another company; and that the company that was designated by the Legislature in 1868 was the first company that was organized under the laws of Oregon.

Now, as the matter stands, the land has passed to the General Government, and will be lost to the State unless there is some legislation by Congress for the purpose of saving to the State the land, and the question is whether Congress shall undertake to designate one company to the other, or whether Congress shall provide that either company or both may file an assent within a year from the passage of this bill and let the question that arise between the two companies be settled by the local courts of the State of Oregon.

I have no other objection in this legislation except to preserve this grant to the State of Oregon. If there is not some legislation at this time on the subject the whole grant will be lost to that State, and Oregon has never yet had one foot of land granted to her for railroad purposes. In consequence of this unfortunate difficulty that has occurred there between the two companies, it has been settled to apply to the Government, and I simply see the objection to the purpose of enabling one company or the other to have the land so that it may not be lost to the State. I have no interest whatever in either company. Friends of mine belong to both, and both roads terminate in the city where I belong, so that I have no interest whatever in one road over the other. I have no particular preference for one road over the other, but I desire some legislation by which this land may be saved to the State. It is with that view that this bill is proposed. I know that one company wants the land and the other wants it; but there are various questions existing as to the validity of the organization of these respective companies, as to the good faith in which they have proceeded, and an infinite number of such questions have arisen in this controversy between these companies which, it appears to me, Congress cannot decide; and so to reach the matter in the easiest and shortest way I prepared this bill, and it was referred to the Committee on Public Lands and reported by that committee.

I have no doubt that if either company claims the land against a private individual the private individual may contest the right of the company to the land, and I have no doubt he would; and if I am not mistaken in my construction of the law, the result would be that the court would decide that neither party had any right to the land. It is to obviate any such decision that I desire this legislation.

Mr. CORBETT. Mr. President, I am requested by the parties who were designated in the first instance in 1868 to state the facts of this case to the Senate. On the 10th of October, 1866, the Oregon Central Railroad Company was designated by the Legislature of Oregon as the company to receive these lands. The members of the company associated themselves together on the 6th of October previous to the designation. A remonstrance has been laid on the table from that company setting forth the facts in the case.

I wish to correct a statement of my colleague, in which, I think, he must be mistaken. I ask for the reading of a telegram from the secretary of State which I hold in my hand. I understood no papers on file in the secretary of State's office at the time the designation of the west side road was made. I call for the reading of the telegram.

The Chief Clerk read as follows: Gaston presented for filing articles of incorporation Oregon Central Railroad Company, October 6, 1866; withdrawn

Oregon Sentinel.

VOL. XIV.

JACKSONVILLE, SATURDAY, MARCH 13, 1869.

NO. 8

THE OREGON SENTINEL.

PUBLISHED

Every Saturday Morning by

B. F. DOWELL.

OFFICE, CORNER C & THIRD STREETS

TERMS OF SUBSCRIPTION.

For one year, in advance, four dollars; if not paid within the first six months of the year, five dollars; if not paid until the expiration of the year, six dollars.

TERMS OF ADVERTISING.

One square (10 lines or less), first insertion, three dollars; each subsequent insertion, one dollar. A discount of fifty per cent. will be made to those who advertise by the year.

Legal Tenders received at current rates.

The Devil and the Lawyers.

The devil came up to the earth one day, and for the first time he went to his way, but as an attorney, with a very grave face, he was proceeding to argue the point in the case.

Now a law of the majesty never had been given to the devils, and he was very curious to know why he had been sent to the earth.

"As the first of his kind, he was very curious to know why he had been sent to the earth, and for the first time he went to his way, but as an attorney, with a very grave face, he was proceeding to argue the point in the case.

Well, the lawyer who rose before him, made out an agreement, a compromise, a deal; and the devil was greatly amused to hear the attorney so seriously abused.

As soon as the speaker had done, he looked at the lawyer, and he was very much surprised to find that the lawyer had been so abused.

And he said to himself, "I have been sent to the earth for the first time to make him a villain of all men, the world."

Thus they quarrelled, contended, and argued so long, that they had no time to get on with their case, and the court was obliged to adjourn.

They had to adjourn, and they were very much surprised to find that the lawyer had been so abused.

They were puzzled for some time, but they were not to be deterred, and they went on with their case.

And I have to confess, they puzzled the devil, and he was very much surprised to find that the lawyer had been so abused.

Letter From B. F. Dowell.

WASHINGTON, D. C., February 6th, 1869.

Dear Sir:—I have the honor to acknowledge the receipt of your letter of the 25th inst., in relation to the proposed legislation for the purpose of saving to the State of Oregon the land granted to the Oregon Central Railroad Company in 1866.

To-day Senator Williams moved to take up his bill, and he read the bill on the east side of the Willamette, or a year to file its assent to the land grant, which was agreed to by the Senate.

The Committee on Public Lands proposed to amend the bill by striking out all after the enacting clause and inserting:

"That section 1 of an act entitled 'An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad in California, to Portland, in Oregon,' approved July 25, 1866, be, and the same is hereby, amended so as to allow any railroad company heretofore designated by the Legislature of the State of Oregon, in accordance with the first section of said act, to file its assent to such act in the Department of the Interior within one year from the date of the passage of this act and such filing of its assent, if done within one year from the passage hereof, shall have the same force and effect to all intents and purposes as if such assent had been filed within one year after the passage of said act."

Howard, Williams, Corbett, Conkling and Hendricks participated in the discussion. The debate is too long for the SENTINEL; but the following is the substance of what our Senators said:

Mr. HOWARD. I inquire of the honorable Senator whether this is the Pacific branch road in Oregon?

Mr. WILLIAMS. I will state that in July, 1866, Congress passed an act to grant land for the constitution of a railroad from Sacramento, or some point of California, to Portland, in Oregon, and this bill relates to that land grant so far as Oregon is concerned. I will make a brief statement of the grounds upon which this bill is proposed, so far as the land grant in Oregon was concerned, that it should go to such company organized under the laws of Oregon as the Legislature of the State should thereafter designate.

According to the act, then, the railroad company was to take this grant of land as provided by some designation of the Oregon Legislature. Two companies were formed, locating their lines of road on opposite sides of the Willamette river, parallel with each other. In October, 1866, the Legislature of the State of Oregon undertook to designate a company, but at that time the company was not formed.

Articles of association had been signed by a few persons. After its designation other persons signed the article of association and they were filed; but it has been determined by the Secretary of the Interior, and that seems to be the prevailing opinion among legal gentlemen, that this designation made in 1868 was a void designation.

Subsequent to this time the Legislature assembled, in 1868, and designated another company, called there the east side company. The company that the Legislature undertook to designate in the first place was called the west side company. The Legislature designated the east side company in 1868, but that designation was made after the expiration of the year within which the company designated was to file its assent.

Mr. CORBETT. Was the second corporation formed before or after the first designation?

Mr. WILLIAMS. It was formed a short time after the first designation. There was no company at all formed at the time of the first designation. There were articles of association signed by eight persons. Immediately after the designation other persons signed the articles of association. They were filed, and the company proceeded to organize, but some of the persons who had signed the articles of association for the first company, finding that, as they supposed, the designation was void, proceeded to organize another company; and that the company that was designated by the Legislature in 1868 was the first company that was organized under the laws of Oregon.

Now, as the matter stands, the land has passed to the General Government, and will be lost to the State unless there is some legislation by Congress for the purpose of saving to the State the land, and the question is whether Congress shall undertake to designate one company to the other, or whether Congress shall provide that either company or both may file an assent within a year from the passage of this bill and let the question that arise between the two companies be settled by the local courts of the State of Oregon.

I have no other objection in this legislation except to preserve this grant to the State of Oregon. If there is not some legislation at this time on the subject the whole grant will be lost to that State, and Oregon has never yet had one foot of land granted to her for railroad purposes. In consequence of this unfortunate difficulty that has occurred there between the two companies, it has been settled to apply to the Government, and I simply see the objection to the purpose of enabling one company or the other to have the land so that it may not be lost to the State. I have no interest whatever in either company. Friends of mine belong to both, and both roads terminate in the city where I belong, so that I have no interest whatever in one road over the other. I have no particular preference for one road over the other, but I desire some legislation by which this land may be saved to the State. It is with that view that this bill is proposed. I know that one company wants the land and the other wants it; but there are various questions existing as to the validity of the organization of these respective companies, as to the good faith in which they have proceeded, and an infinite number of such questions have arisen in this controversy between these companies which, it appears to me, Congress cannot decide; and so to reach the matter in the easiest and shortest way I prepared this bill, and it was referred to the Committee on Public Lands and reported by that committee.

I have no doubt that if either company claims the land against a private individual the private individual may contest the right of the company to the land, and I have no doubt he would; and if I am not mistaken in my construction of the law, the result would be that the court would decide that neither party had any right to the land. It is to obviate any such decision that I desire this legislation.

Mr. CORBETT. Mr. President, I am requested by the parties who were designated in the first instance in 1866 to state the facts of this case to the Senate. On the 10th of October, 1866, the Oregon Central Railroad Company was designated by the Legislature of Oregon as the company to receive these lands. The members of the company associated themselves together on the 6th of October previous to the designation. A remonstrance has been laid on the table from that company setting forth the facts in the case.

I wish to correct a statement of my colleague, in which, I think, he must be mistaken. I ask for the reading of a telegram from the secretary of State which I hold in my hand. I understood no papers on file in the secretary of State's office at the time the designation of the west side road was made. I call for the reading of the telegram.

The Chief Clerk read as follows: Gaston presented for filing articles of incorporation Oregon Central Railroad Company, October 6, 1866; withdrawn

with my consent. November 21st, same year, Gaston filed duplicate papers for same company.

SAMUEL E. MAY. Mr. CORBETT. He withdrew these papers, which were filed October 6th with the secretary of State. On October 10, while those papers were in the hands of the Secretary of State, the Legislature designated the company which is called the west side road, and he withdrew them, with the consent of the secretary of State, for the purpose of obtaining new signatures and to enlist other persons in the construction of the road. Now I ask for the reading of the letters of the Secretary of the Interior from the commencement with regard to the designation of this road, that the Senate may see how the matter stands. I send them to the desk.

The following letters were read: DEPARTMENT OF THE INTERIOR, WASHINGTON, D. C., May 14, 1867.

Sir: I received to-day your letter of the 23d of March last, and the accompanying enclosures.

It appears by the signature of the secretary of State of Oregon, under the seal of said State, that on the 10th of October, 1866, the Legislative Assembly of that State designated the Oregon Central Railroad Company as entitled to the benefits of the grant conferred by the act of July 25, 1866, to aid in the construction of a railroad from the Central Pacific Railroad, in California, to Portland, in Oregon, so far as the grant applies to the State of Oregon.

The "assent" to the terms of the grant by certain individuals styling themselves corporations cannot be accepted as the assent of the company required by the sixth section of the act, even if it were accompanied by proof that such individuals were members or stockholders of the corporation. The board of Directors of the Oregon Central Railroad Company should, by resolution adopted at a meeting of the board, give its assent to the act of Congress entitled "An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad, in California, to Portland, in Oregon." A copy from the record showing the action of the board, giving date and place of meeting, &c., authenticated by the certificate of the president and secretary under the corporate seal, should be filed in this Department.

The action of the Legislative Assembly upon this matter being properly certified, the same has been placed upon the files.

The certificate requested as to the filing of the papers before mentioned, cannot be issued until the assent of the company, given in due form and properly authenticated, shall have been received.

It is desired in this connection to have for reference the act or acts of the Legislative Assembly authorizing the incorporation of railroad companies.

Very respectfully, your obedient servant, W. T. OTTO, Acting Secretary.

J. Gaston, Esq., Secretary Oregon Central Railroad Company, Salem, Oregon.

DEPARTMENT OF THE INTERIOR, WASHINGTON, D. C., July 6, 1867.

Sir: I received to-day your letter of the 30th May last, accompanied by the following papers: a copy of a resolution, verified by yourself as president, and W. C. Whitson as secretary of the Oregon Central Railroad Company, under your private seal, as having been adopted by the board of directors of that company at a meeting held May 25, 1867, giving its assent to each and all of the provisions of the act of Congress entitled "An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad, in California, to Portland, in Oregon, approved July 25th, 1866," and instructing the president and secretary to forward a copy to this Department.

A copy of the joint resolution, duly certified, of the Legislative Assembly of Oregon, adopted October 10, 1866, conferring the grant of lands made by the said act of Congress upon the Oregon Central Railroad Company.

A letter from Hon. J. W. Nasmith, stating he is well acquainted with yourself and Mr. Whitson and that you are the president and he is the secretary of said railroad company.

R. Williams also states the same thing and that he believes after an examination of the books and papers of said company that they have complied with the general incorporation law of the State in making their organization, and that their board of directors have been properly constituted.

These papers have been placed on file. On the 1st instant this Department received from Samuel A. Clark, Salem, Oregon, who signed himself the secretary of the Oregon Central Railroad Company, what purported to be the names of the officers of the Oregon Central Railroad Company, with the names of the persons composing the

board of directors. The names with one exception were unlike those given by yourself in your communication of the 23d March last.

Very respectfully, your obedient servant, W. T. OTTO, Acting Secretary.

J. Gaston, Esq., President Oregon Central Railroad Company, Salem, Oregon.

DEPARTMENT OF THE INTERIOR, WASHINGTON, D. C., July 23, 1867.

Sir: I have received your letter of the 12th ultimo, and the accompanying certified copy of a joint resolution adopted October 10, 1866, by the Legislature of Oregon, designating the Oregon Central Railroad Company to receive the grant of lands made by the act of Congress, approved July 25, 1866, and also a certified copy of a resolution adopted at a meeting of the board of directors of said company held May 25, 1867, assenting to the provisions of said act.

Under date of the 6th instant, you were advised of the receipt by this Department of your letter of the 3rd May last, and its inclosures included among which were certified copies of the resolutions before mentioned.

Very respectfully, your obedient servant, O. H. BROWNING, Secretary.

J. Gaston, Esq., President Oregon Central Railroad Company, Salem, Oregon.

DEPARTMENT OF THE INTERIOR, WASHINGTON, D. C., April 28, 1868.

Sir: I have received your letter of the 2d instant, stating you inquire for the information of the stockholders of the Oregon Central Railroad Company whether any papers had been filed in this Department as the assent of said company to the terms of the act of Congress of July 25, 1866, other than those mentioned in our letter to you of the 6th July last.

In reply I state that the papers mentioned in said letter cover all that have been filed, except those afterward received from you and acknowledged on the 23d July 1867.

Very respectfully, your obedient servant, O. H. BROWNING, Secretary.

J. Gaston, Esq., President Oregon Central Railroad Company, Portland, Oregon.

DEPARTMENT OF THE INTERIOR, WASHINGTON, D. C., July 8, 1868.

Sir: I have received your letter of the 25th May last, and the accompanying map, stated to be the survey and location of the first sixty miles of the Oregon Central railroad.

Said map is not verified as required by the regulations of this Department, and it is accordingly returned herewith.

It is also noticed that for about half the distance mentioned the line laid down on the map runs nearly due west before striking a "southerly" direction. Evidence must be produced to satisfactorily account for this variation from the course marked out in the law.

Forms for the verification of such maps will be found in General Land Office circular No. 15, approved January 29, 1867. I inclose a copy for your information and guidance. Maps of the survey and definite location of the road should be verified according to forms No. 1 and 2, to be found on pages 10 and 14, and a certificate of the Governor of the State of Oregon, attested by the secretary of State, under the great seal, should also be attached, showing that the location had been made in conformity with the laws of the State, in pursuance of the act of Congress. From No. 6, on page 15, can be changed so as to conform to the existing state of facts.

The grant of lands to aid in the construction of the Oregon Central railroad was made by the act approved July 25, 1866, (14 Stat., 239,) and it provides for the construction of a railroad and telegraph line from some point on the Central Pacific Railroad, in California, to Portland, in Oregon. Under the authority of this act, and in pursuance of the laws of the State, the Oregon Central Railroad Company are authorized "to construct that portion of said railroad and telegraph line within the State of Oregon, beginning at the city of Portland, in Oregon, and running thence southerly through the Willamette, Umpqua, and Rogue river valleys to the southern boundary of Oregon, where the same shall connect with the part aforesaid to be made by the first-named company," &c.

The portion of railroad and telegraph line in California is to be constructed by the California and Oregon Railroad Company, and in order to know at what point the two roads are to "connect" in conformity with the law, maps designating the general route of each of the roads are required to be filed in this Department.

You are requested to transmit such a map of the route of the Oregon Central railroad at the earliest practicable moment.

Alpheus Bull, Esq., president of the

California and Oregon Railroad Company, has likewise been requested to forward a map showing the route of that road up to the northern boundary of the State of California.

Under date of the 12th October last you stated that as soon as printed you would forward to this Department a copy of the laws of the State of Oregon under which your company was incorporated. Not having received the said copy, I have to request that one, duly certified, may be forwarded as soon as possible.

Please acknowledge receipt of this. Very respectfully, your obedient servant, O. H. BROWNING, Secretary.

J. Gaston, Esq., President Oregon Central Railroad Company, Portland, Oregon.

DEPARTMENT OF THE INTERIOR, WASHINGTON, D. C., July 17, 1868.

Sir: I have received your letter of the 16th instant and accompanying papers, purporting to be an acceptance by the Oregon Central Railroad Company of the grant made by the act of July 25, 1866.

By law the company was required to file an "assent" to its terms and conditions within one year. That time expired July 25, 1867, and this paper, if sufficient for that purpose, could not now be received.

I state for your information that J. Gaston, president of the Oregon Central Railroad Company, within the time prescribed in that act, filed an assent which was received.

In compliance with your request, I inclose a copy of my letter of the 8th instant to Mr. Gaston, in regard to maps to be filed in this Department.

Very respectfully, your obedient servant, O. H. BROWNING, Secretary.

A. M. LOVINA, Esq., pro tem.

Mr. CORBETT. I asked for the reading of these letters to show that the Secretary of the Interior has recognized this company from the first, and that the other company did try to file an acceptance of this grant, but Secretary Browning refused to receive it, the time having expired. It is clear that the west side company, as it is called, was designated by the Oregon Legislature and has been recognized by the Secretary of the Interior. They claim that if there was any imperfection in their withdrawing their papers with the consent of the secretary of State of Oregon for the purpose of getting new signatures and getting other persons with capital interested in prosecuting the work, that imperfection should be cured rather than that you should take this land grant away from the company first designated, and who have expended their money with the understanding that they were the road properly designated and recognized by the Secretary of the Interior; but if this bill passes as proposed now it virtually designates the other road, the east side road, and throws the west side road out entirely.

Messrs Howard and Conkling opposed the passage of the bill at considerable length and then Mr. Williams replied: Mr. President, I do not appear here to espouse the cause of either railroad company, but I appear for the State of Oregon, and I have no other objct in view than to save this land grant to that State.

The Senator has undertaken to argue that the west side company was entitled to this land under designation in 1866. I do not pretend to controvert that assertion. I do not wish to discuss that question at this time or have it decided by Congress. I only know that since the designation in 1866 the president of this west road company has applied to the Secretary to recognize that company, and he has refused to do it; and I further know that the Secretary of the Interior, in answer to a letter which I addressed to him asking him if this legislation was unnecessary, has declared that neither company was entitled to this land, but that it had lapsed to the Government. I can conceive of no other way to save the land to the State except to provide by this act that the land grant shall be revived for one year without providing that it shall belong to one company or the other, and then let the companies litigate their rights to this land.

Mr. WILLIAMS. I ask to have the correspondence read.

THE PRESIDENT pro tempore. It will be read, if there be no objection.

The Chief Clerk read the following letters:

SENATE CHAMBER, WASHINGTON, January 19, 1869.

Sir: I respectfully invite your attention to section one of an act entitled "An act granting lands to aid in the construction of a railroad and telegraph line from the Central Pacific Railroad, in California, to Portland, in Oregon," approved July 25, 1866, providing for the disposition of the lands granted by said act in the State of Oregon.

Inclosed please find a pamphlet entitled "Statement of