



THE SPECTATOR.

W. G. T'VAULT, EDITOR.

Oregon City, March 10, 1846.

THE ORGANIC LAWS.

The public have had time to examine the Organic Law, as published in the first number of the Spectator. The law is the Constitution of the provisional government of Oregon.

The first article of said compact is simply a declaration of rights, dividing the government into three distinct departments—the legislative, executive and judicial; also, prohibiting slavery or involuntary servitude.

The second article defines the powers of the legislative, executive and judicial departments—defining the franchises—giving the form of an oath all officers under the compact are required to take. In substance, the oath is as follows:

"I do solemnly swear, that I will support the Organic Laws of the provisional government of Oregon, so far as said Organic Laws are consistent with my duties as a citizen of the United States, or a subject of Great Britain, and faithfully demean myself in office."

Here we have to admit that the oath is not only peculiar, but indefinite. It is not an oath of allegiance to the provisional government of Oregon, and it leaves the person who takes the oath, to exercise his own judgment with regard to his duties, as a citizen of the United States or a subject of Great Britain, consequently it is indefinite.

"Hence" it is that we are informed that the officers, in administering the oath, have been in the habit of only administering that part of the oath that applied to the citizen or subject, as the case might be.

The third article is the Land Law, defining the manner of making and recording land claims; it also points out the manner that amendments shall be made to the Organic Law. Amendments to that law are proposed, and will be submitted to the people at the June election; we will therefore leave the merits or demerits of said proposed amendments for the candidates for the legislature to discuss.

ANDREW JACKSON.

Mr. Waldo informs us that he received a letter from his brother, dated August 12, 1845, which contained the intelligence that our beloved and venerable ex-president of the United States, ANDREW JACKSON, died at his residence, the Hermitage, in June last. Andrew Jackson was born at Waxsaw, S. Carolina, March 15, A. D. 1767. His father, mother, and two brothers, came from Ireland in 1765. His brothers were killed in the battles of the revolution for the independence of the United States. At 15 years of age he had no relative living in America; in 1788, he went to Nashville with Judge McNair and commenced the practice of law.

It is not our object to attempt a panegyric of general Jackson. "History will transmit to generations yet unborn truths, and speak of his merit." He defended and preserved the great emporium of the whole western country against the veteran troops of the enemy, by whom it would have been sacked, and their dwellings involved in flames over the heads of their beloved families. He gave peace to the defenceless portion of the south and west, and chastised the ferocious savage foe, and the perfidious incendiaries and felons by whom they were excited and counselled to the perpetration of their cruel deeds. He opened additional territory to the rich and growing population

which they now enjoy in peace and tranquility; he maintained, for the use of the whole western country, the free navigation of the Mississippi, at the hazard of his life, health and fortune; he gave glory and renown to the arms of his country throughout the civilized world, and taught the tyrants of the earth the salutary lesson that, in defence of their soil and independence, freemen are invincible. He was elected president of the United States in 1828, and inaugurated 4th March, 1829; waged war against the bank of the United States and all monopolies—also, against a system of internal improvement by the general government—was sustained by the people, and upon these issues, re-elected president of the United States in 1832, and re-inaugurated 4th March, 1833; and on the 4th of March, 1837, retired to the sweets of private life, and has now paid the last debt of nature. Whatever may be the opinion of others, we shall not hesitate to say, in the language of the sage of Monticello, "honor and gratitude to him who has filled the measure of his country's honor."

THE LIQUOR LAW.

Much interest appears to be manifested in the community upon the subject of the law that passed the legislature at the last December session, as published in the first number of the Spectator, to "prevent the introduction, sale, and distillation of ardent spirits in Oregon." We are well satisfied that if ardent spirits could be prohibited from being either introduced or manufactured in Oregon, it would add much to the peace and happiness of the people, as well as the prosperity of the country. The first grand object of all governments should be to establish for themselves the fundamental principles of government, defining the grant of powers extended to each department—in short, commanding that to be done which ought to be done, and prohibiting that which ought not to be done, by either of the departments of the government. Notwithstanding we view the government of Oregon as only temporary, brought about for the protection and regulation of its citizens, until such time as the United States shall extend her jurisdiction and protection; yet there is as much necessity, and the laws should be just as binding, and enforced with as much energy, as if Oregon had assumed a stand among the nations of the earth as an independent nation.

It is contended by many, and it may be so, that the law on ardent spirits is unconstitutional; but the only legal way to ascertain that fact is, to refer the matter to the supreme judge. Would it not be more expedient to make an effort to enforce the law, and let the issue be decided by the proper authority? Great excitement on any subject is injurious.

The "act to establish courts and prescribe their powers and duties," as revised by the reviser of laws, is in part published in this number of the Spectator. We have not examined the law throughout, but are satisfied, from reading the first section, that the revision is incorrect. If "the supreme, criminal, and county courts, shall be courts of record" only, then the estates of deceased persons are to be settled by courts not of record. We are well satisfied that probate courts should be courts of record. They were in Iowa, and should be in every government where people die.

Many citizens of Clackamas county are desirous that A. L. Lovejoy, Esq., should be a candidate for the next legislature. If he will consent to run, it is our opinion that some of the would-be members of the next legislature, if not located at the head of Salt River, will be located at Clatsop, the head of salt water.

TEXAS.

We are informed by a respectable gentleman who has just received a letter from the United States, dated Independence, Missouri, August 12, 1845, that Texas had accepted the terms of annexation proposed by the congress of the United States. If the information be correct, and we have no reason to doubt it, Texas is now one of the members of the great confederacy, adding her lone star to the constellation of the Union. The time when American citizens will revel in the halls of the Montezumas, is not far distant. We have no faith in the report that Mexico had declared war against the United States on account of the annexation of Texas. Mexico would make rather a poor business fighting the Yankees, when she entirely failed in subjugating Texas.

The following note and letter was received on the 16th inst., and the favor asked for, inserted in this day's paper.

OREGON CITY, March 16, 1846.

To the Editor of the Spectator:

SIR—Will you do me the favor to publish, in your columns, the enclosed letter? from which your readers will, at once, see my reasons for refusing to give up the lanch left at Fort George by commodore Wilkes.

I am, sir, your ob't serv't,
JOHN McLAUGHLIN.

U. S. BRIG PORPOISE,
Columbia River, Oct. 2, 1841.

DEAR SIR—Being obliged, from the lateness of the season, to abandon the intention I had of using the lanch of the late U. S. ship Peacock, for the exploration of the coast to the southward of this river, I have thought that I could not possibly place her to a better use than by leaving her for a pilot boat for communication with vessels off the dangerous bar of the river, and to afford relief by giving pilots to those that are coming in, and assistance in cases of accident.

It was my intention to have spoken to you on the subject before I left Vancouver, but among the many duties that occupied my attention, it was forgotten.

I have spoken to Mr. Birnie in relation to taking her in charge for that purpose; but he has referred me to you, as he did not feel authorized to assume the responsibility of acting for the company.

I will now state, in a few words, the charge I wish the Hon. Hudson's Bay Company to assume, viz: That the lanch be kept at Fort George, under the special care of the agent of the Hon. Hudson's Bay Company, for the sole purpose of being used in affording relief and aid to all vessels requiring assistance of any kind, or pilots, for entering the river, until called for by some person authorized by me or the government of the U. States to receive her.

In making this request, I am well aware of the desire that the Hon. Hudson's B. Company and its officers have always shown to do every thing in their power to afford relief to those in distress, and the deep feeling that all attached to this squadron have evinced for the relief extended to ourselves, individually, during the late disaster, and that it will be only placing a suitable boat, for the use of the company, by which relief may be afforded more promptly.

I therefore have little doubt but that you will not object to assume the charge, and I assure you, it will afford me great satisfaction hereafter to hear that she has been of any use in saving lives or property.

The lanch will be left with Mr. Birnie, with all her fixtures complete.

I am, with much respect, your ob't serv't,
CHARLES WILKES,
Com. Exploring Exp.

JOHN McLAUGHLIN, Esq.,
Chief Factor H. B. C., Fort Vancouver.

COMMUNICATION.

Mr. Editor—An answer in the last number of the Spectator, over the signature of "A friend to truth and justice," to my statement of reasons for resigning the office of marshal of Oregon, would appear to a casual observer a most plausible array of facts in refutation of any charges or allusions, contained in my strictures on the official conduct of some other officers of this government. I say, would appear so, because he cites us to the documents on file in the office of the sec-

retary of the territory in support of his assertions. But notwithstanding this, I deny his allegations, both in reference to his matter of fact statements as well as the inferences to be drawn from them; and charge him with knowingly belying the names he assumes. The writer was evidently a component part of that honorable body whose course of conduct he seems so eager to vindicate; as his over-anxiety to place their acts in as favorable a light as possible before the public, by boasting of the many wholesome laws and patriotic acts made and performed by this tri-sessioned assembly, will clearly indicate. Of course, the writer's intentions are entirely unselfish, in thus warmly repelling the charges of injustice preferred against that house. But if otherwise, I fear for the sake of the gentleman's future hopes and longings, that it is now too late to recall the fiat of condemnation which has long since been sent forth by the people against the most of its proceedings; a majority of its members, including himself, having been weighed in their balance, and found wanting.

But to the refutation of the writer's documentary evidence against my former charges, as well as his erroneous assertions of other matters, of which no records exist—but of the truth of which I happen to be better informed than this friend to truth and justice.

The writer commences my official career at the start, by remarking that my election at Champeog was not followed by my taking the oath and officiating till some time after. Why did he not at the same time give the reason for this postponement of my being qualified?—a reason, perhaps, which is better known to himself than many others in this country. He says that at the June session of the legislature, in 1844, I was appointed sergeant-at-arms for the house, but as this body never had any such officer about them, the writer must certainly acknowledge his error in this respect; for they, unlike their successors, attended to their own called-for and legitimate business in this as well as other affairs, and were not engaged in consuming their time and the peoples' money in petty squabbles, political manœuvring, and in worse than useless debates on points of order, the legitimacy of the speakership, preparing memorials to the people of the United States, locating the seat of government, and in passing laws so imperfect that they cannot be enforced. "Hence" the necessity of calling public meetings "for the purpose of consulting upon the great propriety of sustaining the laws of the country."

I acknowledge the receipt of two drafts on the treasury for the amount specified in the appropriations; but the honoring and payment of those drafts by the treasurer is what I have to complain of. The unequal value of our currency is well known to all, and when I presented my orders on the treasury, they were liquidated in the most depreciated funds, when at the same time these honorable gentlemen were pocketing their per diem pay out of the par cash of the country. But whether the treasurer or they are to be blamed for this unjust proceeding, I take it not on myself to say, but yet would remark that the country generally is strongly disposed to cast suspicion on their having acted in concert, and that the legislative proceedings were much swayed through this and other mediums, by an intermeddling, selfish and all-potent power in our midst. If this be true, however, I blush for the names of freemen and American citizens, which they assume to themselves, and think it will require other patriotic and praiseworthy acts, besides repealing the improper and imperfect legislation of another as well as their own body, in order to get themselves poised in the peoples' scales, and again re-instated in the confidence and good graces of their constituents.

In reference to the appropriation in August last, of \$100 to pay the marshal, I am in entire ignorance, not having received any such remuneration, and I fancy it will strike the reader of our history, as rather strange that such an appropriation should have been made, when he is informed that the office was created for the first time in Oregon at this identical date.

As to the whole amount received by myself and deputy, during the two years and a half I have been in office, I would state it to have been but little over \$400, and this in the uncurrent money before mentioned. The percentage and perquisites of my various offices, which "a friend to truth and justice"