OREGON SPECTATOR.

C. L. GOODRICH, EDITOR PROPRIETOR AND PAINTER.] "FREEDOM FROM ALL FOREIGN INFLUENCE, IN THIS OUR OWN DEAR NATIVE LAND!" [TERMS, FIVE DOLLARS PER ANNUM—IN ADVANCE.

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The Oregon Spectator;

[The first paper ever printed on the Pacific Coast.]

OREGON CITY, O. T.

A WEEKLY NEWSPAPER,

DEVOTED TO THE AMERICAN, MORAL, SOCIAL, LITERARY AND AGRICULTURAL INTERESTS OF THE PEOPLE OF OREGON.

PUBLISHED EVERY SATURDAY MORNING, BY C. L. GOODRICH, EDITOR, PROPRIETOR AND PRINTER.

The Spectator will ever be open to the free discussion of all subjects of sufficient interest to the people of this Territory. It will particularly strive to advance the interests of all American freemen, and will not oppose any Church or denomination, until it becomes apparent that their object is the taking of the government into their own hands, as a body, or, as a Church of having our law making and office holding at their disposal.

A *moral tone* will ever be a leading feature of the Spectator, and while its columns may be filled with useful, literary and social instruction, a strict regard for truth and morality will be observed.

Agriculture, as shall best advance the interests of Oregonians, will be a favorite theme.

The *fair* and *gentle* sex, and children everywhere, to the former due respect, and to the latter all the assistance we can render in advancing their useful and moral education, and to mould into their minds the true American principles of our glorious Union.

Special care taken to give literary news for the benefit of people in the United States and other countries.

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"The Mason leads a Happy Life"

The Mason leads a happy life,
He shuns the erring paths of strife;
His acts are good, his dealings fair,
His conscience not ensnared by the square;
He does not Appeal to God
To prove how worthy of his trust,
While Science lends her cheering ray
To guide his labors on the way.

The Fellow Craft's degree is next,
That oft his senses has perplexed;
He earns a right to that degree
And so can solve the mystery:
How noble to raise the lasting stone
That celebrates a Mason's name;
To receive the wages of his hire,
Which crowns such laudable desire.

And now a solemn step is near,
New dangers in his path appear;
He seeks a Master's honors too,
Yet dreads those honors to pursue;
But courage, erect the arch I build
Tis such we want a Craftsman well,
Do right unto all, duly fear God,
He Master Mason stands at last.

LAND PATENTS.

GENERAL LAND OFFICE, OCT. 30, 1854.

SIR—In answer to your inquiry of the 24th inst. as to the cause of the delay in issuing patents for the donation claims in Oregon, I have the honor to state:

That by the instructions of the 10th March, 1854, from this office to the surveyor general of Oregon, that officer was directed as follows: "When the tract is described by the metes and bounds a special plat of the lot is to accompany the certificate; and with it you will also transmit the original title papers, retaining copies in "your office."

On examining the act of 27th Sept., 1850, the necessity and propriety of these instructions will be perceived, and that without the special plats thus required, there would have been no certainty that the same lands, in part at least, was not included in different patents. Such conflicts of title would have been a source of uneasiness and harrassing litigation, and the patents under such circumstances, would have been a positive evil, instead of a benefit. This course was necessary, moreover to enable the office to determine whether the requirements of the 6th section of the act had been complied with, directed that these claims should be taken as nearly as practicable, by legal subdivisions.

These were the instructions under which the surveyor general was required to act and the reasons in part, for those instructions. With a letter of 10th October, 1853, he sent on seventy of those claims, numbered from 1 to 70, being those for which certificates had been issued by him from the 1st July to the 30th September, 1853. These were received when the duties of the office were so pressing in preparing for the session of Congress as to leave no time for taking them out of their regular course of examination. This pressure continued, as you are aware, and it was not till early in May, that the necessary time could be given to their adjudication. It was then ascertained that these instanctions had been entirely disregarded, and the cases were returned on the 7th of that month, that those instructions might be complied with, except as to some which were rejected for interferences with town sites, or because they had been issued to persons who died before the passage of the act, and a very few which it is thought might be passed, as the lands in them are described by subdivisions of section.

On the 23th of May, 1854, a second abstract was received form the surveyor general, of the claims for which certigcates had been issued by him between the 30th Sept., 1853, and 31st March, 1854, numbered from 74 to 145. These claims were found to be in the same condition with the foregoing, and were returned with similar exceptions, with like cases. Of the whole number thus returned by the surveyor-general, only about twenty can be carried into patent. Of the reasons why this was not done at once in these cases, I am not able to advise you, as the gentleman who had charge of this branch of business is dead. It is probable he thought it advisable to withhold them till the return of the others that they might all be issued together. I have no doubt, however, that his reasons were cogent and sufficient. I have declared the patents to be issued in such cases however, and they will be transmitted in a few days, and you advised of the fact.

It has been intimated, that words used in the instructions above referred to, relative to the reception and temporary arrangement of the claims, justified the withholding of the original proof. These copies would have answered equally well, if the special plats of the surveys had been transmitted in those cases where the lots were described by courses and distances and hence the claim could be readily subdivisions of section.

Those plats [illegible] indispensably necessary [illegible] to send them was [illegible] and a license you granted of the [illegible] cases could be quoted, with as much [illegible] as it has been the check [illegible] the only cause of the delay in issuing patent. I am sir, with great respect, Your obedient servant,

JOHN WILSON,
Commissioner.

Hon. Joseph Lane, Washington, D. C.

"WHY PATENTS FOR LAND IN OREGON HAVE NOT BEEN ISSUED."

LIBERTY SENTINEL:—SIR—In an editorial in your paper of the 19th inst. in relation to a letter from Hon. John Wilson, commissioner, to Hon. Jo. Lane, dated Oct 20th, 1854, you say—"If fine commenting upon the facts, we will give Mr. Preston an "opportunity to be heard concerning this *"extra discretion"* of his instructions as "mentioned by the commissioner, a portion of the certificates, &c., were forwarded after "he was deprived of his commission."

Availing myself of the *permission* given of being *heard* through your paper, I will give you some facts and *instructions* received from the commissioner bearing upon the subjects embraced in the letter of Hon. John Wilson referred to, hoping to convince those entitled to receive *patents* upon the *certificates* I issued, that I did not disregard the instructions given to me by the land department whilst acting as Surveyor General of Oregon.

The instructions that are *quoted* in Hon. John Wilson's letter, are given in relation to the *lots* in the "Oregon City claim" that were sold or grant a by Dect. John McLaughlin previous to the 8th March, 1849,—it is a misapplication of these instructions to apply them to the donation claims. The instructions are positive to send "*copies*" of the *oaths* and *proofs in each case* with the donation certificates to the general land office, also to keep the original oths, proofs, and notifications in the surveyor general's office.

I will show you that I have obeyed all the instructions in relation to the "*original title papers*" and "*special plats* of all the donation claims embraced in the certificates I issued—"that it was not practicable for the settlers to take by legal subdivision seven months in advance of any instructions to that effect, as I well knew the necessity of those plats being in the general land office before the patents were issued to prevent conflicts, &c.

Below I give you extracts from the instructions of 10th March, 1854, and the correspondence in relation to the "*special plats, original title papers, oths, proofs* and *copies*" between the commissioner and the surveyor general's office.

The commissioner's answer to his letter that [illegible] the [illegible] tion of the [illegible] to the receipt and temporary arrangement of the claims, justified the withholding of the original proofs."

The instructions of the 10th of March, 1854, upon the subject of copies of oaths, proofs and notifications, are as follows. The notifications will bear a regular series of numbers, having also the additional number of the settlers claim, when such has necessarily to be specific cases, presumed to be of rare occurrence:

"The settler's oath will bear a number "corresponding with that of the notification.

"The *oaths* may be *filed away* in *books* "*with many nut* guards to receive them and "to which may *be pasted*, or they may be "*filed away in pigeon holes* with the *proofs* "connected with each case—each set of "proofs to bear a number corresponding "with that of the notification. The surveyor general's certificate will bear a consecutive and independent series of numbers, with the number on notification superadded—these certificates will be sent "to the general land office *together with* copies *of the proofs and oaths in each case*—"*a copy of the notification need not be sent*, "and they will be accompanied by an abstract of claims after the following form," &c. &c.

The above are all the instructions contain that applies to sending the papers that pertain to "*donation claims*" to the general land office; there were no instructions that required a special plat of a donation claim that is "*not taken by legal subdivisions*," to be sent forward with the certificate of a donation claim.

There are the following instructions under the head of "The Oregon City claim, (see section 11 of donation laws which refer only to the "*lots*" that were sold or granted by Dept. John McLaughlin, previous to the 8th March 1849 as follows:

"These claims [illegible] will have to be surveyed [illegible] surveyor general's certificate, such tract to be designated as *lots* each having a special number, as per plat of survey to be forwarded, to be entitled "survey of lots within the limits of the Oregon city claim" confirmed by the 11th section of the act of congress, approved Sept. 27th, 1850, entitled an act to create the surveyor general's office in Oregon," &c &c. should you however determine that it would be preferable to give the *measured boundaries in addition you will do so.*"

In addition to the [illegible] Next are the instructions quoted in Hon. John Wilson's letter of the 20th Oct. 1854, which form the instructions to the "Oregon City claim."

"When the tract is described by metes and bounds, a special plat of the lot is to accompany the certificate; and with it you will also transmit the *original title papers*, retaining copies in your office."

These instructions [illegible] to the "*Oregon City claim*" have been complied with by me. In October 1852 I transmitted a "*special plat*" of the lots in the "Oregon City claim," also certificates for 220 lots and parts of lots, my private journal of 1853 [illegible] with the "*original title papers*," pertaining to the 220 donation claims, lots, containing copies of the original papers in the office. In 1853 letter to [illegible] from the surveyor general's office, I [illegible] certificates for 22 [illegible] lots [illegible] title papers." The commissioner has acknowledged the receipt of the certificates, original title papers and plats—220 of the certificates have been at the general land office *two years*. I am not advised that patents have been issued to any of those lots.

Knowing the interests of the general land office having "*special plats* of the survey of claims that were sold by the lots and bounds, though no instructions had been given to that effect, on the 7th day of October 1853, transmitted with a [illegible] letter, 12 special plats of townships, upon which were exposed the [illegible] and donation claims their position as to the legal subdivisions, all the special surveys of the claims embraced in the 60 or 70 certificates that I forwarded on the 10th of Oct. 1853, what it was impracticable to take by legal subdivisions," and that were described by [illegible] boundaries in the certificates.

[COPY OF LETTER.]

"Hon. John Wilson

Commissioner of the General Land Office.

SIR—Herewith I transmit to you the following described plats and copies of the survey and that it was not practicable to take by legal subdivisions, viz:—

T1N, R2W;	T1N & 1S, R1E;
T1N, R3W;	T1S, R1E;
T6S, R3W;	T7S, R1W;
T7S, R2W;	T7S, R3W;
T8S, R1W;	T8S, R2W;
T8S, R3W;	T10S, R1 & 2W

I am, very respectfully, Your obedient servant, JOHN B. PRESTON,

Surveyor General of Oregon.

In January, 1854, the following letter was received by me:

[COPY.]

"General Land Office,
Dec. 30, 1853.

"John B. Preston, Esq.

Surveyor General of Oregon.

SIR—I have to acknowledge the receipt of a number of the Oregon Claim, and portions of donation claims [illegible] the [illegible] and [illegible] not practicable to take by legal subdivisions, viz: in the following [illegible] Townships, viz:

In T1N, R2W;	In T7S, R3W;
In T N&1S R1E;	In T8S, R1W;
In T8S, R1E;	In T8S, R2W;
In T1S, R3W;	In T8S, R3W;
In T7S, R1W;	In T10S, R1&2W
In T7S, R2W;	

* * * * None of the plats and maps have been received, the letters purporting to transmit the same were received on the 30th ult. * * *

I am, very respectfully, Your obedient servant, (Signed) JOHN WILSON,

Commissioner."

On the 16th of Dec. 1853, a letter was written at the general land office to Col. C. K. Gardner, surveyor general of Oregon, signed John Wilson, Commissioner in which is the following: "By the same mail a roll of plats were received by which your predecessor advised this office of having sent, under the date of 7th and 14th October last, and which, at the time of the receipt of the letters, were missing, and Mr. Preston was advised of the fact on 3d inst."

On or about the 10th October, 1853, I transmitted to Hon. John Wilson, commissioner, *all* of the donation certificates that I issued under the donation laws, (69 or 70 in all,) together with copies of the *proofs* and *oaths* in each case.

In conclusion, about the *special plats* and *original title papers*; I insist and submit that the instructions that are quoted in Hon. John Wilson's letter of 30th October 1854 only apply to the lots in the "Oregon City Claim," and do not apply to the *donation claims*. The *original title papers* referred to are the original title papers pertaining to the *lots* that were sold or granted by Dr. John McLaughlin before March 4th 1849, and not to the *notifications, oaths* and *proofs* required to perfect a donation claim.

The instructions above given are most positive to me away the original *oaths, proofs* and *notifications* pertaining to donation claims in the surveyor general's office, and to send copies with the donation certificates to the general land office: this has been done.

Special plats of all the donation claims embraced in the 69 or 70 certificates that I sent to the commissioner on 10th October, 1853, were forwarded seven months in advance of my instructions, and were received by the commissioner, as appears by his letters of 3d and 16th Dec. 1853.

The instructions in relation to "the Oregon City Claim" that commissioner Wilson quotes and which are *misapplied* to donation claims, were fully carried out by me: in relation to "the Oregon City claim," in sending *certificates, special plats* and the *original title papers*, all of which the commissioner has received, showing a full and perfect compliance with the instructions of 10th March 1854, on my part. All of said instructions being regarded; *no portion disregarded.*

Where [illegible] the instructions are to consult as quoted in Hon. John Wilson's letter, I do not understand, except that the special plats have been overlooked, and the commissioner, in the press of business, did not note the *particular* portion of the act of 27th September 1850, that the instructions he quotes *applied* to. The commissioner has taken in his application of the quoted instructions, and assigns the wrong reason for the delay in issuing patents, and I have no doubt will see and correct the erroneous impression created by the *misapplication* of the instructions, as soon as his attention is called to it.

Commissioner Wilson says in his letter "that some certificates were rejected for interference with town sites," or "because they had been issued to persons who died before the passage of the act."

I will add the instructions under which I issued those certificates. Under the 4th section, under the head of "*Death between settlement and donation thereof*," are the following instructions: "When *either* of said married parties shall die within the term of four years consecutive to the commencement of the residence and cultivation, the residence and cultivation may be continued proved by the survivor."

Under these instructions I decided that in all cases where the settlers occupied a land claim since the organization of the provisional government, and either husband or wife died before the four years' consecutive residence and cultivation was completed, the survivor completing the four years' residence and cultivation, whether under the provisional government of Oregon or since, that the survivor and heirs-at-law of the deceased were entitled to the patent. Thus stood the instructions of the department and my decisions until January, 1853, when the following letter was written to the Hon. Jo. Lane, and a copy sent to me for my "information and government" by Hon. John Wilson, [illegible] as I understand, upon the following case and *facts*.

Mark Hatten held a claim of a section of land in Clackamas Co., O. T., in 1849, before the donation law passed. Mr. Hatten's wife died, leaving an infant child. To give proper care and attention to the child, he left his claim and boarded with a near neighbor, until say 1852, (though continuing to reside on his claim,) when the case was presented to me, claiming for the child of Mr. Hatten *her half* of the claim. I decided that no rights were vested in the child, as neither the mother or father of the child had complied with the donation law—not having resided upon and cultivated the claim for four consecutive years. Mr. Hatten not being satisfied with my decision, under the instructions above given Joseph Prescott, Esq., mayor of Oregon City, wrote to Gen. Lane, giving the facts in the case, who referred the question to the commissioner, which resulted in the commissioner deeding that the *wife* is a *settler* within the donation law, and that the child and husband were entitled to the intrest of the deceased—not requiring the four years' residence and cultivation, and giving to the *heirs* of a *settler*, who died before the donation law passed, the donation claim that was occupied by the deceased *settler*.

[COPY.]

GENERAL LAND OFFICE,
January 31, 1853.

HON. JOSEPH LANE, Delegate from O. T.

SIR:—I have received your letter of this date wherein you state as follows:

"I learn that the surveyor general of Oregon has decided that in case of the death of the wife, where the husband is in legal possession and occupancy of a claim, under the donation law of said Territory, and so continued after her decease—the husband after her death, for the sake of his child, having slept and boarded with the said Upon an adjoining claim—but without residing to cultivate the claim, as required by law—the child is not entitled the inheritance of the land given by said act to the mother." And requested information of this office in regard to the merits of such decision.

The provisions of the act, in respect to married persons dying prior patent issues, (4th section) are as follows: "That in all cases where such married persons have complied with the provisions of this act so as to entitle them to the grant as above, provided whether under the late provisional government of Oregon or since, and either shall have died before patent issues, the survivor and *children*, or heirs of the deceased shall be entitled to the *share or interest of the deceased in equal proportion*, except where the deceased shall otherwise dispose of it by testament, duly and properly executed, according to the laws of Oregon," &c.

In connection with the foregoing, we must take the 8th section of the act, which declares as follows: "That upon the death of any settler, before the expiration of the four years' continued possession required by this act, all the rights of the deceased under this act, shall descend to the heir-at law of such settlers, including the widow, where one is left, in *equal parts*; and proof of compliance with the conditions of this act up to time of the death of such settlers shall be sufficient to entitle them to a patent."

In view of these provisions and the general scope and policy of this law, I am clearly of opinion that a married woman is embraced by the general term "*settler*," used in the quotations, herein, when such died before the consummation of her claim under the law, that the right to her interest, in such claim, passes to her husband and child or children, in equal proportions, and that on proof of compliance with the provisions of the law, to the time of her death, her heirs as above stated, to whom her husband, are entitled to a certificate and patent for the land, set apart by the surveyor general, as her portion of the claim.

The proof of heirship must be full and complete before the patent can issue.

I have the honor to be, with great respect, Your obedient servant,

JOHN WILSON,
Commissioner.

The above letter was received in February, 1853, five months before I issued any *donation* certificates as "information for my government." The instructions in this letter and before given, governed me in issuing certificates to the *heirs of settlers who died* before the donation law was passed. There was no change in these instructions, until the *certificates were returned* on the 17th May 1854, with the instruction that the heirs of settlers, who died before the donation law was passed, are not entitled to hold a donation claim: This, at one blow, reversing former instructions, and depriving the heirs of a large number of the *early* settlers, who were the pioneers of this country, of the munificent donation of our government, given with the full intent to encourage the settlement of this far and distant territory.

The following are all the instructions of 10th March 1854, in relation to "*donation claims*" covering "*town sites*."

"It may be that individuals, prior to the "date of the act, have *sold* or agreed to sell, "some portion of their claims for *town lots*, "or other purposes; such sale not being "valid, while he had no title to convey, it "will be but to further the ends of justice, "to require such claimant so to shape his "claim, as to include within its limits such "portion or parcel of land, so that he may be "made hereafter to comply with such part "contract, according to the laws of the Ter"ritory."

Under the requirements of the above instructions and believing that the act of 27th September, 1850, opened *all* the lands in Oregon to settlers who were entitled to donations (excepting only those lands that were reserved by the *donation laws*) and that the donation law *superceded* the *preemption laws*, I issued donation certificates to settlers, for claims that included lots that had been sold prior to the date of the act" and "*town sites*."

This article is extended to a greater length than I anticipated, but it is *deemed necessary* to give the instructions under which I acted in full, so that my reasons for issuing certificates, transmitting *copies* of *oaths* and *proofs*, and the *original title papers* for *town lots*, could be understood by those settlers entitled to patents upon the certificates that I issued; also to show that I have regarded the instructions given me, until changed by subsequent instructions. The reasons for changing the instructions so frequently, I leave for others to explain.

JNO. B. PRESTON,
late Surveyor General of Oregon.

OREGON CITY, Dec 26, 1854.

CURE OF CONSUMPTION.

Dr. Robert Hunter, of New York, who has gained such celebrity in the treatment of Pulmonary Diseases, has recently published a work on the Cure of Consumption, by inhaling medicines into the lungs. He contends that consumption is entirely a curable disease; that the reason why it has not been more generally cured, is simply, that medicines when administered through the stomach, etc., do not reach the seat of the malady; while "change of climate," after the disease has extended itself upon the lungs, is the greatest cruelty to the invalid, increasing his sufferings, and hastening his end, without the possibility of benefit. He observes:—

"It is only by directly applying remedies to the diseased organs, that any good can be reasonably expected to result from treatment. It is surely more rational to expect benefit from medicines that are breathed into, and brought in contact with the whole intricacy of the lungs, than from those which are administered through the stomach."

The following explanation will give the reader an idea of what the author means by "*inhalation*."

"The manner of administering medicines by *inhalation* is twofold, viz., by an *Inhaling Instrument* and by diffusing the vapor through the chamber in which the patient sleeps.

"The inhaler is made of glass, and will hold about a pint of water. The entrance into it is closed by a cork, furnished with two tubes; one of these is of *glass* and passes from the top of the cork, down below the fluid, to within a quarter of an inch of the bottom. The other tub passes through the cork, and rises above it, is elastic, about fifteen inches in length, and furnished with a glass or *ivory mouth piece*. The principle of its construction is very simple. On inhaling through the elastic tube, a vacuum is created above the fluid, to fill which, a stream of fresh air rushes down the glass tube and breaks up in bubbles through the medicated liquid, throwing the whole into intense agitation. This fluid being medicated, thoughly impregnates the air with its properties; and in this manner every effect that can be produced by medicine, is obtained in the lungs with a degree of certainty unequalled by any other form of administration. By simply varying the medicines put into the fluid, the vapor is rendered *expectorant, soothing, stimulating, alterative*, to the lungs at pleasure."

This treatment appears to have been attended with the most unexceeded success and the work of Dr. Hunter, from the importance of its subject, has certainly met with a more favorable reception from the press than any medical book of the present day.—*Waverley Magazine.*

FUNNY.

—The New Orleans Sun relates a humorous story of a very well dressed man and genteel looking person who was so curious to see the giraffe, and who stepped up to the "man wot" receives the money, with:

"Is the giraffe to be seen here?"

"Yes, sir."

"I want to see him."

"Very well sir."

"It's fifty cents, isn't it?"

"One dollar, sir. Fifty cents for servants."

"Well, I'm a servant!"

"You a servant?"

"Yes, sir."

"The devil. Whose?"

"Yours sir, your humble servant."

"Walk in and take a seat."

The joke was worth the price of admission.

☞Tell us, some lady, who dared to write the following: Was it a young man, a married man, or an old maid?:

Bah, have I got the right,
Walk you from a help'ed rap—
Tackling round at Uncle Sam,
To get the little office gap,
Tell me—couldn't you
Speak a word more genteel
Wouldn't you?

Little pea nuts—little cash—
Loss of title hits a cent—
Stake a claim matter cash—
Future holder all in debt—
Tell me—wouldn't you
Curse your every little
Wouldn't you?

At the door your woman meets you,
Young ones at your knees you greets you,
Tender thoughts kindly greets you,
Don't you wish you'd never——Jersey?
Tell me, I pray, wouldn't you
Leave her a widow—
Wouldn't you?

GEOGRAPHY.

James, what is Geography?

Scription of the earth.

Good—where is the State of Massachusetts?

She's in the Know Nothing diggins, all right, two to one—daddy jined em last week.

Silence! Next—Robert, where is Massachusetts, and how is it bounded?

Bounded by Maine Liquor Law on the north, by Uncle Sam's fisheries on the east, an' on the south and west by wooden nutmegs abolitionists, railroads, Nebraska meetins, an' so forf.

What are its productions?

Snow-storms, hard-up authors, oil, Know nothins, gals, noospapers, and Bunker Hill monument!

PEDAGOGUE:—Billy, what does h-a-i-r spell?

Boy—I don't know.

Ped—what have you got on your head?

Boy—(scratching) guess it's a muskeeter bite, it itches like thunder.

—A contemporary of ours thinks the people of Lafayette, Indiana, must dress cool. A young lady of that place, on being asked if she intended to wear that great bustle to church, said,

"I don't intend to wear anything else!"

The costume equals the Georgia one—a shirt collar and a pair of spurs.