The East Oregonian.

L. B. COX, - - Editor.

FRIDAY ....OCTOBER 28, 1881

THE GOODWIN CLAIM.

We publish herewith an autograph letter from Hon. S. J. Kirkwood, Secretary of the Interior, to Senator Slater, wherein he replies to a petition presented by the Senator from the citizens of Pendleton seeking relief in the matter of the Goodwin claim. We also publish the findings of the department as to the disputed boundary line of the reservation where it passes this town and a letter from Senator Slater accompanying the communications. From these papers, which are self-explanatory, it will be seen that not only does the department of the Interior seem to consider itself powerless to afford any relief in the premises but its decision destroys the title to all lands now occupied south of the old Moody line. This property, with the improvements thereon, is now worth thousands of dollars and the claimant must take steps to protect their interests or they are liable to lose the whole of the land. The Secretary suggests two modes, but of them we think congressional relief is the one to be sought after. Senator Slater has shown himself to be alive to the interests of our people and promises to do what he can in the Senate and we believe Mr. George will co-operate in the House. But, fellow-citizens, you must be up and doing.

The papers are given below in full and we desire to return thanks to Judge LaDow for his kindness in furnishing us with them:

UNITED STATES SENATE CHAMBER, Washington, D. C. Oct. 11, 1881.

JUDGE LADOW:—*Dear Sir:* I herewith enclose a communication from the Secretary of the Interior just received respecting the extension of the town of Pendleton upon the lands of the Indian reservation and other matters of interest to your people. I shall confer with the Secretary soon and endeavor to convert measures to secure to your town what it so much needs, and will be in readiness for action upon the assembling of Congress, in December. I will also confer with M. C. George, our member, who I have no doubt will exert himself in the other House to secure the necessary legislation.

Respectfully yours,
JAS. H. SLATER.

DEPARTMENT OF THE INTERIOR, Washington, C. D., Oct. 4, 1881.

HON. JAMES H. SLATER:—*Sir:* Referring to a petition of certain citizens of the town of Pendleton, in the County of Umatilla and the State of Oregon, received from your hands by this Department in May 1881, wherein the petitioners ask that certain lands, adjoining said town—within the Umatilla reservation—be surveyed into town lots and appraised and sold, in order that the growth of said town may be no longer impeded it having taken up all the available land between the reservation and the river; also that certain lands patented to M. E. Goodwin, the original proprietor of the town site, and by him disposed of to innocent purchasers, has been found since the establishment of the northern boundary of the reservation to be within the same and asking that said lands be cleared of the cloud which now hangs over their title, you are respectfully informed that the following facts appear in the case.

Under date of June 9th, 1855, a treaty was negotiated by the United States with the Walla Walla, Cayuse and Umatilla tribes and bands of Indians in Washington and Oregon Territories which treaty was ratified by the Senate, March 8, 1859, and proclaimed by the President, April 11th, 1859 [12 Stats 945].

This treaty recognized as Indian lands a large portion of territory, which included the present reservation, by accepting and agreeing to pay for the ceded portion, and also by agreeing to protect the Indians in the possession the portion, not ceded, retained by them as such reservation [See Article 1, of treaty above cited p. p. 945-946].

It will be seen from the above that no authority exists for taking possession of lands contiguous to certain property of citizens of the town but situated upon the reservation and having the same "appraised and sold," as asked in the petition of the citizens of Pendleton.

Touching the lands patented to Mr. Coodwin, it appears that he purchased his land, namely: The S. W. ¼ of S. W. ¼ of Sec. 2, N. ½ of N. E. ¼ of Sec. 10 and N. W. ¼ of N. W. ¼ of Sec. 11 T. 2 North of Range 32 East, Willamette Meridian, on the 27th of October, 1868, and as a patent was issued to him for said tracts on the 20th August, 1869; also, that about 40 acres of the lands so patented were found, subsequently, to be within the boundaries of the Umatilla reservation, by the survey made under the direction of the General Land Office and declared June 21, 1872.

The records of the General Land Office do not show any other claimants holding lands under patent any part of which is found to intrude upon the reservation in this case.

The conclusion established from the facts presented is, that the patent to Goodwin is invalid as to any lands within the Umatilla reservation; that the Indian title has never been extinguished, and, consequently, no pre-emption, homestead or other entry could attach to it, and no patent could properly issue to any one for any portion of it

It is claimed, however, that the line of the boundary of the reservation running from the southeast corner of McKay's claim to the mouth of Wild Horse creek strikes some distance east from the point adopted as the initial point in Moody's survey. I have taken some pains to ascertain how far this claim is established by the facts in the case and it is found that the difference at this time, even with the change both natural and artificial which have been brought about since the time of said survey, makes but slight difference in the location of the line and I enclose for your information, and that of the petitioners, a tracing and memorandum furnished by the General Land Office showing what the difference is, and establishing the correctness of the original survey to all intents and purposes.

The Department is not inclined to disregard the petition of the settlers of the town of Pendleton, nor is it unmindful of their necessities in the case; and, so far as negotiations are concerned which will look toward an amicable solution of the difficulties which now retard the growth of the town, is of opinion that either negotiation with the Indians through the proper United States authorities or an appeal to Congress for authority to procure the session by the Indians of the quantity of land found to be required would remedy the existing evil.

I would be pleased if you would suggest to the Department which, if either, of the above modes of procedure are deemed preferable.

1066 I. O. '81 }
1660 M. " } Very Respectfully,
One Enclo } S. I. KUKNOOR, Secretary.

MEMORANDUM.

In the matter of the North Boundary of the Umatilla Indian Reservation, Oregon

From an examination of the record in connection of the provisions of the treaty of June 9, 1855, [12 Stats 945] it does not appear that a re-survey of the North Boundary of the Reservation would exclude the land patented to Goodwin.

The point claimed by certain citizens as the mouth of Wild Horse Creek [initial point of survey] is situated North 87.01 East 20.00 chains distant from the point adopted as the initial point in Moody's survey of the boundary.

Under the the treaty the north line runs from the Southeast corner of McKay's claim to the mouth of Wild Horse Creek.

A change in this line from the point established in the Moody survey to the point claimed by the citizens above referred to would result in excluding from the Reservation a narrow triangular strip of land as shown on diagram herewith but a portion of Goodwin's claim would still fall within the Reserve.

Pursuant to instructions from the U. S, Surveyor General of Oregon, Mr. B. Cambell, agent sent to examine the junction of Wild Horse Creek with the Umatilla river, reported:

"After a close inspection at two "different stages of water, I have "arrived at the conclusion that the "point claimed by Moody as the initial "point is the correct one and the point "named in the treaty with the Indians "in 1855."

HAVING been called to Baker City on legal business, the editor of this paper is indebted to Mr. B. B. Bishop for assistance rendered in the work of getting out this issue.

THE *States Right's Democrat* announces that the gap of the O. & C. R. R. between Roseburg, Oregon, and Redding, California, will be closed at an early day.

THE Corvallis *Gazette* is very bitter on Mr. Villard for refusing to convey powder to that town. This is a little thing in itself but it has a great meaning.

THE *Ferneglen*, a bark from New Zealand to Portland was wrecked off the Columbia bar on the 18th inst. The captain and crew were all saved.

THE Mussel Slough convicts have been liberated and a grand ovation was held on the 5th inst. in celebration of their return to freedom.

SECRETARY WINDOM has been elected Senator from Minnesota.

A SUGGESTION.

It is a matter of *primary and vital importance* to the people of Eastern Oregon and Washington and Northern Idaho that the coming session of Congress should make a sufficient appropriation to complete the locks at the Cascades of the Columbia. To get the attention of the legislators fully brought to the work the people must act with unison and decision. We suggest that meetings be held in all the towns in this section of country without delay and that delegates be elected to a convention to be held in Walla Walla on or about November 15th next for the purpose of fully consistently presenting our situation to Congress, showing the disavantages we now labor under and the advantages to be derived from an early completion of the work Walla Walla easily accessible to all interested and we believe such a proceeding would be productive of good. What say you brethren of the press.

THE MOUTH OF THE COLUMBIA.

Correspondence with the War Department in Relation to the Improvement of the Bar.

PORTLAND, Oct. 18 1881.

TO THE EDITOR OF THE *Oregonian:*

Several weeks ago, on consultation with government engineers, I communicated with the honorable secretary of war asking for an appointment of a board of engineers to specially examine the mouth of the Columbia river. It will be remembered that Col. Gillespie reported Dec. 5, 1880, in favor of a plan for personal improvements costing the small sum of $430,000. Gen. Wright, chief of engineers, referred the matter to a New York board, composed of Gens. Tower, Newton and Abbott, who failed to approve of the outlay.

As Col. Gillespie still stands by his recommendation, notwithstanding the reasons advanced by the New York board, I wrote to the secretary of war urging the impertance of the work as strongly as I could and asking for the appointment of a special board to come and view the situation in person and examine all the data of surveys and otherwise now in the possession of government officers in charge and report on some plan of improvement. I was especially desirous of a favorable report in time for the coming session of congress. Thinking the answer of the secretary of war of interest I attach it hereto. Respectfully,
M. C. GEORGE.

OFFICE OF CHIEF OF ENGINEERS, U. S. A. WASHINGTON D. C., Oct. 1, 1881.

Hon. Robert T. Lincoln, Secretary of War—SIR: In reply to the reference to this office for report of a communication of M. C. George, of Portland, Oregon, of July 28th, last, requesting the appointment of a special board of engineers to inspect the mouth of Columbia river and report upon its improvement in time for action by the next congress, I beg leave to state that the importance of this improvement has not been lost sight of. The annual report of this office, which will be presented to congress at its next session, will contain such information obtained from recent surveys as will, it is believed, show the necessity of awaiting future developments in the changes now going on in the channels of entrance before attempting a radical improvement or again submitting the subject to the consideration of a board of engineers. These changes will continue to be carefully watched, but owing to the magnitude of the work and its great cost, it would be premature to attempt anything further at this time. Very respectfully, your obedient servant, H. G. WRIGHT,
Chief of Engineers, Brig. and Bvt. Maj. Gen.

WAR DEPARMENT, WASHINGTON CITY, October 5, 1881.

SIR: Your letter of the 28th of July last, requesting the appointment of a special board of engineers to inspect the mouth of the Columbia river and report upon its improvement in time for action by the next congress, was duly received at the department, and in reply thereto I have the honor to invite your attention to the enclosed copy of report of the chief of engineers to whom the subject was referred. Very respectfully, your obedient servant, H. T. CROSBY,
Chief clerk for secretary of war in his absence.

HON. M. C. GEORGE, M. C., Portland, Oregon.

THE Yorktown centennial celebration on the 19th inst. was a grand affair. Governor Holliday of Virginia delivered an address of welcome, President Arthur also spoke and M. Outrey on behalf of the French delegation. Speeches were also made by other prominent men. Nearly the whole of the cabinet was present. There were 9500 troops in line commanded by Gen. Hancock.

THE New York *Sun* says, editorially: The monopolies are getting deep root in the Senate of new men. Camden represents the Standard Oil Company, Miller of California the Fur Seal corporation, Miller of New York wood pulp, Wilson is attorney for the Union Pacific Railroad and will serve that interest faithfully.

Dolph is attorney for the Oregon Railway and Navigation Company and Mitchell for the Northern Pacific Railroad Company.

THE New York State Democratic Convention excluded both of the contesting delegations from New York City. The result is that both wheeled into line and Sam Tilden and John Kelly are pulling side by side for victory—and they will get it. The convention acted wisely, let both these factions be kept out in the cold until they stop their quarrels and they will soon get enough of it.

THE division of Columbia county, W. T., is being agitated.

NEW TO-DAY.

Notice.

My wife, Mary Jane Looney, having left my residence and ceased to live with me, I will not be responsible for and will not pay any bills that may be contracted by her after this date. WILLIAM LOONEY.
October 24, 1881. 15

Administrator's Notice.

Notice is hereby given that the undersigned has been appointed administrator of the estate of Madison Kirk, deceased, by the Hon. county Court of the State of Oregon for Umatilla county. All persons having claims against the said estate are required to present the same to me at my residence near Centerville in said county, within six months from this date with the proper vouchers.
Dated at Centerville this 25th day of October 1881. W. H. BONTA,
Reed & Turner, Administrator.
Attorneys, Oct27t5

NOTICE FOR PUBLICATION.

LAND OFFICK AT LAGRANDE, OR. October 25, 1881.

NOTIE is hereby given that the folowing named settler has filed notice of his intention to make final proof in support of his claim and secure final entry thereof, before D. P. Dwight, a Notary Public, at Pendleton, Oregon, on Dec. 24 1881, viz:

Wm. B. Appleton D. S. 2786.

For the S. E. ¼ section 34, T. 3 N. R. 33 E. W. M. and names the following as his witnesses: W. F. Kemper, H. J. Collins, J. Sears, Wm. Hoult, all of Pendleton.
oct28 t5 HENRY W. DWIGHT, Register.

G. W. Webb & Son,

MAIN STREET,

PENDLETON, OR.

Dealers in both heating stoves,

....and cook.....

A large stock of hardware and cutlery constantly kept on

—hand—

FIRE-ARMS AND AMMUNITION.

INTEREST CHARGED ON ALL ACCOUNTS AFTER 30 DAYS.
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H. PRESSEY. P. HINKLE

PRESSEY & HINKLE

Have opened at their store on main street next to odd Fellows Hall a select stock of general

MERCHANDISE

–Consisting of–

DRY GOODS,

GROCERIES,

BOOTS & SHOES;

HATS & CAPS

DRESS & FANCY GOODS, TRIMMINGS, ETC.

Our stock is composed of new goods throughout, just purchased from the San Francisco market

WE INVITE INSPECTION OF our goods from the public. oct781t

ST. LOUIS RESTAURANT.

—AND—

CONFECTIONERY STORE.

Having leased the building lately occupied by Mr. Geo. C. Green, I have moved my restaurant and will continue to furnish

MEALS AT ALL HOURS OF THE DAY OR NIGHT

At the same rate of 25 cents per meal.

OYSTERS GOTTEN UP TO ORDER IN A MANNER to guarantee satisfaction.

FRESH OYSTERS.

Confectionery, Fruits, Nuts, and Cigars

ALEXXIS'
ag11 tf Adjoining Wormser's Drug Store.

R. F. JOHNSON. G. K. STRAHON.

JOHNSON & STRAHON.

PRACTICAL PAINTERS.

House and Sign Painting. Graining and paper hanging. oct21 tf

LUMBER, FEED, & FURNITURE.

J. H. SHARON. JOHN WATSON. JOHN LUSBY

J. H. SHARON & CO.

Are now ready for business at their

STEAM

PLANING MILL,
SASH AND DOOR
FACTORY
—AND—
....LUMBER YARD.....

UNDERTAKING
—A SPECIALTY.—

FURNITURE
Of all descriptions kept in stock and made to order.

—AGENTS FOR—
BENTLEY & HAWN'S
STEAM - SAW - MILL.
Give them your orders for lumber.
We employ only first-class workmen, and will guarantee all our work to be done as ordered.

J. H. Sharon & Co.
may29tf

FRANK DUNN.

ARCHITECT

—AND—

BUILDER,

PENDLETON, OREGON.
my1tf

LUMBER !

AT THE

Eagle Mills.

SHULL & BEAN

J. H. SHARON & CO.,

Are our AGENTS at PENDLETON, and all orders left with them will receive prompt attention.

Our Prices Defy Competition

SHULL & BEAN.

my19 tf

W. S. BYERS & CO

—PROPRIETORS—

PENDLETON MILLS

MANUFACTURERS AND DEALERS IN FLOUR Grain, Etc.

Flour exchanged for good wheat. 634p17

THE LAST CHANCE

To get a SEWING MACHINE for LESS than San Francisco retail prices. Closing out sale to make room for my

IMMENSE STOCK

OF

FURNITURE

Now on hand and daily arriving. Also the LARGEST STOCK of

CARPETS,
OIL CLOTHS,
MATS, ETC.,

Ever brought to Pendleton; Bought in San Francisco for cash and sold

AT BEDROCK PRICES.

JESSE FAILING,
ap22 tf PENDLETON, OREGON

GRAND OPENING

OF FALL AND WINTER GOODS AT

ALEXANDER AND FRAZER'S

NEW BRICK STORE!

Coming from the San Francisco market faster than they can be delivered. Every freight team to be hired for love or money has been put on the road and yet they are not sufficient to transport our stock The

RAILROAD IS BLOCKADED WITH OUR GOODS,

And Still They Come!

Our Mammoth Two Story Establishment is

FULL FROM FOUNDATION TO ROOF.

And we offer the LARGEST, BEST SELECTED AND CHEAPEST LOT OF **Goods Ever Brought East of the Mountains.** The stock was purchased by MR. R. ALEXANDER, of our firm, from the very best houses of San Francisco; and were selected with the object of supplying the needs of all classes of our people. Everything is marked down to the

LOWEST LIVING MARGIN

OF PROFIT AND WE CHALLENGE COMPETITION IN PRICES FROM ANY HOUSE IN OREGON.

We have the Finest Assortment of

Dress Goods

Trimmings,

Fancy Goods,

Cashmeres,

Alpacas,

& Reps,

All of the latest styles and of every color.

SILKS AND SATINS

THE PRIDE OF OUR STORE IS OUR

CLOAK, DOLMAN, AND ULSTER DEPARTMENT FOR LADIES, MISSES and Children. The we Goods Have all Been Purchased from the Most Popular Manufacturers and are of the latest Styles. THE

GREAT RUSH OF CUSTOMERS

Has compelled us to enlarge our force of salesmen and hundreds of people crowd our store from morn till night. We offer the best line of

GENTLEMEN'S FURNISHING GOODS

To be found outside of Portland and have a large and varied assortment of

OVERCOATS & ULSTERS

Don't fail to call and examine them before purchasing elsewhere.

READY MADE CLOTHING

In every style of goods and grade of price A complete supply of

BOOTS AND SHOES,

Neat, durable and attractive, for Ladies and Misses, Gentlemen, Youths and Boys. Especial care was taken in the purchase of these goods and they will be sold close to cost

Mens' & Boys' Hats & Caps

Constitute an attractive element in the composition of our stock. All the latest fashions are represented,

Carpets, Wall Papers
Hemp Carpets, Oil Cloths.

Our Stock of Groceries is Unexcelled Anywhere.

FINE JAVA COFFEE,
TEAS,
SUGARS,
SPICES,
ETC. ETC.

We claim that we can supply any demand for every description of CROCKERY OR GLASSWARE. In short we started out to lay in a complete stock of every branch of goods which the people of Eastern Oregon need and we believe we have done it. oct14-tf