

The Lock Bill.

It is most astonishing to notice the time and labor spent by the Herald in trying to satisfy the people of Oregon that the passage of the Lock Bill was a very wise measure, and advantageous to the State, and the School Fund in particular, and that it was strictly constitutional. Now, if all the Herald contends for be true, and if the thing be so plain, as it attempts to make it, it is truly wonderful that the extraordinary talents and precious time of the editor should have been spent filling the columns of that paper almost daily, ever since the adjournment of the Legislature, in defence of the measure. The people of Oregon read for themselves, and a proposition so plain, can be understood by them without the intervention of continued exhibitions of such profound legal ability, as is found in the columns of the Herald, both as editorials and communications.

The Herald, and those who contribute to its columns, claim, with an air of confidence not often exhibited by legal men and journalists, that the said Bill is strictly in accordance with the Constitution and the Laws of Congress. We published the first article on that subject during the Session, and claimed that such a law would be a palpable violation of the Constitution of Oregon, and that there was no power whatever to authorize such a proceeding; and we have seen no cause to change our opinion. If the position taken by the Herald be correct, then the people of Oregon, ever since the organization of the State, have been very ignorant of, and slow to understand, their rights; because it is undeniable that men of all parties have had, or entertained but one opinion upon the subject until very recently—all have understood that the 500,000 acres of land originally donated to the State for internal improvements, were, by the act of the people of Oregon, and the Act of Congress admitting the State into the Union, absolutely and legally dedicated to the School Fund in this State; every foot of those lands was selected for that purpose by the proper officers, and with that understanding, the selections were sent to headquarters, the proper department at Washington City, and there recognized as school lands; the selections, approved by the department, and returned to our local land offices in Oregon as school lands; placed upon the records at those offices and designated on the plats as such; officers have been duly appointed to make sale of those lands as school lands—and a portion of them has been actually sold as such—and now, at the expiration of ten years, it turns out, by the overpowering logic of the Herald, that all who have had to do with this matter, the members of the Legislature, our State Officers, Land Officers, Government Officers at Washington City, and Members of Congress were either fools or knaves, save and except the late Legislature.

Now we desire to call attention to a few facts. Everyone who was present at the late Session of the Legislature, and heard the debates on that subject knows this, that the argument on both sides, for and against the Bill, proceeded upon the assumption that the question as to whether Congress had given its assent to the diversion of the fund from internal improvements to school purposes was a doubtful and debatable one; and especially those who favored the Bill, and claimed the right to appropriate the land to internal improvements, declared in both houses, that the matter was in doubt. And we claim, if that position be correct, that it was a plain violation of the Constitution to appropriate the money for any other purpose other than that directed in that instrument, because each member of the Legislature was sworn to obey the Constitution of the United States, and of the State of Oregon, and our Constitution declares that the proceeds of the 500,000 acres of land shall be set apart as an irreducible School Fund, if Congress shall consent. Then, most clearly, so long as there remained in the mind of a member of the Legislature a doubt as to whether or not Congress had given its

assent, most certainly he must be bound and governed by the terms of the Constitution, which constitutes it an irreducible School Fund; and while that doubt remained, to cast his vote to appropriate it to any other use, would be a plain violation of his oath, as well as a violation of the Constitution, because the provisions of our own Constitution, fixing the disposition of the fund, must be obeyed, at least until all doubt is removed as to the assent of Congress; for it would be just as palpable a violation of the Constitution for a member to say that he entertained doubts as to the consent of Congress, and at the same time vote to appropriate the Fund to any use, except for school purposes, as it would be for him to say that he knew Congress had assented, and then vote to divert it from the purposes named in the Constitution.

But there is another point which, in our judgment, sets this whole matter at rest, and places it beyond controversy, which is this: the people of Oregon, when they adopted the Constitution, declared that they desired to set apart the proceeds of the 500,000 acres of land, and also the five per cent. of the proceeds of the public lands, which had, by the Act of Congress of 1841, been donated to the State for internal improvements, as an irreducible School Fund, and they absolutely did so appropriate it in that instrument, provided Congress would assent. That Constitution was presented to Congress, and it declared, by a public Act, that the State of Oregon should be admitted into the Union with this Constitution, without any reservation whatever. Now, we claim that this act of admission alone, was a complete and direct assent to the proposition in regard to the fund in question, and Congress so understood and expressed it. Now, if we are correct, most certainly it was beyond the power of the Legislature to divert this fund to internal improvements. Let it be understood that, in the act of Congress donating the land to the States then in the Union, and to all new States that should come in thereafter, there was also donated, for the same purpose, five per cent. of all the proceeds from the sales of public lands within the same. By a reference to the Act of Congress admitting the State of Oregon into the Union, it will be seen that the first section admits the State with her Constitution unqualified; then, in section four of the Act recognizing the fact that their assent had been directly given in section one to the proposition in our Constitution, setting apart not only the proceeds of the 500,000 acres, but also to the five per cent. of the proceeds of the sales of public lands in the State for school purposes, and understanding that the two funds last named did then belong to an irreducible school fund in this State, proposed to the State of Oregon, that if she would consent, by a resolution irrevocable, to set apart every 16th and 36th section in each township for school purposes, 72 acres of land for a State University, 10 sections to complete the public buildings, all Salt Springs, not exceeding 12, with 6 sections each, to be appropriated as the Legislature might direct; and fifth, that five per cent. of the proceeds of the public lands in the State be set apart for public roads and internal improvements, then the foregoing might be used for the purposes named in said section four of the said act of admission, Oregon did, at her first Legislative Session, pass an ordinance accepting the foregoing propositions, and it is only by that ordinance of acceptance that we have any right to day to the University lands, the lands to finish or erect public buildings in the State, to the 16th and 36th section for school purposes, or to the five per cent. for public roads and internal improvements. Any man with a thimble full of brains can easily see that we use the 5 per cent. of the proceeds of the public lands in Oregon by the authority granted in the Act of admission, section four, and not by the authority of the Act of Congress of 1841, originally donating the 5 per cent. If, then, Congress did not directly give her assent to our proposition by the Act of admission, will the learned editor of the Herald, or his legal adviser, "Vindex," explain section four of the Act of Congress admitting Oregon into the Union? Perhaps the Herald will come to the

conclusion that the Members of Congress who passed the Act of admission were all fools, as it intimates that all have been who have dealt thus far with the school lands.

What we predicted an Idaho paper confirms.

ADJOURNMENT OF COURT.—The District Court, after a season of four weeks, adjourned on last Saturday, Oct. 29th. Quite a large amount of business was transacted during the term, notwithstanding the greater portion of the time was taken up in the trial of criminal cases. It was the first term of Court presided over by Judge Whitson in this Territory, and in saying that, as a Judge, he has given universal satisfaction thus far, we believe that we express the sentiments of not only the Bar but the people, irrespective of party, who have been brought in contact with his honor in his official capacity. Though in years, the Judge, from the manner in which he presides and conducts the business of his Court, appears to be an old hand on the Bench, at least we should not consider him "a new hand at the bellows." Before the final adjournment for the term, the Bar, recognizing in Judge Whitson an able, upright and honest Judge, and being desirous of testifying to his honor their high appreciation of his character, adopted, unanimously, a resolution expressive of their sentiments, which will be found in the court proceedings in this issue. We heartily endorse the resolution, and hope that Judge Whitson may long preside as Judge of the Second Judicial District.—Idaho World.

The resolution, Resolved, That as members of the Bar, we recognize in Hon. W. C. Whitson, Judge presiding during the term about to close, as upright Judge, a courteous and affable gentleman, whose able and fearless administration of law is recognized not only by the Bar but the people, and we congratulate the People of the Second Judicial District upon his appointment to the Supreme Bench of this Territory and his assignment to the Second Judicial District. On motion the same was ordered to be spread upon the minutes of the Court and a copy under seal of the Court furnished to his honor.

The Court then returned thanks to the attorneys and officers of the Court and to the jurors, witnesses and litigant for the act of kindness and consideration which they have so uniformly extended to him.

There being no further business, the court then adjourned sine die.

The above resolution but expresses the sentiment and feeling of all those who are well acquainted with the Judge; and the people of Idaho may congratulate themselves upon having amongst them, and on their Bench, a man who is both honest and capable.

According to the so-called Democratic organs, it is a cause for general gratulation that the Portland Railroad subsidy was vetoed. Then it is a cause for gratulation, we suppose, that the prospects of the West Side road are seriously clouded, if not wholly defeated.—Oregonian.

That is right; we love to see you own the corn, and gracefully acknowledge that we were right in our warnings to the people of the West Side. What now about Holliday's building the road sooner than any other man or company would have done. The people will now see, that if the Philadelphia Company had not been elbowed out by Benjamin, we should have some prospect of a road, whereas now, the Oregonian admits we are sold out. How long will the people submit to the perpetration of such infamous outrages upon their rights? and who now turns out to be the friend of the people of the West Side, Holladay and the Oregonian, or the Republican?

The Bulletin and the Oregonian are getting into a nice little fight with their neighbor, the Herald. They seem to disregard the golden rule, and are permitting themselves to render evil for evil, however ridiculous the thing may appear. We feel constrained to say, in justice to the last-named paper, that it seems to hold about the same advantage over its assailants, that its editor was reputed to have gained in his personal combat with O'Meara in the street fight. Go in, gentlemen; we never before witnessed a cock or a pig fight in which we felt such a blessed disinterestedness.

The Democratic Press throughout the State, commenting upon the death of Gen. R. E. Lee, almost invariably call him a patriot, and a great and good man.

Have they ever said as much of any federal officer who fought against treason and Lee? If they have, we do not now remember it.

Finale of the West side Railroad.

The Herald is arguing that the West Side Railroad will certainly be built in order to save to the company the Portland and Astoria land grant. We fear it will not. As the case looks now, it would seem that Governor Grover has killed the West Side Railroad. For this act the Herald applauds him. West Side people will take notice.—Oregonian.

The Oregonian had no fears concerning the West Side Railroad at the time the franchise was conveyed to Holladay, and prior to the sitting of the Legislature; but now, since Holladay has procured the passage of a Bill by the late Legislature, which he knew beforehand would be vetoed, for the express purpose of giving him an excuse for not building the road, that paper thinks that the road will not be built, and calls the attention of the people of the West Side to it, all of which is useless, for the people of the West Side have long since taken notice that Holladay purchased the West Side Railroad franchise for the express purpose of defeating the construction of a road on that side of the river, and also of the infamy of the Oregonian, in trying to cover up, in a sickly manner, the rascality of that monopolist. The facts are, as we told the people of the West Side at the outset, they were robbed of their original land grant, and compelled, by the infamy of George H. Williams and his assistants, to give it to the East Side; and now, in order to make sure work of the whole matter, Holladay places his iron heel upon their necks, and declares, through the Oregonian, that they shall have no road at all; and then, to hide the deformity, blackness, and magnitude of the crime, the Legislature was influenced by corrupt men and motives, to pass the Subsidy Bill, well knowing that Governor Grover would veto it. And the people of the West Side will take notice of all such actions and doings as contrary to good conscience, and as unjust, and most contemptibly mean.

Let the people remember, that when the late Naturalization law passed the Congress of the United States in July last, which permits the most ignorant Guinea Negro to come here, be made a citizen and vote, we asked the Oregonian to exhibit its back bone, by telling the people whether or not it endorsed the principle and policy of the law. Where is the answer? echo answers where? As that paper holds the doctrine that if a journalist refuses to endorse every measure of its party, right or wrong, it should go to the opposition, we desire to know if it refuses to endorse this measure, at what time the Oregonian proposes to be initiated into the new order as a life member of modern Democracy.

Cause of Defeat.

The Oregonian says, the present year has been rather a gloomy one for the Republican party, and gives its opinion of the cause, ascribing it to general apathy in the party. That's true; but what caused this apathy in the party? We answer, the operations of our radical, fanatical leaders, in extending the privilege of citizenship and suffrage to opposite races, even to the Orangoutang of Africa. All other excuses are fictions, coverings of the truth.

In the strong Republican counties of Wayne, Hendricks, Tippecanoe, Decatur, Hamilton and Delaware, thousands of Republicans remained away from the polls, and the Journal claims that five counties can be named in which the non-voting Republicans would give us a majority of five thousand.

The above is from the Toledo Blade, commenting upon the election in Indiana; and what meaneth this? it is the Radicalism of our own party. We must stop it, or be swallowed up by the Democratic, or some other political organization.

Theodore Tilton proposes that Fred. Douglas shall be the next Republican candidate for Vice President of the United States. If the principle of universal suffrage be correct, and if it be right, politically, to disregard race and color, and if negroes should have the same right to vote and hold office in this Government as white men, and if Douglas be capable, and know enough to vote "aright," what objection will the universal suffragists of Oregon, the Oregonian and Bulletin, raise to the proposition?

NEW ADVERTISEMENTS.

Administrator's Notice.

NOTICE IS HEREBY GIVEN THAT at the November Term of the Circuit Court of Polk County, N. L. Butler was appointed Administrator of the estate of B. F. Bond, deceased. All persons having claims against said estate are requested to present the same within six months from the date hereof.

\$5 good \$8 WATCHES AT OLD PRICES.

Having been the first to adopt the plan of affording persons residing at a distance the opportunity of obtaining first-class WATCHES for their own use at wholesale prices, and being also the original inventor and sole manufacturer of the widely advertised ORIDE WATCHES, of which there are so many imitations, and now the inventor and sole proprietor and manufacturer of the NEW MATERIALS which we have named the NORTH GOLD METAL (and secured in legal form), superior to all other metals, and fully equal in brilliancy of color, weight, wear, etc., to fine 18 karat gold, and to be obtained through no other source. We have concluded to resume the retail business, so successfully conducted by us from 1857 to 1865 in connection with our wholesale department, for the purpose of placing again a reliable line of our specialties before the public.

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In the United States for the LIVERPOOL WATCH CO., we are authorized by them to close out a large line of European WATCHES, CHAINS, &c. now in stock, for Cash, at prices NEVER BEFORE KNOWN, ALL BEAUTIFUL IN DESIGN, RELIABLE FOR accurate time, DURABLE, and of the latest styles. EVERY WATCH will be sold for LESS than cost of importation, and forwarded, securely packed, FREE PAID, to any part of the country, on receipt of price. MONEY can be sent to us by EXPRESS, with orders for Express Co. to return GOODS OR CASH, which will SECURE PROMPTNESS, and SAFETY to purchaser. Among our list will be found— A BEAUTIFUL ENGLISH SILVER, SOLID DOUBLE CASE WATCH, genuine English full plate jeweled movements, adjusted regulation, steel hands, engine turned net, CORRECT and serviceable article, large or small size, in complete RUNNING ORDER, with an elegant GENT'S VEST CHAIN, Locket and Key, all complete, mailed FREE FOR—\$5. A VERY HANDSOME WATCH in fine 18 karat GOLD plated DOUBLE CASES—imitation of \$100 GOLD WATCH—engraved or plain, genuine English full plate jeweled movements, adjusted regulation, CORRECT, and in complete RUNNING ORDER with elegant GENT'S VEST CHAIN, with Locket and Key, mailed FREE PAID for only—\$8.

THE ORIDE GOLD WATCH

IS MASSIVE ORIDE GOLD Double Hunting Magic Spring CASES, elegantly engraved or engine turned, genuine PATENT LEVER MOVEMENT, full jeweled, regulated and warranted to keep correct time, and wear equal to gold, precisely like in appearance, make, finish, brilliancy of color to \$200 GOLD WATCH. One of these SELECTED WATCHES will be forwarded by mail FREE to any address, in handsome morocco case, lined with velvet and satin (LADIES' OR GENT'S SIZE WATCH), for only—\$12.

PATENT STEM WINDER.

OR KEYLESS WATCH. Winding up from the stem, requires NO KEY, cannot be wound the wrong way, in heavy ORIDE GOLD Double Case, three quarter plate, fine JEWELLED LEVER MOVEMENT, exposed Action. Accurate as a Time-keeper. Superior regulated. Single one sent to any address by mail, in handsome morocco case for—\$15.

THE NORTON WATCH.

This widely known, reliable and elegant Watch, so long and fully approved of by GOVERNMENT and RAILROAD OFFICIALS, is now increased in the NEW IMPROVED NORTON GOLD METAL, the very latest discovery in the science of "METALLURGY," which for hardness, durability and brilliancy of color and polish has been found to surpass all other known metals. It does not tarnish by wear, exposure to heat, moisture, change of climate, or the action of any acids or gases, and permanently retains its beautiful color FULLY EQUAL to the finest gold, and never wears out. This celebrated WATCH is in solid double hunting case, of NORTON GOLD METAL, rich in design, artistic in finish, with magnetic spring, polished steel, imitation patent self-winding stem, improved bevel swell, double joints, engine turned net, EXTRA FINE full ruby jeweled LEVER MOVEMENT, covered with engraved case caps, accurately adjusted to all degrees of heat or cold, with all the latest improvements, cannot be surpassed for CORRECT TIME KEEPING QUALITIES, and experts cannot detect the slightest difference in appearance from one of the finest \$200 gold Watches and lasts as long, wears as well, and keeps as good time. They are manufactured solely by US, and are thoroughly warranted in every respect for five years. A single one of the above beautiful Watches mailed pre paid to any address, in velvet lined morocco case, with key, &c. all complete for only—\$12. Watches for Holiday Presents manufactured to order.

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in Gold or Silver Cases, from \$15 up to \$200. Other Good Watches equally low. With every Class of six Watches of any kind, we send one Extra Watch of same kind free, as a premium to get up of the Club. A superior stock of Genuine Oride Gold Chains, from \$2 to \$6 each, warranted fully equal to Gold in brilliancy of color, wear, &c. Bills of over \$12 collected on delivery, if desired. All Bills of \$12 or less must be Cash, or P. O. money orders, or registered letters, at our risk. Goods carefully selected, packed and forwarded pre paid by mail or by express, on receipt of price. Safe delivery of all goods guaranteed. Watches forwarded to be examined to parties known, when express charges both ways are paid. No goods forwarded east of the Mississippi River, with bill to collect on delivery. Purchasers must pay all express charges on goods sent C. O. D. also for return of money. All Cash orders forwarded free of charges to destination, Catalogues free. Address all orders, C. P. NORTON & Co., Importers of Watches, &c. 86 Nassau Street, New York. Established 1857. 34-ly

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LADIES' DRESS GOODS,

BOOTS & SHOES, HATS & CAPS,

Groceries & Provisions.

Highest Cash Price paid for all kinds of Country Produce.

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Just Arrived per Rail.

OUR NEW STOCK OF FALL AND WINTER GOODS.

We respectfully call the attention of the Public to our Choice Variety of

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Mens' and Boys' Suits,

Boots and Shoes,

Hardware,

Groceries,

School Books,

Stationery, &c.,

And Everything Found in Retail Stores.

We can assure our Patrons that our present Stock exceeds, in Variety and Cheapness, any we have ever had.

All we ask is, for you to call and examine, before purchasing elsewhere.

Country Produce taken in exchange for Goods!

N. A. J. D. LEE.

Dallas, Nov. 16th, 1870. 1-ly

Notice.

The Partnership heretofore existing between J. W. Crawford and T. B. Newman is this day dissolved by mutual consent, J. W. Crawford retiring from the Firm. T. B. Newman is alone authorized to receive payment of all accounts due the late firm, and he becomes responsible for all the indebtedness of said firm. J. W. CRAWFORD, T. B. NEWMAN. Dallas, Oct. 25, 1870. 37-4w

NOTICE! NOTICE!

THE UNDERSIGNED, HAVING purchased the interest of W. C. Brown in the late business of W. C. BROWN & CO., is now receiving a fresh supply of goods both from San Francisco and Portland, which I will sell at very cheap rates, for CASH or

Country Produce.

My stock consists of every variety of

Ladies' Dress Goods,

Mens' Clothing,

Boots & Shoes,

Queensware,

Hardware,

And groceries of all kinds, and will exchange for

WHEAT,

OATS,

BACON,

EGGS,

BUTTER,

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ONIONS,

BARLEY, and very

CLEAN COTTON RAGS,

Or any kind of produce that can be converted into money.

Come and examine my stock before purchasing, as it is no trouble to show goods whether you buy or not. We mean business, therefore earnestly invite you to call and see us.

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