The Herald.

WEDNESDAY DECEMBER 21, 18 2.

WAGON ROAD CASE.

JUDGE GILBERT'S DECISION.

The Titles Given by the Willamette Valley & Cascade Mountain Wagon Road Company are Good.

(CONTINUED FROM FOURTH PAGE.)

The connection that the act of 1866 required a personal inspection of the road by the governors before they should issue the certificates is not supported by the language of the act or by any fair or reasonable construction of its terms. The grant was made to the state of Oregon, and was mainly for its benent. The only advantage reserved to the United States was the free use of the road for the transportation of troops and stores. It was necessary that some person or tribunal be decignated to examine and receive the road Congress justly assumed that the governor of the state—its highest official—would in a matter of such public importance,at the proper time and before issuing the certificate, take such steps as might be necessary to ascertain whether the road had actually been construsted in the manner required by the act, and the decision of the governor was made the conclusive and only evidence of that fact.

The charge that the certificates were procured by fraud and miss representation has no support in the evidence. It is based upon the fact that the compensation of the inspectors for their services in that capacity was paid by the wagon road company, and that some of the witnesses testify that one of the inspectors, R. M Powers, while inspecting the road, was under the influence of liquor furnished by the road company, and that one of them testifies that Powers said he was making a good thing out of the inspectson, all of which is denied by Powers. It is shown that there was no public fund out of which to pay for inspection of the road No appropriation had been made for that purpose, either by the act of congress or by the legislature of Oregon. The officers of the company, when applying for inspection were informed by the governors that they must defray the expenses of the examination. They accordingly did so, and the amount paid does not appear to have been more than a reasonable compensation. The inspectors in these instances accompanid the workmen while constructing the road and repairing the same, and caused the road to be completed to their approval. I fail to find in any of these facts any necessary impeachment of the integrity of any of the reports of the inspectors There is no evidence that either of the inspectors was selected at the suggestion or by the procurement of the company or any of its agents, and there is no evidence whatever that either of the executive officers who made the certificate had any knowledge or intention of any fraud or misrepresentation of the wagon road company, or had heard any rumer or complaint that the land grant had not been justly earned.

There are defects in the form of the first certificate, but not such as to avoid its legal effect as such. It certifies that a plat of that section of the road has been filed in the governor's office, and shows that

[CONTINUED ON THIRD PAGE.]

6TH HALF-YEARLY COMPETITION

The most Interesting Contest ever offered by The Canadian Agriculturist.

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One Thousand Dollars in cash will be paid to the person sending in the largest list of English words constructed from letters in the words "The Canadian Agriculturist."

Five Hundred Dollars in cash will be given to the second largest list. A Handsome Pair of Shetland Ponies, Carriage and Harness, will be given for the third largest list. Over one thousand additional prizes awarded in order of merit: One Grand Piano; $300 Organ; $400 Piano; Dinner Sets; Ladies' Gold Watches; Silk Dress Patterns; Portiere Curtains; Silver Tea Services; Tennyson's Poems, bound in cloth; Dickens in 12 volumes, bound in cloth, etc.

As there are more than 1000 prizes, any one who takes the trouble to prepare an ordinary good list will not fail to receive a valuable prize. This is the biggest thing in the competition line that we have ever placed before the public, and all who do not take part will miss an opportunity of a life time.

RULES—1. A letter cannot be used oftner than it appears in the words "The Canadian Agriculturist." For instance the word "egg" could not be used, as there is but one "g" in the three words. 2. Words having more than one meaning but spelled the same can be used but once. 3. Names of places and persons barred.

Each list must contain one dollar to pay for six month's subscription to The Agriculturist. If two or more tie, the list which bears the earliest postmark will take the first prize, and the others will receive prizes in order of merit. U. S. money and stamps taken at par. The object in offering these magnificent prizes is to introduce our popular magazine into new homes, in every part of the American continent.

Every competitor enclosing 30 cents in stamps extra, will receive free, by mail, post paid, one of The Agriculturist's Elegant Souvenir Spoons of Canada.

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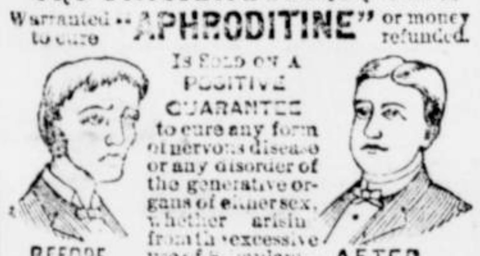

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