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APPENDIX
TO
GOVERNOR'S MESSAGE,

CONTAINING

REPORT OF AGRICULTURAL COLLEGE

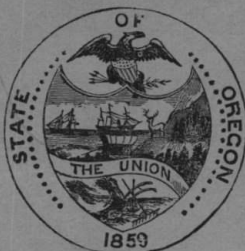
AND **DISCARD**

EXECUTIVE CORRESPONDENCE

IN REGARD TO

SWAMP LANDS, THE FIVE PER CENT. FUND, ETC.

SEVENTH REGULAR SESSION---1872.



SALEM, OREGON:
EUGENE SEMPLE, STATE PRINTER.
1872.

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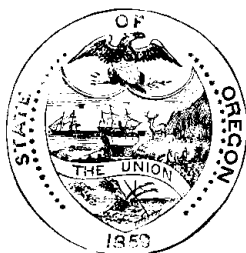
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REPORT OF THE AGRICULTURAL COLLEGE.

To His Excellency,

Governor Grover :

SIR: In submitting the Biennial Report of the Trustees of the State Agricultural College, as required by law, it affords me pleasure to say that a measure of prosperity has attended the Institution during the last two years.

The most of the students appointed by the State have been in attendance during the entire two years; a few forfeited their places by prolonged absence, and the vacancies were filled by the State Commissioners, as provided by law.

These students have been instructed, as far as practicable, in accordance with the requirements of the Act of Congress, granting lands to the several States and Territories, for the purpose of establishing colleges of agriculture and mechanic arts.

FARM AND FARM LABOR.

Early in the Spring of 1871 the Trustees purchased an experimental farm, consisting of thirty-five acres of good land, well improved, with neat dwelling house, barn and good orchard. Cost, with improvements since made, five thousand dollars.

The farm is situated immediately west of the town, and includes an eligible site for college buildings, on an elevated plateau, overlooking the valley.

PRACTICAL AGRICULTURE

Has been carried on by the students under the supervision of the Faculty since April, 1871. The work done has been

fencing, ditching, gardening, and preparing the grounds for future crops ; so that the products of the farm have been small, amounting in the aggregate to three hundred dollars.

FINANCIAL.

The tuition received from the State during the last two years amounts to eighteen hundred dollars. To carry on the Agricultural College, and meet its imperative demands, has required an outlay of means far beyond that appropriated by the Legislature. The instruction of the class-room in this department has required the labors of two teachers, while the amount received from the State was not sufficient to pay the salary of one, being less than one thousand dollars a year. We have greatly needed a professor of practical agriculture to take charge of the students while at work on the farm, &c. This has been done, however, by the teachers after school hours, they receiving no remuneration for their extra labor.

FUTURE WANTS.

The Trustees have employed two professors, and are now in correspondence with gentlemen in the East for the purpose of securing the services of an experienced professor in chemical analysis, geology and botany. Professor Swallow, of the State University, of Missouri, writes: "The services of such a man will cost you two thousand dollars a year." It will also be necessary to employ a professor of practical agriculture.

The Department of Military Tactics should be organized at the beginning of the present collegiate year; and I am glad to say that Professor Arnold is prepared to take charge of this department, and fully organize it as soon as the necessary arms and accoutrements can be procured. To meet all these wants, demands, and stock the farm with team, wagon and the necessary implements of agriculture,

will require an appropriation by the Legislature of not less than five thousand dollars a year, for the next two years.

We would earnestly recommend that the number of students of agriculture be increased to forty-four at least; two for each Senator. All the studies are required to be taught, whether we have twenty-two, or one hundred in that department; and, as all experienced teachers know, it takes but little more time or labor to instruct a class of twenty than of five, especially in the advanced studies.

FEMALES.

We suggest if it would not be eminently proper for the Legislature to admit females to all the privileges of the Agricultural College. Not an agricultural college in the West, except Oregon, excludes females. Here I name specifically Michigan, Wisconsin, Minnesota, Iowa, Kansas, Illinois, Missouri and California. Shall we be less generous than these?

The studies of these schools are peculiarly and pre-eminently adapted to women; such studies, for example, as horticulture, including the culture of flowers, the laying off garden grounds and lawns—to say nothing of chemistry and botany. The women of the State must know how to beautify the home and cultivate the garden, and to do many other things pertaining to rural economy, which perfectly befits their sex. They must have the science and the art to do so. Full provision should therefore be made in the College of Agriculture.

Trusting that through your wise counsels may be secured such legislation as shall meet the demands of the Agricultural College, and rapidly build up this great interest of the State, I have the honor to be,

Your obedient servant,

JOSEPH EMERY.

CORVALLIS, Oregon, Aug. 12, A. D., 1872.

REPORT

Of the Board of Commissioners on Regulations and Course of Study for the Agricultural College of Oregon.

To the Honorable the Legislative Assembly of the State of Oregon:

We, the undersigned Commissioners, appointed by the Act of the Legislative Assembly of the State of Oregon, approved October 21, 1870, entitled "An Act to permanently locate the Agricultural College of Oregon," pursuant to the requirement of said Act, beg leave to make the following report prescribing rules, regulations and by-laws for the government of said institution.

J. C. AVERY,
L. F. GROVER.
N. H. CRANOR.

COLLEGE RULES.

RULE 1. No student can enter a class with any professor until he shall have been admitted to the College and enrolled by the *President*.

RULE 2. All students must attend the opening religious services of each day.

RULE 3. All students will be required to observe "study" hours and not be found loitering in the streets, in shops, or at places of amusement during these hours.

RULE 4. No student shall play at cards or billiards, or *enter at any time places of gambling or drinking*, or buy, keep, or use in his room or elsewhere any intoxicating liquors.

RULE 5. No one can remain a member of this Institution who is idle or vicious, or whose influence is detrimental to the discipline or reputation of the College.

RULE 6. No student will be allowed to smoke on or near the College grounds.

RULE 7. All students will be required to abstain from all profane and obscene language, and all noisy and disorderly conduct about the College buildings.

RULE 8. Students must attend promptly to their duties and studies assigned them, and in no case suspend a study or change a recitation without permission.

RULE 9. A record of the scholarship and deportment of each student will be kept, and this will at all times be open to the inspection of parents and guardians.

RULE 10. It is expected and enjoined that students, on Sunday, attend the church of their choice, or that of their *parents* or *guardians*.

BY-LAWS.

I. The Board of Regents shall hold its annual meeting in connection with the closing exercises of each *collegiate year*.

II. The President or Vice President shall have power to call special meetings of the Board, and in all cases seven members shall constitute a quorum for the transaction of business.

Officers and their Duties.

III. The officers of the Board shall consist of President, Vice President, Secretary, Treasurer, Collector and Librarian.

IV. It shall be the duty of the President to preside at all meetings of the Board, to preserve order, and perform such other duties as his office may require.

V. The Vice President, in the absence of the President, shall take his place and perform his duties.

VI. The Secretary shall keep a record of the proceedings of the Board, and shall have charge of all the papers and books belonging to the same.

VII. It shall be the duty of the *Collector* to collect and receipt for all moneys due the College, and to pay the same over to the Treasurer, taking his receipt, and report the amounts collected to the Board of Regents, at each annual meeting.

VIII. It shall be the duty of the *Treasurer* to receive and receipt for all moneys paid him by the Collector,

agent, or derived from any other source for the use of the College, to pay all warrants when properly issued and to make an annual report to the Board of Regents.

IX. The Librarian shall have charge of all books belonging to the College library, and allow the same to be taken out only in accordance with the regulations governing such associations, and shall report at the annual meeting of the Board the number and condition of volumes in the Library.

Elections.

X. Elections shall be held at each annual meeting, the officers elect to take their seats at the next ensuing session of the Board.

Miscellaneous.

The Regents of this Institution shall make a report to each biennial session of the Legislature, giving the number of students, together with a detailed statement of the workings of the Institution, and of receipts and expenditures.

COURSE OF STUDIES.

Preparatory Classes.

Mathematics.—Arithmetic, Algebra.

English.—Reading, Spelling, Geography, English Grammar, Penmanship, Composition, Elocution, History of United States.

Natural Science.—Natural History, Philosophy, Physiology.

Languages.—Latin Grammar, Latin Reader, Greek Grammar, Greek Reader, French Grammar and Reader, German.

Military Exercises.—Tactics, Drill.

Agricultural.—Practical instruction on Farm.

Freshman Class.

Mathematics.—Algebra, Geometry.

English.—Rhetoric, Composition, History, Book-keeping.

Natural Science.—Inorganic and Organic Chemistry, Qualitative Analysis, Structure and Physiology of Plants, Water, Atmosphere and Soil in their relations to vegetable production, Meteorology, Zoology, Botany, Physical Geography.

Languages.—Ancient Geography, Roman Antiquities, Virgil, Cicero, Greek Antiquities, Greek Testament, Homer, French, German.

Agriculture.—Theory and Practice of Agriculture, Principles of Tillage, Drainage, Landscape Gardening.

Military.—Tactic, Drill.

Excursions.—Botanical, Zoological.

Sophomore Class.

Mathematical.—Trigonometry (plane and spherical), Navigation, Mensuration, Surveying, Field Surveying, Drawing, Maps of Farms, &c.

English.—Rhetoric, Logic, Composition, Elocution, Book-keeping, Universal History.

Natural Science.—Analysis of Minerals, Ores, Soils, Manures, Ashes of Plants, Mineral Waters, &c. &c.; Practice in Mineralogy, Entomology, Geology, Botany.

Languages.—Roman and Greek Antiquities, Sallust, Horace's Odes and Epodes, Greek Testament, Homer, French, German.

Agriculture.—Theory and practice of Agriculture, Horticulture, Farm Implements and Drainage, Stock Breeding.

Excursions.—Geological, Botanical.

Junior Class.

Moral Philosophy.—Evidence of Natural and Revealed Religion, Moral Philosophy, Political Economy.

Mathematics.—Analytical Geometry, Differential and Integral Calculus, Practical Surveying and Engineering.

English.—Mental Philosophy, English Literature.

Natural Science.—Qualitative and Quantitative Analysis, Mineralogy, Chemistry, Geology, Organic Analysis.

Languages.—Livy, Horace's Satires Epistles, &c.; Odyssey, De Corona, Latin and Greek Composition, French, German.

Agriculture.—Theory and Practice of Agriculture, Training and Culture of Fruit Trees, the Vine, Small Fruits, Culture of Flowers.

Military.—Tactics, Drill.

Senior Class.

Moral Philosophy.—Evidence of Natural and Revealed Religion—continued.

Mathematical.—Mechanics, Astronomy, Civil Engineering.

Natural Science.—Chemistry, completed; Quantative Analysis.

Languages.—Juvenal, Cicero, Tacitus, Alcestis, Thucydides, Demosthenes.

Agriculture.—Theory and Practice of Agriculture, Laying out of Lawns, Ornamenting Grounds, &c.

Military.—Tactics, Drill.

Your Commission find it impossible to draft *Laws and Regulations* sufficiently comprehensive to meet all the interests of the State Agricultural College. We, therefore, recommend that the Regents be empowered to make such additional regulations and such changes in the course of study as may be necessary to meet the growing wants of the Institution.

And, in relation to the foregoing, we beg leave to suggest that courses of study be so arranged as to give students the option between different courses, or the selection of different studies taught in said College; and that diplomas may be awarded upon courses of studies actually mastered by the pupils. This course always being under the direction of parents, guardian and faculty.

EXECUTIVE CORRESPONDENCE.

PUBLIC LANDS.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE, }
WASHINGTON, D. C., May 3d, 1871. }

His Excellency,

L. F. Grover,

Governor of Oregon:

SIR: I have the honor herewith to transmit certified transcript of List No. 2, embracing tracts selected in the Roseburg District, containing in the aggregate 167,633.57 acres, as lands "*in place*," and inuring to the State of Oregon under Acts of Congress approved July 2, 1864, and March 3, 1869, entitled "An Act granting lands to the State of Oregon to aid in the construction of a Military Road from Eugene City to the eastern boundary of said State."

Also herewith, certified transcript of List No. 3, containing selections within the indemnity limits of six miles of said Military Road, as provided by the Act of Congress approved December 26, 1866, and embracing in the aggregate, 23,475.66 acres.

You will please acknowledge the receipt of said transcripts.

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, D. C., May 15, 1871. }

His Excellency,

L. F. Grover,

Governor of Oregon:

SIR: Herewith I have the honor to transmit certified transcript of List No. 1, embracing tracts selected in the Oregon City and Roseburg Districts, and containing in the aggregate 46,814.45 acres, as lands inuring to the State of Oregon under the Act of Congress approved July 5, 1866, as amended by Act of July 15, 1870, "to aid in the construction of a Military Road from Albany, Oregon, to the eastern boundary of said State," known as the Willamette Valley and Cascade Mountain Military Wagon Road.

You will please acknowledge the receipt of said transcript.

Very respectfully,

Your obedient servant,

W. W. CURTIS,

Acting Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, May 8, 1871. }

Hon. Columbus Delano,

Secretary of the Interior,

Washington City:

SIR: There are several acts of Congress heretofore passed making grants of land to the State of Oregon, to

aid in the construction of military wagon roads. The Act of July 2, 1864, entitled "An Act granting lands to the State of Oregon to aid in the construction of a Military Road from Eugene City to the eastern boundary of said State," may be taken as an example.

You will observe that the granting clause is in the following words: "That there be and hereby is granted to the State of Oregon," &c. I am desirous of being informed what is the decision or practice of the Land Department of the United States under land grants of this character, with reference to the issuance of patents.

May the State of Oregon expect to receive patents for lands to which she is entitled under these grants, upon a showing of facts constituting her right? or, do these Acts of Congress constitute such grants as are considered to pass the lands without patents?

An indication of the view taken by your office will facilitate the adjustment of questions of title under these grants, and greatly oblige,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

DEPARTMENT OF THE INTERIOR, }
WASHINGTON, D. C., May 23, 1871. }

SIR: I have received your letter of the 8th instant, inquiring as to what is the decision or practice of the Department under land grants of the character of those made to Oregon for certain wagon roads, with reference to the issue of patents for the granted lands.

In reply, I have the honor to state that the act to vest in the several States and Territories the title in fee of the lands which have been or may be certified to them, approved 3d August, 1854, provides, that where the law making the grant "does not convey the fee simple title of such lands, or require patents to be issued therefor, the lists of such lands which have been, or may hereafter be certified by the Commissioner of the General Land Office, under the seal of said office, either as originals, or copies of the originals or records, shall be regarded as conveying the fee simple of all the lands embraced in such lists that are of the character contemplated by such act of Congress, and intended to be granted thereby."

The act of July 1st, 1864, to regulate the compensation of Registers and Receivers in the location of lands by States and corporations under grants from Congress, provides that those officers shall be entitled to receive a fee on the final location of each 160 acres, to be paid by the State or corporation making such location, which fees are to be accounted for to the United States.

The State is therefore required to file in the proper local land office, through her authorized agent, lists of the lands granted for the purpose of aiding in the construction of wagon roads, and pay the fees of the Register and Receiver due thereon. Those officers are then required to certify and forward such lists to the Commissioner of the General Land Office. On the receipt of the lists at the General Land Office, the lands described therein, if found correct, are approved, and certified copies of the approved lists vesting the title in the State are forwarded to the Governor.

The circular approved by this Department on the 24th

January, 1867, copy herewith, prescribes the form of selecting and certifying the granted lands.

I am, Sir,

Very Respectfully,

Your obedient servant,

C. DELANO,

Secretary.

His Excellency, L. F. Grover, Governor of Oregon, Salem,
Oregon.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, May 12, 1871. }

Hon. Columbus Delano,

Secretary of the Interior,

Washington City, D. C.:

SIR: On the 30th of November, 1868, lists of indemnity school lands in the Oregon City District (from one to seven, inclusive), embracing 13,383.53 acres; on the 31st day of December, 1868, lists (from eight to thirteen, inclusive), embracing 17,637.52 acres; and on the 27th day of February, 1869, lists (from fifteen to eighteen, inclusive), embracing 11,007.16 acres, were forwarded from that office to the General Land Office at Washington City for the action of the Commissioner. Nothing has been received at this office showing any action on them by him.

As a great many of these indemnity lands have been sold by the State, under the impression that their selection had been already approved by the Commissioner of

the General Land Office; and as immigrants to this State are pressing their applications to purchase these lands, I would most respectfully ask you to give the matter your early consideration.

I have the honor to be,

Very Respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, D. C., }
May 29, 1871. }

SIR: I have the honor to acknowledge the receipt of your letter of the 12th instant, concerning certain lists of indemnity school lands, and to inform you that the same has been referred to the Commissioner of the General Land Office "for early attention."

Very respectfully,

Your obedient servant,

C. DELANO,

Secretary.

His Excellency, L. F. Grover, Governor of Oregon,
Salem.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE, }
WASHINGTON, D. C., June 1, 1871. }

His Excellency

L. F. Grover,

Governor of Oregon:

SIR: Your letter of the 12th ult., addressed to the

Hon. Secretary of the Interior, relative to indemnity school selections in the Oregon City Land District, Oregon, under the acts of Congress of February 14, 1859, and February 26, 1859, (as per lists, from No. 1 to No. 18, inclusive), has been referred to this office.

In reply, I have the honor to state that the lists referred to, which are now on file in this office, will be taken up without delay, all selections therein found to be free from legal objection will be included in a clear list which will be made up and submitted to the Hon. Secretary of the Interior for his approval, of which, when approved, you will be furnished with a certified copy; and regarding any of the selections to which legal objection may appear, the same will be promptly communicated to the Register and Receiver of the District Land Office.

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, May 17, 1871. }

Hon. Willis Drummond,

Commissioner of the General Land Office,

Washington City, D. C.:

SIR: On the 1st day of March last, lists of University Land selections, from one to seven inclusive, embracing 35,959.99 acres of old selections, and List No. eight, of

4,080.78 acres of new selections, made by me under Act of Congress of February 14, 1859, admitting Oregon into the Union, were forwarded from the Oregon City Land Office to you for your action ; and on the 12th inst., List No. one, of 5,924.22 acres of old selections, and List No. 2, of 200.47 acres of new selections, made by me under authority referred to in relation to List No. eight above, were forwarded to you from Roseburg Land Office. Those on the old lists were made several years ago under authority of the Territorial Legislature, and were approved by the Surveyor General. (See Act of Congress of September 27, 1850, relating to Public Lands in Oregon.) But as the Surveyor General did not have the selections properly platted on the township maps, and the lists not being in a very clear condition, conflicts arose on a great many of them, and those in conflict were abandoned by the State. The lists sent you are free from conflict of any kind. A great many of these lands have been disposed of under the conviction that the Territorial and State authorities had a right to dispose of them as a fee simple grant ; and in order to prevent future conflicts and delay to settlers, and expense and trouble on the part of the State, I respectfully urge early and final action of your office upon these selections by way of confirmation.

I have the honor to be,

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor.

STATE OF OREGON,
EXECUTIVE OFFICE, }
SALEM, June 12th, 1871. }

Hon. Willis Drummond,

Commissioner General Land Office,

Washington, D. C.:

SIR: By referring to copies of certified approved lists of lands selected under the provisions of the 8th section of the act of Congress, entitled "An Act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," approved September 4, 1841, sent to this office by the Commissioner of the General Land Office, I find that 431,576.42 acres of the lands granted this State of the 500,000 acre grant, have been approved by the Secretary of the Interior. On the 1st of last March lists from 36 to 47, inclusive, embracing 16,177.21 acres, under the last mentioned act, were forwarded to your office from the Oregon City Land Office, for your action, and on the 12th ult., lists Nos. 2, 44, and 51, embracing 3,525.42 acres, were sent from the Roseburg office; and lists Nos. 1, 2, 3, 49, and 50, embracing 121,623.74 acres, were forwarded from the latter office about two years ago, but no action has yet been taken on them to the knowledge of this office.

You will observe by summing up the several selections forwarded, there is selected an excess of 67,136.20 acres over and above the allowance of the grant. That amount, therefore, will necessarily be rejected by your office in making final approvals.

Owing to a misapprehension on the part of the authorities of this State, and on the part of settlers who have entered upon lands selected by the State under this grant, certain portions of these lands which yet remain unapproved have been occupied and purchased under State authority by *bona fide* settlers, believing that the lands so

purchased and occupied had been already approved by your office.

You will perceive, therefore, if for any reason the occupied lands should be disapproved at this time, and thereby become lands of the United States, it will seriously embarrass both the State of Oregon and these settlers, many of whom have made extensive and valuable improvements upon the lands. I will, therefore, take the liberty of suggesting those lands which have been disposed of and have become occupied and improved in the manner stated, and of making request that the same be first examined and approved by your office, as follows, to wit: Land suggested to be approved. Lists from 36 to 47, inclusive, of Oregon City Land District, embracing 16,177.21 acres; lists Nos. 2, 44, 49, 50 and 51, and sections 6 and 7, T. 40 S., R. 8 E.; sections 6, 7, 13, 18, 19, 24, 28, 29, 31, 32, 33 and 34, T. 38 S., R. 9 E.; sections 31 and 32, T. 39 S., R. 8 E.; sections 3, 5, 8, 9, 17, 18, 20, 21 and 28, T. 39 S., R. 9 E.; and sections 22, 27, 28 and 34, T. 39 S., R. 10 E., of lists 1, 2 and 3, sent from Roseburg Land Office—the latter list, No. 2, having been forwarded some two years ago.

As to balance to complete the complement of the 500,000 acre grant, the records of your office will furnish sufficient indication. When the approved lists of the above-mentioned lands shall have been received at this office, I will forward an additional list to make the complement of the 500,000 acres granted by said act, from the lists already in your possession. I will also transmit at that time an abandonment of all other lands of such selections, in case the course here suggested will meet your approval.

I have the honor to be,

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

DEPARTMENT OF THE INTERIOR,
 GENERAL LAND OFFICE,
 WASHINGTON, D. C., August 23, 1871. }

Hon. Excellency,

The Governor of Oregon,

Salem, Oregon :

SIR : Referring to your letter of the 12th June last, enclosing list of selections by the State of Oregon under Act of September 4, 1841, and requesting that the same be taken up and certified over to the State at as early a day as practicable, I have the honor to state that the selections described in said list will be taken up at an early day and, upon examination, should the same be found clear, a list will at once be prepared of these selections and submitted for approval. When the list shall have been approved, copies of the same will be transmitted to your Excellency and to the local offices.

I am, Sir,

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

EXECUTIVE OFFICE,
 SALEM, August 22, 1871. }

Hon. Wm. H. Odell,

Surveyor General,

Eugene City :

SIR : I desire to be informed whether, at any time since

the admission of the State of Oregon as a State of the Union, instructions have been received at the Surveyor General's Office from the Land Department at Washington, recognizing the lands on the sea coast of this State, lying between the ebb and flow of the tide, as vested in the State by right of her sovereignty over the same, and whether the public surveys under charge of your office have been directed to be limited upon the line of high tide at the sea coast and upon the inner line of salt marshes made such by the tide ; and I also desire to know if instructions have at any time been received since 12th of March, 1860, being the date of the Act of Congress extending the right to hold the swamp lands embraced within the limits of this State, directing your office to recognize that right and to ascertain by the public surveys the extent and location of such swamp lands.

If instructions have not been received, definitely referring to the points herein mentioned, will you be kind enough to inform me if instructions have been received on any of these subjects, and to what effect ? I desire this information to enable me to correspond intelligently with the Secretary of the Interior relative to these rights of the State.

I have the honor to be,

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor.

U. S. SURVEYOR GENERAL'S OFFICE, OREGON, }
 EUGENE CITY, September 4, 1871. }

Hon. L. F. Grover,

Governor of the State of Oregon,

Executive Office, Salem, Oregon:

SIR: Your letter of the 22d ult. is received, and contents noted. In answer, I have to state that I have examined the letter files from 1858 to the present, and find nothing relating to the swamp or tide lands in this State: hence I conclude that no correspondence has ever been had between the General Land Office and this office upon the subject.

Very respectfully.

Your obedient servant,

W. H. ODELL,

Surveyor General, Oregon.

STATE OF OREGON, }
 EXECUTIVE OFFICE, }
 SALEM, October 25, 1871. }

To the Commissioner of the General Land Office.

Washington City, D. C.:

SIR: I herewith transmit a certified copy of the approval by the Surveyor General of Oregon of lands selected under authority of the Legislative Assembly of the Territory of Oregon, in the county of Benton, under and by virtue of the tenth section of the act of Congress of September 27, 1850, entitled "An act to create the office of Surveyor General of public lands in Oregon, and to

provide for the survey and to make donations to settlers of said public lands."

You will observe that the last clause of this section provides as follows: "The selection to be approved by the Surveyor General." The list forwarded is a selection approved by the Surveyor General. Question: Can we treat these lands as finally approved under said act?

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, D. C., December 6, 1871. }

His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: Referring to your letter of the 25th ult. (October 25,) I have to state that no selection by the State can be considered as finally approved, until the same has been submitted to the Secretary of the Interior and by him approved.

The list of selections transmitted by you will be taken up and examined at as early a day as practicable, and if found correct and free from conflict, the same will be submitted for approval. I have, also, to acknowledge the receipt of list No. 50, of Internal Improvement selections in the Roseburg District, transmitted with your letter of October 20th, last.

The selections under the several acts of Congress, in Oregon, will receive the earliest possible attention from this office, consistent with the rights of other States, and will be listed with as great a degree of rapidity as is possible.

I am, Sir,

Very Respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, November 1, 1871. }

Hon. Willis Drummond,

Commissioner General Land Office,

Washington City:

SIR: A letter has been referred to this office, communicated by you to Quincy A. Brooks, of Ashland, Oregon, under date of September 7, 1871, in which you state that the records of the General Land Office do not show that the State of Oregon ever made any selections under the act of Sept. 4, 1841, in T. 38 S., R. 9 East.

The records of the Roseburg Land Office show that selections in this township among others, in the same part of the State, were made by my predecessor, and that the fees required by the United States of the State of Oregon for the approval of these selections, have been paid out of the State Treasury of Oregon, and that the same have

been duly reported through said office to the proper office at Washington, over two years ago.

What further defects and embarrassments may be met with before securing the full investment of these lands in the State of Oregon, I am unable to appreciate in the absence of any action by the General Land Office on the subject of my communication of June 12 last, to which I most respectfully but urgently again call your attention, for the reason that every day's delay tends to complicate the title to these lands and to embarrass both those claiming under the State and under the United States, and tending to retard the settlement of the country.

Very respectfully,

Your most obedient servant,

L. F. GROVER,

Governor.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, D. C., Dec. 7, 1871. }

His Excellency

L. F. Grover,

Governor of Oregon:

SIR : Referring to your letter of the 1st ult., in reply to ours of September 27, 1871, to Quincy A. Brooks, Esq., in reference to selections by the State of Oregon, under the Act of 4th September, 1841, in Township 38 S., Range 9 E. I have again to state that no selections of any kind in the above named township have ever been reported to this

office. If there is no mistake as to the township, and the lists were transmitted as you state, the same must have been lost in the transmission. I have therefore the honor to request that you will cause duplicate lists to be made of the selections in that township, and also of any others supposed to have been embraced in the lists referred to and transmit the same to this office at your earliest convenience.

I am, Sir,

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

STATE OF OREGON,)
EXECUTIVE OFFICE,)
SALEM, November 9, 1871.)

To the Secretary of the Interior:

SIR: I beg leave to call your attention to the right of this State to hold the swamp and overflowed lands within her borders, not disposed of by the United States before March 12, 1860. By the act of Congress, approved September 28, 1850, it was provided "That to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands made unfit thereby for cultivation, which shall remain unsold at the passage of this act shall be and the same are hereby granted to said State. That it shall be the duty of the

Secretary of the Interior, as soon as may be practicable after the passage of this act to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the Governor of the State of Arkansas," and at the request of said Governor cause a patent to be issued to the State therefor.

By the act of Congress, approved March 12, 1860, the provisions of the last-named act were extended to Oregon. The second section of this act provides "that the selection to be made from lands already surveyed in each of the States, including Minnesota and Oregon, under the authority of the act aforesaid, and of the act to aid the State of Louisiana in draining the swamp lands therein, approved March 2, 1849, shall be made within two years from the adjournment of the Legislature of each State at its next session after the date of this act: and as to all lands hereafter to be surveyed, within two years from such adjournment at the next session after notice by the Secretary of the Interior to the Governor of the State that the surveys have been completed and confirmed."

You will observe that by act of September 28, 1850, the first step vital to the complete investing of the title of these lands in the State is to be taken by the Secretary of the Interior. He is "to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the Governor of the State" interested in the grant, "as soon as it may be practicable after the passage of this act," and at the request of said Governor cause a patent to be issued to the State therefor."

It is also provided by the act of March 12, 1860, that the selections of these lands in districts then surveyed should be made "within two years from the adjournment of the Legislature of each State at its next session after

the date of this act; and as to all lands hereafter to be surveyed, within two years from such adjournment at the next session *after notice by the Secretary of the Interior to the Governor of the State that the surveys have been completed and confirmed.*"

Although more than eleven years have elapsed since this State has been entitled to a segregation of the swamp and overflowed lands within her borders, currently as the surveys have progressed, yet nothing has been done, to the knowledge of this office, by the United States Land Department to that end. It is true that a letter was addressed to the Governor of Oregon, bearing date May 21st, 1860, by Commissioner Joseph S. Wilson, of the General Land Office, notifying him of the swamp land grant, and asking: "First, whether the State would be willing to abide by the field notes of the surveys, as designating the lands; or, second, whether, in the event of non-acceptance of these notes as a basis, the State would furnish evidence that any lands are of the character embraced by the grant."

This letter seemed merely to be preliminary to action by the Secretary of the Interior in his work of preparing a "list and plats of the lands described," to be forwarded to the Governor, as required by the law. But no list and plats have ever been received by the Governor, nor has any notice ever been given to the Executive of this State, that the surveys embracing the swamp and overflowed lands have been completed and confirmed.

For the purpose of information as to what action, if any, had been taken by the Land Department toward a segregation of these lands, according to the provisions of the acts of Congress recited herein, I addressed a letter to the Surveyor General of Oregon, asking what instructions, if

any, his office had received in relation to the surveys of swamp and overflowed lands in this State. His answer, a copy of which is hereto appended, indicates that "no correspondence has ever been had between the General Land Office and this (Surveyor General's) office upon the subject."

You will observe that by the second section of the act of March, 1860, the selections of swamp lands from districts then surveyed were limited to the period of two years from the adjournment of the Legislature of this State at its next session after the date of that act, which period elapsed without action on the part of the Secretary of the Interior as directed by the law, and consequently without action on the part of this State. But as to all swamp and overflowed lands within surveys made since March 12th, 1860, they can now be selected, because no limit is placed against selections of this class, except that they must be selected "within two years from such adjournment (of the Legislature), at the next session after notice by the Secretary of the Interior to the Governor of the State, that the surveys have been completed and confirmed," which notice has never yet been given, nor have any lists and plats been received at the Executive Office, and consequently the time of the limit has not yet begun to run.

I, therefore, respectfully urge that as to all swamp and overflowed lands within the surveys of this State, approved since March 12, 1860, the Department of the Interior cause to be made a "list and plats of the lands described aforesaid," and to be transmitted to the Governor of this State, as provided in section 2d, of act of September 28, 1850; and that notice be given that "the surveys have been completed and confirmed," as provided in section

2d, of act of March 12, 1860, in order that the selections of said lands to be made by this State may be properly recognized and patented.

In relation to all the swamp and overflowed lands in Oregon not "reserved, sold or disposed of" by the United States on March 12, 1860, the position of this State is, that by virtue of the acts of Congress recited, a complete grant and indefeasible title were vested in the State "of the whole of those swamp and overflowed lands;" the consideration of the grant being that the proceeds of the lands should be applied to their reclamation as far as is necessary to make them arable. That the nature of the land is notice to all the world of what is granted; and that the subject of the grant is definite and certain; as in law, that is certain which can be rendered certain by measurement or calculation; that non-action or mistaken action on the part of the United States, or of this State, cannot defeat this title; that while, by reason of the lapse of the two years limit affecting Department action on selections made from surveys approved prior to 12th March, 1860, no patent can issue for the same without action by Congress extending said limit, yet the right to the land still rests in this State by virtue of the grant, and cannot be impaired by act or omission of the United States.

Pursuant to these views and in default of any action on the part of the United States tending to facilitate further recognition of the right of this State to these lands, the Legislature at its last session passed "an act providing for the selection and sale of the swamp and overflowed lands belonging to the State of Oregon." (Laws of Oregon, 1870, p. 54, a copy of which I have had the honor to transmit to your office). By authority of this act the

agents of the State are now in the field making selections of these lands.

You will, therefore, appreciate the propriety of my soliciting that you cause instructions to be issued to the several Land Offices in Oregon inquiring of them to take no action which will involve adverse possession of any of the swamp and overflowed lands, and to suspend all action in cases where any adverse occupancy has been allowed by them since the date of said act of the Legislature of October 26, 1870, until this subject shall have been concluded between this State and the United States.

And I respectfully ask your attention to be given to that class of these lands falling within surveys approved since March 12, 1860, that the selections by the State may be recognized, and that patents issue to the State therefor, in order that Oregon may be placed on the same footing with the other States entitled to the benefit of said acts of Congress.

Very Respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, D. C.,
11th Dec., 1871. }

SIR: Your letter of the 9th ultimo, in relation to swamp lands in Oregon, was received and referred to the Commissioner of the General Land Office. I have the

honor to inclose herewith a copy of his report on the subject, under date of the 5th instant, with the accompanying papers.

I am, Sir,

Very respectfully,

Your obedient servant,

C. DELANO,

Secretary.

His Excellency, L. F. Grover, Governor of Oregon,
Salem, Oregon.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, D. C., Dec. 5, 1871. }

Hon. C. Delano,

Secretary of the Interior:

SIR: The letter of the Governor of Oregon, of 9th ultimo, in reference to swamp lands in that State, referred by you to this office for report, has been received. As preliminary to a statement of the facts in regard to the claim of the State of Oregon for swamp lands, a brief statement of the practice of the Department, under the swamp grant, may aid in a better understanding of the case. The Act of September 28, 1850, required the Secretary of the Interior to make out lists, etc.; this duty could be performed only through the subordinates of the Secretary, to wit: the officers connected with the General Land Office. Soon after the passage of said act, to wit: November 21, 1850, a circular was issued by this office, directed to the Survey-

ors General of the several States ; also sent to the Governors of those States in which public lands were situated (a copy of which circular is herewith enclosed marked "A"), from which it will be seen that two distinct systems were adopted by the Department of selecting land and establishing its swampy character ; thus giving the States the choice of adopting the field notes of surveys as the basis of the lists, and by that means avoid the trouble and expense of examining the lands by agents of the State ; or in case the State authorities were not willing to adopt that mode, they might furnish evidence which should satisfy the Surveyor General, and on review thereof, this office and the Department, that the land was of the character embraced by the grant. One or the other of these systems was adopted by all the States in existence at the passage of the Act of September 28, 1850, and the selections were made in all except Michigan and Wisconsin, by agents in the field, and reported through the State officers to the Surveyor General, and if the evidence was satisfactory to that officer, lists were made out by him and returned to this office, and when approved by the Secretary of the Interior, copies were transmitted to the State Executive, followed on request of the Governor by patent.

The Act of March 12, 1860, extending the benefits of this grant to Oregon and Minnesota, indicates that there would be something to do by the State authorities. If no action were needed by the State, why make the limitation of time within which selections should be made two years from the adjournment of the Legislature at its next session after the date of the act ? or in a case of land afterwards to be surveyed, within two years from the adjournment of the next session after notice by the Secretary of the Interior to the Governor that the surveys had been completed ?

On the 21st May, 1860, this office addressed a letter to the Governor of Oregon (copy inclosed marked "B"), in which the privilege of accepting either manner of selecting lands was offered; also, enclosing copy of the Act of September 28, 1850, and that of March 12, 1860. This letter was acknowledged by the Governor February 22, 1861, (copy of acknowledgment inclosed marked "C"), and information given that he had submitted the letter of this office, with inclosures, to the Legislature, which convened on the second Monday of September, 1860, but that the Legislature had failed to determine which of the two propositions should be accepted. No information has since been received from the State authorities signifying that any action had been taken in reference to the said propositions.

The attention of this office has been called to the subject by the Senators and Representatives in Congress from time to time, as follows: By Hon. J. R. McBride, Dec. 9, 1865; by Hon. G. H. Williams, Jan. 4, 1869; by Hon. J. S. Smith, Dec. 16, 1869; by Hon. G. H. Williams, Feb. 9, 1871; and each was promptly answered that the State authorities had been notified, as stated (21 May, 1860) and had taken no action of which this office had been advised.

The Governor, in his letter of 9th ult., seems to consider the letter from this office of May 21, 1860, as merely preliminary to action by the Secretary of the Interior in his work of preparing lists, &c., when in fact it is apparent from the tenor of the letter that its object and design was to settle the preliminary question of the manner in which the State chose to have her lands selected and their swampy character determined.

If the State had at once chosen as advised by the Com-

missioner, to abide by the field notes, the lists would have been made at once by the Surveyor General, and copies sent to the Governor after approval, followed, on his request, by patents. If the State had chosen the other way of selecting, by her own agents, and presenting satisfactory evidence to the Surveyor General of the swampy character of the lands, the first work would have devolved on the State, and when its lists were presented to the Surveyor General, the work of approval or rejection would have been performed by that officer, subject to revision by this office and the Secretary of the Interior. Although, as the Governor says, more than eleven years have elapsed since Oregon has been entitled to a segregation of her swamp lands, nothing has been done except to give the State authorities notice, and to ask them to choose in what way they will have the claim adjusted, and this office has waited until now, without having been informed that the State had made her selection.

I return herewith the Governor's letter, and inclosure, together with wrapper, as requested.

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

Formula of Instructions issued to the Surveyors General of the several States interested in the swamp land grant of 1850, in execution thereof, and inclosed to the Governor of Oregon in the foregoing letter :

GENERAL LAND OFFICE, }
November 21, 1850. }

SIR: By the Act of Congress entitled "An Act to enable the State of Arkansas and other States to reclaim the 'swamp lands' within their limits," approved September 28, 1850, it is directed "that to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands made thereby unfit for cultivation which shall remain unsold at the passage of this Act, shall be, and the same are hereby granted to said State."

1st. By the fourth section of this Act it is directed that the provisions of it shall be extended to, and their benefits be conferred upon, each of the other States of the Union in which such swamp and overflowed lands may be situated.

2d. And "that in making out a list and plats of the lands aforesaid, all legal subdivisions, the greater part of which is 'wet and unfit for cultivation,' shall be included in said lists and plats; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom."

This act clearly and unequivocally grants to the several States those lands which, from being swampy or subject to overflow, are unfit for cultivation. In this class is included also all lands which, though dry part of the year, are subject to inundation at the planting, growing, or harvesting season, so as to destroy the crop, and therefore are unfit for cultivation, taking the average of the seasons, for a reasonable number of years, as the rule of determination.

You will please make out a list of all the lands thus granted to the State, designating those which have been

sold or otherwise disposed of since the passage of the law, and the price paid for them when purchased.

The only reliable data in your possession from which these lists can be made out, are the ——— notes of the surveys on file in your office; and if the authorities of the State are willing to adopt these as the basis of those lists, you will so regard them. If not, and those authorities furnish you satisfactory evidence that any lands are of the character embraced by the grant, you will so report them.

The following general principles will govern you, in making up these lists, to wit :

Where the field notes are the basis, and the intersections of the lines of swamp or overflow with those of the public surveys alone are given, those intersections may be connected by straight lines ; and all legal subdivisions, the greater part of which are shown by these lines to be within the swamp or overflow, will be certified to the State ; the balance will remain the property of the Government.

Where the State authorities may conclude to have the surveys made to determine the boundaries of the swamp or overflowed lands, those boundaries alone should be surveyed, taking connections with the nearest section or township corners ; or,

Where the swamp or overflowed lands are on the borders of a stream or lake, the stream or lake could be meandered and ordinates surveyed at suitable intervals, from the borders of the stream or lake to the margin of the swamp or overflowed lands, and by connecting the ends of those ordinates next to that margin by straight lines, the boundaries of the swamp or overflowed lands can be ascertained with sufficient accuracy. In no case, however, should any such boundaries or ordinates be marked in the field, as they may produce difficulty in de-

termining the lines and corners of the public surveys hereafter, and thus lead to litigation. The selections in all these cases will be made as before directed. Where satisfactory evidence is produced that the whole of a township, or of any particular or specified part of a township, or the whole of a tract of country bounded by specified surveyed or natural boundaries, is of the character embraced by the grant, you will so report it. The adjacent subdivisions, however, to be subject to the regulations above given; and in every case under each rule or principle herein prescribed, forty-acre lots or quarter-quarter sections will be regarded as the legal subdivisions contemplated by the law.

The affidavits of the county surveyors and other respectable persons that they understand and have examined the lines, and that the lands bounded by lines thus examined and particularly designated in the affidavit, are of the character embraced by the law, should be sufficient.

The line or boundary of the overflow, that renders the land unfit for regular cultivation, may be adopted as that which regulates the grant.

You will make out lists of these lands as early as practicable, according to the following form, one copy of which you will transmit to the land officers and another to this office. The lands selected should be reserved from sale, and after those selections are approved by the Secretary of the Interior, the Register should enter all the lands so selected in his tract-book as "granted to the State by act of 28th September, 1850, being swamp or overflowed lands," and on the plats enter on each tract "State act of 28th September, 1850." Copies of the approved lists will be sent to the Registers for this purpose.

Your early attention is requested in this matter, that the grant may be disposed of as speedily as possible.

Very respectfully,

Your obedient servant,

_____,
Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, Nov. 10, 1871. }

Hon. Willis Drummond,

*Commissioner General Land Office,
Washington City, D. C.:*

SIR: On information that instructions have been given to the Register and Receiver of the Land Office at Oregon City, requiring them to suspend all action affecting swamp and overflowed lands in what is known as Wappatoo Lake, in Washington county, and Lake LaBish, in Marion county, Oregon, until the State shall have opportunity of presenting its claims to the same, I herewith forward to you special lists evidencing the selection of said lakes claimed as the property of the State, by virtue of the Act of Congress of March 12, 1860; duplicate copies of which have been forwarded to the Register at Oregon City.

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, D. C., December 15, 1871. }

His Excellency,

The Governor of Oregon,

Salem, Oregon :

SIR: Your letter of the 10th ult., enclosing lists of lands purporting to have been selected as swamp lands in the counties of Marion and Washington, Oregon, has been received, and in reply I have to say : That on the 21st day of May, 1860, this office addressed a letter to the Governor of Oregon enclosing a copy of the Act of September 28, 1850, granting the swamp lands to the several States, also a copy of the Act of March 12, 1860, extending the same with proviso to the States of Minnesota and Oregon.

In said letter the State of Oregon was offered the choice of two systems, which this office, with the approval of the head of the Department, had adopted, of selecting land and establishing its swampy character, stating as follows, viz : "Preliminary to the adjustment of the business with the several States, affected by the general grant, two propositions were submitted designed to obtain a plan or basis which should be adhered to and be conclusive in the settlement of the great interests involved, as follows :

1st. Whether the States would be willing to abide by the field notes of surveys as designating the lands ; or,

2d. Whether in the event of their non-acceptance of these notes as the basis, the States would furnish evidence that any lands are of the character embraced by the grant.

The privilege of accepting one or the other of these propositions having been accorded to those States, the same is extended to Oregon.

Having experience in the adjustment of the grant with

those States, it is respectfully suggested by this office that by the adoption of the first proposition the State will receive all the lands to which she is justly entitled, as the field notes of the surveys are very full in characterizing or giving description to the soil; and an important reason for doing so is, that she will incur no expense in selecting or designating the lands.

It is hoped that the matter will receive your early attention. This is important to the State also, as by the second section of the act, the selections in townships where the surveys have been completed, are required to be made within two years after the adjournment of the first Legislature convened after the passage of the act; and where the surveys are yet to be made or completed, within two years from the adjournment of the next session after notice to the State, that the surveys are completed and confirmed."

This letter was acknowledged by the Governor of Oregon, under date of February 22, 1861, and information given that he had submitted the letter of this office, with the enclosures, to the Legislature, which convened on the second Monday of September, 1860, but that the Legislature had failed to determine which of the two propositions submitted from this office should be accepted. No information has since been received from the State authorities signifying that any action had been taken in reference to said proposition. If the matter was determined by the act of the Legislative Assembly of Oregon of October 26, 1870, no notice thereof has been transmitted to this office, nor has any copy of such act been received by the General Land Office.

If the State has elected which of said propositions should be accepted, and has determined to select the lands by

her own agents, this office should have been notified of that determination, and when the selections were made the lists should have been presented (with the evidence on which the State relied to show them to be swamp) to the U. S. Surveyor General of Oregon, for examination and approval and transmission to this office for final action.

The time has elapsed in which selections could have been made in townships which had been surveyed prior to March 12, 1860, and in townships surveyed since that time, of the completion and confirmation of which notice has been given to the Governor, and a session of the Legislature, meeting after such notice, has adjourned and two years have elapsed since said adjournment.

In other cases not thus barred, the State may select lands after choosing the system of selecting and determining their swampy character, at any time within two years from the adjournment of the next session of the Legislature, after notice as aforesaid, that the surveys are completed and confirmed.

The lists of selections forwarded by you in Marion and Washington counties are herewith returned, to the end that in case the State authorities have determined to choose the plan of making their own selections and presenting evidence of their swampy character to the satisfaction of the Surveyor General, the lists may take the proper course and be forwarded to the Surveyor General for action.

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, November 12, 1871. }

Hon. James K. Kelly,

U. S. Senator,

Washington, D. C.:

SIR: I have the honor, herewith, to transmit for your information a copy of a communication lately forwarded from this office (November 9, 1871,) to the Secretary of the Interior, touching the right of this State to the swamp and overflowed lands therein, and asking Department action thereon.

I also inclose a form of a resolution of Congress, which I take the liberty to suggest as proper to be proposed in order to facilitate final action of the land Department in the segregation of the swamp and overflowed lands. You will observe that the resolution places no one in fault for the evident negligence which occurred in the failure to select these lands on behalf of the State within the two years' limit after the act of 12th March, 1860, as to all lands then surveyed. But, by reference to my communication to the Department of the Interior, you will perceive that the fault was with that Department, which can be established by reading the act of Congress recited, to any committee to whom the subject may be referred.

I have caused copies of the inclosures to be forwarded to Senator Corbett and Representative Slater.

Most respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

[*Inclosure.*]

RESOLUTION

Extending the time for the selection of swamp and overflowed lands in Oregon, under the act of Congress approved March twelfth, eighteen hundred and sixty.

WHEREAS, By act of Congress entitled "An act to extend the provisions of 'an act to enable the State of Arkansas and other States to reclaim the swamp lands within their limits' to Minnesota and Oregon, and for other purposes," approved March twelfth, eighteen hundred and sixty, it was provided "that the selection to be made from lands already surveyed in each of the States, including Minnesota and Oregon, under authority of the act aforesaid, and of the act to aid the State of Louisiana in draining the swamp lands therein, approved March second, eighteen hundred and forty-nine, shall be made within two years from the adjournment of the Legislature of each State at its next session after the date of this act;" and,

WHEREAS, Said period of two years elapsed without any selection of said lands being made on the part of the State of Oregon; therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

That the said State of Oregon be allowed two years from the date of the passage of this resolution in which to make selections of swamp and overflowed lands within her borders, in the same manner and with like effect as if said period of two years had not expired: *Provided*, That this resolution shall not be so construed as to affect any valid settlement on, or legal claim to, any of said

lands, existing under any act of Congress at the passage of this resolution.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, D. C., Dec. 19, 1871. }

Hon. L. F. Grover,
Governor of Oregon,
Salem, Oregon:

SIR: I have the honor to transmit herewith certified copy of List No. 1 of lands selected in the La Grande District, embracing 58,423.14 acres, and approved to the State of Oregon, as lands enuring under the Act of February 25, 1867, to aid in constructing the "Dalles Military Wagon Road."

Please acknowledge its receipt.

Very Respectfully,
WILLIS DRUMMOND,
Commissioner.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, D. C., Dec. 20, 1871. }

Hon. L. F. Grover,
Governor of Oregon,
Salem, Oregon:

SIR: I have the honor to transmit herewith certified copy of List No. 2 of selections in the Oregon City Dis-

trict, embracing 20,878.88 acres, approved to the State of Oregon, as lands enuring under the Act of July 4, 1866, to aid in constructing the "Corvallis and Acquina Bay Wagon Road."

Please acknowledge its receipt.

Very Respectfully,

WILLIS DRUMMOND,

Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, January 3, 1872. }

*To the Commissioner of the General Land Office,
Washington D. C.:*

SIR: Referring to the letter of Commissioner Joseph S. Wilson to the Governor of Oregon, bearing date May 21, 1860, giving notice of the passage of the Act of Congress of March 12, 1860, extending the provisions of the swamp land grant to Oregon, and asking,

1st. Whether the State would be willing to abide by the field notes of the surveys as designating the lands; or,

2d. Whether in the event of its non-acceptance of these notes as the basis, the State would furnish evidence that any lands were of the character embraced by the grant.

I am enabled, in accordance with the provisions of the Act of the Legislative Assembly of Oregon of October 26, 1870, entitled "An Act providing for the selection and sale of the swamp and overflowed lands belonging to the State of Oregon," (Laws of Oregon, 1870, page 54, a copy

of which I have had the honor heretofore to transmit to your office,) to state that the State of Oregon has elected to make selections of swamp and overflowed lands within her borders, by agents appointed by the State authorities, and to furnish evidence that all lands claimed by her are of the character embraced by the grant referred to.

It would be gratifying to the authorities of this State if instructions would be issued by your office to the Surveyor General of Oregon, authorizing him to furnish them with due facilities in assisting to make a proper segregation of these lands.

I take this occasion to renew the solicitation embraced in my letter of November 9th last, addressd to the Secretary of the Interior, and by him referred for report to your office, that you cause instructions to be issued to the several land offices in Oregon, requiring of them to take no action which will involve adverse possession of any of the swamp and overflowed lands while the process of segregation is proceeding. I press this point in view of the fact that homestead settlements, within the lines of meandered swamps, have been entertained by these land offices to the embarrassment of the title of the State.

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
January 9th, 1872. }

His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: I have the honor to transmit herewith a certified transcript of clear list No. 1 of school indemnity selections made by the State of Oregon in the district of lands subject to sale at Oregon City, in pursuance of the Act of Congress, approved January 7, 1853. Said list embraces tracts of an aggregate area of 41,280.72 acres, and was approved by the Hon. Secretary of the Interior December 21st ult. A transcript of the above list has this day been transmitted to the Register and Receiver at Oregon City, who are also instructed to advise the Board of Commissioners of Common Schools of the approval of the list.

Be pleased to acknowledge the receipt of the list.

I am, Sir,

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
February 7, 1872. }

His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: I have the honor to transmit herewith a certified transcript of List No. 1 of selections by the State of Oregon in the Oregon City land district, in pursuance of the Act of Congress approved September 27, 1850, and the 4th sections of the Acts of July 12, 1854, and February 14,

1859, for the benefit of a State University. Said list embraces tracts of an aggregate area of 38,488.94 acres, and was approved by the Hon. Secretary of the Interior the 2d instant. Also certified transcript of List No. 1 of selections by the State of Oregon in the Roseburg land district, in pursuance of the Act of Congress approved September 27, 1850, and the 4th sections of the Acts of July 12, 1854, and February 14, 1859, for the benefit of a State University. Said list embraces tracts of an aggregate area of 6,044.69 acres, and was approved the 2d inst.

Be pleased to acknowledge the receipt of the lists.

I am, Sir,

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
February 10, 1872. }

His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: I have the honor to transmit, herewith, a certified transcript of list No. 2 of school indemnity selections by the State of Oregon—in the Oregon City land district—under the provisions of the act of Congress approved January 7, 1853. Said list embraces tracts of an aggre-

gate area of 40,389.29 acres, and was approved the 9th instant.

I am, Sir,

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
February 23, 1872. }

His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: I have the honor to transmit, herewith, a certified transcript of list No. 1 of school indemnity selections by the State of Oregon, in the district of lands subject to sale at Roseburg, Oregon. Said list embraces tracts of an aggregate area of 26,167.55 acres, and was approved the 15th inst.

Be pleased to acknowledge the receipt of the list.

I am, Sir,

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

EXECUTIVE OFFICE,
SALEM, OREGON,
February 23, 1872. }

Silas J. Day, Esq.,

County Clerk of Jackson County:

SIR: Your letter of 16th instant, relating to the question of the assessment of the lands in Jackson county belonging to the Oregon Central Military Wagon Road Company, is this day received. In answer, I have to say that the Executive approval of the construction of the entire line of the wagon road referred to occurred during the administration of Governor Woods, as I am informed, but there is no Executive record of the fact in this office—nor is there any map of the survey of the road on file here, as required by law. I cannot, therefore, give you the description of that part of the road lying within Jackson county. [The map referred to has since been found.]

On inquiry made of me last year by the Sheriff of Lane county, asking whether these lands lying in Lane county were subject to taxation, I addressed a communication to the Secretary of the Interior, to get his opinion as to the time when the lands vested in the State, and consequently by our statute in the Road Company.

The Secretary's answer was to the effect that when the lands were *approved* at the General Land Office, on proof of compliance with the conditions of the grant by Congress, the lands became fully vested in all cases where the act itself did not require the issuance of a *patent*. In the case of this road no patent is required by the act of Congress granting the lands; the approvals at Washington, therefore, constitute final title.

All the lands claimed by the Oregon Central Military Road Company have been finally approved, and are now

vested in the Company. They are therefore as liable to taxation as any other property in the State.

While I am unable, from any records in the Executive Office, to give you the amount of lands belonging to this Wagon Road Company lying within Jackson county, I presume the statement of the Roseburg Land Office would be correct, as that office has means of accurate and full information on the subject.

However, as it is claimed by the Company that they do not own the amount of land reported by the Land Office, it would be proper for the authorities of Jackson county to make the assessment according to the best of their information, and officially notify the Road Company of the results: when the Company may plead gross assessment and make a showing of the true amount liable to taxation if they choose.

Very respectfully,

Your obedient servant,

L. F. GROVER.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
February 26, 1872. }

His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: I have the honor to transmit, herewith, a certified transcript of list No. 3 of selections by the State of Oregon, in the Oregon City Land District, under the pro-

visions of the eighth section of the act of Congress approved September 4, 1841. Said list embraces tracts of an aggregate area of 9,566.49 acres, and was approved the 21st instant.

I am, Sir,

Very Respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
March 9th, 1872. }

His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: I have the honor to transmit herewith, a certified transcript of list No. 2, of selections by the State of Oregon, in the Roseburg Land District, under the provisions of the 8th section of the act of Congress of Sept. 4, 1841. Said list embraces tracts of 15,646.35 acres, and was approved the 28th ulto.

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
May 1. 1872. }

Hon. L. F. Grover.

*Governor of Oregon,
Salem, Oregon:*

SIR: Herewith I have the honor to transmit certified copy of list No. 2, of selections in the Oregon City District, Oregon, embracing in the aggregate 68,487.09 acres, as lands inuring to the State under the act of February 25th, 1867, "to aid in constructing the Dalles Military Wagon Road from Dalles City to Fort Boise on Snake River;" also.

Certified copy of approved list No. 2, of selections, in the Oregon City District, Oregon, embracing in the aggregate 61,127.83 acres, as lands inuring to the State, under the acts of July 5, 1866, and July 15, 1870, "to aid in constructing the Willamette Valley and Cascade Mountain Military Wagon Road."

Please acknowledge their receipt.

Very Respectfully,

WILLIS DRUMMOND.

Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, June 21, 1872. }

Hon. Willis Drummond,

Commissioner General Land Office,

SIR: I would most respectfully call your attention to list No. 49, of selections under the grant of Sept. 4, 1841, approved by the Roseburg Land Office, February 20, 1867,

and request that you certify the same to the Secretary of the Interior for approval, or so much thereof as is free from conflict. Parties have been living on the lands embraced in list No, 49, under claim from the State for years, and are anxious for titles from the State.

I would request that you certify for approval the selections in section 25, T. 16 S., R. 3 W., of same grant, embraced in lists Nos. 44 and 51 of the Roseburg District—a part of each list having been approved by your office February 28, 1872. The selections of lands unapproved in this section were suspended on account of some old filing of Mr. Murch, under the pre-emption laws of the United States. Mr. Murch informs me that several weeks ago he forwarded a relinquishment of the old filing to the Roseburg office, with request that it be forwarded to the General Land Office, so that the lands in section 25 could be approved to the State.

I will take the liberty to again call your attention to a letter addressed to you from this office on the 20th of last April, requesting the approval of the lands selected under the grant of September 4, 1841, in townships 39 south, ranges 8, 9 and 10 east. The settlers of this section of our State are greatly embarrassed by the non-approval of these selections, and I take the privilege of calling your special attention to them as a matter of great convenience to the State and these settlers. •

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, August 23d, 1872. }

The Commissioner of the General Land Office:

SIR: I beg leave to call your attention to the subject of extending the public surveys of the United States to the sea shore forming the western boundary of Oregon. The State claims title by virtue of her sovereignty, or the right of eminent domain, to all lands upon her sea coast border, lying between the ebb and flow of the tide. This being a right recognized in all the States bordering upon the sea since the beginning of the Government, it would appear proper to be observed in case of this State. I therefore most respectfully request that instructions be given to the Surveyor General of Oregon to limit all public surveys closing upon tide waters, to the line of high tide. Contrary to this rule, the practice of Deputy United States Surveyors in Oregon has been to extend their surveys upon the salt marshes; and their work has been from time to time approved without reference to the rights of this State, which, if continued, will involve this class of lands in litigation.

Hoping that this subject may meet with early and favorable consideration by your Department.

I am, Sir,

Most respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

MISCELLANEOUS CORRESPONDENCE.

DEPARTMENT OF STATE,
WASHINGTON, D. C., }
2d September, 1871. }

To His Excellency,

The Governor of the State of Oregon,

Salem:

SIR: I have the honor to enclose a copy of the Treaty concluded on the 8th day of May last, between the United States and Great Britain.

Provision is made by Articles 34 to 42 for submitting to the determination and award of the Emperor of Germany, the water boundary in dispute between the two Governments.

The case on the part of the United States is to be filed in Berlin within six months from the date of the exchange of the ratifications of the Treaty, which event took place on the 17th of June last.

I shall be happy to receive from your Excellency any suggestions which you may be pleased to make on the subject of this case, and to forward them for the consideration of Mr. Bancroft, who is charged with the preparation and presentation of the case on the part of this Government.

I have the honor to be,

Your Excellency's very obedient servant,

HAMILTON FISH.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, September 15, 1871. }

Hon. Hamilton Fish,

Secretary of State,

Washington, D. C.:

SIR: Your communication of Sept 2, 1871, officially notifying me of the conclusion on the 8th day of May last of the Treaty between the United States and Great Britain, wherein provision is made by Articles 34 and 42 for submitting to the determination and award of the Emperor of Germany, the water boundary in dispute between the two Governments, is this day received, and a copy of the Treaty mentioned in your communication as enclosed therewith was not received. I would, therefore, thank you to forward me a copy at once, and I will, with pleasure, forward such suggestions as I am able to make on the subject of the case, as our people feel a deep interest in the issue of the reference.

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

DEPARTMENT OF STATE,
WASHINGTON, April 15, 1871. }

To His Excellency, L. F. Grover,

Governor of the State of Oregon:

SIR: I have the honor to inclose a copy of an act of

Congress, approved March 3, 1871, providing for the commemoration at Philadelphia, in the year 1876, of the Centennial Anniversary of the Independence of the United States, by the holding of an International Exhibition of Art and Industry in that city.

Your Excellency's attention is invited to the provisions of the act relating to the appointment and duties of Commissioners to represent the respective States and Territories, and you are invited (should you see fit to do so) to nominate suitable persons, in conformity with sections 3 and 4 thereof, for appointment by the President as Commissioners for the State of Oregon.

Congress having provided that the proposed exhibition shall be national in its character, it is the earnest desire of the President that it should be in every respect worthy of the nation and of the memorable event which it is intended to celebrate.

The appointments will be made of the Commissioners whom you may be pleased to nominate, as soon as your pleasure shall be made known.

I have the honor to be,

Your Excellency's obedient servant,

HAMILTON FISH.

STATE OF OREGON,
EXECUTIVE OFFICE. }
SALEM, Oct. 17, 1871. }

Hon. Hamilton Fish,

Secretary of State,

Washington, D. C.:

SIR: In response to your communication of April 15,

1871, and pursuant to the Act of Congress approved March 3, 1871, providing for the commemoration at Philadelphia, in the year 1876, of the Centennial Anniversary of the Independence of the United States, by the holding of an International exhibition of Art and Industry in that city, I have the honor herewith to nominate for appointment by the President of the United States, J. W. Virtue of Baker City, Oregon, and A. J. Dufur of Portland, Oregon, as Commissioners for said exhibition from the State of Oregon.

I have the honor, Sir, to be

Your most obedient servant,

L. F. GROVER,

Governor of Oregon.

DEPARTMENT OF STATE, 1
WASHINGTON, 31st October. 1871. (

To His Excellency,

L. F. Grover,

Governor of the State of Oregon,

Salem:

SIR ; Pursuant to the nominations made in your letter of the 17th inst., of Commissioners to attend the Centennial Anniversary of American Independence, to be held in the city of Philadelphia in 1876, I enclose herewith the commissions for the gentlemen therein named, and will thank you to cause them to be forwarded to their address.

I am, Sir,

Your obedient servant,

HAMILTON FISH.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, Oct. 16, 1871. }

Wm. Lane Brooker, Esq'r.,

*Consul H. B. M. for States of California and Oregon
and for Washington Territory:*

SIR: I have the honor to acknowledge the receipt of your letter of 16th Aug. last (1871) informing me of the appointment of James Gray Flowerdew, Esq., as British Vice Consul at Portland, Oregon. The extension of your Consulate to Oregon is a gratifying commercial incident and the recognition of your appointment of Vice Consul at Portland is hereby assured.

I have the honor to be, very respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

WAR DEPARTMENT,
WASHINGTON, D. C.,
January 10, 1872. }

To His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: By reference to House Mis., 1854, doc. No. 47, 35th Congress, 2d Session, it is found that on the 30th December C. S. Drew who was Quartermaster General of Oregon then, forwarded to the Governor of the Territory the accounts (such as muster rolls, abstracts and vouchers)

pertaining to expenses incurred in connection with Captain Jesse Walker's company, raised in August 1854, to suppress Indian hostilities in Oregon.

It does not appear that the said accounts have ever reached Washington, and now, in order to facilitate the proper settlement of claims outstanding under the law of January, 1871, reference to whatever can be found as retained papers is positively necessary. I have, therefore, to respectfully request that the said original accounts or correct copies thereof, may be furnished to this department at your earliest convenience, and if the request can be complied with, that when they are sent, they may be accompanied with your official certificate, under seal of the State, to prove their identity, in either case, as originals or true copies thereof.

Very respectfully,

Your obedient servant,

WM. W. BELKNAP,

Secretary of War.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, Jan'y 29, 1872. }

Hon. Wm. W. Belknap,

Secretary of War:

SIR: Your communication of the 10th inst. relative to the muster rolls of Captain Jesse Walker's company of volunteers in Oregon of 1854, is received, and in answer to request that said original papers or authenticated copies be transmitted to your office, I have to say that after diligent

search, it appears that such rolls and papers are not on file in the archives of the State. In the winter of 1854-5 the State house of Oregon Territory was totally destroyed by fire, together with the library and all public books and papers in it. The rolls and papers referred to were probably then destroyed; but, I believe Col. C. S. Drew, now in Washington, has retained copies or duplicates.

Very truly,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, February 20, 1872. }

Major General E. R. S. Canby,

Commanding Department Columbia:

SIR: I have the honor to enclose herewith a petition from the citizens of the Link river country in Jackson county, Oregon, referring to the disturbed condition of the Indians in that region, and asking my influence to assist them in procuring relief from threatened Indian hostilities. It appears to me that there is ground of serious difficulty with the Indians in that quarter, and I confidently trust you will be impressed with a like view of the matter.

The Superintendent of Indian affairs at this place agrees with me that something should be done to arrest the present tendency to disturbance and to let the Indians feel that a restraining hand is over them. I therefore respectfully solicit your attention to be given to the subject of

this petition, which is composed, to my knowledge, of the names of respectable citizens.

I am, Sir, most respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

HEADQUARTERS DEPARTMENT OF THE COLUMBIA, }
PORTLAND, OREGON, }
February 21, 1872. }

To His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: I have the honor to acknowledge the receipt of your communication of yesterday, enclosing a petition from citizens of Jackson county for protection against the Modoc Indians, and to state for your information that on the 16th instant instructions were sent to the Commanding Officer, District of the Lakes, to establish a sufficient cavalry force in that neighborhood to give protection to the settlers. Instructions had previously been sent (February 6, 1872), to the commanding officer at Fort Klamath to take all necessary measures for the protection of the settlers in Jackson county.

It is believed that the presence of the troops will be sufficient to restore confidence and restrain the evil disposed among the Indians until arrangements can be made for carrying out the determination of the Indian Department in relation to them. Until the questions that have

been submitted by the Superintendent to the Commissioner of Indian Affairs have been decided, it is obviously our duty, while giving protection to the settlers, to prevent a war if possible. If that cannot be done, all the force that may be needed for its suppression and for the protection of its inhabitants will be applied, and the Commander of the District has been so instructed.

Very respectfully,

Your obedient servant,

E. R. S. CANBY,

Brigadier General Commanding.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, June 29, 1872. }

To all to whom it may concern:

Satisfactory evidence having been exhibited to me that Henry Hewett has been appointed Vice Consul of Sweden and Norway, at Portland, Oregon, I do hereby recognize him as such, and approve the Exequatur to him issued by the President of the United States, as authorized to do and perform the functions and duties therein mentioned within the State of Oregon.

{ s. s. } In testimony whereof I have hereunto set my
hand and caused the seal of the State to be
affixed, at the city of Salem, this the day and
year above written.

L. F. GROVER.

By the Governor,

S. F. CHADWICK, Secretary of State.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, July 30, 1872. }

F. Q. Casanueva,

Consul General of Chili,

San Francisco:

SIR: I have the honor to acknowledge the receipt of your communication, dated March 19, 1872, (duplicate), informing me of your appointment as Consul General of Chili for the State of Oregon, and that the same has been recognized by His Excellency, the President of the United States. In recognizing your appointment and official functions in said office for this State, I join with you in trusting that our official intercourse will be at once beneficial to the State which you represent and to the State of Oregon.

I am, Sir,

Most respectfully,

Your obedient servant,

L. F. GROVER,
Governor.

{ L. S. } Attest:
S. F. CHADWICK,
Secretary of State.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM. August 15th, 1872. }

To all to whom it may concern:

Satisfactory evidence having been exhibited to me, that Antoine Labbe has been appointed Consular Agent

of France at Portland, Oregon, I do hereby recognize him as such, and approve the Exequatur to him issued by the President of the United States, as authorized to do and perform the functions and duties therein mentioned within and for the State of Oregon.

{ S. S. } In testimony whereof I have hereunto set my hand and caused the seal of the State to be affixed, at the city of Salem, this the day and year above written.

L. F. GROVER.

By the Governor,

S. F. CHADWICK, Secretary of State.

HER BRITANIC MAJESTY'S CONSULATE, }
SAN FRANCISCO, 16th August, 1871. }

SIR: I have the honour to inform your Excellency that in compliance with instructions from the Principal Secretary of State for Foreign Affairs, I have appointed James Gray Flowerdew, Esquire, British Vice Consul at Portland, and I have to request you to be good enough to recognize him in that position.

I have the honour to be, Sir,

Your Excellency's most ob't, humble serv't,

WM. LANE BOOKER,

Consul for the States of California and Oregon and Washington Territory.

His Excellency L. F. Grover, Governor of the State of Oregon.

BRITISH VICE CONSULATE,
Portland, O., October 13, 1871. }

Sir : I have the honor to hand you enclosed, my appointment as British Vice Consul at this port, under date 16th August last, from Wm. Lane Booker, Esqr., H. B. M.'s Consulate, San Francisco.

Absence from the city has prevented me forwarding this document to you at an earlier date ; and I had, besides, delayed sending it on in hopes of being able to do myself the honor of personally presenting it to your Excellency.

I have the honor to be, sir,

Your Excellency's most obedient,

Humble servant,

J. G. FLOWERDEW,

British Vice Consul.

His Excellency, L. F. Grover, Governor of the State of Oregon.

PORTLAND,
June 22d, 1872. }

Sir : I have now the honor to hand you, enclosed, my appointment as Vice Consul for Sweden and Norway, together with the Exequatur from the President of the United States. Waiting your approval of the same, I have the honor to be

Your most obedient servant,

HENRY HEWETT,

Vice Consul for Sweden and Norway.

To His Excellency, Lafayette F. Grover, Governor of the State of Oregon.

SAN FRANCISCO, CAL.,
March 19th, 1872. }

Sir : I have the honor of informing you that, by Exequatur, dated January 29th, 1872, my appointment as Consul General of Chile for the States of California, Nevada and Oregon, has been recognized by His Excellency, the President of the United States, and that I have entered upon the discharge of my official duties, on the 9th inst.

I trust that our official intercourse will be mutually advantageous to our respective countries.

I have the honor to be, sir,

Your most obedient servant,

F. Q. COSANUEVA,

Consul General of Chili.

To His Excellency, L. F. Grover, Governor, Salem, Oregon.

PORTLAND, OGN.,
August 14, 1872. }

To His Excellency

the Governor of Oregon :

Sir : I beg leave to inform you that I have, on the 28th May, 1872, been named by the President of the Republic of France, Consular Agent of France at Portland, Oregon; and having since, under date of June 8th, 1872, received my Exequatur from His Excellency the President of the United States, I should feel flattered by your approval.

Very respectfully yours,

ANTONIE LABBE,

Consular Ag't of France.

BRITISH CONSULATE,
SAN FRANCISCO, 26th August, 1872. }

Sir: I have the honour to inform Your Excellency that I have been requested by Earl Granville, Principal Secretary of the State for Foreign Affairs, to appoint a British Vice Consul at Portland and to report the name for His Lordship's approval; in accordance with which I have placed Mr. John Wilson in charge of the Vice Consulate as Acting Vice Consul until I receive Lord Granville's approval of the Provisional appointment; on its receipt I shall apply to the President for an Exequatur, in formal recognition of Mr. Wilson as Vice Consul.

I have the honour to be, sir,

Your Excellency's most obd't, humble serv't,

WM. LANE BOOKER,

Consul for California, Oregon and Washington Territory.
His Excellency, L. F. Grover, &c., Governor of the State
of Oregon.

To His Excellency Lafayette Grover,

Governor of the State of Oregon,

Salem:

SIR: I have the honor to wait upon you with letter from Her Britannic Majesty's Consul at San Francisco, California, appointing me as Acting Vice Consul here until the approval of Earl Granville at the Foreign Office, of the nomination, is received. When the papers come to hand, together with the Exequatur from the President of the United States, ratifying the appointment, I shall again

have the honor of addressing you.

Meantime, believe me, sir,

Your most obedient and humble servant,

[SEAL.]

JOHN WILSON.

2d September, 1872.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, September 5, 1872. }

Wm. Lane Booker, Esq.,

Consul H. B. M. for States of California

and Oregon, and for Washington Territory :

SIR: I have the honor to acknowledge the receipt of your letter of August 26, 1872, informing me of the appointment of John Wilson, Esq., in charge of the Vice Consulate, as Acting Vice Consul at Portland, Oregon, until further advices from H. B. M. Foreign Office. It gives me pleasure to acknowledge the continuance of the Vice Consular appointment at Portland.

I have the honor to be, sir,

Your most obedient servant,

L. F. GROVER,

Governor.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, OREGON, Sept. 5, 1872. }

John Wilson, Esq.,

Acting Vice Consul H. B. M.

Portland:

SIR: I have the honor to acknowledge the receipt of

your letter bearing date of September 2, 1872, informing me of your appointment as Acting Vice Consul H. B. M. at Portland. On the confirmation of your appointment by Earl Granville, at the Foreign Office, and on transmission of the papers and Exequatur, I will take pleasure in recognizing your official relations. In the meantime,

I remain most respectfully,

Your obedient servant;

L. F. GROVER,

Governor.

FIVE PER CENT FUND.

STATE OF OREGON, }
 EXECUTIVE OFFICE, }
 SALEM, June 22d, 1871. }

To the Hon. Columbus Delano,

Secretary of the Interior:

SIR: By the Act of Congress, entitled "An Act for the admission of Oregon into the Union," approved February 14, 1859, in the fifth sub-division of section 4, it is provided "that five percentum of net proceeds of sales of all public lands lying within said State which shall be sold by Congress after the admission of said State into the Union, after deducting all expenses incident to the same, shall be paid to said State for the purpose of making public roads and internal improvements as the Legislature shall direct."

At the last session of the Legislature of this State, by
 10—G.

an Act entitled "An Act to appropriate funds for the construction of a steamboat canal at the Willamette Falls," approved October 21, 1870, (page 14, Laws of Oregon, 1870, which I have the honor to transmit herewith) this five percentum fund is directed to be used in the construction of a canal and locks for slack-water navigation over the Falls of the Willamette river at Oregon City. This important work is now under contract and in course of completion, according to the terms of the legislative enactment referred to.

In examining the condition of the funds to be drawn upon for the prosecution of the undertaking, I find nothing in the records of this office, either of correspondence to my predecessors, or of any Department of the United States, touching the subject of the five percentum fund due the State of Oregon, from the proceeds of the sales of public lands within her borders. I presume, therefore, that although more than twelve years have elapsed since this fund began to accrue, no accounting has been had in the premises between the United States and this State.

May I take the liberty of soliciting your attention to this subject, and of asking that you place the matter in due course of adjustment? Thanking you for your prompt attention to my former communications,

I remain, yours, most respectfully,

L. F. GROVER,
Governor of Oregon.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
June 27, 1871. }

His Excellency,

The Governor of Oregon:

SIR: I have the honor to state that an account has

been adjusted between the United States and Oregon, under Act of 14th February, 1859, for the five per cent. accruing to the latter upon the net proceeds of the sales from 1st of January, 1868, to 31st December, 1870, of the public lands within her limits. The said account has been on this date reported to the First Comptroller of the Treasury for final action thereon.

I am, Sir,

Very respectfully, &c..

WILLIS DRUMMOND,

Commissioner.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, D. C.,

5th July, 1871.

Sir : I have received your letter of the 22d ultimo, in relation to what is known as the five per cent. claim of the State of Oregon, and in reply have the honor to state that, having caused inquiry to be made, I am informed that said account was adjusted on the 27th ultimo by the Commissioner of the General Land Office, who addressed you on the subject on the same day.

I am, Sir,

Very respectfully,

Your obedient servant,

B. R. COWEN,

Acting Secretary.

His Excellency, L. F. Grover, Governor of Oregon, Salem,
Oregon.

GENERAL LAND OFFICE.
WASHINGTON, D. C.,
July 17, 1871. }

To His Excellency,

The Governor of Oregon,

Salem, Oregon:

SIR: In answer to your letter of the 22d ultimo, I have the honor to state that the account for the five per cent. accruing to Oregon, under act of Congress, approved 14th February, 1859, has been, from time to time, adjusted up to 31st December, 1870, inclusive, at which date, as shown by the books of this office, there was a balance to the credit of the State amounting to \$6,568 76, viz: The State is chargeable with the following sums, paid over to her by Treasury warrants:

To warrant No. 4,259, dated 11th November,	
1865	\$ 1,545 92
To warrant No. 2,085, dated 27th November,	
1867, payable to Russell & Erwin	3,566 79
To warrant No. 1,229, dated 10th June, 1869,...	1,857 46
	<hr/>
	\$ 6,970 17

And has been credited as follows:

By five per cent. on \$30,918 39, net proceeds of sales from 14th February, 1859, to 31st December, 1864	\$ 1,545 92
By five per cent. on \$71,335 85, net proceeds of sales from 1st January, 1865, to 31st De- cember, 1866.....	3,566 79
By five per cent. on \$37,149 46, net proceeds of sales from 1st January, to 31st December, 1867	1,857 46
By five per cent. on \$131,375 20, net proceeds of sales from 1st January, 1868, to 31st De-	

cember, 1870.....	6,568 76
	<hr/>
	\$13,538 93
Deduct balance due the State 31st December,	
1870.....	\$ 6,568 76
	<hr/>
	\$ 6 970 17

The adjustment of the account to 31st December, 1870, showing a balance of \$6,568 76 as due to the State of Oregon, was reported to the first Comptroller 27th ultimo, with a view to final action thereon.

I am, Sir,

Very Respectfully,

Your obedient servant,

WILLIS DRUMMOND,

Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, July 11, 1871. }

The Commissioner of the General Land Office:

SIR: I have the honor to acknowledge the receipt of your communication of June 27th, ult., ("M") stating that an account has been adjusted between the United States and Oregon, under act of 14th February, 1859, for the five per cent. accruing to Oregon upon the net proceeds of sales from 1st January, 1868, to 31st December, 1870, of the public lands within her limits. I am gratified that progress is being made in the matter referred to, and beg leave to call the attention of your office to the fact that there is an entire absence of any accounting of sales of this character previous to the period mentioned

back to 14th February, 1859, between the United States and Oregon.

A short time since I had the honor to transmit to the Secretary of the Interior a communication covering the whole subject, which no doubt has, ere this, been placed in proper hands for attention.

Very truly,

Your obedient servant,

L. F. GROVER,
Governor of Oregon.

GENERAL LAND OFFICE,
WASHINGTON, D. C.,
July 27, 1871. }

His Excellency,

L. F. Grover,

Governor of Oregon:

SIR: In answer to your letter of the 11th instant, I have the honor to state that per lettea of the 17th of this month, we communicated to you a statement of the Oregon five per cent. account, exhibiting the amount accruing to the State upon the net proceeds of the sales to the 31st December, 1870, of the public lands within her limits, also the numbers, dates and amounts of the Treasury warrants issued in favor of the State in payment of said fund. If the letter alluded to shall not have reached you, we will, upon being so advised, transmit you a copy of the same.

I am, Sir,

Very respectfully,

Your obedient servant,

WILLIS DRUMMOND,
Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, August 1st, 1871. }

Hon. Willis Drummond,

Commissioner General Land Office,

Washington City :

SIR: I have the honor to acknowledge the receipt of your communication of July 17, marked "M," giving statement of Treasury warrants sent the Governor of Oregon, for the five per centum of the net proceeds of the sales of public lands in Oregon. On examination of the books of the State Treasurer, I find that Treasury warrant No. 4,259, dated November 11, 1865, for \$1,545 92, was received by His Excellency, Governor A. C. Gibbs, in February, 1866. Nothing can be found in any of the books of the Treasury, State, or Executive Departments of this State, showing that Treasury warrant No. 2,085, dated November 27, 1867, for \$3,566 79, and warrant No. 1,229, dated June 10, 1869, for \$1,857 46, were ever received by the officials of this State. Please inform me of the date of their transmission, and on whom or what bank they were drawn, and whether you received any official acknowledgment of their receipt by His Excellency, George L. Woods, who was Governor of the State at that time. Official acknowledgment was yesterday sent to Honorable George S. Boutwell, Secretary of the Treasury, of the receipt of Treasury Warrant No. 2,528, dated July 17, 1871, for \$6,568 76.

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
WASHINGTON, D. C., August 16, 1871. }

His Excellency,

L. F. Grover,

Governor of Oregon:

SIR: I have the honor to acknowledge the receipt of your letter of the 1st instant, respecting certain payments to Oregon on account of the 3 per cent. fund; and being unable to obtain from the books of this office the information desired, have referred your communication to the Secretary of the Treasury, with a request that it may be furnished you from the records of that Department.

I am, Sir,

Very respectfully, etc.,

WILLIS DRUMMOND,

Commissioner.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, Aug. 3, 1871. }

Messrs. Russell & Erwin,

San Francisco, California:

SIRS: Please inform His Excellency, L. F. Grover, Governor of Oregon, whether Treasury Warrant No. 2,085, dated Nov. 27, 1867, for \$3,566 79, and Treasury Warrant No. 1,229, dated June 10, 1869, for \$1,857 46, were paid to you; if so, who indorsed them to you for collection, and of any other information in relation to said warrants. By so doing, you will greatly oblige,

Very respectfully,

Your obedient servant,

HENRY H. GILFRY,

Private Secretary.

SAN FRANCISCO, August 11, 1871.

Hon. L. E. Grover,

Governor,

Salem, Oregon :

DEAR SIR: Mr. Gilfry's letter of the 3d instant duly to hand. Oct. 26th, 1867, Sam'l E. May, Secretary of State, sent us for collection *his draft* on R. W. Taylor, Controller of Treasury Department, Washington, for \$3,566 79, U. S. currency. Then, on May 20, 1869, he sent us his draft on same person for \$1,857 46, currency, accompanied by Taylor's notification of this amount, addressed to Governor Woods. Both drafts were paid, credited to May, and disbursed according to his instructions, partly here and partly in New York.

It is possible the first draft was accompanied by notification of Mr. Taylor, but our books make no mention of the fact, as in the latter case.

Any further information we can give you will be cheerfully furnished on application.

We are respectfully yours,

THE RUSSELL & ERWIN M'F'G. CO.

J. W. Stow, Attorney.

STATE OF OREGON, /

EXECUTIVE OFFICE, /

SALEM, Aug. 31, 1871. /

Messrs. Russell & Erwin,

San Francisco:

DEAR SIRS: Your letter of 11th inst. came duly to my office. I am much obliged for the information furnished. There is a deficit in our Treasury account of the amount,
11—G.

and mention of the two warrants covering the drafts of Sam. E. May, Secretary of State of Oregon, on R. W. Taylor, Comptroller of the Treasury Department at Washington, for the sums of \$3,566 79 and \$1,857 46, respectively. I therefore solicit that you will inform me for what these moneys were disbursed, and if in any view of the case the moneys were paid for the use of the State of Oregon.

Lest we may not be misled in our examination of this matter, if not inconsistent with the interests of your business, I wish you would send us copies of the correspondence between your house and Secretary May in this matter, as the records of the State Department show no correspondence on this subject.

Very respectfully, your obedient servant,

L. F. GROVER,

Governor of Oregon.

SAN FRANCISCO, September 18. 1871.

Hon. L. F. Grover,

Governor of Oregon,

Salem :

DEAR SIR : Yours of the 31st ult. at hand, but the writer has been so occupied that he could not give attention to it.

Mr. May sends us the amount of \$3,566 79, under date of October 19, 1867, and in his letter requests us to pay Herring & Co., for safe "for the State of Oregon," \$1,450 62, which was duly paid, by our New York house, and the voucher forwarded to Mr. May. We were also instructed to pay out another amount (\$560, gold) to a Mr. Mayer of this place, but whether for personal or State purposes we

were not advised. We paid out the balance of this first remittance upon Mr. May's orders, partly for merchandise and partly to outside parties, partly to himself.

The second remittance was under date of May 13, 1869, and from this we were ordered to pay Messrs. Bank & Bros. of New York, "for books for the library of the State of Oregon," the sum of.....\$766 09
 And commission for purchasing same..... 38 10
 The expense of collecting the drafts was some.... 10 00
 Part of the amount of each draft was reduced to gold (they being for currency) and disbursed here under Mr. May's orders.

We would send you full copies of Mr. May's letters, but they throw no light on the matter further than that given above.

There seems little doubt that a portion of these funds were used for Mr. May's personal use.

If we can be of further use in the investigation of the matter, we shall be pleased to respond.

We may add that a part of the money went to pay for hardware for his house, and we also paid for some plated ware ordered by Mr. May from New York, and we think was *marked* as for him.

Very respectfully yours,

THE RUSSELL & ERWIN MANF'G CO.

J. W. Stow, Attorney.

STATE OF OREGON,
 TREASURER'S OFFICE, }
 SALEM, August 15th, 1871. }

His Excellency,

L. F. Grover,

Governor of the State of Oregon:

SIR: Permit me to state that upon the receipt of the

accompanying original letter, directed to your Excellency from the Department of the Interior, of which the following is a true copy, to wit: vol. 109, page 489.

DEPARTMENT OF THE INTERIOR,)
 GENERAL LAND OFFICE.)
 WASHINGTON, D. C., July 17, 1871. }

His Excellency,

The Governor of Oregon,

Salem, Oregon :

SIR: In answer to your letter of the 22d ult., I have the honor to state that the account for the five per cent. accruing to Oregon under Act of Congress, approved 14th February, 1859, has been from time to time adjusted, up to December, 1870, inclusive, at which date, as shown by the books of this office, there was a balance to the credit of the State, amounting to \$6,568 76, viz.: The State is chargeable with the following sums, paid over to her by Treasury warrants:

To Warrant No. 4,259, dated 11th Nov., 1865...	\$1,545 92
To Warrant No. 2,085, dated 27th Nov., 1867	
payable to Russell & Erwin.....	3,566 79
To Warrant No. 1,229, dated 10th June, 1869..	1,857 46
	<hr/>
	\$6,970 17

And has been credited as follows:

By five per cent. on \$30,918 39, net proceeds of sales from 14th Feb'y, 1859, to 31st Dec., 1864.....	\$1,545 92
“ five per cent. on \$71,335 85, net proceeds of sales from 1st Jan., 1865, to 31st Dec., 1866.....	3,566 79
“ five per cent. on \$37,149 46, net proceeds of sales from 1st Jan., to 31st Dec., 1867...	1,857 46
“ five per cent. on \$131,375 20, net proceeds	

of sales from 1st Jan., 1868, to 31st Dec., 1870.....	6,568 76
	<hr/>
	\$13,538 93
Deduct balances due the State 31st Dec., 1870..	6,568 76
	<hr/>
	\$6,970 17

The adjustment of the account to 31st December, 1870, showing a balance of \$6,568 76, as due to the State of Oregon, was reported to First Comptroller 27th ult., with advice to final action thereon.

I am, Sir,

Very respectfully,

Your obedient servant,

(Signed)

WILLIS DRUMMOND,

Commissioner.

I diligently searched the books in this department, and ascertained that only one warrant, No. 4,259, dated 11th November, 1865, for (\$1,545 92), fifteen hundred and forty-five 92-100 dollars, of the three enumerated warrants has been paid into the State Treasury, for which, on page 227, of Cash Book of the State of Oregon, under date of January 20th, 1866, and in the hand-writing of Hon. E. N. Cooke, then State Treasurer of the State of Oregon, I find the following entry, to wit: Received of T. E. Spinner, Treasurer of the United States Treasury, Warrant No. 4,259, dated Washington City, November 14, 1865, payable to the State of Oregon, at the U. S. Depository, at Oregon City, for one thousand five hundred and forty-five 92-100 dollars. Received through the hands of A. C. Gibbs, Governor of Oregon, and placed to the credit of the Common School Fund of the State, \$1,545 92, which sum is credited to the account of the Common School Fund, on page 85 of the Ledger of Oregon, under date of

January 20, 1866, as received from "United States for land sold—warrant on Sub-Treasury, Oregon City;" whereas, the other two warrants, No. 2,085 dated November 27th, 1867, for \$3,566 79, and No. 1,229, dated June 10th, 1869, for \$1,857 46, amounting in the aggregate to the sum of (\$5,424 25), fifty-four hundred and twenty-four 25-100 dollars, nowhere appear on the books of this department as having at any time been paid into the State Treasury.

Very respectfully yours,

L. FLEISCHNER,

State Treasurer.

TREASURY DEPARTMENT,
WASHINGTON, D. C.,
AUGUST 25, 1871. }

His Excellency, L. F. Grover,

Governor of Oregon,

Salem, Oregon:

SIR: I have the honor to acknowledge, by reference from the General Land Office, the receipt of your letter of the 1st instant, stating that the records of the Executive Departments of Oregon fail to show the receipt of Treasury warrants No. 2085, November 27th, 1867, for \$3,566 79, and No. 1229, June 10th, 1869, for \$1,857 46, for payment of Five Per Cent. Fund of net proceeds of sales of public lands in Oregon, and requesting to be informed of the date of their transmission and on whom or what bank drawn, and whether any official acknowledgment of their receipt was made by the Governor of the State.

In reply, I have to inform you, that the warrants above referred to were paid to the Russell and Erwin Manufacturing Co., and to Messrs. Riggs and Co., bankers, in accordance with instructions given by Samuel E. May, Secretary of State and acting Governor, copies of which are enclosed herewith. I am,

Very respectfully,

J. F. HARTLEY,
Acting Secretary.

[Copy.]

STATE OF OREGON, }
DEPARTMENT OF STATE. }
SALEM, August 20th, 1867. }

Hon. R. W. Tayler,
Comptroller Treasury Department,
Washington, D. C.:

SIR: Referring to the annexed communication, this certifies that "The Russell and Erwin Manufacturing Company," or order, are hereby authorized to receive in behalf of the State the amounts therein specified.

In witness whereof I have hereunto signed my name and affixed the seal of the State aforesaid, the day and year above written.

[s. s.]

SAMUEL E. MAY,
Sec'y of State and acting Governor.

(Endorsed). Pay to the order of Messrs. Riggs & Co.,
Russell & Erwin Mfg. Co.

RIGGS. RICHARD P. BRUFF,
Attorney.

[Copy.]

TREASURY DEPARTMENT,
 COMPTROLLER'S OFFICE,
 July 10th, 1867. }

Sir: An account of the five per cent. fund, which has accrued to the State of Oregon for the sale of Public Lands within her limits, from the 1st of January, 1865, to 31 December, 1866, has been adjusted at the Treasury and a balance of \$3,566 79 found to be due her from the United States.

You will be good enough to certify who is authorized to receive the same for the State, and it will be so paid on application for such payment.

Very respectfully,

R. W. TAYLER,

Hon'ble

Comptroller.

GEORGE L. WOODS,

Governor of the State of Oregon.

Eugene City, Oregon.

[Copy.]

STATE OF OREGON,
 SECRETARY'S OFFICE,
 SALEM, May 7th, 1869. }

Hon. R. W. Tayler,

Comptroller Treasury Department,

Washington, D. C.:

Sir: Referring to yours of July 22d, 1868, addressed to his Excellency the Governor, in the absence of that officer, I have the honor to certify that "The Russell and Erwin Manufacturing Company," or order, are hereby authorized to receive, in behalf of the State, the amount

therein specified, viz: One thousand eight hundred fifty-seven 46-100 dollars (\$1,857 46-100).

Witness my signature and seal of State, the day and year first-above written.

[SEAL]

SAMUEL E. MAY,
Secretary of State.

(Endorsed). Pay to the order of Messrs. Riggs & Co.,
Russell and Erwin Manufacturing Company.

RICHARD P. BRUFF,
Attorney.

[Copy.]

TREASURY DEPARTMENT,
COMPTROLLER'S OFFICE,
July 22, 1868. }

His Excellency,

George L. Woods,

Governor of the State of Oregon,

Salem, Oregon:

SIR: The five per cent. fund account, for the State of Oregon, for the year 1867, has been adjusted at the Treasury, and a balance of \$1,857 46-100 found to be due to the State, which will be paid when you shall certify who is authorized to receive the amount.

Very respectfully,

Your obedient servant,

(Signed)

R. W. TAYLER,
Comptroller.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, September 8, 1871. }

To the Secretary of the Treasury,

Washington, D. C.:

SIR: Your letter and inclosures of August 25, 1871,

marked "C F C." received to-day. The exhibits are full and satisfactory. I regret having had to trouble you to the extent of my correspondence in this matter, but it became imperative upon me from the fact of the default of ex-Secretary May in making any showing of the two warrants, Nos. 2,085 and 1,229, amounting to \$5,-424 25-100, which will be lost to this State, as his other defaults exceed the amount of his bonds.

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, October 25, 1871.

Messrs. Russell & Erwin,
San Francisco:

DEAR SIR: Your last communication touching the disposal of Oregon State Funds, drawn through your house by ex-Secretary Sam E. May, was complete and satisfactory. But having found that the safe and books for the State Library were paid for in full to Mr. May, out of the State Treasury here, we find that the entire sum of the two warrants negotiated through your house is in default in Mr. May's account. A prosecution is about to be instituted on May's official bonds, and a presentation is to be made to the Grand Jury in the case for embezzlement. It will save us the expense of obtaining personal testimony from your house as to the directions given by May for the disposal of these funds, if you will send us the original let-

ters of May directing the use of these moneys. If you will be kind enough to forward them to us, we will take care that they be returned to you after the proceedings are over.

May's embezzlements, we think, will reach near \$20,000.

Very respectfully,

Your obedient servant,

L. F. GROVER,

Governor.

SAN FRANCISCO, NOV. 14, 1871.

L. F. Grover, Esq.,

Salem, Oregon:

DEAR SIR: Your favor, 25th ult., was duly received, and we now enclose the original letters, accompanying the drafts received by us from S. E. May, dated respectively Oct. 19, 1867, and May 13, 1869. These are the only letters we have from him, that make any allusion to the matter now in discussion.

Will you be kind enough to acknowledge receipt of the above, and return the letters when your proceedings are concluded.

Yours truly,

RUSSEL & ERWIN M'F'G CO.

[Copy.]

SALEM, Oct. 19, 1867.

Joseph W. Stow, Esq.,

Manager Russell & Erwin M'f'g Co.,

San Francisco, California.

Since receiving yours of the 20th ult., I have not been

well enough to attend to business, hence the delay. Enclosed find the necessary certificate with which your New York house can draw the sum of \$3,566 79, in currency, presuming on your good nature and at the same time hoping and expecting that you will charge me a commission for attending to it. I have taken the liberty to inclose a memorandum of some private and public obligations which I would like you to meet if you can do so consistently. I have reduced the amount to currency and estimated at \$704. The note of Meyer, whose place of business is near the San Jose Depot, falls due in about a month, and at maturity will amount to \$560.

The balance, whatever you may find it to be, on the basis on which you may settle these matters, you will please cause to remain to my credit in New York, and when I need it I will advise you as I am having same engraving done in that city for the State. I am not well to-day and cannot state what I desire as plainly as I could wish, but I hope you will be able to understand it.

Yours very truly,

SAMUEL E. MAY.

[Copy.]

STATE OF OREGON, }
SECRETARY'S OFFICE, }
SALEM, May 13, 1869. }

J. W. Stow, Esq'r,

No. 204 Sansome Street,

San Francisco, Cal.:

Will you do me the favor to send the inclosed order East for collection, and instruct your house to pay Banks and Brothers, No. 144 Nassau street, N. York, \$720 37,

currency, with interest from August 1st, 1868, until paid; also a small account to J. M. Keeler for commission—the amount of which I do not know. I have instructed him to leave his account with the above firm, to be paid at the same time of the other. Hoping that you will be able to give this matter your usual prompt attention,

I am yours,

Very truly,

SAMUEL E. MAY.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, D. C.,
13th Feb. 1872. }

SIR: The letter (filed by you in the Department on the 5th instant) addressed to you on the 5th ultimo, by his Excellency, L. F. Grover, Governor of Oregon, requesting you to obtain from this Department certain information specified in the memorandum accompanying his letter, was referred to the Commissioner of the General Land Office. I have the honor to transmit herewith a copy of his report on the subject, received to-day, from which it appears that the information asked for is not in his office. The letter and memorandum are herewith respectfully returned.

Very respectfully,

B. R. COWEN,

Acting Secretary.

Hon. J. K. Kelly, U. S. Senate.

WASHINGTON, February 15, 1872.*His Excellency,**Governor Grover:*

DEAR SIR: I received your letter of the 5th January on the 4th inst., and on the day following went to the Departments of the Interior and Treasury, and requested copies of the official papers in relation to the payment of the five percentum of moneys arising from the sale of public lands in Oregon. By reference to the letters of B. R. Cowen, Acting Secretary of the Interior; and Willis Drummond, Commissioner of the General Land Office, you will perceive that there was no information to be communicated from the Department of the Interior.

I also, herewith, enclose you a transcript of certain papers certified to by Mr. Boutwell, the Secretary of the Treasury; and another transcript certified to by John Allison, Register, and authenticated by Mr. Boutwell, Secretary, etc. When these papers were first sent to me by the Secretary of the Treasury they were deficient in this: that they did not contain copies of the assignments made by May to Riggs & Co., and to the Russell & Erwin Manufacturing Company. I sent them back for the purpose of having these assignments inserted. I have now to call your attention to the fact that one of these assignments is inserted in the papers certified by Mr. Allison, the Register; while the other assignment is among the papers certified by Mr. Boutwell. I presume, however, this will make no difference.

By examination you will perceive that Samuel E. May assigned the amount of \$1,857 46 to "The Russell & Erwin Manufacturing Company," while the Treasury warrant drawn for that sum is made payable to Riggs & Co. This, however, is explained by the endorsement on the back of the assignment.

The certificates made by Secretary Boutwell, and John Allison, Register, are not just as I wished them to be; but I could not get them otherwise. I desired those officers to comply with the requirements of our Oregon statute, and certify that the copies were compared by them with the originals, etc. Secretary B. says all papers are compared, but not by him, and that he cannot compare any papers; as otherwise he would have to supervise the work of all the clerks in his Department. This work of comparing is necessarily entrusted to clerks. I think, however, the certificates will be sufficient in law.

I think the statute of Oregon relating to the manner of attesting records should be modified, and that you ought to recommend the Legislative Assembly to do this, so as to read substantially as follows: "But any record or official paper in any of the Departments of the Government of the United States may be received in evidence in the courts of this State if the same be authenticated in the manner prescribed by the laws of the United States."

Unless this is done you will always have trouble in having papers certified so as to conform to the State of Oregon.

We have not had any letters from Oregon for a long time owing to the snow blockade, &c. I fear it will be many days before we will receive any more.

Very truly yours, &c.,

JAMES K. KELLY.

His Excellency, L. F. Grover, Governor of Oregon.

UNITED STATES OF AMERICA, }
TREASURY DEPARTMENT, }
February 14, 1872. }

Pursuant to the act of Congress of the 22d February

1849, I hereby certify that the annexed have been compared and are true copies of original papers now on file in this Department.

In witness whereof I have hereunto set my hand, and caused the seal of the Treasury Department to be affixed, on the day and year first above written.

GEO. S. BOUTWELL,
Secretary of the Treasury.

[SEAL.]

DEPARTMENT OF THE INTERIOR,
WASHINGTON,
November 8th, 1865. }

(\$1,545 92.)

(No. 8495.)

To the Secretary of the Treasury :

SIR : Please cause a warrant, payable out of the under-mentioned appropriation, to be issued for the sum of one thousand five hundred and forty-five and 92-100 dollars, in favor of the State of Oregon, being amount of five per cent. fund accruing to said State from the sales of public lands, from 14th February, 1859, to 31st December, 1864, per Report No. 18, 635, with which the said to be charged accordingly on the books of the Treasury.

JAS. HARLAN,
Secretary of the Interior.

Appropriation.—Five per cent. fund of net proceeds of sales of public lands in Oregon.....\$1,545 92
Registered.

J. R. G.

(No. 18,653.)

DEPARTMENT OF INTERIOR,
 GENERAL LAND OFFICE,
 October 26, 1865. }

I have examined and adjusted an account between the United States and the State of Oregon, under the 5th article of the 4th section of the act of Congress approved 14th February, 1859, for the five per cent. fund accruing to the latter upon the net proceeds of the sales, from said date to the 31st December, 1864, inclusive, of the public lands within her limits, and find that the State is entitled to the following credits, viz :

By five per cent. on \$30,918 39, the net proceeds of the sales of the public lands in the State of Oregon from 14th February, 1859, to 31st December, 1864, inclusive, \$1,-545 92. I also find that the State is not chargeable on said account.

And the balance due the State of Oregon on the 31st of December, 1864, amounted to \$1,545 92, as appears from the records of this office.

J. M. EDMONDS,
 Commissioner.

HON. R. W. TAYLER,
 1st Comptroller of the Treasury.

TREASURY DEPARTMENT,
 COMPTROLLER'S OFFICE. }

Admitted and certified this 4th day of November, 1865,
 payable to the State of Oregon.

R. W. TAYLER, Comptroller.

To the Register,

To the Secretary of the Interior :

The foregoing is a true copy of the original, which, with

the statement and vouchers therein referred to, are on file in this office.

J. A. GRAHAM,

Ass't Register.

Register's Office, Nov. 6, 1865.

W. H. H.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, November 25th, 1867. }

(\$3,566 79.)

(No. 5103.)

To the Secretary of the Treasury :

SIR : Please cause a *warrant*, payable out of the under-mentioned appropriation, to be issued for the sum of three thousand five hundred and sixty-six and 79-100 dollars, in favor of the Russell & Erwin Manufacturing Co., being amount of five per cent. fund on the sales of public lands in the State of Oregon during the years 1865 and 1866, No. 19,564, per Report with which the said to be charged accordingly on the books of the Treasury.

O. H. BROWNING,

Secretary of the Interior.

Appropriation.—five per cent. fund of net proceeds of sales of public lands in Oregon.....\$3,566 79
Registered,

J. R. G.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE. }
July 3d, 1867. }

(Report No. 19564.)

SIR : I have examined and adjusted an account between the United States and the State of Oregon, under the 5th article, 4th section of the act of Congress approved 14th February, 1859, for the five per cent. fund, accruing to the

latter upon the net proceeds of the sales from January 1st, 1865, to December 31st, 1866, of the public lands within her limits, and find that the said State is chargeable, namely :

To warrant on the Treasurer—

For amount of warrant No. 4259, dated 11th
Nov., '65, per certificate of the Register of
the Treasury, June 19th, 1867.....\$1,545 92

I also find that the State is entitled to credit, viz:

By amount of balance due the 31st December,
1864, per Report No. 18,653, dated October
26th, 1865.....\$1,545 92

By amount of five per cent. on \$71,335 85, the
net proceeds of the sales of the public lands
during the years 1865 and 1866..... 3,566 79

\$5,112 71

And the balance due the State of Oregon 31st
December, 1866, amounted to..... 3,566 79

\$1,545 92

As will appear from the account and vouchers herewith.

JOSEPH S. WILSON,
Commissioner.

HON. R. W. TAYLER,
1st Comptroller of the Treasury.

TREASURY DEPARTMENT, }
COMPTROLLER'S OFFICE. }

Admitted and certified this 10th day of July, 1867.

R. W. TAYLER,

To the Register.

Comptroller.

affixed the seal of the State aforesaid, the day and year above written.

SAMUEL E. MAY,
Secretary of State and Acting Governor.

[SEAL.]

TREASURY DEPARTMENT,
COMPTROLLER'S OFFICE,
July 10th, 1867. }

SIR: An account of the five per cent. fund which has accrued to the State of Oregon for the sale of public lands within her limits from the 1st January, 1865, to 31st December, 1866, has been adjusted at the Treasury, and a balance of \$3,566 79 found to be due her from the United States.

You will be good enough to certify who is authorized to receive the same for the State, and it will be so paid on application for such payment.

Very respectfully,

R. W. TAYLOR, Comptroller.

Hon. George L. Woods, Governor of the State of Oregon,
Eugene City, Oregon.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, D. C.,
June 3d, 1869. }

(\$1,857 46.)

(No. 6854.)

To the Secretary of the Treasury:

SIR: Please cause a warrant, payable out of the under-mentioned appropriation, to be issued for the sum of one thousand eight hundred and fifty-seven and 46-100 dollars, in favor of Riggs & Co., assignees, for the State of Oregon, being amount accruing to said State from the sales of public land under the provisions of an act approved February

14th, 1859, per Report No. 20,165, with which
the said to be charged accordingly on
the books of the Treasury.

J. D. COX,
Secretary of the Interior.

Appropriation.—Five per cent. fund of net pro-
ceeds of sale of public lands in Oregon, etc...\$1,857 46
Registered,
J. R. G.

Report No. 20,165.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE, }
July 7th, 1868. }

SIR: I have examined and adjusted an account between
the United States and the State of Oregon, under the pro-
visions of the act of Congress approved 14th February,
1859, for the five per cent. fund accruing to the latter upon
the net proceeds of the sales of the public lands within
her limits during the year 1867, and find that the State is
entitled to the following credit, viz:

By balance due the State 31st December, 1866,	
per Report No. 19,564, dated July 3, 1867,	
and per certificate of Register of Treasury	
herewith.....	\$3,566 79
By five per cent. on \$37,149 46, the net proceeds	
of the sales of the public lands from 1st Jan-	
uary to 31st December, 1867.....	1,857 46
	<hr/>
	\$5,424 25

I also find that the State is not chargeable with any
sum on this account, and the balance due the State of Or-
gon 31st December, 1867, amounted to \$5,424 25, as will

appear from the statement and vouchers herewith,
J. S. WILSON, Commissioner.

HON. R. W. TAYLER,
1st Comptroller of the Treasury.

Commissioner's balance brought down.....	\$5,424	25
Deduct amount paid November, 1867.....	3,566	79

Corrected balance due the State.....	\$1,857	46
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TREASURY DEPARTMENT,
COMPTROLLER'S OFFICE. }

Admitted and certified this 22d day of July, 1868.

R. W. TAYLER, Comptroller.

To the Register.

Additional Certificate.

TREASURY DEPARTMENT,
COMPTROLLER'S OFFICE, }

31st May, 1869. }

The within balance of \$1,857 46 is payable to Riggs & Co., assignees.

R. W. TAYLER, Comptroller.

To the Secretary of the Interior:

SIR: The above is a true copy of the original, which, with the statement and vouchers therein referred to, is filed in this office.

J. A. GRAHAM,

Acting Register of the Treasury.

Register's Office,

R. C. E., June 1st, 1869.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, July 11, 1871. }

(6,568 76.)

(No. 9914)

To the Secretary of the Treasury:

SIR : Please cause a warrant, payable out of the under-mentioned appropriation, to be issued for the sum of six thousand and five hundred and sixty-eight and 76-100 dollars, in favor of L. F. Grover, Governor of the State of Oregon, being the amount of five per cent. fund accruing to said State upon the net proceeds of the sales of public lands within her limits from January 1st, 1868, December 31st 1870, per Report 22040, Salem, Oregon, with which the said _____ to be charged accordingly on the books of the Treasury.

B. R. COWEN,
Acting Secretary of the Interior.

Appropriation.—Five per cent. fund of the net proceeds of the sales of public lands in Oregon, \$6,568 76
Registered, 1872.
R. J.

(Report No. 22040.)

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE. }
JUNE 27, 1871. }

SIR : I have examined and adjusted an account between the United States and the State of Oregon, under act of Congress of 14th February, 1859, for the five per cent. fund accruing to the latter upon the net proceeds of the sales from 1st January, 1868, to 31st December, 1870, of the public lands within her limits, and find that said State stands chargeable as follows :

To warrants on the Treasurer—

For amount of warrant No. 1229, dated 10th
June, 1869, as per certificate of the Register
of the Treasury, dated 16th June, 1871.....\$1,857 46
I also find that said State is entitled to credit—

By amount of balance due her 31st December 1870, per Report No. 20155.....	\$1,857 46
By amount of five per cent. on \$31,375 20, the net proceeds of the sales of the public lands from 1st January, 1868, to 31st Dec., 1870...	6,568 76
	<hr/>
	\$8,426 22
And the balance due the State of Oregon 31st December, 1870, amounted to.....	\$6,568 76
	1,857 46

As will appear from the certificates of the Register of the Treasury, dated respectively 16th and 22d June, 1871, and the statement of receipts and incidental expenses hereto annexed.

WILLIS DRUMMOND,

Commissioner.

HON. R. W. TAYLER,

First Comptroller of the Treasury.

TREASURY DEPARTMENT,

COMPTROLLER'S OFFICE,

July 3d, 1871.

}

I admit and certify the within balance of \$6,568 76, payable to Governor L. F. Grover, Salem, Oregon.

WM. HEMPHILL JONES,

Acting Comptroller.

John Allison, Esq., Register, etc.

To the Secretary of the Interior :

SIR: The above is a true copy of the original, which, with the statement and vouchers therein referred to, is filed in this office.

J. A. GRAHAM,

Assistant Register of the Treasury.

Register's Office, July 5, 1871.

E. R. S., R. P. E.

TREASURY DEPARTMENT,)
 REGISTER'S OFFICE,)
 February 12, 1872.)

Pursuant to the Act of March 3, 1797, entitled "An Act to provide more effectually for the settlement of accounts between the United States and Receivers of Public Moneys," I, John Allison, Register of the Treasury Department, do hereby certify that the annexed copies of warrants Nos. 4,259—2,085—1,229—and 1,059, and of the drafts issued upon the same, attached thereto, and assignment of warrant No. 1,229 to Riggs & Co., have been compared, and are true copies of the originals on file in this office.

JOHN ALLISON,
 Register.

Be it remembered, That John Allison, Esq., who certified the annexed transcript, is now, and was at the time of doing so, Register of the Treasury of the United States, and that full faith and credit are due to his official attestations.

In testimony, whereof, I, George S. Boutwell, Secretary of the Treasury of the United States, have hereunto subscribed my name, and caused to be affixed the seal of this Department, at the City of Washington, this twelfth day of February, in the year of our Lord, 1872.

[SEAL]

GEO. S. BOUTWELL,
 Secretary of the Treasury.

Draft No. 8,592, On Treasury Warrant No. 4,259

TREASURY OF THE UNITED STATES,)
 WASHINGTON, Nov. 14, 1865.)

At sight, pay to the State of Oregon, or order, one thousand five hundred and forty-five 92-100 dollars.

(\$1,545 92)

F. E. SPINNER,
 Treasurer of the United States.

Registered, Nov. 14, 1865.

S. B. COLBY,

Register of the Treasury.

U. S. Depository,

Oregon City, Oregon.

(Endorsed). Pay to the order of E. N. Cooke, State Treasurer.

ADDISON C. GIBBS,

Governor of Oregon.

E. N. COOKE, Treas.

Paid April 17, 1866.

Treasury Interior.

Warrant,

No. 4,259

TREASURY DEPARTMENT.

To the Treasurer of the United States, Greeting:

Pay to the State of Oregon, or order, out of the appropriation named in the margin, one thousand five hundred and forty-five dollars and ninety-two cents, being amount of five per cent. fund accruing to said State from the sales of public lands, from 14th February, 1859, to 31st December, 1864, agreeably to a Certificate of the Comptroller of the Treasury, No. 18,653, dated 4th Nov., 1865, recorded by the Register. For so doing this shall be your warrant.

Given under my hand and the seal of the Treasury, this 11th day of November, in the year of our Lord one thousand eight hundred and sixty-five and of Independence the ninetieth.

[SEAL]

WM. E. CHANDLER,

Acting Secretary of the Treasury.

Countersigned, 13th.

R. W. TAYLER, Comptroller.

Recorded 13th.

J. A. GRAHAM, Asst. Register.

Received for the above warrant, draft No. 8,592 on Dep. Oregon City.

Appropriation—Five Per Cent. Fund of net proceeds of sales of public lands in Oregon, per 4th Section Act 14th February, 1859.

Draft No. 1,784, On Treasury Warrant, No. 2,085

TREASURY OF THE UNITED STATES,
WASHINGTON, Nov. 30, 1867. }

At sight, pay to the Russell & Erwin Manufacturing Co., or order, three thousand five hundred sixty-six 79-100 dollars.

(\$3,566 79)

L. R. TUTTLE,

Asst. Treasurer of the United States.

Registered Nov. 30, 1867.

N. L. JEFFRIES, Register of the Treasury,

Asst. Treasurer U. S., New York.

Paid Dec. 6, 1867, Assistant Treasurer at New York.

(Endorsed). For deposit to the credit of Russell & Erwin Mfg. Co.

RICH'D P. BRUFF,

R. H. HAYDOCK, Cash.

Att'y.

Endorsement (illegible), Fulton National Bank.

Treasury Interior.

Warrant,

No. 2,085

TREASURY DEPARTMENT.

To the Treasurer of the United States, Greeting:

Pay to the Russell & Erwin Manufacturing Co., or order, out of the appropriation named in the *margin, three thousand five hundred and sixty-six dollars and seventy-nine cents, being amount of five per cent. fund on the sales of public lands in the State of Oregon, during the

*Appropriation.—Five Per Cent. Fund of net proceeds of sale of public lands in Oregon, etc.

years 1865 and 1866, agreeably to a Certificate of the Comptroller of the Treasury, No. 19,564, dated 10th July, 1867, recorded by the Register. For so doing, this shall be your warrant.

Given under my hand and the seal of the Treasury, this 27th day of November, in the year one thousand eight hundred and sixty-seven and of Independence the 92d.

[SEAL]

J. F. HARTLEY,

Assistant Secretary of the Treasury.

Countersigned, 29th. R. W. TAYLER, Comptroller.

Recorded 29th, draft on N. Y., care of Riggs & Co.

N. L. JEFFRIES, Register.

Received for the above warrant, draft No. 1,784, on A. T., N. Y.

Draft No. 4,945, On Treasury Warrant, No. 1,229

TREASURY OF THE UNITED STATES.

Pay to Riggs & Co., or order, one thousand eight hundred and fifty-seven 46-100 dollars.

(\$1,857 46)

L. R. TUTTLE,

Assistant Treasurer of the United States.

Washington, D. C., June 12, 1869.

Registered June 12, 1869.

JOHN ALLISON, Register of the Treasury.

Paid June 17, 1869.

Assistant Treasurer, New York.

(Endorsed). Pay Bank of America, New York, or order.

RIGGS & CO.,

Assignees.

WM. L. JENKINS, Cash.

Treasury Interior.

Warrant,

No. 1,229

TREASURY DEPARTMENT.

To the Treasurer of the United States, Greeting:

Pay to Riggs & Co., assignees for the State of Oregon.

or order, out of the appropriation named in the *margin, one thousand eight hundred and fifty-seven and 46-100 dollars, being amount accruing to said State from the sales of public lands, under the provisions of an act approved Feb'y 14, 1859, agreeably to a Certificate of the Comptroller of the Treasury, No. 20,165, dated May 31, 1869, recorded by the Register. For so doing, this shall be your warrant.

Given under my hand and the seal of the Treasury, this tenth day of June, in the year of our Lord one thousand eight hundred and sixty-nine and of Independence the ninety-third.

[SEAL]

J. F. HARTLEY,

Assistant Secretary of the Treasury.

Countersigned,

R. W. TAYLER, Comptroller.

Recorded June 12th,

JOHN ALLISON, Register.

Received for the above warrant, draft No, 4,945, on New York.

STATE OF OREGON,
SECRETARY'S OFFICE,
SALEM, May 7, 1869. }

Hon. R. W. Taylor,

Comptroller Treasury Department,

Washington, D. C.:

SIR: Referring to yours of July 22, 1868, addressed to His Excellency, the Governor, in the absence of that officer, I have the honor to certify that "The Russell & Erwin Manufacturing Company," or order, are hereby authorized to receive in behalf of the State the amount

*Appropriation.—Five Per Cent. Fund of net proceeds of sales of public lands in Oregon.

therein specified; viz, one thousand eight hundred fifty-seven 46-100 dollars (\$1,857 46).

Witness my signature and seal of State, the day and year first above written.

[SEAL]

SAMUEL E. MAY.

Secretary of State.

(Endorsed). Pay to the order of Messrs. Riggs & Co., Russell & Erwin Mfg. Co.

RICH'D P. BRUFF,

Attorney.

Draft No. 2,528, On Treasury Warrant, No. 1,059

TREASURY OF THE UNITED STATES.

Pay to L. F. Grover, Governor of Oregon, or order, six thousand five hundred and sixty-eight 76-100 dollars.

(\$6,568 76)

L. R. TUTTLE,

Asst. Treasurer of the United States.

Washington, D. C., July 17, 1871.

Registered July 17, 1871.

J. A. GRAHAM,

Actg. Register of the Treasury.

Paid Aug. 16, 1871, First National Bank, Portland, Oregon.

(Endorsed). Pay to the order of L. Fleischner, Treasurer of the State of Oregon.

L. F. GROVER,

Governor of Oregon.

L. FLEISCHNER, Treasurer of State.

Interior. Settlement Warrant, No. 1,059

TREASURY DEPARTMENT.

To the Treasurer of the United States, Greeting:

Pay to L. F. Grover, Governor of Oregon, Salem, Oregon, or order, to be charged to the appropriations named

in the *margin, six thousand five hundred and sixty-eight dollars and seventy-six cents, due State of Oregon on settlement, pursuant to a certificate of the First Comptroller, No. 22,040, dated the 3d day of July, 1871, recorded by the Register. For so doing, this shall be your warrant.

Given under my hand and the seal of the Treasury Department, this 13th day of July, in the year of our Lord one thousand eight hundred and seventy-one and of Independence the ninety-sixth.

[SEAL]

GEO. S. BOUTWELL,
Secretary.

Countersigned,

R. W. TAYLER, First Comptroller.

Registered July 15, '71.

J. A. GRAHAM, Act'g Register.

OFFICE OF THE TREASURER
OF THE UNITED STATES. }

Received for this warrant the following draft: No. 2,528, on 1st, Portland, Or.

TREASURY DEPARTMENT,
COMPTROLLER'S OFFICE, }
9th July, 1872. }

Hon. L. F. Grover,

Governor of the State of Oregon,

Salem, Oregon:

SIR: An account has been adjusted between the United States and the State of Oregon, per Report No. 22,882, for the five per cent. fund accruing to the State pursuant to the Acts of Congress of 26th February, 1857, and 11th May, 1858, upon the net proceeds of the sales of the public lands within her limits, in the year ending 31st December, 1871; and a balance has been found to be due to the

*Appropriations.—Five Per Cent. Fund of the net proceeds of the sales of public lands in Oregon.

State of Oregon of \$5,191 40, for which sum a draft will be forwarded to your address.

Very respectfully,

WM. HEMPHILL JONES,

Acting Comptroller.

STATE OF OREGON,
EXECUTIVE OFFICE,
SALEM, August 15, 1872. }

To the Comptroller of the Treasury,

Washington, D. C.:

SIR: Your communication of July 9, 1872, advising the adjustment between the United States and this State of the account for the five per cent. fund accruing to this State, pursuant to the Acts of Congress of February 26, 1857, and 11th May, 1868, upon the net proceeds of the sales of the public lands within her limits, in the year ending 31 Dec., 1871, is duly received.

I also have the honor to acknowledge the receipt of draft on the Treasury of the United States, No. 3,173, dated July 24, 1872, payable at the First National Bank, Portland, Oregon, for \$5,191 40, in currency, covering said adjustment.

I have the honor to be, Sir,

Your obedient servant,

L. F. GROVER,

Governor of Oregon.