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GOVERNOR A.C. GIBBS ADMINISTRATION

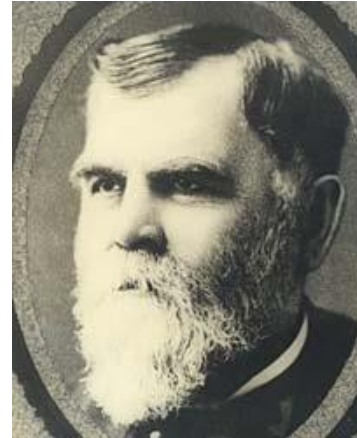
September 10, 1862 to September 12, 1866

Inaugural Messages, 1862

Source: Journals. Local Laws Oregon, 1862, Appendix, Special Message, Page 58.

Gentlemen of the Legislative Assembly:

At an early day I may seek an opportunity to call your attention to some matters of general legislation. As a coordinate branch of government, it will afford me pleasure, when necessary, to co-operate with you in the discharge of your important duties.



Upon a proper education of a free people, depends the stability of their institutions. I doubt whether a republican form of government can long exist without general education among the masses. The subject of popular education has attracted considerable of my attention, and it will be my pleasure, as well as duty, as superintendent of public instruction, to elevate the standard of education, in Oregon, as much as my limited influence and acquirements will permit. The common school, the academy and college, are intimately connected, and each dependent upon the other, and should be encouraged.

We may congratulate ourselves that congress has provided the means for making farming more honorable and useful, by donations of land to each State, for the establishment of agricultural colleges. The friends of free labor have long urged the importance of such donations, while they have been opposed by those who prefer to do the thinking and let others perform the labor. Now is the time to accept the proposition of the Government and take the initiatory steps in organizing a system of instruction which, I trust, may be of incalculable benefit to the rising generation of Oregon. Let the experiment be fairly made, and it is to be hoped the result will prove all that has been desired by its most ardent friends.

Allow me to congratulate you, and, through you, the people of Oregon, that peace and prosperity surround us. The prospects for Oregon were never more promising, save the shadows from the fires of secession which are blazing around our childhood homes. Though we have had a winter of unprecedented severity and devastating floods, no traitorous hand has been raised to tear down our national flag and subvert our beloved institutions. A wicked rebellion is raging east of the Rocky Mountains, with all its devastating fury.

The Border States are being desolated; the cries of the sick and wounded, and moans of the mother, widow and orphan, may be heard in every town. These evils, as yet, have been spared us. While this is so, it may be well to pause and consider how near our feet have approached the awful gulf of secession which was yawning, partially concealed, but a few paces before us.

A Senator, in whose hands Oregon had been "as clay in the hands of the potter," stood in the American Senate on the 2nd of March, 1861, and said: "Whether the course of seceding States have seen fit to take, be right or not, is a question which we must leave to posterity and the verdict of impartial history." And, speaking of the "Confederate States," he said: "I look upon that government as one of the finest experiments on the face of the earth, or in the history of mankind, embodying the purist patriotism, the highest order of statesmanship and the greatest amount of talent and administrative capacity that can be found among the same number of people in any government on the face of the globe."

But a short time ago the traitor, Albert Sidney Johnston, was in command of the entire military of the Pacific coast. And with him came an unprecedented number of arms, sent, too, at a time of general peace with all our Indians. Some of the Federal officers on the coast are known to have been disloyal. One Indian Agent in Oregon, after the plot was discovered and broken up, boastingly left the State, to join the rebel army, in which he now holds a commission. Some of the Indians left the reservation and went to their old homes, stating that those who had charge of them had told them there was no government now. The re-enactment of the scenes of Kentucky and Tennessee were prevented on this coast by the attention of Union men and vigilance of the Administration. All honor to both!

The all-absorbing question of the day is, how to put down the rebellion and pay the expenses of the war. A great majority of the people of Oregon are loyal men—willing to pay their taxes, aid in the circulation of United States Treasury notes without a murmur—to do any act prompted by the spirit of our fathers when they mutually pledged to each other their lives, their fortunes and sacred honors, to establish this Government. There is but one line between union and disunion. Those who are not for us are against us. It has been often and truly said that "Eternal vigilance is the price of liberty!" Mark its pregnant truths at this time, and watch those who carp at every real or imaginary error of the Administration, and are complaining of the "tax bill," because a small portion of their fortunes is required to preserve civil and religious liberty in America.

Honorable gentlemen, nearly all of you, like myself, were elected under a pledge "to support the officers of the Government in all constitutional means to put down the present wicked rebellion." The proposition that the Government has no power to weaken its enemies, in open arms against it, by taking their property—that their lives may be taken, but not their property—is, to my mind, too absurd for discussion. A secessionist should have no property, in Negroes, or anything else. Property is power; and should we leave it in rebel hands, to be wielded against us, while the bones of our countrymen are bleaching on the fields of a hundred battles, and while hundreds of thousands of our fellow-citizens are liable to share the same fate? I consider it my highest duty, as well as pleasure, to do all I can, and exert all the influence of my present position, at home and abroad, in putting down secession and preserving the best Government in the world. And, by repentance, humiliation and reformation, we should strive to remove all further cause for visitations of Gods' judgments upon our State and nation—remembering that He that ruleth the hosts of Heaven holds in his hands the destinies of nations.

[September 1862]

Special Message, 1862

Source: Journals. Local Laws Oregon., 1862, Appendix, Special Message, Page 46.

Gentlemen of the Legislative Assembly:

"Article 5, of the Constitution of the State, provides that the Governor "Shall from time to time give to the Legislative Assembly information touching the condition of the State and recommend such measures as he shall judge to be expedient." In compliance with that provision, I respectfully submit the following suggestions:

CODE

A transition from a Territorial to a State organization always requires a change of laws adapting to the new state of things. Oregon had been an organized Territory for ten years.

The members of the last Legislature found that the laws were embraced in a number of volumes. And that the bound volume, including the practice act, was "out of print," and could not be purchased at any place. Hence, the Legislature wisely appointed a committee to collect and revise the laws. Owing to the absence of Hon. Amory Holbrook to the Atlantic States, the other members of the committee selected Hon. M. P. Deady to assist them. The temporary absence and sickness of other members of the committee, has caused most of the labor to fall on Judge Deady.

The report is herewith, submitted, and I earnestly recommend its passage without amendments, unless the same are well considered, so as not to destroy the harmony and connection of one part with another.

The report is not as full as might have been desired, but it embodies a complete code of practice in all our courts, and many general provisions. I trust the Legislature will connect with it some other necessary laws and order it printed in permanent form. But it may be well to take into consideration the propriety of publishing the code and such laws as are passed this session in pamphlet form; and of retaining the committee, or appointing a new one, to make further report and perfect this.

When the Statutes are published in a bound volume, it will probably be a number of years before they will be revised and published again, which is an additional reason why they should now be prepared with great care.

The resolution appointing the code committee, made no provision for payment for their labors. I therefore respectfully recommend the passage of an act, requiring the Secretary of the State to audit and draw warrants on the State Treasurer for their labors, at the rate of ---per day, upon the sworn statement of each member of the committee, for the actual time employed.

PENITENTIARY

The Penitentiary has been a subject of considerable Legislation and some experiment. Its location is an unfortunate one, as a part of it is located on Block No.106, in the City of Portland, upon the property of Stephen Coffin. A part of it is situated on Block No.107, which purports to have been conveyed for the purpose of a site for the penitentiary. The balance of the building is situated in the street between said blocks, to which the State has not the shadow of title.

Block No.107 covers a deep gulch, fifty or more feet deep, so that it is impractical to improve it as the immediate wants of the Penitentiary demand.

Upon this point the committee appointed by the last Legislature reported: "All the land in the vicinity of the Penitentiary belonging to the State, is so broken and rough, that the amount required to level and prepare the ground for improvement and occupancy, is equal to the

expense of erecting and completing new buildings and improvements in almost any other locality."

If the situation of the land was otherwise, one block—two hundred feet square—is entirely too small for penitentiary purposes. In this State where land is cheap, five acres or more should be selected and secured. By the correspondence herewith submitted, it will be seen that Stephen Coffin, the owner of Block No 106, upon which a part of the Penitentiary is situated, is unwilling to sell the land to the State. A high substantial wall should enclose the Penitentiary, workshops, et al, which cannot be built on the present site, if the Street Commissioner of Portland, or owners of private property, should object to it.

I therefore respectfully recommend, that as early as practicable, the location of the Penitentiary be changed to some accessible point, where title to enough land can be secured, possessing as many natural advantages for such an institution as possible. And, that the present Penitentiary property, or that part of it which would be impracticable to remove, be sold, and the proceeds applied in building a Penitentiary at a proper point. If the Seat of Government was considered permanently located, I should recommend its establishment at such point, together with all other State institutions, that they might be more directly under the supervision of the State officers, and that their workings, and management might be within the view of each member of the Legislature.

In new States, the real, or fancied interests of some town, is too frequently made to influence legislation in locating State institutions.

By the provisions of the Act of June 2, 1859, the Penitentiary was leased to Robert Newell and L.N. English for five years from the fourth day of June, 1859. The above lessees sub-let the same to Luzerne Besser, who now has charge of the institution and convicts.

There are now twenty-five convicts in the Penitentiary, twelve persons have been pardoned by the Governor since the last session of the Legislature, the terms for which five were sentenced expired, and they have been discharged, and twenty-five have escaped.

It is the normal custom of the Lessee to work most of the convicts outside of the Penitentiary within the City limits, in mills, brick yards, and at grading streets, digging ditches, sewers, &c. While this system has been a pecuniary benefit to the State, it has not answered the ends for which the institution was established. Those who need punishment most—the most desperate—are the first to escape.

Again, the working of convicts around the City, brings them in competition with, and degrades the free honest laborers of Portland. It is true, that if convicts work, as they ought to, they will come in competition with labor somewhere, but that competition should at least, be equal all over the State and not borne by a single class of laborers in one town. If workshops are built within walls, and convicts kept at some mechanical business, their competition will be generally with the Atlantic States, with an advantage of freights, commissions and interest of money, for what they manufacture, in favor of this State.

I, therefore, respectfully recommend that the system of working convicts away from prison or prison grounds, be prohibited.

As the present lease expires some three months before the next session of the Legislature, some provision ought to be made at all events, directing the management of the institution thereafter.

If five acres of ground was selected at some proper place for making brick, temporary log buildings could be built as secure as the present Penitentiary, and thereafter the convicts could make brick and build a substantial Penitentiary, workshops and a wall to enclose the same. Thereafter the convicts might be employed in making brick for other State buildings now needed, or they could then profitably be employed in manufacturing.

Herewith, I submit the report of L. Besser, Sub-Lessee of the Penitentiary.

INSANE

Owing, in part, to the anxieties and disappointments of those who come to this country to become quickly rich, and their habits of life, there is a very large number of insane persons in this State in proportion to its population.

This unfortunate class of our citizens is entitled to our sympathies and care. It is the duty of the State to make permanent provisions for their care and medical treatment, and also for the deaf and blind, as soon as the wealth and condition of the country will permit. At an early day, while lands are cheap, good locations should be selected, upon which asylums can be built by convict labor or otherwise, as the wisdom of the Legislature may direct. Until this can be done, some temporary arrangements at State or county expense can doubtless be made with Drs. Hawthorne and Loryea for taking care of the insane. In view of an enlightened and humane policy, worthy of their high standing in the medical profession, they have at considerable expense, erected in East Portland, a private Asylum, which is alike creditable to themselves and the State. Every convenience for the safety, care and comfort of patients, which the new state of the country permits, appears to be there provided.

AGRICULTURE

The last Congress has manifested a disposition to promote industrial pursuits, and elevate the standard of labor in the nation. I respectfully call your attention to the law establishing "The United States Department of Agriculture," and, also, Agricultural Colleges. The general designs of the former are, to acquire and diffuse, among the people of the United States, useful information on subjects connected with agriculture, in the most general and comprehensive sense of the word, and to procure, propagate and distribute among the people new and valuable seeds and plants.

For several years, efforts have been made to obtain from Congress donations of public lands, the avails of which should be applied for the endowment of an agricultural College in each State of the Union. At the last session of Congress, these efforts were successful. An Act was passed, granting to every State an amount of public land, to be apportioned to each State in quantity equal to thirty thousand acres for each Senator and Representative in Congress, to which the States are respectively entitled, by the apportionment of 1860; provided that no mineral lands shall be selected, or purchased, under the provisions of the Act. When the State selects its lands, they will be under the control of the State, and be managed at its expense until the sale. All money's realized, under the law for lands, are required to be invested in stocks of the United States, or of the state, which yield five per cent, or more, interest per annum, and the money so invested, must remain a permanent fund, the interest of which shall be inviolably appropriated by each state, which claims the benefit of the Act, for the endowment, support and maintenance of at least one college, where the leading object shall be, without excluding other scientific and classical studies and including military science, to teach such branches of learning as are

related to agriculture and the mechanic arts, in such manner as the Legislatures of the States may respectfully prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and profession of life.

The proposition of the Government, if accepted and properly carried out, will doubtless be of calculable benefit to Oregon. States to be entitled to the lands must accept the proposition within two years from the approval of the Act by the President. That time will expire before the next regular session of the Legislature in Oregon, hence the necessity for immediate action.

COUNTIES

The rich and extensive gold mines recently discovered in the eastern part of the State, have attracted a large population in the vicinity of John Days, Burnt and Powder Rivers. In prospecting for gold, farming lands have been found on the tributaries of those rivers, of greater extent than had been supposed before to exist in those regions. I am informed that considerable portions of said lands have already been taken and occupied by actual settlers.

This state of facts, with every reason to believe that there will be other discoveries, and more extensive settlements before the Legislature meets again, seems to require that there should be organized two or more counties. In the fourth judicial district (including Wasco county) there is already more court business than can be disposed of by one judge; and I consider it impractical and unjust to require the judges of the other districts to perform more labor than they now do, particularly with the small salary which they now receive. I, therefore, respectfully recommend that if new counties are organized, a new judicial district be created, including such counties and Wasco County.

CORPORATIONS

During the last session of the Legislature a number of petitions were presented for charters for bridge and road companies; under the Constitution of the State, no special privileges can be granted. Companies must be organized under general laws.

In some portions of the State roads are easily made, and in others good roads can never be made except by private enterprise, without inflicting heavy burdens on the few persons living in the vicinity of them. The same may be substantially said of bridges.

There is no injustice in requiring those who travel over good bridges and roads, to pay their share of the expenses of making them, in proportion to the amount of their travel. At present there is no law for the organization of turnpike or bridge companies, nor for engaging in other business as corporate companies. A general incorporation law should be passed at this session of the Legislature, under which incorporate companies may be formed to carry on any lawful business. It is believed that under such an Act, much of the money in the State which now being loaned at ruinous rates of interest, would be invested in manufacturing establishments, bridge and road companies, required for a development of the resources of the State.

SCHOOLS

By the constitution, the Governor of the State is made ex-officio Superintendent of Public Instruction.

There is no law requiring the county superintendents to report to the Governor the number of scholars or the condition of the school funds, in there respective counties.

The county Superintendents are the only persons authorized to grant certificates to teachers, and there is no person to whom teachers can appeal in case the Superintendents abuse their power in refusing certificates. I have known instances where great injustice has been done to teachers, and some person ought to be empowered to grant State certificates, to prevent such abuses and to accommodate such teachers as are really qualified to teach a common school in any part of the State.

ESCHEATS

Finance Caruthers, late of Portland, died - it is supposed, without heirs, leaving real estate to the value of some forty thousand dollars. If so, his property escheats to the State, and I therefore respectfully recommend, that a law be passed providing for the selection of an Attorney General of the State, whose duty it shall be to represent the State in all such cases. Or, that a suitable person be appointed in this case to preserve the rights of the State in the premises.

MILITIA

The late Governor of this State in his message of September 25th, 1860, very properly said: "There is no State or Territory belonging to the American Union, in which a well trained militia is more likely to be needed than in Oregon.

It is notorious that we are surrounded on all sides by a treacherous and warlike race of Indians, some of whom, have been in a state of open hostility during the past summer, and it is as well known, that in the event of the United States becoming involved in a war with any of the great powers of the civilized world, Oregon would be among the first to suffer from a descent upon her shores of a well disciplined soldiery."

I see no reason to change that recommendation, in fact, there is more danger of internal commotions, foreign war and trouble with our Indians in the eastern part of our State now, than then.

I cannot, therefore, too strongly urge upon you the importance of an immediate organization of an efficient military system for our state.

VOTING

The purity of the ballot box is indispensable to the safety of a republican government. A person that has no sympathy with our Government ought not to vote. As the law now is, when the vote of a person is challenged, before he can vote, he must swear that "he is twenty-one years of age; that he is a citizen of the United States, and he has resided six months in the State and fifteen days in the county, next preceding the election; and that he has not voted at this election."

I respectfully recommend, that the law be amended so as to also require persons whose votes are challenged, to take an oath to support the Constitution of the United States and of the State of Oregon, before they shall be allowed to vote at any election.

And that no person be allowed to vote at any election authorized by law, who has not paid all taxes assessed and due against him at the time he offers to vote. The unanimity and energy which has marked your labors thus far, leads me to believe that under Divine aid, you will have a useful session. And if by your wisdom and vigilance, and that of the State officers, that peace and prosperity which now surround us, shall be continued; a grateful constituency will remember you, while all will have abundant reason to be grateful to Almighty God.

Executive Office
Salem, Oregon, Sept. 15, 1862
ADDISON C. GIBBS

Governor's Message, 1865

Source: Message of Gov. Addison C. Gibbs to the Legislative Assembly, Special Session Dec. 5, 1865, Salem, Oregon, Henry L. Pittock, State Printer, 1865.

Salem, December 5, 1865

Gentlemen of the Senate and House of representatives:

The Constitution of this State requires the Governor to give, from time to time, to the Legislative Assembly, information touching the condition of the State, and to recommend such measures as he shall judge to be expedient; and when convened on extraordinary occasions, that he shall state to both Houses when assembled, the purpose for which they shall have been convened. The principal object for which I have called you together is, to recommend that you adopt the amendment to the Constitution of the United States, proposed by the last session of congress, for the purpose of abolishing slavery wherever it exists in the nation.

"There is one calamity" says De Tocqueville, "which penetrated furtively into the world, and which was at first scarcely distinguishable amidst the ordinary abuses of power; it originated with an individual whose name history has not preserved; it was wafted like some accursed germ upon a portion of the soil; but it afterward nurtured itself, grew without effort, and spread naturally with the society to which it belonged. This calamity is slavery. Christianity suppressed slavery, but the Christians of the sixteenth century re-established it; as an exception indeed, to their social system and restricted it to one of the races of mankind."

From the commencement of the African slave-trade in 1508 to 1860, it appears, from the most reliable evidence to be obtained, that upwards of fifteen and a half millions of human beings were forcibly torn from their native country, early associations and family ties, and were doomed to perpetual slavery--themselves and their offspring--in a foreign land. Language is unequal to the task of recounting the bitter, burning wrongs which were perpetrated upon that unfortunate people by carrying on this most unholy traffic. An indistinct picture may be formed in the imagination when we call to mind the well-authenticated facts.

Lord Palmerston, speaking in the House of Lords in 1844, gave some of the reasons which stirred the Government to move in this matter. He said:

"The Negroes destined for the slave-trade are not taken from the neighborhood where they are embarked. A great number come from the interior. Many are captives made in wars excited by thirst for the gain procured by the sale of the prisoners. But the greatest number arises from kidnapping expeditions, and an organized system of man stealing in the interior of Africa.

"When the time approaches to set out with the slave caravans for the coast, the kidnapers surround a peaceful village at night, set it on fire, and seize on the inhabitants, killing all who resist. If the village attacked is situated on a mountain offering facilities for flight and the inhabitants take refuge in the caverns, the kidnapers kindle large fires at the entrance; and those who are sheltered here placed between death by suffocation and slavery, are forced to give themselves up. If the fugitives take refuge on the heights, the assailants render themselves

masters of all the springs and wells, and the unfortunates, devoured by thirst, return to barter liberty for life.

"The prisoners made, they proceed to the choice. The robust individuals of both sexes, and the children of above six or seven years of age, are set aside to form part of a caravan which is to be driven to the sea shore. They rid themselves of the children under six years by killing them on the spot, and abandon the aged and infirm, thus compelling them to die of hunger.

The caravan sets out. Men, women and children traverse the burning sands and rocky defiles of the mountains of Africa barefoot and almost naked. The feeble are stimulated by the whip; the strong are secured by chaining them together or placing them under a yoke. Many fall from exhaustion on the road, and die, or become the prey of wild beasts.

"On reaching the sea shore, they are penned up, and crowded together in buildings called barracoons, where they fall prey to epidemics. Death often cruelly thins their ranks before the arrival of a slave trader."

Lord Palmerston's general deduction from these and other facts connected with the trade is contained in the same speech. "It is calculated," he says, "that of three Negroes seized in the interior of Africa to be sent into slavery, but one reaches his destination; the two others die in the course of the operations of the slave trade. Whatever may be the number yearly landed, therefore, we must triple it to obtain the true number of human beings which this detestable traffic annually carries off from Africa."

Of the millions thus robbed of more than life, but one-third withstood the horrors of "the middle passage."

In the American colonies, public opinion as well as the legislation had uniformly been against the African slave trade. The inhabitants of Virginia were controlled by British authority. Their legislative halls had resounded with eloquence directed against the plague of Negro slavery. Again and again they passed laws restraining the traffic.

Yet in 1860, there were 3,953,587 slaves in the United States, many of whom were nearer white than black, held under a system that disregarded paternal feeling, destroyed the sacred rights of marriage, and made it a crime for any one to teach a slave to read even the words of eternal life; a system, the horrors of which have been increasing during the last forty years, while there has been a corresponding decrease in the percentage of slavery.

"The whole commerce," said Mr. Jefferson, "between master and slave is a perpetual exercise of the most boisterous passions-the most unremitting despotism on one part and degrading submission on the other. Our children see this and learn to imitate it." "The man must be a prodigy who can retain his manners and his morals under such circumstances."

"The prevailing ideas entertained by Mr. Jefferson and most of the leading statesmen at the time of the formation of the Constitution were, that the enslavement of the African was in violation of the laws of nature; that it was wrong in principle, socially, morally and politically. It was an evil they knew not well how to deal with; but the general opinion of the men of that day was, that, somehow or other, in the order of Providence, the institution would become evanescent and pass away. This idea, though not incorporated in the constitution, was the prevailing idea at that time."

Recently, however, the slave power, not satisfied with shaping the legislation of the country and holding a majority of the offices of honor and profit, has been so exacting that newspapers which freely discussed the question of slavery and told the bloody story of its wrongs, have been denied the mails. Freedom of the press and speech upon the subject has existed only in name in one-third of the Republic. Mobs, revolvers and bowie-knives have been made subservient to its commands in attempting to crush all opposition to its unholy mandates.

Conventions of its friends have been held even in the northern states where resolutions have been passed declaring that it was the duty of the Government to protect slavery in the territories and wherever its constitutional authority extends.

The depravity of man's nature has been so quickened by contact with slavery, that the institution, conceived in sin and brought forth in iniquity, with all its monstrosities and hideous and disgusting deformities, has even been called divine. It has sown to the winds and from the whirlwinds will reap destruction. The day is not distant, when no man shall be called master or slave.

The Constitution made by our patriotic fathers who shed their blood to establish it, as freely as their gallant sons, in the last four years, have shed theirs to preserve it, provides the way in which this last vestige of barbarism shall be forever removed from the escutcheon of our nation.

The fifth article of the Constitution of the United States provides that whenever two-thirds of both houses of Congress shall propose an amendment to the same, such amendment shall become a part of the Constitution whenever such proposition shall have been "ratified by the legislatures of three-fourths of the several states." No exception whatever is made with reference to the subject of slavery.

On the first day of February, A.D. 1865 a resolution was passed in Congress by the constitutional majority providing for an amendment to the Constitution abolishing slavery. And as the news of its passage was wafted over the nation upon the wings of the wind, twenty millions of people clapped their hands for joy.

By a special letter from Secretary Seward I am requested "to cause the decision of the Legislature to be taken upon the subject" so as to complete the work so well begun. On the 23rd of September, seventeen states had adopted the amendment and officially notified the Department of State of the fact. How many have adopted it since, I am not advised, but from the triumphs of late elections in the East, it cannot be doubted that, by the dawning of another year, every man in the Republic can stand up in the enjoyment of the native liberty in which he was created-claiming and receiving the "inalienable right to life, liberty and the pursuit of happiness."

"If slavery is not wrong, nothing is wrong." It has wronged the masters. Those who violate the rights of one class are liable to lose a portion of their respect for the rights of all others. They may have been indulgent, kind fathers and neighbors, honorable in their business transactions and esteemed in society, Still the anomaly is presented of men whose characters in one respect entitle them to be called civilized and refined; in others, especially in their dealings with the proscribed race, their conduct would indicate that their feelings were those akin to barbarism.

The system has greatly wronged the "poor whites" of the South. Its extensive plantations have prevented a general diffusion of knowledge by means of common schools. Slavery was rendered labor dishonorable in the estimation of thousands who would have otherwise thrived

by it, closed the avenues of commerce and the march of internal improvements. Such a system is fraught with danger to our form of government and tends to the building up of an aristocracy. Such has been the character which slavery has stamped upon every form of government where it has existed: its spirit and practice is not only averse to religion and civilization, but to democracy also. Many expressions of regret have been made by slaveholders within the last four years that we ever threw off the monarchial form of government, and a desire to return to it has been manifested. The two systems of labor cannot peaceably exist in a republic. Slavery cannot be made national and ought not to be. The effort to nationalize it can, like the institution itself, be considered in no other sense than an utter failure.

If slavery was not wrong in any other sense, the fact that it was the cause of and began the late wicked rebellion is a sufficient reason for its abolition. Slavery fired the first gun at Fort Sumptner and thus began the war. To deny this, is to combat one of the best-corroborated facts in our history. If its existence be suffered, it will remain a constant menace to our government and an inevitable source of future trouble, sooner or later to culminate in open war when the object we now seek will be accomplished or slavery will be nationalized.

The slaves in most of the rebellious states have been emancipated by proclamation and act of Congress, but it is contended that such acts are illegal. Without stopping to argue that question, let us now, as if nothing had been done, abolish slavery in the manner prescribed by the constitution, so that none can reasonably cavil. Not included in such act or proclamation, there remain probably over half a million of slaves scattered over a long, narrow border strip, bounded on the north by free states and on the south by states whence slavery has been, legally banished, or else scattered in isolated districts intermixed with enfranchised slaves. Certainly such an anomalous condition of things as this cannot peaceably exist. At every step, innumerable embarrassments obstruct our progress. No human energy and sagacity would be able to determine the ten thousand conflicting questions which would surely arise out of such chaos. It would be impossible, if desirable, to protect the struggling remnant of slavery in the Border States; and no freedman would be secure in his liberty so long as slavery existed in a single spot in the United States.

Again, the Negroes have earned their freedom and faithfully paid the price in blood--blood shed not only for their liberties but also for ours and for the cause of humanity. Nearly two hundred thousand served our beloved country in the recent life struggle. Had all the slaves been as faithful to the rebels as those soldiers were to us, with the aid and comfort given to secessionist by their friends in the north and in Europe, according to human wisdom, it would have been impossible to have crushed the rebellion and saved the government. Thus we owe a debt of gratitude to these brave and faithful black soldiers, which no rights that we can ever bestow upon them will repay.

We have tried, I trust to the satisfaction of all, the experiment of keeping Negroes in slavery and ignorance and it has proven an utter failure, and nearly desolated one-third of our country, which from natural resources, under free labor would have out vied any other part in wealth and progress. It is time we begin the policy dictated by justice, reason and humanity; free the slaves and educate them, "the heathen are at our doors." Here is the field for the philanthropist and missionary.

But we can no longer keep in slavery those who have breathed the breath of freedom and tasted the sweets of their own labor. They now know the power and the use of arms. Let us profit by the lesson taught France in St. Domingo—a lesson taught by the bloody resistance of the inhabitants of that island to the attempt of their former masters to re-enslave them. Every

possible irritating cause, tending to another attempt at disrupting our country should be removed.

The persistent opposition to this called session and the adoption of this amendment both here and in the east, indicate that plans are formed to prevent the slave holders' rebellion; let us prevent the historian from recording another. If we wish to deserve and preserve the respect of mankind; if we would act as statesmen, having in view the peace and safety of our country through all future time we must meet the great question before us broadly, effectively, honorably and in accordance with the dictates of Christianity and civilization. Let us follow the noble example of at least seventeen states which have written their names upon the honorable page now laid before you and awaiting your signatures.

England, France, Denmark, Sweden, Portugal, Holland, and Russia have rid themselves of the vile incubus. Let us do the same and act promptly; the relations existing between us and the Negroes should not be left in the present anomalous condition, their status should be defined at once, and the necessary legislation had at this Congress to settle the vexes question. Four millions of oppressed human beings look up and stretch forth their hands imploringly for deliverance. A year is an age with them in their present suspense.

Oregon has a noble record during this war; let us not now refuse this crowning act of glory, or be the last State to record its name on this scroll of fame.

Vattel has said that "to deliver an oppressed people is a noble fruit of victory," and history declares that nations grow in honor and power as they do well. Let us place our greatness in the front rank of Christian Republican rule, by doing equal and exact justice to all men.

I herewith transmit the resolution of Congress on the subject:

SUFFRAGE

Article II of the State Constitution says, that "In all elections, not otherwise provided for by this Constitution, every white male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months immediately preceding such election; and every white male of foreign birth of the age of twenty-one years and upwards who shall have resided in the United States one year, and shall have resided in this State during the six months immediately preceding such election, and shall have declared his intention to become a citizen of the United States one year preceding such election, conformably to the laws of the United States on the subject of naturalization, shall be entitled to vote at all elections authorized by law."

The purity of elections is indispensable to our form of government. It is a well-known fact that heretofore there have been many illegal votes cast at every election in the counties bordering on California and Washington Territory. There are also many migratory characters perambulating the Pacific coast, who have no particular interests or home anywhere, and many of them offer to vote, and generally do vote wherever they happen to be, regardless of any compliance with constitutional and lawful provisions giving such right. Good government implies that its officers should be the friends of at least a majority of the governed. "A person who has no sympathy with our government ought not to vote." We do not allow a man even from a friendly foreign power to exercise the right to suffrage immediately on his arrival in our country; much less should we permit a man to vote, who after being educated under our form of government hates it so badly that he improves the first opportunity to take up arms against it. Treason is a crime, and persons guilty of it, in all countries forfeit their rights and cannot vote

unless they have been pardoned. That we have persons in the State who are so unfriendly to the government that they are unwilling to take the oath of allegiance, and that there are others among us who have fought against the government cannot be denied. Such persons ought not to attempt to control a government at the polls which they could not destroy by the sword. We cannot ignore the national debt-the dead cannot be raised-there can be no indemnity for the past; but we should do all in our power for security in future. To remedy evils similar to the above and to provide such security, others States have passed registry laws. There can be no objection to such a law here on the part of any man who wishes the elective franchise exercised by legal voters and loyal men.

The term "citizens of the United States" as used in our constitution means more than a man has been born and raised in the United States. It implies that he is a law-abiding, loyal man-one who has not forfeited his rights by the commission of any crime. Voting in a loyal State always implies loyalty in the voter. Under the Constitution of the United States, one of the obligations, which a State assumes on its admission into the union, is that its citizens shall remain loyal to the government. When such obligation is thrown off by a State, it loses its rights as such State, but the general government is bound to secure and maintain a republican form of government within the boundaries thereof. Hence a majority of the citizens of a State may require as a fulfillment of such obligation and as a keeping of its plighted faith, that its inhabitants shall swear that they have not done that which forfeits their right to vote, are not traitors nor abettors of treason, on penalty of perjury and the exclusion from the polls.

This is no new principle, but the extending of one invariably recognized here, ever since the organization of our State Government. When the vote of a man has been challenged, he has been required to swear that he was twenty-one years of age, that he was a citizen or had declared his intention, that he had resided in the State and county the prescribed length of time. If all this can be required, may we not, with a greater propriety, in times like these, require that a voter shall not be a traitor and that he has not committed the crime of treason which is subversive of all good government.

This principle was especially recognized by an act of the Legislature, approved October 16, 1862, but the act was not as complete as it ought to have been, and it was not made anybody's special business to challenge, and frequently where challenges were most needed none were made. A registry law should require every man to take the oath of allegiance before his name is entered on the list of voters, and none should be allowed to vote whose names are not registered. No good citizen who has been true and faithful to his government can reasonably object to taking the oath. The law should be so framed as not to make it burthensome or expensive to the people.

COUNTIES

I respectfully call your attention to the condition of the country in the vicinity of Fort Klamath, Wasco county, and recommend that you take into consideration the propriety of changing the southern line of Wasco and the eastern line of Jackson county, so as to include the Klamath Lake country in Jackson county. I am informed, by reliable citizens of Southern Oregon, that such a change is desirable. A wagon road is now completed from Jacksonville to Fort Klamath, a distance of about ninety miles, while the distance from the Fort to the County seat of Wasco county is about two hundred and fifty miles. I think it is about the same distance from the Fort to Canyon City. In the transaction of all county business the settlers in Klamath valley can be better accommodated by being connected with Jackson County.

CODE

Eight hundred and eight pages of the Code and Laws have been printed. To correct slight errors and omissions, which may have crept in, some amendments ought to be made; but it would be very unwise to repeal the Code as a whole.

A question has arisen in the public mind concerning the proper construction to be given to section 653 of the criminal code, commonly called the Sunday Law. It is--are there any kinds of secular labor to be deemed works of necessity, except those especially declared to be so? For the purpose of preventing unnecessary litigation, I would recommend that that section of the criminal code be amended so as to declare what construction should be given to it in this particular; as for instance, that except as to those acts specially prohibited or allowed by the section what constitutes a work of necessity should be a question of fact to be determined on the trial of the action therefore. The better opinion seems to be that such is the proper construction of the section as it now stands, and doubtless such was the understanding of the Assembly in passing it. But it is well enough to take the club out of the hands of those who seek to make the law odious by construing it strictly or enforcing it beyond what was intended.

I also recommend the amendment of section 2, of the Justice's act, defining the criminal jurisdiction of Justice's courts. The first sub-division should be changed so as to give jurisdiction of larceny, when the punishment may be imprisonment in the county jail or fine. As all larcenies are liable to be punished by imprisonment in the penitentiary, the sub-division as it now stands confers no jurisdiction on justice's courts at all. I would suggest that a clause be added to this section, allowing a justice's court to impose a less punishment in the cases of assaults, and assaults and battery over which it has jurisdiction, than as permitted by section 533 of the criminal code, prescribing the punishment for such acts. It is only in cases of the most simple assaults and battery, that justice's have jurisdiction and it often happens that the lowest fine now allowed-fifty dollars, is an excess of the offence.

MILITARY

The Adjutant-General's report herewith transmitted is so full and complete that I deem it unnecessary for me to add more than the following suggestions:

The Constitution of every State provides for the organization of the State Militia. All the Governors of Oregon have recommended the organization of the State Militia, and for the first time, we now have something like a complete system. It is difficult to devise any plan that will please everybody. It is not expected to please those who are opposed to all law, nor to satisfy those who for the last four years have bitterly opposed the military power of the Government. The law requires every man who is liable to do military duty to either join an independent company or pay the sum of two dollars a year in lieu thereof. The money thus raised is expended in paying those who train, the sum of two dollars a day while they are thus employed. Every dollar thus collected is accounted for in the Adjunct-General's reports. The law is not oppressive, as two dollars a year is not high for "exempting a man from doing military duty." Those who think it is can perform military service instead of paying that amount. A system that required military service, wholly would be of little utility, unless it required at least two or three days service annually, and that amount would be worth more than two dollars a year to most men.

Unless there are more companies of the organized militia formed, there will be a surplus of military funds in the Treasury at the end of the year, and it may be well to authorize the Treasurer to pass the same to the general fund whenever such surplus accumulates.

The last Legislature authorized me to use the sum of ten thousand dollars, at my discretion, for military purposes, and I am happy to say that there has been no occasion for its use; and not a cent of it has been used or drawn from the Treasury.

The incidents of the war have rendered the labors of the Adjunct-General much greater than was contemplated, and he should have additional compensation.

For the credit of Oregon, it affords me pleasure to state that all the troops called for by the War Department through Major General McDowell, have been raised, and our patriotic citizens, who responded to their country's call, are entitled to greater consideration when we reflect that they enlisted with less inducements, in the way of bounties, than were held out by any other State which was raising troops at the required time. It would have been an act of great injustice to have required these volunteers to perform military service, in which all were alike interested, for seventeen dollars a month in currency, without additional bounties. The bounties should have been greater instead of less. The law provided two classes of bonds for this purpose, one class redeemable in ten years, and the other in twenty. The aggregate amount, directed to be issued, has been greatly misrepresented.

The aggregate bonds of each class issued is as follows:

Additional pay bonds	\$58,799.16
Bounty Bonds	\$37,900.00
The probable amount to be issued	\$8,200.00
[Total]	\$104,899.16

FINANCES

The financial condition of the State appears in the reports of the Secretary of State. There are no liabilities or debts against the State, other than the bonds above referred to, which are due in ten and twenty years, while our State taxes are less than they are in a majority of the States. I am of the opinion that the current expenses can be met and the redemption of the bonds provided for at a less rate of taxation. I therefore recommend that the rate be reduced.

INSANE ASYLUM

Herewith, I transmit a report from Drs. Hawthorne & Loryea, upon the condition of the Asylum. It affords me pleasure to be able to state that the institution continues to be well managed, and that the proprietors are faithfully performing the conditions of their contract. The Asylum is a credit to the State and the proprietors.

The past year has been an eventful one; feelings mingled with hope, sorrow and rejoicing have pervaded the public mind. The ordeal through which the nation has passed has been a terrible one, but the triumphs of the battlefield and the ballot box present a sublime spectacle. We have tested the courage, constancy and strength of the people, and in spite of the discouragements of the men of no faith—in spite of the predictions of high officials, even in Oregon, that the war "must result in the eternal severance of the Union." That "the war was never intended to restore the Union," that "the time is now close at hand, and beginning to be felt, when all must share the common ruin." In spite of such opposition to the efforts of our government at self-preservation, the armies of the enemies of our country are scattered, and those who were their leaders are now humbly bowing with entreaties for mercy from a power which they could not break.

"Powers depart,
Possessions vanish, and opinions change,

And passions hold a fluctuating seat,
But by the storms of circumstance unshaken,
And subject neither to eclipse nor wave,
Duty exists."

The work of reorganizing society and establishing law and order in the rebellious States is now before us. Nothing should be done in the spirit of malice or revenge. The great mass of those engaged in the unholy warfare against the government were deceived and enraged by false statements of their wicked leaders, as to the character and purposes of the people of the North. Unmistakable security for the future must however be required.

That providence, which has so manifestly guided our destinies, has permitted the direction of the work to fall into the hands of the able and patriotic Andrew Johnson. In him we trust, and with him are the duties of the golden hour.

From the issuing of the Emancipation Proclamation, victory after victory followed each other in quick succession; and when the spirit of secession found it could not otherwise conquer, it was prepared to murder. And as halcyon peace was preparing to rest upon the bosom of the nation like a descended god, Abraham Lincoln, that good man—the preserver of his country—fell, struck down by the hand of the assassin. No pen can describe the gloom that palled the nation and shocked the world. Twice the nation had been called to mourn the loss of the chief magistrate; but now it seemed that the fountain of tears had been broken up and there was none to comfort. The blow was not aimed at him only, but was designed to strike the central power of the government. We would that he might have lived out his three score years and ten, that he might have seen a nation's gratitude for its deliverance in her hour of peril. And if die he must, we would that it might have been a calm and peaceful death, in the full enjoyment of his faculties, surrounded by his family and friends. How richly do we cherish the farewell address of the father of his country; none the less would we prize one from its preserver. His name, embalmed in the memory of a grateful people, with those of our brave, patriotic and self-sacrificing soldiers, who suffered torture in prisons and laid down their lives upon the altar of our beloved country, shall be handed down to a grateful posterity; and "the blood of this noble army of martyrs shall be, as of old, the seed of the church."

"Flung to the viewless winds,
Or on the waters cast,
Their ashes shall be watched
And gathered at the last;
While from their scattered dust,
Around us and abroad,
Shall spring the precious seed
Of witnesses for God."

ADDISON C. GIBBS