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EXECUTIVE COMMITTEE ADMINISTRATION

July 5, 1843 to July 14, 1845

Legislative Message One, 1844

Source: Oregon State Archives, Oregon Provisional and Territorial Records, 1844, Calendar No. 1381.

1381

Territory's Future

Messages – Governor (Executive Committee)

Year 1844

To the honorable the Legislative Assembly of Oregon Territory

Gentlemen,

As a rising Colony under no immediate external control or civil protection, we have abundant reason for rendering up our thanks to the great Ruler of the Universe for his parental care and protection over us from our first entrance into this county unto the present days.

And it becomes us humbly to acknowledge our defender...as our protector and preserver, and inflows a continuance of his care and watchfulness over us and wisdom to direct us in the discharge of the duties devolving on us. This country has once been populated by powerful tribes of Indians but it has [passed] the great [disputes] of human events to reduce them to mere shadows of their former greatness; thus removing the chief obstructions to the entrance of civilization and offering a way for the introduction of Christianity where ignorance, superstition, and idolatry have reigned uncontrolled so many ages.

There has perhaps been few colonies [located] in North America under the...circumstances in which the present settlers of this territory are placed. We are situated in a portion of country remote from civilized nations among the few remaining savages who are the original proprietors of this soil. The country is claimed by two powerful civilized and enlightened nations proud of their national liberties and jealous of their respective rights and privileges. It is obvious that those claims must be adjusted and the soil purchased from the [existing] proprietors previous to any right being conferred upon the citizens of those governments relative to the cultivation of lands in this Territory.

The government of Great Britain has never publicly extended her claim so far South as to include the lands now under cultivation in this colony. But a treaty now exists between that



Joseph Gale was a member of the 1st executive committee

government and the United States giving to either party the right of united occupancy of their territory in relation to the Indian trade. The United States have held out [incentives] to the citizens and indirectly encouraged the settlements of this country by them. Consequently we are now [upforming] the country by their consent but without their protection and it is [self evident] that every community have a right to make laws for their united benefit and protection where no law exists.

It was under these impressions that the settlers in this Territory established a form of government last year and adopted such rules and regulations [as were at that] time deemed necessary for the protection and prosperity of the colony.

These regulations were so constructed as to be [edited] or amended by Legislative assembly whose members were to be chosen by the people annually until such time as the government of the United States shall extend their jurisdiction over the Territory. At the time of our organization it was expected that the United States would have taken possession of the country before this time, but a year has rolled around and there still appears little or no prospect of aid from that quarter. Consequently we are yet left on our own ... In view of the present state of affairs, Gentlemen of the assembly, we would recommend to your consideration the adoption of ...

Also to take into consideration the propriety of having a light tax for the support of government. We would also recommend to your consideration the propriety of vesting the Executive powers in our persons. And the impropriety of vesting the [power] of Supreme Probate and District Judge in our [persons] the necessity of having an individual judge for each court.

We would recommend the rest of the laws of loway as have been or may be adopted be so amended and to suit the circumstances of the Country.

That the militia law be so amended that military officers hold their commissions during good behavior and that such company shall have the privilege of electing their own officers at such time and place as they shall think just [on] the days of annual [?]. And that such portions of the militia law of loway be adopted as will suit all the circumstances of our military organization.

We would recommend that the first article of the land law be amended to as to require that some [pension to] improvements be made on claims before recording. And that such improvements be designated on records with such other regulations relative to land claims and in the opinion of this assembly will be most beneficial to the interests of the public.

We would recommend that the fourth article of the land law be repealed as it is considered detrimental to the interests of the community.

We would recommend that Commissions be appointed to locate roads in such places as this assembly shall deem necessary for the interests of the [future heirs] that a law be enacted for the purpose of establishing farms at the different thoroughfares [facing] the Willamette River.

We recommend the encouragement of the [practice] of education as often as our historic circumstances will allow.

We will also recommend that the laws of loway be taken into [immediate consideration] concerning [Whites and Mulattos]. And that a law be enacted for the punishment of offenders inciting the Indians against the Whites and regulating the intercourse of the Whites among the

Indians in this Colony. That permission be made for the erection of a jail. And such other measures as shall be best calculated to secure the peace and [prosperings] of the people.

And in conclusion we desire to impress upon your minds the important fact that although this Colony is small and its [number] is feeble, yet the life, rights and liberties of an individual here are of equal value to him [as a life] in the City of Washington or London.

And it is a duty which devolves on you and us to use as much discretion, vigilance and caution in inventing and adopting measures for protecting the interests of this little Colony as if we expected our names as would be enrolled in the pages of history.

Legislative Message Two, 1844

Source: Oregon State Archives, Oregon Provisional and Territorial Records, 1844, Calendar No. 12220.

12220

Messages – Governor (Executive Committee)

Year 1844

To the Honorable the Legislative Assembly of Oregon

Gentlemen,

As the expectation of receiving information from the United States, relative to the adjustment to the claims of that government and Great Britain, upon this country was the principal cause of the adjournment of this assembly from June last unto the present day; we feel it our duty to communicate to you such information as we have been able to collect upon the subject, likewise to recommend the adoption of further measures for the promotion and security of the interests of Oregon.

The lines defining the limits of the separate claims of the United States and Great Britain to the portion off Country had not been agreed upon when our latest advisor left the United States. And as far as we can [tell] the question now stands in the same position as it did before the convention at London in 1818. At that time the United States government, proposed to draw the dividing line at the 49th parallel of North latitude from the Lake of the woods to the Pacific Ocean; to this Great Britain would only consent that in part that the line should occur on the 49th parallel, from the Lake of the woods, to the dividing ridge of the Rocky Mountains; and it was finally agreed upon between the parties that all of the Country lying west of the Rocky Mountains, and on the Pacific Ocean, should, with their harbors, bays, and Rivers, remain open for ten years, to the vessels, subjects, and citizens, of both nations; but it was at the same time, expressly understood that the said agreement was not to be understood to affect or prejudice the Claims of either parties or any other Power to any portion of said Country. Before this agreement expired another convention was held in London in 1827, by the two contracting Powers, by which the former treaty was extended with the provisions, that when either of the parties thought fit, after the 20th of October 1828 to abrogate the convention; they were at liberty to do so, by giving twelve months notice to the other contracting party; but nothing contained in the convention of 1827, was to be construed to affect in any manner the Claims which either of the contracting parties or Power or State might have to any part of the Country, west of the Rocky Mountains.

The subject has again been called up for investigation by the two Powers; and a negotiation was begun at Washington, in the early part of the present year; but was for the time being suspended in consequence of a disagreement between the parties; and Notice of the abrogation of the convention of 1827, had not been ___ by either party, when our latest information left the United States. And we find, that after all the negotiations, that have been carried on between the United States and Great Britain, relative to settling their Claims upon this Country, from October 1818; until May 1844, a period of nearly 60 years, the question still remains in the following unsettled position.

Neither of the two Powers in question claim exclusive right to the Country lying west of the Rocky Mountains, between the parallels of 42 degrees and 54,45 Degrees N latitude and bordering on the Pacific Ocean. But one claims as much right as the other; and both claim the right of joint occupancy of the whole, without prejudice to the Claims of any other State or Power, to any part of Said Country.

We have submitted to you this information Gentlemen of the assembly for two particular reasons.

1st – To correct an error, that existed in our last communication to this body, relative to the Claims of the United States and Great Britain to this Country.

2nd – That you may bear in mind whilst legislating for the people of Oregon, the positions in which this country stands with regard to those Claims.

We would advise that provisions be made by this body, for framing and adopting a Constitution for Oregon, previous to the next annual election, which may serve as a more thorough guide to her officers, and a more firm basis for her laws. It should be constructed in such a manner, as would best suit the local situation of the Country, and promote the general interest of its Citizens, without interfering with the real or pretended rights, of the United States and Great Britain; excepting when the protection of life and property actually requires it.

We would suggest for your information that this government has now in possession notes given by different individuals residing in this Country, amounting to 3734 and 26/100 Dollars most of which is already due. These notes are a balance in favor of the Estate of Erwin Young, of Oregon deceased intestate, a. d. 1840. after all legal debts, dues, and demands have been paid, that have come to the knowledge of the Administrator or Probate Court of Oregon, as to this date. We would therefore advise that those demands should be collected, and appropriated to the benefit of the Country; the government being at all times responsible for the payment of it, to those who may hereafter appear to have a legal right to the same.

We would again call your attention to a measure recommended in our former Communication; namely the expediency of making provisions for erecting a public Jail in this Country.

Although the Community has suffered very little as yet for the want of such a building; and perhaps another year might pass without its being occupied, which it is hoped may be the case; but we are assured that it is better policy, to have the building standing without a tenant, than to have a tenant without the building. And in order to encourage industry, and promote the peace and welfare of the citizens of Oregon, this government must be prepared to discountenance indolence and check vice in the bud.

We would recommend to your consideration the propriety, of making provision for filling public offices, which now and, or hereafter may be rendered vacant, by resignation or otherwise; previous to the next annual election.

We would recommend that the act passed by this assembly in June last relative to Blacks and Mulattos, be so amended as to exclude corporal punishment, and require bonds for good behavior in its stead.

We consider it a highly important subject, that the Executive of this government should have laws, which may direct them in settling matters relative to lands reserved by Indians; which have been, or may hereafter, be settled upon by the Whites.

We would also recommend that provisions be made for the support of Lunatics, and insane persons, in Oregon.

With regard to the State of the Treasury we refer you to the treasurers report to this Assembly.

We are informed that the number of emigrants who have come from the United States to this Country, during the present year amounts to upwards of 750 persons.

We would advise that the act past in June last, defining the Northern boundaries of Twalatine and Clatsop Counties, be so explained as not to conflict with the act passed in this Legislative assembly in July/June 1843, extending the limits of Oregon to 54, 45 degrees N latitude.

And we would suggest in conclusion, that to preserve the peace, good order, and kind feelings, which have hitherto prevailed among the inhabitants in this Country, depends much upon the calm and deliberate judgment of this Assembly. And we sincerely hope that Oregon by the special aid of Divine Providence may set an unprecedented example to the world of industry, morality, and virtue.

And although we may now be unknown as a State or Power, yet we have the advantages by the united efforts of our increasing population in a diligent attention to Agriculture, Arts, and Literature of attaining at no distant period, as conspicuous in elevation, as any State, or Power, on the Continent of America.

But in order to carry this important measure, and raise to that distinguished station, it becomes the duty of every citizen of this country, to take a deep interest in its present and future welfare.

As descendants of the United States and Great Britain, we should honor and respect the Communities which gave us birth; and as citizens of Oregon we should by uniform course of proceeding and a strict adherence to the rules of justice, quality, and republican principles, without party distinction, use our utmost endeavors to cultivate the kind feelings, not only of our native countries, but all the Powers, or States, with whom we may have intercourse.

Osborn Russell

P. G. Grant ?

Executive Committee of Oregon
Willamette Falls, Dec 16, 1844

Legislative Message, 1845

Source: Oregon State Archives, Oregon Provisional and Territorial Records, 1845, Calendar No. 1384.

1384

Future of Oregon

Messages – Governor (Executive Committee)

1845

To the Honorable Legislative Committee of Oregon,

Gentlemen,

While it becomes us at all times as descendants of civilized and enlightened nations to offer up our grateful acknowledgement to the Divine being for his protecting care especially are we called upon at this time to do form the consideration of the fact that our infant Colony existing among savages. And in the midst of conflicting political [claims] it has been blessed with peace and prosperity far beyond our original expectations.

Having had the pleasure of presenting the message at each of the two sessions of the legislative committee held in 1844 in which we so fully expressed our views in relation to political conditions we exceedingly regret that in consequence of the absence of the executive elect it has become our duty now to direct your attention to such subjects as we consider important to the interests and well being of Oregon.

The ... we feel that ... affairs in processing such a [formidable] condition as simply to support the well directed industry of our citizens affords us great satisfaction while the judgments with which the legislative committee [enacts] have for the most part.... And the prosperings with which our laws have been obeyed encourage us to rely with confidence upon you (who have been [elected] by the people at this time) for the adoption of ... as our present circumstances seem in wisdom to demand.

While we deem it important to invite your attention to the necessity of a revision and amendment of the Organic and other Legislation that have already been adopted and the framing of others that you may deem necessary at this time, we would not conceal the fact that great difficulty might arise from too much Legislation whereby the amiable settlement of the questions under consideration by the Government of the United States and Great Britain relative to their respective claims to Oregon might be....

The inadequacy of the revenue to meet the -[current]- expenses of the Government --renders it necessary that ... should be prepared to pay ... upon the Treasury. And to [provide for] the unavoidable expenses of the Country.

We sincerely recommend that such a system of [retrenchment] should be adopted in the administration of the Government as may be thought [consistent] with its efficacy especially in the Judiciary Department.

We [deem it necessary] that the law requiring two [deputies] of the Court a year to hold in each County be so amended to require only whole Colony.

The land claim Law so amended at the last session of this house we deem inefficient in some of its most important features as not affording sufficient foundations to young men and [such as are occasionally enjoyed in one harvest] and the [pursuits for securing] the portion of land to which by our laws they are entitled.

For the documents necessary to guide you in apportioning the representation of the Counties respectively we refer you to the enumeration list in the Clerk's Office.

By an act passed at the last session of this house the Executive was authorized ... to contract for the building of a jail for which purpose 1500[?] Dollars was appropriated in carrying out the funding of said act, 1067[?] dollars only has been expended.

The act passed the last session of this house requiring a vote to be taken at the general Election for or against the call of a convention has been complied with and the result is a majority of votes against holding said convention.

We deem it important to call your attention to the fact that sickness and diseases of a most loathsome and distressing nature exists among the various tribes of Indians in this Colony. And that ... and unjust applications are made by said Indians to a few individuals for supplies of medicine and medical assistance until it has become a heavy and unsupportable tax upon [us]. We would therefore suggest to you the propriety of taking this matter into your consideration.

In conclusion Gentlemen: While the [cheery] prospects of a smiling and abundant harvest which is about to yield to our industrial farmers an ample [remuneration] for their labor and the enjoyment of the necessaries and luxuries of refined society. We must refrain from ...and material prejudices should exist among us to such an extent as to endanger our Community. We confidently believe however that there is sufficient virtue and intelligence in our Colony to secure the administration of the laws of our provisional Government until the brown stripes and bright stars of our beloved country ... shall raise a triumph throughout the length and breadth of our beautiful Oregon.

Oregon City June 24th 1845

O. Russell

P.G. ?

Executive Committee of Oregon