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GOVERNOR JOHN P. GAINES ADMINISTRATION

August 18, 1850 to May 16, 1853

Public Buildings Message, 1851

Source: Oregon State Archives, Oregon Provisional and Territorial Records, 1851, Calendar No. 5552.

5552

J. P. Gaines – Public Building appropriations

Messages – Governor

Year 1851

Executive Office

Oregon City, September 19, 1851

Sir,

In obedience to an act of Congress approved July 18, 1850, requiring the “Governor of Oregon Territory to report to Congress annually a detailed statement of the expenditures of money appropriated by Congress for the use of said Territory which is expended under the order or supervision of the Governor and Assembly.”

I have the honour to report that the sum of five thousand dollars has been placed in my hands to be applied to the erection of suitable public buildings, no part of which has been expended.

I have the honour to be

Hon. Speaker of Very Respectfully

The Senate U. S. Your Obedient Servant,

Washington City John P. Gaines

Governor of Oregon

Copies, sent to Secretary and Treasury and Speaker of House of Representatives, and President of the Senate. Sept. 19, 1851.



-E. H.

Estimate of expenditures for fiscal year ending June 30, 1853. mailed Sept. 19, 1851, to the Secretary and Treasury

-E. H.

Legislative Message, 1852

Source: Oregon State Archives, Oregon Provisional and Territorial Records, 1852, Calendar No. 9375.

9375

Gaines, J. P. addressing the Legislative Assembly

Messages – Governor

Year 1852

Executive Department

Salem December, 1852

Fellow Citizens of the House of Representatives,

The period for the regular session of your body has again returned. Matters of high moment to yourselves, and to those whom you represent demand your most attentive deliberation, and your wisest action. The destinies of our rising Territory are in a great degree committed to your charge. By a judicious exercise of powers which have been delegated to you, much may be done to accelerate the growth, and exalt the character of our country. The history of other portions of the Union has demonstrated that enlarged, and correct legislative actions can do much to hasten the development of the wealth, improve the condition, and augment the happiness of a people. I cherish the hope, that, animated by patriotic purposes, and governed by views which embrace the interests of the whole country, without the neglect of any part, your doings at this session, may redound much to the advancement of the prosperity and well being of the Territory. In my Message to you at the late extra session, I called your attention to the necessity of prompt action upon the subject of the public building the arrangement of the judicial districts, and the revision of the Statutes of the Territory, I respectfully refer you to the views expressed in that document upon these subjects. Recent events have magnified the necessity of the action therein recommended. The necessity for the immediate construction of a penitentiary is most urgent. There does not exist in the Territory, a single suitable place designated by law, for the confinement of criminals. In many instances, culprits sentenced to imprisonment have not been under that close confinement contemplated by law, for the want of suitable buildings with appropriate cells. The confinement to which they have been subjected, has not operated as a punishment. It has none of the terrors of a prison. So long as this state of things endures, one of the strongest motives to deter evil men from the commission of offences will not exist. If we expect to have our community protected from the savages of crime, punishment, proportioned to the degree of criminality of the offence, should follow sure and swift upon its commission.

The expenses also attendant upon the present mode of confining criminals under conviction are very burdensome. These would be greatly diminished if there existed an appropriate prison in which convicts could be closely kept and compelled to labour. The forty thousand dollars, appropriated by act of Congress, approved June 11, 1850. (Statute, at large 1st Session 31st Congress, page 438), for the erection of a Penitentiary, and suitable public buildings at the seat of Government, being confined in its application to those objects, to the Governor, and Legislative Assembly of the Territory remains idle in the United States Treasury awaiting our joint action, which joint action, I most respectfully, but earnestly invite, and as connected with the matter, I recommend also the passage of laws for the establishment, and regulation of a complete system of prison discipline. By the act of Congress approved August 14, 1848 "To establish the Territorial government of Oregon" latter part of section fifteen, (see general laws of Oregon, page 44) it is enacted. "And the sum of five thousand dollars out of any money in the Treasury not otherwise appropriated, is hereby appropriated and granted to said Territory of Oregon, to be there applied by the Governor, to the erection of suitable buildings at the seat of government." In the 11th section of the same act the Governor and Secretary in the disbursement of all moneys interested to them are required to "be governed solely by the instructions of the Sections of the Secretary is herewith sent, marked B. This sum remained unexplained, and it will afford me great pleasure to unite it with the twenty thousand dollars, appropriated by Congress to the same object, provided it be the pleasure of the Assembly, to proceed at once to the expenditure of the latter sum.

We have within the last few months received a large increase to our population, by the coming in of the late emigration. They have in their journey encountered much suffering incurred heavy expenses, and sustained losses from causes, which you have in your power in some measure to remove. It is our policy to encourage emigration by all reasonable inducements.

Our fertile valleys, our magnificent forests, our varied and extensive mineral resources, our salubrious climate, and our maritime advantages avail us but little, unless men be had to turn them to useful account. It is observed that our numbers must be swelled chiefly by persons who seek the Territory by the overland route. The journey will, under the best circumstances, be tedious, laborious, and attended with some risk both to person and property. It becomes more difficult as our settlement is approached. The emigrant then has to travel over lofty mountains and miserable roads. He is frequently overtaken by the indecency of the weather, when worn down with exposure and fatigue, and exhausted in means. Our feelings and our sense of justice revolt at the idea that whilst encountering disadvantages almost inseparable from the formation of the country, and the nature of the climate, he should also just upon entering within our borders, be visited with exactions, and driven to incur expenses, which he has but little ability to meet. You have it in your power in a great measure to obviate some of these evils. I therefore respectfully call your attention to this end of the overland route, and ask you to adopt such measures as will lead to an improvement of the road, and a diminution of the expenses and losses attendant upon traveling over it, in the present state of things.

The subject of the grants made by Congress to the Territory for the establishment and endowment of a university also demands your attention. The importance of this matter arises from the importance of education itself. Upon this subject, it is impossible for us to feel too lively in interest. It affects us deeply in many of the most important relations of life. As parents, as citizens, as lovers of our race, we cannot but be keenly alive to any thing, that tends to diffuse the light of knowledge in our midst. If we wish to transmit to our children an inheritance that will be worth possessing we can succeed in no better way, than to impart to them the benefits of intellectual and moral culture. If we wish to exalt our Territory to the highest pinnacle of

greatness she is capable of attaining, we must make her as conspicuous for the intelligence of her population, as she is eminent for physical wealth and resources.

If we wish to establish the free institutions of our country upon a basis, that will effectually resist the insidious approaches or open assaults of despotism, and advance still higher the national glory, it can best be done by disseminating throughout the length and breadth of the land, the blessings of science and virtue. It behooves us therefore, to husband with the greatest care, whatever endowments Congress has made for institutions of learning, as best to effectuate the objects for which they have been dedicated. A fund should be created, and over which such guard should be thrown, as to prevent any mismanagement or waste. It should be as managed as to be made to yield the greatest amount of revenue. It should be sacredly devoted to the advancement of the cause of education. The time has arrived, when prompt measures should be adopted, for taking immediate possession, and making a proper application of the grants made to us by Congress; so that the benign effects that must result from it may begin to be felt by the youth of our land. As yet no part of the property granted by Congress for these purposes has been taken charge of, in behalf of the Territory. I respectfully refer you to an Act of Congress approved February 9, 1851 (Statutes at large, Second Session, 31st Congress, Page 568) in which the Governor and Legislative assembly are "Authorized to make such laws, and needful regulations, as they shall deem most expedient to protect from injury and waste, sections numbered 16 and 36 in said territories, reserved in each township, for the support of schools therein." The performance of this duty will be the more difficult, the longer delayed, and I recommend your immediate attention to it. With respect to the Oregon City claim, it is well known that the right of Congress to dispose of it, as it is done, has been denied by some, who set up an adverse title to it. Be this as it may, the question should be settled. It is for the interest of all parties to have it determined. If the Territory has the right to apply it for the establishment of an university, some one dually authorized for the purpose should take possession of it at once, and enforce the rights of the Territory. More than two years have elapsed since Congress made the grant, the income of the property for that period if rightly managed, would go far towards the establishment of a noble seat of learning. Instead of being received for that purpose, it is appropriated mainly by a single individual. To recover it, will be expensive, if not difficult. The income and benefits of the property, princely as they are still continue to be enjoyed by those who have no authority under the laws of Congress, or of this Territory to receive them. No adequate power exists by law, by which the property, or its income can be taken for the purposes of the grant. Further action by the Legislative Assembly is needed. I therefore recommend that such steps be taken as the great importance of the subject demands, and as will best subserve the interests of the Territory at large.

I would call your attention to the existing laws in relation to licensing drinking houses. If these establishments may be regarded as public benefits, the amount exacted for a license seems to me exorbitantly high; but if on the contrary they are justly considered as unmixed evils, the tax should be greatly augmented, or by adequate enactments, they should be prohibited altogether.

This is a subject of grave import to our infant but growing Territory, and while merits the deliberate consideration of the Representatives of the people.

I recommend the passage of a law authorizing the appointment of persons in the several States and Territories of the Union, to take the acknowledgement of deeds for property sold within our borders; and I most earnestly renew my former recommendation to organize the Militia of the Territory.

To the Legislative Assembly belongs the consideration of measures which may best tend to the development of the resources of the Territory. Oregon possesses within herself many of these, which with enterprise and industry will most surely render her a wealthy, powerful, and prosperous State. She has a fertile soil, and genial climate; she has [vast] forests and abundant fisheries, unlimited water power, pastures upon which even during winter, innumerable flocks and herds can subsist, with no other care than the mere herding; and prairies which could with only moderate labor, furnish the whole of our Pacific Territories with bread. I cannot but consider it a misfortune, that the search for gold, (now particularly since increased population and business, has, within the last two years, afforded us the means of profitable labour within our own boundaries) has led so many of our citizens, from the more stable, and in the end, the more enumerating labours of production. The experience of all nations has shown that a mining population never becomes really or permanently rich; and it is an undoubted fact, that the neighboring State of California with all her productiveness in gold, has not repaid the capital furnished or expended from the East. It is no less clear, that the large amounts of metal brought into this Territory, from the first fruits of the California mine have been measurably exhausted: and that while importation of goods from abroad are increasing, we have produced but little until recently to send back in repayment.

The consequences must display themselves, in a continued drain on the proceeds of this year's mining, or the alienation of our most valuable property, to those who come in from other states, and countries, in payment for their merchandise. It is therefore to be considered, what articles we can supply, with most profit to others, or where we can find or create the best market for them. The wheat and other small grains of Oregon, have become renowned, not only for quality unsurpassed, but the average quantity produced even with moderate labour greatly exceeds that of other agricultural regions. For flour particularly, we ought always to find a market in California: and that we have not been able hitherto, to compete with Chile, and other grain producing countries, it is to be attributed in a great measure to the high prices of labour and transportation; but in some measure also to the inferior quality of the article itself, as hitherto manufactured. In this latter particular however, great improvements have been recently made. The improved mills and machinery of the Eastern States should be introduced here, and should be taken not only in the making, but in the packing and preservation; and with increased economy in these particulars, and with rapidly increasing facilities of bringing the staple to places of embarkation, and our neighborhood to the market, we have a right to look, for success from competition with any country.

The same observations apply in a measure to our manufactured lumber. There can be no doubt that waste and want of care in sawing, and inattention to the quality of the material, and the kinds and sizes required joined to the expense of making and shipping, greatly contributed to injure this trade in the California market.

That the Eastern States can at so great a distance ever maintain a profitable and permanent trade with the Pacific, in so bulky an article, it is impossible; and it remains for us by improvement in the manufacture, and in diminishing the cost, to regain the position we have partially lost. It is not probably that for many years at least, we can enter into shipbuilding ourselves, but the superb spars furnished by the forests of yellow fir and spruce might afford a most valuable export to other countries, particularly China and India. It is understood that a vessel which attempted to load with sticks in Puget Sound, was under contract with the British Navy; and it is well known that many even of the largest size are carried from the Atlantic shores by way of England to the East. Such being the case we can surely find a profitable trade in shipping them direct. Vessels which have discharged here, or at San Francisco, and proceed to

China to load for the return voyage to the United States, could be readily loaded on the very banks of our rivers with this kind of lumber.

The production of many articles of food beside breadstuffs were it conducted systematically would add to the wealth of our Territory. The salmon of our rivers, and the codfish which abound upon the coast can be supplied to other markets, in inexhaustible quantities. The immense country lying east of the Cascade range of Mountains and the fertile and beautifully grass covered valleys, and hills of the Umpqua and Rogue Rivers, furnish a range for beef cattle unsurpassed in the world, and the rolling oak ridges and camas grounds in other parts of the Territory, afford every facility for raising pork. Fruits and vegetables, especially roots can be raised every where in abundance, and of the finest quality. For all these, both shores of the Pacific open their ports to us if we enter upon the trade with well directed industry. It is to be remembered, that other elements besides cheapness enter into consideration among commercial advantages. The certainty of obtaining supplies, the stable quality of the article furnished, the adaptation of the packages to the wants of the consumer, all are regarded in making the productions of a country sought for. Among other staples of manufacture and commerce, for which Oregon seems admirably adapted, are wool, flax, and hemp. I know of no country in the world better calculated for raising the former; as sheep do not require to be housed or fed at any time, and no other care would be demanded for them then to preserve them from wild animals.

The immense resources of the Territory in point of water power, furnish the means of manufacture on the spot, of this, as well as so many other productions; and it deserves consideration, whither capital and skill cannot be attracted hither for the purpose. That a field would be open not only here and in California, but elsewhere, for consumption, I have no doubt. Flax and hemp grow spontaneously in many parts of the country. The latter in particular, as manufactured by the Indians, into various articles seems to be of excellent quality, and an examination at least into the subject of a production for market, ought to be made. Our limited population and wealth, necessarily deters us from entering largely into enterprises of this kind at present. But, were the advantages of these and others demonstrated to the country at large, it would be the means of bringing here, men, whose means are larger, whose knowledge of manufactures would lead them to the undertaking, and who would be glad to find new roads to activity and fortune.

The prosperity of a country should never depend on any one staple commodity. It is in proportion as the objects of industry are extended and multiplied, that general and permanent wealth is secured.

Agriculture, commerce, and manufactures, act mutually upon one another, each advancing the interests of the rest. But no country can thrive, which is not its own principal producer. Accident has in some measure hitherto protected us against the disasters which were to be expected from a drain of the precious metals caused by large importations with but little corresponding export; but in the end we must, and that at no distant day either become impoverished, or at a great disadvantage journey to the minds to supply the means of payment unless we husband and develop our resources.

A general geological reconnaissance of the Territory has been made by Dr. Evans from the Rocky Mountains to the Pacific Ocean, including a careful examination of the country bordering these mountains 150 miles north and south at their western base; and from the northern boundary of California to Puget Sound. A detailed examination has been made over a considerable portion of the Territory west of the Cascade range which demonstrates that,

Limestone—is found in great abundance in the main chain of the Rocky Mountains. In the mountains bordering [Hat Head] Lake; in the hills separating that Lake from Saint Mary's or Bitter Root Valley; and at the head waters of the Spokane and Clear Water rivers.

It also occurs in nodules containing a large percentage of lime in the banks of Columbia to its confluence with the Ocean. West of the Cascade Range of mountains, it has been observed in extensive beds in the Umpqua Valley; in the highlands bordering Clatsop Plains; along the range of high lands seven miles back of Tualitin Plains; and in several localities in the valley of the Willamette. Hydraulic limestone has also been found in the last named valley and a thin stratum of nearly pure carbonate of lime has been found in King's Valley near Saint Mary's Mountain.

Coal—No rocks of the age of the true coal formation have yet been discovered in Oregon; but a bed of brown coal or lignite of considerable extent is found on the Cowlitz, and several of its tributaries; on several streams emptying into Puget Sound. A bed of [lituminous?] lignite, more compact than any of the lignites previously discovered, was observed on the Skookum Chuck, and in several localities in the highlands bordering that stream. The stratum is eight feet in thickness, and does not crumble on exposure to atmospheric influences, as far as observation has been made. A small specimen of coal found by Major Goldsborough of Olympia about 20 miles up the Steilaquamash River is believed to be not much inferior to the Skookum Chuck coal, although not quite so compact in its structure. Coal is also found in thin seams in King's Valley near Port Orford; on the Columbia River near its mouth and in several localities in the Willamette Valley.

Lead—has been observed in the Spokane Country near the British Line; and there is reason to expect that further research may show that some of these veins extend into our own territory.

Iron—ores of good quality have been obtained in the Spokane and Bitter Root Ranges of Mountains; and ores of Copper are found in the Southern portion of the last named range. Specimens of Iron and Copper ores, have also been collected in the Umpqua Valley, they will no doubt be found in other localities.

Saline and [Chalibeate]—Springs exist throughout the Willamette valley; and in the valley of the Umpqua; along the Coast Range of Mountains, and in fact in almost every portion of Oregon that has been visited.

Gold—the Gold mines near the Southern boundary of the Territory are being wrought to considerable profit; and gold in small quantities has been found on nearly all the tributaries of the Columbia heading on the Eastern slope of the Cascade Range of Mountains. There is considerable analogy between Talcore and allied rocks of the Umpqua region, and the gold bearing rocks in California; and gold has been found on the South Umpqua River on the south fork of the Santiam east of the Meridian line, on the Calapooya creek a tributary of the Willamette and on several other streams heading in the Cascade range of Mountains.

Puget's Sound is beginning to awaken, and from its high importance, justifies earnest attention of the enterprising and the Capitalist. A large district of land lying on the North of the Columbia River, and well adapted in many portions to agricultural purposes, must at no distant day, find its market, and seek its supplies, at the various ports in that arm of the Sea. It contains harbours combining beauty, spaciousness, and security, in numbers fully equal to the wants of the country. When it shall have reached that degree of advancement, looked for by its most

sanguine friends. Forests, there exist in proximity to the water, from which inexhaustible supplies of lumber and ship timber can be obtained.

Whales and other fish abound in its waters, and I entertain no doubt that profitable fisheries in that region. From the great natural advantages which there exist, from the fertility and the extent of the neighbouring soil, and its various productions and capacities, and from the general salubrity of the climate, Puget's Sound must soon become one of the most important commercial points on the Pacific.

I ask your serious attention whether it is not advisable for your body to express to Congress an opinion of the necessity of modifying some of the features of the Land Bill.

The growth of towns, as law now stands, must be seriously retarded for some time to come, from the inability to give secure titles or to make valid contracts, for the sale of town property. While anything that will stimulate the growth of towns beyond the just wants of the country, should be discouraged, they should yet be made to keep pace with its necessities.

The farmer must have his necessary supplies of merchandise; and to enable him to make payment therefore he looks to the disposition of his surplus produce. But if all are producers and no consumers, there can be no inducement to the agriculturalist to raise upon his farm more than will satisfy his own wants. Towns therefore, commensurate with the condition of the country, are of as much importance to the agricultural, as to any other interest. Besides creating competition and trade, by which the farmer is enabled to get a greater variety of articles of merchandise, and at reasonable rates, they at the same time make a market for his produce. The benefits of the Land Law are practically denied to a large and most useful body of citizens. I mean the Mechanics and Traders who pursue their business. This class cannot occupy in person their claims and at the same time carry on their business without great inconvenience to themselves and their employers. And being equally useful and meritorious with the farmer, why should not their privileges be equal?

The provisions made for settlers under 21 years of age, are accompanied with conditions so onerous, that it is unreasonable for government to exact them. It is hardly to be expected that as a general thing, the youth of Oregon, are to marry before they are by law emancipated from parental control.

From the great extent of the Territory, from its limited population and the sparseness of the settlements, it is not to be expected that any very rapid advancement in its developments can be made, without the assisting hand of the National Government. We have schools to establish, roads to lay out and make, bridges to build, rivers to improve, and public edifices to erect. Much can and will be done by individual enterprise; much may be accomplished by your own wise legislation, and much we have a right to expect will be done for us by the general government.

The pioneer in the settlement of the country cannot be neglected by Congress. Their firmness, their hardships, their virtue in journeying across the wilderness, in subduing the land, in contributing to settle the great boundary dispute, will appeal and not in vain, to the generous sentiments of the nation at large.

Congress will reward such virtues. It will aid us by liberal appropriations in the development of our resources. Policy, if not magnanimity will dictate them. For whilst such provisions will promote the growth, and advance the prosperity of the Territory, they will at the same time, add to the wealth, extend the usefulness, and enlarge the grandeur of the Union itself.

Confiding in your disposition to discharge faithfully the high and sacred trust with which you have been honoured by your fellow citizens, I tender to you the sincere assurance that my best efforts will be given to aid you in accomplishing every object that will redound to the interests, and honour, and happiness of the Territory.

In conclusion I invoke upon you Councils the blessing of that Infinite Being, without whose approving smile, all human deliberations are in vain.

John P. Gaines.