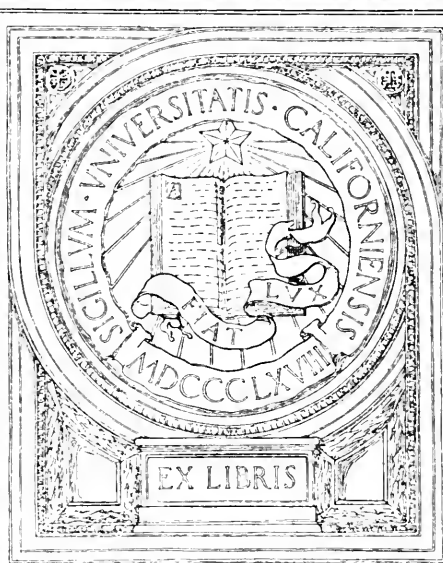


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Oregon. Legislative assembly, 1909.
Proceedings of the fiftieth anniversary
of the admission of the state of
Oregon to the union.



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PROCEEDINGS

of the

Fiftieth Anniversary of the Admission of the State of Oregon to the Union

Held Under the Auspices of the Twenty-fifth Biennial
Session of the Legislative Assembly and the
Oregon Historical Society

at the

CAPITOL, SALEM

Monday, February 15, 1909



SALEM, OREGON
W. S. DUNIWAY, STATE PRINTER
1909

FRED LOCKLEY
RARE WESTERN BOOKS
4227 S. E. Stark St.
PORTLAND, ORE.

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ALBION 150 No. 1111

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Surviving Members of the Constitutional Convention Held in
Salem, August 17 to September 18, 1857.

Hon. GEORGE H. WILLIAMS, Portland	-	-	-	-	-	-	*1853
Hon. LAFAYETTE GROVER, Portland	-	-	-	-	-	-	*1850
Hon. WILLIAM H. PACKWOOD, Baker City	-	-	-	-	-	-	*1849

*Date of arrival in Oregon.

COMMITTEE OF ARRANGEMENTS.

ON BEHALF OF THE SENATE.

HON. M. A. MILLER, Linn County.

HON. W. C. CHASE, Coos and Curry Counties.

ON BEHALF OF THE HOUSE OF REPRESENTATIVES.

HON. J. L. CARTER, Hood River County.

DR. L. M. DAVIS, Multnomah County.

HON. L. E. BEAN, Lane County.

ON BEHALF OF THE OREGON HISTORICAL SOCIETY.

FREDERICK V. HOLMAN, President, Portland.

GEORGE H. HIMES, Assistant Secretary, Portland.

INTRODUCTORY.

As the Legislature of 1907 made no provision for observing the Semi-Centennial of the Statehood of Oregon, and as the Legislature of 1909 would not convene until January 11th, on June 26th, 1908, the Board of Directors of the Oregon Historical Society called a special meeting for July 1st, "To consider and take action on celebrating the Fiftieth Anniversary of the Admission of Oregon as a State into the Union."

At this meeting Frederick V. Holman, President of the Historical Society, was appointed a committee of one to secure a speaker for that occasion. He performed that duty by corresponding with a number of distinguished gentlemen in different portions of the states east of the Rocky Mountains, and at length, about the first of December, secured the consent of Hon. Frederick N. Judson, LL. D., an eminent lawyer of St. Louis, Mo., to prepare the anniversary address. Meanwhile President Holman laid the matter of this celebration before Governor George E. Chamberlain, briefly outlining the purposes of the Society in thus taking the initiative in this matter, and also apprised him of what had been done. The Governor heartily approved the action of the Society in the premises, and agreed to do what he could in securing the co-operation of the Legislature in the proposed celebration.

The Legislature convened in its Twenty-fifth Biennial Session on Monday, January 11, 1909, whereupon House Joint Resolution No. 1 was introduced by Hon. C. N. McArthur, Speaker of the House, as follows:

HOUSE JOINT RESOLUTION NO. 1.

Whereas, the fiftieth anniversary of the admission of Oregon to the Union occurs on the 14th day of February, 1909, and Whereas, the appropriate observance of such anniversary is conducive to creating and upbuilding a true commonwealth spirit, fostering a zealous study of its institutions by its people, and promoting patriotism; therefore,

Be it resolved by the Legislative Assembly of the State of Oregon:

That the State Senate and House of Representatives meet in joint assembly on the 15th day of February, at the hour of

4 P. M., for the purpose of holding appropriate exercises commemorating the said fiftieth anniversary of the admission of Oregon to the Union; and

Be it further resolved, that the members of the Oregon Historical Society and residents of the State generally, be invited to attend and participate in said exercises; and

Be it further resolved, that a committee of three on the part of the House and two on the part of the Senate be appointed to arrange the details for said exercises.

Filed in the office of the Secretary of State February 25, 1909.

This resolution was adopted by the House on January 22d, in compliance with which Speaker McArthur appointed Representatives J. L. Carter, of Hood River, L. M. Davis, of Multnomah, and Louis E. Bean, of Lane, as a committee on celebration on the part of the House.

This resolution was adopted by the Senate on January 22d, pursuant to which President Jay Bowerman appointed Senators M. A. Miller, of Linn County, and W. A. Chase, of Coos and Curry counties, as a committee on behalf of the Senate to co-operate with the House committee.

A meeting of the joint committees of both houses, together with the committee from the Oregon Historical Society, was called by Representative Carter, chairman of the House committee, for Monday evening, January 25th, at the Capitol. The three committees met at 8 o'clock P. M. in the office of Hon. J. C. Moreland, Clerk of the Supreme Court, and organized by electing Senator Miller chairman and Representative Chase secretary.

The chairman called upon President Holman, of the Oregon Historical Society, to state what had been done by him as chairman of the committee of that body, and was informed that Hon. Frederick N. Judson, a distinguished lawyer of St. Louis, had been secured to deliver the principal address.

A programme of exercises was then prepared as follows:

Music	-	-	-	-	-	-	-	-	-	MCELROY'S BAND
Calling to order and Introduction of the President of the day, Hon. Jay Bowerman, President of the Senate	-	-	-	-	-	-	-	-	-	By Hon. M. A. MILLER Chairman of the Senate Committee of Arrangements
Prayer	-	-	-	-	-	-	-	-	-	Rev. W. R. BISHOP Portland
Address of Welcome	-	-	-	-	-	-	-	-	-	Gov. GEORGE E. CHAMBERLAIN
Address	-	-	-	-	-	-	-	-	-	FREDERICK V. HOLMAN Portland, President Oregon Historical Society
Address to Oregon Pioneers	-	-	-	-	-	-	-	-	-	Hon. GEORGE H. WILLIAMS Portland
Music	-	-	-	-	-	-	-	-	-	MCELROY'S BAND
Anniversary Address	-	-	-	-	-	-	-	-	-	Hon. FREDERICK N. JUDSON, LL. D. St. Louis, Mo.
Music	-	-	-	-	-	-	-	-	-	MCELROY'S BAND

As February 14th, the Anniversary Day, came on Sunday, it was decided that the commemorative exercises should be held on the day following, February 15th.

Representative Davis and George H. Himes, a member of the committee of the Oregon Historical Society, were appointed a committee on invitations, and the following form was submitted and adopted, with instructions that it be an engraved invitation :

*The Legislative Assembly
State of Oregon
and the
Oregon Historical Society
cordially invite you to attend the Celebration
of the
Fiftieth Anniversary
of the Admission of Oregon to the Union
to be held in the Capitol, Salem
on Monday, February the fifteenth
One thousand nine hundred and nine
at three o'clock*

M. A. Miller

Chairman Senate Committee of Arrangements

J. L. Carter

Chairman House Committee of Arrangements

Frederick V. Holman

President Oregon Historical Society

Mr. Himes was appointed a committee of one to superintend the engraving of the invitations, and to send out the same. Nine hundred and fifty were printed and they were mailed as follows :

President and Vice-President of the United States.
President and Vice-President elect.
Members of the Cabinet.
Judges of the Supreme Court of the United States.
Governors of the United States.
Surviving members of the Constitutional Convention.
Surviving members of the first State Legislature.
Ex-State officials of Oregon now living.
Present State officials.
Pioneers, Indian war veterans and other citizens.
Principal historical societies of the United States.

FIFTIETH ANNIVERSARY OF THE STATEHOOD OF OREGON.

On Monday, February 15, 1909, at 3 o'clock P. M., the House of Representatives was adjourned by Speaker McArthur, who announced that the hour had arrived to begin the ceremonies relating to the celebration of the Fiftieth Anniversary of Statehood, and introduced Hon. M. A. Miller, Senator from Linn County, chairman of the Senate committee on the celebration, as the presiding officer upon this occasion.

Upon ascending the rostrum and calling the large assemblage to order, Senator Miller said:

"We will now be led in prayer by Rev. William R. Bishop, of Portland, an honored pioneer minister of Oregon. Please stand."

The invocation was offered by Rev. William R. Bishop, of Portland, a pioneer of 1852, as follows:

God of all grace, mercy, truth and love, we gather here today with grateful hearts to mingle together in celebration of the fiftieth anniversary of the admission of the commonwealth of our beloved Oregon into the great sisterhood of States—the United States of America. And in the opening of these ceremonies we desire, first of all, to render to Thee our grateful thanks that we live, and that we live where we live. We thank Thee for the memory that many of Thy servants, gathered here today, still hold in mind the stirring events of fifty years ago today. We thank Thee that so many of the men, and so many of the women, of those stirring times, have, in the order of Thy gentle Providence, lived on to hear and to see so full a realization of the hopes and aspirations of that noble generation upon whose labors the active generation of this day are now entered. And now, Lord, we would here today, on this appropriate occasion, which calls us together, make mention of our gratitude to Thee for the blessings of home and country, which come to the generation here assembled, through the labors and toils of the men and women who have finished their course and gone to their rest.

O, God, most merciful, the memory of these men, and of these women, who thus labored and thus toiled, is as ointment most precious; and, Lord, we would pray that the alabaster flask of this precious ointment of the memory of the men and women of the past might be broken here today in the midst of this people gathered here in the Capitol building of our commonwealth. And Lord, we would pray that

the odor going out from that ointment of memory of the past and hopes of the future, may rest upon all this people, and that every heart may be moved with gratitude and be inspired with resolution for the good and right. And we most earnestly beseech Thee that this odor of the past, and of all the good that has come down to us from the toils and labors of the past, may rest upon all our State officers, upon the Governor and those associated with him in the administration of the laws of our commonwealth, and that, through them, our laws may be administered in the fear of God.

We are told by inspiration, O, most merciful Father, we are told by inspiration, that the hearts of princes are in Thy hands; and we would, therefore, pray earnestly that these Thy servants, the members of the Senate and of the House of Representatives, now assembled for active duty, may be moved by the sweet odors coming from the memory of the day we celebrate—February 14, 1859. And we would pray that the Senate chamber and the hall of the House of Representatives might be filled with the odors now coming up through the memory of that day, and that every member of the entire legislative body may be moved by a sense of duty both to the past and to the present as well.

And now at the close we would commend to Thy Fatherly grace, Thy Fatherly blessing and benediction, this, the present generation, the children and grandchildren of the men and women yet living, most of whom have counted three score and ten years, and many of them four score years.

God of love, keep the men and women of this generation in Thy fear, so that they may do even more and better work than their predecessors, and so that our whole country, the United States of America, may continue to bless the world, and to bless, as she now does, all nations of the earth; and that she may continue to be one undivided country until the voice of the Son of God shall be heard descending in the clouds. We ask all in His name, who taught us to say, when we pray:

"Our Father which art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done in earth as it is in heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation; but deliver us from evil: For Thine is the kingdom, and the power, and the glory, forever. Amen."

After the invocation Senator Miller made a brief introductory address, as follows:

PRESIDENT MILLER'S INTRODUCTORY ADDRESS.

Ladies and Gentlemen:

We have assembled here today to celebrate this, the fiftieth anniversary of the birth of Oregon as a State. It is an occasion of which we may well be proud and one in which we can all join in one grand paean for the splendid advancement that our State has made.

We have met to rejoice with laughing children, fair women and brave men, and to bless the day which has given us a nation such as never came before to mark the tide of time, which, previous to its birth existed only in the dreamy imaginations of the poet or the philosopher, but stands forth today a living, breathing reality. This, indeed, is the anniversary of a great undertaking and determination.

Sixty years ago or more, a small band of great and good men and women, many of whom have passed in the pale realms of shade and taken up their abode in a far better land, have erected here a monument of civil and religious liberty which shall last till the end of time. The noble pioneers who settled this country gave an exhibition of heroic courage seldom witnessed in any age or any country, and though their forms may pass off the stage of human action, the records of their greatness can never perish. Great principles will live and live forever, though their authors may be numbered with the dead. If the pages of written history were to be destroyed and every means of its reproduction, the memories of the struggles of the pioneers of Oregon would not soon be forgotten and drop from the minds of the people, but it would be transmitted and handed down from the sons and daughters of the pioneers from generation to generation, from age to age, as long as an intelligent American citizen should be left on the face of the earth. Then it is not strange that we should meet today to celebrate the great events and bring up the memories of brave men.

Men may die as the leaves of autumn but the principles underlying liberty and self government will live, and live forever.

Then it is eminently proper for us today as citizens of this commonwealth to pay tribute and honor to our ancestors—to those who paved the way to a higher civilization, those sturdy men and courageous women who endured the privations of the frontier life so that we in this far-removed time may enjoy the blessings gathered from their sacrifices. The pioneers who crossed the plains with ox teams and endured the hardships of the journey were as brave men and as true as ever followed the drum tap to battle and to death.

There has been no duty our people have ever refused to perform, and no sacrifice too great for them to make. In response to the call for settlers they came to the Northwest, and the result has been that three mighty states have been added to our Union, three stars added to the constellation, stars that will grow brighter and brighter as the years come and go.

Wonderful have been the developments of our State; wonderful is the State of Oregon, and more wonderful are its possibilities. Standing here in the morning of the twentieth century let us look forward, not backward; let us look to the rising, not to the setting sun; let us choose blessings, not cursings; let us carry out the work so ably and well laid by our noble ancestors; let us live for higher, grander, and nobler things; and in paying tribute to their memory let us not forget our duty as American citizens. We are the greatest people in the world, the most intelligent people in the world, the most patriotic people in the world. Let us ever bear in mind that the American flag stands for liberty, justice, and equality; that its stripes of red tell of the blood shed to purchase liberty; its stripes of white proclaim the pure and heaven-born purpose of a government that derives its just powers from the consent of the governed.

In introducing Governor Chamberlain, Senator Miller said:

A few years ago, in the cemetery near the city of Eugene, there was laid in their final resting place the remains of the first Governor of the State of Oregon—Hon. John Whiteaker. By the side of the open grave stood the present Governor of Oregon. From this scene we draw the picture of the old passing off the stage of human action, and the young taking their place. I now have the honor and the very great pleasure of introducing to you Oregon's most popular and beloved

citizen, his excellency, Governor George H. Chamberlain, who will now make the address of welcome.

GOVERNOR CHAMBERLAIN'S ADDRESS.

Mr. President, Ladies and Gentlemen:

On behalf of the people of the State, I welcome you. I did not know until I saw my name printed on the programme of the day's proceedings that I was expected to address you, and I trust, therefore, you will excuse me from attempting to do more than to express to you the hope that the occasion you have met to celebrate may be a memorable one in the history of the State.

Oregon was admitted to the Union when the slavery question was a burning one, and but for the broader patriotism and statesmanship which animated some of those who participated in the discussions in the national House of Representatives, it is very probable that Oregon might not have been admitted until after the Civil War.

The purpose of this meeting is to recount the incidents which preceded and attended the admission of this commonwealth to the Union.

Oregon had no better friend in the House in support of her admission than Hon. Eli Thayer,* a member of Congress from Worcester, Mass., and I request, as a part of this address, that there be published in the proceedings of today an article prepared by Franklin P. Rice, of Worcester, Mass., and published in the Worcester Magazine in its issues of February and March, 1906, recounting the circumstances attending the efforts of Oregon for admission to the Union, and the part played therein by Mr. Thayer. It is possible that others who are to address you today may discuss this subject, but it will bear repetition.

Without further trespassing upon the time of those who have addresses prepared, I again welcome you.

MR. RICE'S ARTICLE ON "ELI THAYER AND THE ADMISSION OF OREGON."

The circumstances attending the efforts of Oregon to attain statehood, and its success, form one of the most interesting episodes in the political history of the country. Strangely, an event which stirred the public mind so deeply and was the subject of general comment at the time, a narrative in detail of which furnishes so much curious information with regard to the first strictly partisan demonstration by the Republican Representatives in Congress, has been overlooked, ignored or slightly treated by historians and political writers. Even in works which refer especially to Oregon, nothing more than mere mention that the State was admitted to the Union appears. A full account has never been given, and the facts are to be found only in the pages of the Congressional Globe and in the files of the newspapers of that period.

A particular interest attaches locally to this matter. But for the prompt and determined action of the Representative in Congress from the Worcester District in 1859, Oregon would not have been admitted

*Eli Thayer was born in Mendon, Massachusetts, June 11, 1819; died in Worcester, April 15, 1899. Founder of the New England Emigrant Aid Company, which saved the territory from slavery and the nation to freedom. Author of the Kansas Crusade. Member of Congress, 1859-1861. Through his determined actions Oregon was admitted a State of the Union in 1859.

as a State at that time; would not have been represented in the national Republican convention of 1860, in which her delegates had an important if not controlling part in the nomination of Abraham Lincoln; would not have cast her electoral vote for Lincoln in the ensuing election or formed one of the phalanx of loyal States during the Civil War; and according to Governor Chamberlain, in his address on Massachusetts Day at the Lewis and Clark Exposition, Oregon might not have been admitted to the Union until 1888. Later Governor Chamberlain wrote: "I sincerely trust that every man, woman and child in the State of Oregon may learn how deeply they are indebted to Eli Thayer, and that his memory may serve to stimulate the present generation to higher and nobler ambitions."

The consummation of this purpose of injustice towards a worthy and enterprising community would have carried with it a greater and as lasting reproach to the Republican party as that which rests upon the Democratic party for so long keeping Kansas out of the Union. Fortunately the new party was saved that dishonor, and today, no one with a clear knowledge of the circumstances doubts that Eli Thayer was right in combating a policy so mistaken and mischievous. Yet no other act of his public life brought upon him as sharp condemnation from a large portion of his constituency, and the body of his political associates in the House of Representatives, as this; and it may be added that no other experience of his Congressional service gave him greater satisfaction in his later years.

Organized as a territory in 1848, and with the example of California, with an independent local government in operation, it is not strange that Oregon was impatient for a condition of equality, and that a strong desire was cherished by her inhabitants to become the second of the great Pacific commonwealths at the earliest moment that Congress could be influenced to admit her into the Union as a State. The outcome of this desire and effort was the passage by the House of Representatives of the Thirty-fourth Congress, in its last session (1857), of an act authorizing the people of Oregon to form a State Constitution, but the bill did not reach the Senate before the final adjournment of that Congress. A constitution was, however, adopted by a convention, and this was ratified by the vote of the qualified citizens of the territory. This document assured a Republican form of government in accordance with the Constitution of the United States, and prohibited slavery, but it contained certain provisions excluding negroes and mulattoes from the State and depriving them of the right to bring or maintain suits in its courts, and other objectionable clauses, which were in conflict with the sentiment and practice of some other portions of the country. "The restrictions upon persons of color had been allowed as a compromise with a large element in Oregon that would favor a free State government if negroes were excluded entirely, but would vote to have a slave State if they were to be allowed there. The vote in favor of this policy was 8,640, and against it 1,081. "Many of those who voted for exclusion of free negroes were at heart opposed to the policy, but it was considered necessary to throw this tub to the whale of the pro-slavery party to secure the success of the free state clause of this Constitution," said the Hon. George H. Williams, in his address at the fortieth anniversary of the admission of the State. The negro exclusion clause still remains in the Constitution of Oregon, and a recent attempt

to expunge it failed, showing that the sentiment on the subject of negro equality has not changed in that locality in fifty years. This clause is, of course, inoperative under the amendments to the Constitution of the United States. In 1859 this sentiment was in accordance with that of the people of Indiana and Illinois, in which States it was enforced by stringent regulations.

During the first session of the Thirty-fifth Congress a bill to admit Oregon, with the Constitution above referred to, was presented by the committee on territories of the Senate, and was brought to its passage in that body on the 19th of May, 1858, by a vote of 35 to 17, with ten Senators absent or not voting. Eleven Republican Senators voted with the majority, and six, Fessenden, Hale, Hamlin, Durkee, Trumbull and Wade, voted against admission. But with these latter in opposition we find Jefferson Davis, James H. Hammond, Alfred Iverson and James M. Mason; while foremost in advocacy of the measure, although he expressed his disapproval of the negro exclusion clause in the Oregon Constitution, was William H. Seward; and he was sustained by ten Republicans who followed his lead, Cameron, Chandler, Collamer, Dixon, Doolittle, Foot, Foster, Harlan, King and Simmons. Charles Sumner was absent on account of disability, and Henry Wilson, as he afterwards told Mr. Thayer, not wishing to vote either for or against admission, walked into the cloak room. Mr. Wilson had previously characterized negro exclusion as inhuman, unchristian and unworthy of a free State, but he evidently was not sufficiently impressed with this feeling to vote in accordance with it. The only other Republican absentee was Daniel Clark, of New Hampshire.

It is thus clearly indicated that the admission of Oregon was not at first regarded as a strictly party question, and it probably did not become such until, at the beginning of the next session, it was discovered that the administration forces in the House could not command their usual strength in its support. It became known that a certain number of Democrats of extreme southern sentiment who opposed the erection of any more northern States would vote against the bill. This gave advantage for once to the minority, and the Republican managers were quick to see and avail themselves of an opportunity to not only retaliate upon the Democrats for the wrongs in Kansas, but also to exhibit the party strength and discipline. This intention was thwarted by Mr. Thayer.

There was a contingent of Republicans which, with the feeling that Oregon was likely to be a Democratic State, and the apprehension that its representatives in the next House might decide the question of the presidency in 1860, in case of failure to elect in the usual way, would vote against its admission; and there were several with the absurd fear that it might become a slave State. Mr. Thayer had no sympathy with these sentiments, and believed it to be the duty of a Representative of the sovereignty of a great people to vote according to the implication of the provisions made for such instances without reference to the political tendencies of the State to be admitted. But he believed that Oregon would become a Republican State, especially if it should be admitted by Republican votes, and he had no fear whatever that slavery would be established there or in any other place where it did not exist, convinced as he was that the institution had received its death blow in the Kansas struggle. In this he proved a true prophet, for, although

Oregon was admitted in the face of Republican opposition and predictions, it soon became Republican, and has with few exceptions remained so.

Their sense of justice with regard to Oregon's right to enter the Union operated strongly with both Mr. Seward and Mr. Thayer in influencing their action and vote; and in this the difference between statesmanship and mere politics was demonstrated. Aside from this, however, a stronger motive was apparent in the gaining of another free State, an advantage vastly more important at that juncture than the recognition of an abstraction, as negro equality in that instance turned out to be; or a temporary triumph over political opponents. Thayer and Seward stood upon precisely the same ground in regard to this matter, but, while the Massachusetts politicians had no censure for the New York statesman, who was their favorite presidential candidate, they bitterly denounced Thayer for his successful revolt against party discipline, and his Oregon vote was one of the principal causes of his defeat in November, 1860.

Early in January, 1859, Alexander H. Stephens, chairman of the committee on territories in the House, announced that he had the bill for the admission of Oregon ready to be reported. In the issue of the New York Tribune, of January 11th, the policy of the Republicans in the House under the peculiar circumstances of the case was indicated and was substantially followed as it developed. It would appear that Mr. Greeley and others, leaders of opinion in the party, had formulated this course, and expected thereby to compel the Democratic majority to recede, or in some way to yield, in the matter of the restrictions upon the admission of Kansas; or, failing in this, they would be able at least to punish their opponents and the administration by applying the power of the Republican organization in a way that would be felt. So the dictum went out that the minority in the House, now having its first opportunity to control, was to act as a unit, and vote to a man against the admission of the new State. Mr. Thayer had early intimation of this, and it aroused in him that spirit of resistance to partisan dictation which he so fully manifested from that time. He resolved to take his own course in what he regarded the right direction, and to abide the consequences, whatever they might be.

Every effort was now put forth and all possible pressure exerted by those interested, to enforce party discipline, creating a condition in the new organization with which its members had not been familiar. Horace Greeley and Thurlow Weed appeared in Washington, though not together, to use their influence and persuasion with the Congressmen, and, in connection with the arguments and imploration of Mr. Greeley, was the implication that the censure of the influential journal of which he was the editor would fall upon those who should have the temerity to oppose its direction.

In a statement to the writer, Mr. Thayer said in regard to the caucus action:

"I protested against this policy, saying that Oregon had been a territory for ten years, that the House had passed an enabling act with which she had complied, and that the Senate had voted to admit her with the aid of Republican votes; that she now asks admission into the Union as a State, presenting for our acceptance a free-State Constitution. That I would not be bound by the decision of the caucus; that I was strongly in favor of the admission of the new State, and that I should

work for it, and induce other members of the party to vote for it, but that I should vote in favor of it even if no other Republican could be found to do so.

As soon as the caucus was over I went to Mr. Stephens and told him that I would work night and day in favor of his report. He was much pleased with the promise of my support.

"I began at once to urge upon Republicans the duty and good policy of admitting Oregon. By persistent effort I secured sixteen who promised to vote for admission, and should have had others, but Greeley and Weed frightened some of these away, and weakened my support. But on the day of the vote we retained fifteen who, with the Democrats, were able to admit the State by a majority of eleven.

"On the day of the passage of the bill I gave my reasons very fully for the course I had pursued. It was well known at that time that it was due to my work that Oregon became a State, and for a few days I was roundly abused by some of the inferior Republican journals and the Tribune. Soon, however, under the lead of the New York Evening Post and the National Era, nearly all the Republican papers defended my position.

"Among those whose confidence in their own judgment Greeley had seriously impaired was Schuyler Colfax, who remained undecided to the day of voting. That morning I walked to the Capitol with him. On the way he said: 'I was never in such perplexity about my duty as I am in this Oregon matter.' We were just then passing the office of the National Era, and I suggested that he get Dr. Bailey's opinion. Accordingly we went in, and he said: 'Dr. Bailey, I do not know what to do about Oregon. Thayer wants me to vote for admission, while Greeley is just as earnest the other way. Now I have come to you for a decision. I shall vote upon this question as you advise.' Bailey at once replied: 'Vote with Thayer, for he is right.' We proceeded to the Capitol, and Mr. Colfax cast his vote in favor of the bill.

"I had felt sure of John Sherman's vote, but he did not appear in the House at all that day, and so did not vote either way."

The grounds of Republican opposition to the Oregon Constitution, in addition to those above stated, were that aliens not naturalized but who had made oath of their intention to become citizens were allowed to vote (certain Democrats joined in this objection); that the population was less than the number required in a representative district in other States; and that the English bill made an invidious distinction in requiring that Kansas should wait until such number was reached. These were public reasons upon which to make speeches for the ears of the country. But the private reason which had much greater weight with many Republican members was, as Mr. Thayer discovered, the fear that Oregon would be a Democratic State, and would increase the majority of that party in Congress—"a very silly reason," he said, "but most silly for Republicans, as the result has shown. Had this reason prevailed, it would have been even more powerful in the Thirty-sixth Congress, and Oregon would not have been represented in the Chicago convention in 1860."

The debate began on the 10th of February, and was participated in by Messrs. Davis of Indiana, Maynard of Tennessee, Bingham of Ohio, Hughes of Indiana, Grow of Pennsylvania, and others. Mr. Grow presented the minority report, and this contained the burden of Republican

opposition. The debate was resumed the next day. Mr. Clark of Missouri advocated the right of every State to confer the privilege of suffrage on whom she pleased. New York required a negro to be worth \$250 before he could vote, but any white man could vote.

Mr. Lane, the delegate from Oregon, said if she were kept out now she might remain with only one representative until her population was 300,000.

Mr. Dawes of Massachusetts said that his objections were in the Oregon Constitution, which was not only not Republican, but was not a free Constitution. He concluded:

"I cannot be driven from my opposition because there are other provisions of this Constitution which incline some to call it a free State, or because if I remand it back to a territorial government under the Dred Scott decision, slavery exists there. I demand something more than a free State in name. I want the reality. If slavery exists in Oregon while a territory it is because the people want it, and if they want it, they will make it a slave State in name as in fact within a twelvemonth if admitted.

"I speak for no individual but myself, and for no constituency but my own. I think I know their sentiments; and should I vote for this bill, I should expect to be burnt in effigy at every crossroad in my district. I do not intend to disappoint, in this respect, the just expectations of those who sent me here."

Mr. Dawes was a fair exponent of what he thought was the sentiment of his State, and his sincerity and uprightness cannot be questioned. But it developed after the event that even Massachusetts was divided in opinion, and that the unqualified disapproval of the action of Congress in admitting Oregon did not follow, as those who had organized against the act had been led to believe by Mr. Greeley and others who had set their hearts on the defeat of the bill. Even Mr. Thayer was surprised at the measure of assent which found expression within a short time, and he had expected much more censure than he received outside of his district. The feeling there remained strong and bitter to the end. How far his speech operated to influence the opinion and change of view in the north at large can be judged by its perusal; there is reason to believe that its effect was powerful and far-reaching, while it is also reasonable to assume that so mistaken a position as that taken by the majority of the Republican Representatives in this affair would not have been universally approved by their constituents even if by that means the admission of Oregon had been defeated.

In the speeches of the northern members on this occasion there was apparent the same feeling of apprehension in regard to the invincible nature of the slave power, and its inevitable advance, with which so many northern minds were indoctrinated; and the same distrust of the ability of the forces of freedom to cope with it, so widely prevalent then which Mr. Thayer, with his supreme faith in the victory of right over wrong, and his certain belief in the decline and extinction of slavery, had so often tried to counteract. Whether their judgment was at fault, or their fears and predictions were justified, can best be determined by our knowledge of the course of events in Oregon after the State was admitted under the obnoxious conditions against which they protested; and the wisdom or unwisdom of Mr. Thayer in his position can be shown in the same manner.

None of the reasons or arguments of those who opposed the bill to admit Oregon had weight with the Representative from the Worcester district; some of them he considered unworthy of a great reform party which the Republicans claimed to be. But he did not question the honesty of those who were governed by them, and exhibited more charity towards those from whom he differed than they extended to him. His argument was presented with his usual clearness and force. Some parts of his speech are here given:

"Mr. Speaker: My colleague (Mr. Dawes) who has just addressed the House is unable to see how an honest Representative of the State of Massachusetts can vote for the admission of Oregon. Well, in the exercise of charity, I can see how a Massachusetts Representative, both honest and patriotic, can vote against the admission of Oregon. He can do it by not comprehending the question, or he may do it in obedience to party dictation. I will now show my colleague how an honest Representative can vote for the admission, if he will listen to my argument and the reasons which I shall give in defense of my position.

"Mr. Speaker, I think this is a strange necessity that compels the northern representatives upon this floor to give their reasons for their votes for the admission of another free State into this confederacy. Sir, I shall vote for the admission of the State of Oregon without hesitation, without reluctance, and without reserve. So far as my vote and my voice can go, I would extend to her such a welcome as becomes her history, as becomes her promise for the future, and such as becomes our own high renown for justice and magnanimity, a welcome not based on contemptible political calculation, or still more contemptible partisan expediency; but such a welcome as sympathy and friendship and patriotism should extend to another new State; such, sir, as becomes the birthday of a nation.

"This people comes before us in accordance with the forms of law, and upon the invitation of this House; and it is too late to apply a party test upon this question. On the 19th of May last, a vote was taken in the Senate upon the admission of Oregon, and eleven Republican Senators voted for her admission, while six Republican senators only voted against her admission; and, sir, I have not heard of any attempt, on the part of the six Senators who voted for the rejection of Oregon, to read out of the Republican party the eleven Senators who voted for her admission; and even if that attempt is now to be made, we will see whether it is in the power of a minority to read a majority out of the party."

After a tribute to the courage, enterprise, and sterling qualities of the early settlers and the people of Oregon, he continued:

"In the territory they have established our free institutions. There, sir, strong and deep, they have laid the foundations of a free State, and they come here, like the wise men of the East, not asking gifts, but bringing gifts. What do they bring? Why, sir, the trophies of their own labor, the evidences of their own worth. They present schools, churches and workshops. . . And what are we doing here? Why, sir, quibbling about things which are comparatively unessential, and which pertain exclusively to the people of Oregon, and not to us or our duties here; quibbling about points which, if New York or Massachusetts were in the place of Oregon, would secure some votes on this side of the House against their admission. Massachusetts, which you know, sir, I

never defend anywhere, even Massachusetts does not allow the negro to be enrolled in her militia.

"What law of reformation is this? It is the pharisaical law of distance, distrust, and derision. It is not the Christian law of contact, confidence and communion. The Pharisees denounced the founder of Christianity as 'the friend of publicans and sinners.' That class would repel all who do not agree with them to the fullest extent. Shall we pursue a similar course in relation to the people of Oregon? Is it wise to do so? Is it expedient to reject their application on such grounds?

"What objections do Republicans present to this application? They say there is not sufficient population, and they claim that it is their mission to see that the Democratic party shall recover its consistency. At whose expense? At the expense of the consistency of the Republican party. I submit that it is better for the Republican party to preserve for itself the consistency which it possesses, rather than attempt to recover for the Democratic party the consistency which it has lost.

"The Republican party in the House, without one exception, so far as I know, voted for the enabling act, inviting Oregon to come here with a constitution to be admitted as a State. I have no disposition, and there is no need, to inquire here what is the population of Oregon; for, as a Republican, I am pledged to no rule on this subject. I opposed, as did my colleague, and my friends on this side of the House, the restriction which was put upon the territory of Kansas. We protested against it then, and protest against it now. We have no sympathy whatever with that restriction and are ready at any time to give an honest vote for its repeal.

"Another objection is urged against the clause in the Constitution of Oregon which excludes negroes and mulattoes from that territory; and, in addition, provides that they shall not bring any suit therein. It is said that this is in contravention of the Constitution of the United States. This I do not admit. But what if it is? The Constitution of the people of Oregon is not submitted to our vote. We cannot amend it; all we have to do about it is to see that it is republican in form. If it is unconstitutional it is not in the power of Congress to impart to it the least vitality, and it will fall by its own weight. But gentlemen argue here as if we could by our votes give life and power to an instrument in violation of the Constitution of the United States. Sir, this argument is weak and futile.

"But, sir, this provision is no more hostile to the United States Constitution than are the laws of Indiana and Illinois which exclude free negroes from their boundaries."

Then, after detailing the reasons which inclined the people of Oregon to exclude negroes, he said:

"It is proved, by the official record, that the Republican party in Oregon combined with the free-State Democratic party to sanction and ratify this provision which is here called in question. What Republican, or what friend of the free States, is justified, under these circumstances, in voting to exclude the people of Oregon from this confederacy on account of this provision, which is only an expedient and not a thing for practical use?"

He then justified the clause in relation to alien suffrage in consideration of the high rate of wages for labor in Oregon, and said it

was a wise policy to attract emigration. The Kansas argument next claimed his attention.

"There is another argument—that Kansas has been excluded by the Democratic party, and that, therefore, Republicans ought to exclude Oregon. The argument amounts to this: that we should abuse Oregon because the Democratic party have abused Kansas. Now I, for one, am content that the record of the Republicans in respect to Oregon should be better than the record of the Democrats in respect to Kansas. . . ."

He quoted Senator Seward's remarks at the close of his speech in favor of the admission of Oregon, made in the Senate the previous May, as follows:

"It seems to me, therefore, to be trifling with the State of Oregon, trifling with the people of that community, and to be unnecessary, and calculated to produce an unfavorable impression on the public mind, in regard to the consistency of the policy of admitting States into the Union, to delay or deny this application. For one, sir, I think that the sooner a territory emerges from its provincial condition, the better; the sooner the people are left to manage their own affairs, and admitted to participation in the responsibilities of the Government, the more vigorous the States which these people will form will be. I trust therefore, that the question will be taken, and that the State will be admitted without delay."

In reference to the characterization of the people of Oregon as inferior, by the Republicans, Mr. Thayer said:

"They may be inferior to us in education, in refinement, and in etiquette; they may not appear as well in the drawing room as some of our eastern exquisites; but in the sturdy virtues of honesty, of fidelity, of industry, and of endurance, they are above the average of the people of this confederacy. They have my sympathy, and never will I oppress them by my vote or my voice.

"You may send them away from the doors of the Capitol, but they will go thinking less of you, and less subject thereafter to your influence. They may come again with a hypocritical constitution, trusting to effect by statute law what you would not allow in organic law. They may not come at all, or they may come with a Constitution tolerating slavery. Discouraged and repulsed by northern votes, finding no sympathy where they had most right to expect it, they might not be able longer to resist the slave-State party in the territory, acting under the Dred Scott decision. Is it not right, therefore, for the lovers of freedom to advocate the immediate transition of Oregon from the condition of a territory in which slavery is lawful, to the condition of a State in which it is forbidden? Which do we choose, a *slave territory* or a *free State*?"

"By this act which I now advocate, we shall bind firmly to the old States, by indissoluble bonds, the remotest portions of our possessions."

He closed with a strong protest against non-resident control; and he emphasized the value, importance and permanency of the Union, declaring that it *was* and *would be*.

A writer of that period says:

"With the promulgation of this liberal and statesmanlike speech, which was characterized by all its author's usual energy, clearness, and practical force, was opened upon him an opposition by a portion

of the press of his own party, that has not ceased till the present time (1860). It is against these very assaults that he is defending himself today. Oregon was admitted by the votes of fifteen Republicans in the House of Representatives, Eli Thayer leading the column."

Mr. Greeley, who had set his heart on the defeat of the Oregon bill, was incensed at the result, and under the irritation induced by it, expressed himself in the Tribune of February 14th [1860] as follows:

"We hold that the great body of Republicans voted just right on this question, and of course that the fifteen who separated from, opposed and defeated them, did a grievous wrong. . . If Oregon in 1860, unbalanced by Kansas, shall elect a pro-slavery President, then woe to those Republicans whose votes shall have enabled her to do so. It is said that Oregon is a free State, but it would vote for pro-slavery interests. By the express terms of the Constitution (of Oregon), any of Mr. Eli Thayer's constituents and supporters guilty of having African blood in his veins who should visit Oregon with intent to settle therein, is guilty of a grave offence against the majesty of that State, and will be treated like an outlaw and a felon. . . . That border ruffian Democrats should sanction and give effect to such cruel injustice is but natural; that a few Republicans should be induced, no matter on what specious grounds, to aid them, is deplorable."

This was wrong-headed; the sting of disappointment was too plain and the personal bias too clear in these resentful strictures to secure the support of the other prominent Republican journals, although less influential ones, including those in the Worcester district, under the mistaken assumption that it was safe to follow the lead of the Tribune, kept up the attack for a few days, when, discovering their error, they became silent. Mr. Greeley, whose nature, in spite of his foibles and occasional eccentricities, was a noble and magnanimous one, and whose mental grasp in public matters was generally comprehensive, soon recovered his better sense, and saw if he did not acknowledge his mistake. As a sequel we find him a few months later a fellow delegate with Mr. Thayer to represent Oregon in the national Republican convention of 1860, where they both worked in harmony to secure the nomination of Abraham Lincoln.

The Tribune editorial drew from Dr. Bailey the sharp reproof in the National Era of February 27th:

"Why was the Tribune silent when the Senate passed the bill? Why did it not arraign the eleven Republican Senators and admonish Representatives not to follow their example? Waiting until Oregon is admitted, it passes in silence over the first offenders in the Senate and blazes away at the fifteen Republicans who only followed a high example. Such intolerance is not to be tolerated. . . . We rejoice that Oregon is in the Union, and that it stands there by the aid of eleven Republican Senators and fifteen Republican Representatives."

Dr. Bailey further declared that while he considered the negro exclusion clause in the Constitution of Oregon detestable, the question should be dealt with practically, and Oregon would send true Representatives to Washington after a little time. This proved sound prophecy.

In the New York Evening Post of February 14th, William Cullen Bryant expressed his view of the matter as follows:

"That different members of the Republican party should have entertained different opinions as to their duty in this matter does not surprise

us, but it seems to us that those who voted to admit Oregon, took a larger and more statesmanlike view than those who voted to exclude her. . . . We are glad for our part that Oregon is a State. That question is now taken out of the sphere of controversy, and the way is all the clearer for the admission of Kansas on the same terms."

Henry J. Raymond, in the New York Times of the same date:

"Oregon's population is, probably, not half enough to entitle her to admission into the Union under the principle incorporated into the Kansas bill last winter. But the Democrats, the very men who voted *then* that no State should thereafter come into the Union without population enough to entitle her to a representative, voted *now* to admit Oregon; and the Republicans who voted *then* against any such requisition and declared their purpose to pay no attention to it, voted *against* the admission of Oregon *now*. Mr. Eli Thayer and several other Republicans had the courage and independence to disregard the decree of the caucus, and voted for the bill."

The Springfield Republican in the issue of February 16th, printed the speeches of Dawes and Thayer, against and for the Oregon bill, and in later issues, probably greatly to Mr. Dawes' surprise, the following appeared:

"Some Republican papers incline to be miserable over the admission of Oregon, and to deal savagely with the Republican members of Congress who voted for it. But we cannot sympathize with any such feeling. . . . The exclusion of Oregon, if it could have been accomplished, would have been a great mistake, on any other grounds than the application to her of the same rule which was applied to Kansas at the last session.

"The anti-negro articles in the Oregon Constitution do not differ substantially from the provisions in several of the western States' constitutions. (There was a negro exclusion clause in the Topeka, Kansas, constitution for which the Republicans in the House voted the previous session.)

"Those who voted for the admission simply declared the Constitution republican in form, and containing no provision violative of the Federal Constitution. We do not hesitate to say that this is as far as Congress has a right to go in the matter.

"Some of our Republican friends object to this broad doctrine of State sovereignty, that it limits their field of operations against the institution of slavery. If the limitations are just and inevitable they must be submitted to. There can be nothing gained by raising issues that cannot be logically maintained, and upon which we are sure to be beaten. We not only fritter away our strength by such controversies, but we destroy public confidence in the discretion of the party and the nationality of our principles. What we can do under the Constitution is to put the general government into the hands of the supporters of freedom and free labor. . . . Freedom is making distinguished triumphs in the territories, with the most determined and inveterate efforts of the general government against it. . . . Let us have practical questions to contend for, and not mere abstractions and impossibilities."

The Boston Journal had the following:

"We should have preferred to see Oregon and Kansas placed in the same position, before the former was admitted to the Union. But as that was not done, we do not see but that a precedent has now been established which will inure decidedly to the advantage of Kansas,

whenever she shall legitimately apply for admission. As to Oregon herself, we welcome her into the Union. She is one more in the phalanx of free States. Hitherto she has been rather freely colonized and ruled by Democratic office-holders and office-seekers; but that day will soon pass over. By virtue of her position, her interests, and the principles of her thronging emigrants, she will ultimately become the New England of the Pacific."

These opinions from the Republican press show that there was a large preponderance of sentiment in favor of Mr. Thayer's course, though in Massachusetts, and especially in his own district, there was less agreement with him than elsewhere.

The admission of Oregon was celebrated on the evening of the day of the passage of the bill by a large concourse of citizens of Washington, with the marine band to serenade the distinguished friends of the measure, including Mr. Thayer. President Buchanan appeared at a window of the White House, and said that expansion was in future the policy of our country, and cowards alone feared and opposed it. He then called for the playing of Yankee Doodle by the band. It was the irony of fate that he was compelled to affix his signature a few months later to the bill which admitted Kansas into the Union as another free State.

Mr. Thayer was visited by the procession next after the President, at his rooms at the west end of Pennsylvania Avenue. After the salutatory, music and vociferous calls, he made his appearance at a window. When the cheering had subsided, he said:

"Friends and Fellow Citizens: I know not with what words to express to you my gratitude for the honor of this call, for you have taken me wholly by surprise. I am told that this is a demonstration in honor of the grand event of the day—the birth of a new and sovereign State. The humble vote which I have had the pleasure to give, contributing to the result, has been given in accordance with my convictions of duty, without hope of approbation, without fear of condemnation. I have merely followed the lead of my principles, and adhering to them, as I have done, and as I intend to do. I stand ready to take their legitimate consequences as they come—whether they be tokens of favor or of disfavor (cheers). With you I rejoice to welcome to this confederacy the heroic men who, more than twenty years ago, in the dim and distant solitudes away beyond the Rocky Mountains,

'Where rolled the Oregon, and heard no sound,
Save its own dashings,'

founded our own institutions, and established the arts and occupations of peace. With my whole heart do I welcome to our embrace these pioneers of our own material progress, not as aliens or strangers, but as friends and brothers, 'bone of our bone, and flesh of our flesh (cheers).' Another pledge have we now of the permanency of this Union, for having firmly bound to the republic our remotest possessions, we have hemmed in and firmly secured all intermediate parts of our national domain. But, gentlemen, I have no respect for assurances of the permanency of this Union. The Union *is* and *will be!* (Prolonged cheers.) It is not a thing to be advocated and argued for; it is a thing fixed, settled and determined. Far transcending in importance the temporary convenience of one State or of all the States, it is a trust which we hold,

not for our posterity only, but for the world! That trust we are bound to deliver unimpaired to succeeding generations, and we will so deliver it. (Cheers.) Again thanking you for this honor, with the best wishes for yourselves, for Oregon and the republic, I bid you good-night."

In commenting on this speech in the *Liberator*, Mr. Garrison significantly remarked: "The people of Massachusetts will settle scores with Mr. Thayer hereafter." But it will be difficult to indicate in this patriotic and union-loving speech what there is that any citizen of Massachusetts should not thoroughly commend and be proud of.

It was not, however, so much the people of Massachusetts as the politicians and party managers with whom Mr. Thayer came in conflict by his course in Congress, which was entirely consistent with his announced principles at the time he entered into the Kansas crusade in March, 1854. He then declared his belief in the practical application of popular sovereignty in saving the territories to freedom and preventing the spread of slavery, and he proceeded with this method in filling Kansas with free-State emigrants, and gaining so large a majority there that the efforts of the slave power were unable to overcome it. Mr. Thayer advocated this method to popular audiences throughout the free north, from the beginning to the time of his election to Congress in 1856, at which time he was particularly outspoken, yet he was elected by a great majority. Popular sovereignty opposed to the Wilmot Proviso doctrine, or non-intervention against Congressional control were as much the issues in 1856 as in 1860, when Mr. Thayer was defeated, and it was about these measures that the great clamor was made by the politicians, from whom the strength of opposition to him came. With the people directly Mr. Thayer would have had no difficulty.

From 1856 to 1860 the Republican party was rapidly rising to power, and in the Thirty-sixth Congress it gained control of the House. In their elation its Representatives were disposed to be highhanded, and to demand strict party allegiance in whatever measures, sound or unsound, its managers or its majority dictated. To this Mr. Thayer would not submit. On more than one occasion the Republican organization was led into injudicious action which party zeal at the time justified, but which mature judgment has condemned. Such was the attempt to prevent the admission of Oregon, while another instance was the intention to form new territorial governments by the Thirty-sixth Congress, thus giving their control to the Democratic appointees of President Buchanan. Eli Thayer prevented both mistakes, and in this grim, earnest and determined man of power was discovered a force against which numbers could not prevail, for he was successful in thwarting schemes which he did not approve after his party had the majority in the House. His presence was subversive of all the canons of party management.

The politicians' creed—my party, right or wrong—was well expressed by a Massachusetts editor at the time, writing with reference to Mr. Thayer's independent course:

"Discipline, order, regularity, are as necessary for a political party as for an army. Subordinates must receive and obey the orders of the commander-in-chief. . . .

"If a case like this should present itself in the army, where one of the number was found acting with the enemy, openly and without

concealment, and refusing all obedience to the organization, the order would be properly given, 'Shoot the traitor!' He would certainly, as the least that could be expected, be drummed out of camp to the tune of the Rogue's March."

Later, when Mr. Thayer, in a public meeting in Worcester, referring to the statement of Mr. Dawes, that he would expect to be burned in effigy in his district if he voted for the admission of Oregon, said that when a matter of such grave interest was at stake, he would have voted for it if he had known that his constituents would have burned him in person, the same editor characterized his position as "cheap effrontery which passes with many for high moral courage." This shows how a man's judgment may be affected by political feeling.

President Miller next introduced Hon. Frederick V. Holman, President of the Oregon Historical Society, who spoke as follows:

HON. F. V. HOLMAN'S ADDRESS.

The history of Oregon as a community covers a period of time less than seventy years. Prior to the time of the forming of the Oregon provisional government, May 2, 1843, what is now the State of Oregon can hardly be said to have been a community. At that time there were less than three hundred Americans, men, women and children, in Oregon. These were made up of Protestant missionaries and their families and a few other Americans who had settled in the Willamette Valley. There were in addition not to exceed seventy-five French Canadians. The provisional government was crude and lacking in jurisdiction, in power, and in authority, but it was a government for mutual protection and for peace and order. It was established by a vote of 52 for and 50 against, in an assemblage of 102 residents of Oregon, held by common consent, to consider the question of establishing a provisional government. The sole survivor of this assemblage, Francis Xavier Matthieu, is still possessed of all his mental faculties, but not able to be here today by reason of physical infirmities. Although a French Canadian, and then not a citizen of the United States, his was the deciding vote which meant so much for American supremacy in Oregon. He early became an American citizen and has been, ever since his arrival in 1842, a most exemplary resident of Oregon. He has been a member of its Legislative Assembly since Oregon became a State. The real provisional government was adopted by the people July 26, 1845, after the arrival of the immigrations of 1843 and 1844, but it was only a provisional government. It had no sovereignty, but it was sufficient and efficient.

The formation of the provisional government was the outgrowth of Anglo-Saxon traditions and instinct for free government and for law and order. The settlement of Oregon was a racial movement, the result of the genius and the instincts of what we call the Anglo-Saxon race—but it is a people rather than a race—a name given to a people who developed a desire and capacity to settle and upbuild new countries and for government by the people, for personal liberty, and for civilization. It made its home in England, where it grew and assimilated all others who lived with it, and then sent its children to have and to hold that part of North America which is now the United States. That people was ever liberty-loving and aggressive, and it followed the star which,

always in advance, showed the way of the westward course of empire, until the star stood over Oregon.

That people needed its centuries of stay in England to more fully develop to grow in civilization, and to make certain its love of personal liberty and of law and order. But it needed still a certain personal character, an independence of the individual, a hardiness, a personal courage and initiative, an ability to dare and to do, to journey to, and to live in a new country far from a base of supplies. It required several generations to succeed the early settlers on the Atlantic seaboard, to push westward, to learn how to live in the woods, to cross the mountains into Kentucky and Tennessee and maintain themselves there, in conflict with the Indians, before they could be the self-reliant, courageous men and women competent to cross the wild plains, to conquer the difficulties of forests, of mountains, of streams, and of rivers, to travel a distance of 2,000 miles, and then to make Oregon their home and a part of the United States, and thus settle practically what diplomacy of statesmen had, up to that time, been unable to accomplish. They laid deep and strong the foundations of this commonwealth.

As it was characteristic that the Oregon pioneers should make a provisional government for themselves without outside authority, so it was characteristic that of their own initiative and without authority from Congress, they should make a constitution as a State and boldly insist that they should be admitted into the Union. What Oregon then lacked in population, it made up in importance and in opportunity. Simple as its Constitution is, it was sufficient and strong and it has not always been changed for the better by modern innovations. It is well sometimes to look backwards to see if we have improved on the methods, the plans, and the ideas of our ancestors.

It is a source of gratification that there are present here today some of these Oregon pioneers, who have seen the birth of Oregon and her subsequent development, and have had a part in making it a State; who found here a fertile wilderness, but nevertheless a wilderness, and have helped that wilderness to become productive fields; who have assisted in making waste places into cities and towns, and to grow into centers of trade, of wealth, of education, and of refinement; who have seen a population of a few hundreds become greater than hundreds of thousands for each of those hundreds. It is remarkable that in so short a time that all this could be accomplished. It goes way and far beyond the expectations or the hopes—yes, even the dreams of the Oregon pioneers before, on the way, and after they reached the Oregon of long ago. It is rarely that ancestors can see with mortal's eyes the fruition of their hopes for their descendants, but some of these ancestors of Oregon are some of its moderns. They enjoy with their descendants the results of the pioneers' labors and enterprise.

Today let us not forget Dr. John McLoughlin, without whose aid and assistance many of these early settlers would not have survived. He died broken hearted while the Oregon constitutional convention was in session, a martyr to his humanity. In his manly reply to the criticism of the officers of the Hudson's Bay Company for his assistance to the early Oregon pioneers, Dr. McLoughlin said he had full reliance that some day justice would be done to him. That reliance was well placed to the extent that justice has been done to his memory. He stands first to day in the esteem and affections of the Oregon pioneers and their

descendants. All true Oregonians appreciate his noble acts, his loving-kindness, and his humanity, and recognize him as the father of Oregon.

Great as Oregon is today, it is but an earnest of what she will be tomorrow. Her fiftieth anniversary as a State calls attention to how she has grown. And yet Oregon has just begun. In another fifty years she should be one of the most important and influential States west of the Mississippi River. She has ever been true to the motto on her territorial seal, "*Alis volat propriis*"—she flies with her own wings. It is not only that, on her own initiative, she made her own provisional government and her own State Constitution, but she developed herself. The impetus she received from her first home-building pioneers has continued and grown in power ever since, and will continue in force.

This is a day when all true Oregon pioneers should be particularly remembered, especially the pioneers of 1843, 1844, 1845, and 1846. The first three arrived in Oregon during the existence of the convention of joint occupancy between the United States and Great Britain. The immigration of 1846 started on its journey prior to the boundary treaty of June 15, 1846, and when there were rumors of war with Great Britain over the Oregon country. These emigrants of 1846 did not learn of the treaty until after their arrival in Oregon. It was these four immigrations which, by their coming to Oregon, contributed greatly to the final determination of the Oregon question. What they had done could not be ignored by either country. Without the aid, assistance, or protection of the United States their daring and patriotism in effect won an empire, in extent, for their country. The part these early pioneers had in saving Oregon lacks the glamour of a conquest by arms, but it has the greater virtue of a country won and settled and civilized by the peaceable conquest of a brave, a hardy, a law-abiding, and a patriotic people.

The emigrants of 1843 were warned at Fort Hall, which was about 700 miles from their journey's end, that wagons could be taken no farther. They knew it was a dangerous experiment and of doubtful outcome. But the warning was unheeded. They were possessed of full confidence in their ability to reach the Willamette Valley with their wagons. They had with them their wives, their children, and all their property. They would not turn back. They intended to succeed—not to fail—and they succeeded. Their success was a great factor in the determination as to which of the two nations a large part of the Oregon country, now a part of the United States, should belong. Their failure would have been disaster, not only to themselves and their families, but to Oregon. They cut roads through the forests. They made their way over mountains and across deep and dangerous rivers. They found or made the way for others to follow. They surmounted every difficulty. They made possible the early settlement of Oregon. Their efforts were not in vain. Can Oregon ever forget these men and these women? Their fortitude, their hardships, and their successes are a part of the heritage of each Oregonian born and to be born.

The succeeding emigrants who are entitled to be known as Oregon pioneers, in addition to those already mentioned, were of a similar kind and quality and assisted in the upbuilding of Oregon.

Every privation, every tribulation, and every struggle of its true pioneers has made Oregon all the better, all the stronger, and all the more self-reliant. Such ancestors and such traditions could but make

a great commonwealth. The results we see in part only today. As long as history and tradition exist the Oregon pioneers and their deeds cannot be forgotten. They will be held forever in honor and in most grateful memory and appreciation.

Senator Miller, in introducing Hon. George H. Williams, said:

"The next speaker needs no introduction at my hands. He is known throughout the length and breadth of this great commonwealth. He has held many positions of trust and honor, having been a United States Senator from Oregon, and occupied a seat in the cabinet under President Grant. It therefore affords me great pleasure to introduce to you Oregon's 'Grand Old Man,' Hon. George H. Williams."

ADDRESS TO PIONEERS

By Hon. George H. Williams, 1853.

I have been requested to represent upon this occasion the pioneers of Oregon in a speech of ten minutes. Ten years ago, on the fortieth anniversary of the admission of Oregon as a State, I made an address in which I reviewed at considerable length the political history of Oregon from 1853 to 1865—"all of which I saw, and a part of which I was." I shall not repeat now any part of that address.

I was appointed chief justice of the Territory of Oregon by President Pierce, and arrived here in June, 1853. I went from New York to the Territory of Iowa to live in 1844, at which time there was a scattered population up and down the Mississippi River, back of which stretched out an apparently limitless prairie in monotonous and tiresome uniformity. I shall never forget the sense of pleasure I experienced when the little steamer Columbia, upon which I was a passenger, crossed the turbulent bar into the calm bosom of the Columbia River. There then broke upon my vision a panorama of newness, freshness and variety to which I was not accustomed. Everything was radiant with the glories of the glorious month of June; the air was soft and balmy, enlivened by a gentle breeze and brightened by cloudless skies. On each side of the river were green grassy banks so grateful to the eyes, back of which stood in solemn grandeur the deep, dark woods, the bright stream of water, the mountains in the distance, with Hood towering above the others with its snow-capped summit. All these were a revelation and a joy that can better be imagined than described.

When I came to Oregon there were, I should judge, about 20,000 people in the territory. I base this estimate upon the fact that at the first election for delegate to Congress after the territorial government was organized in 1849, the whole number of votes cast was 7,400. All of these people, with comparatively few exceptions, crossed the plains; all or nearly all lived in the valleys west of the Cascade Mountains. Since the landing of the Pilgrims on Plymouth Rock, those who have pushed back savage life and the wilderness and opened the way for the advance of civilization have been pioneers; but it is doubtful if any pioneers have been exposed to such hardships and privations and suffered so much as the pioneers who came by land to Oregon. To make the journey from any of the States in the Mississippi valley to the Pacific

Coast was to put thousands of miles of uninhabited country between home, kindred and friends and the end of the journey. It took strong hearts to make this sacrifice. Six months was about the average time of the journey. Covered wagons drawn by oxen were the general style of transportation. Men, women, children traveled in this way; the dangers and difficulties of the journey cannot be adequately described; thousands of miles through an unknown country, inhabited only by savage men and wild animals. The trail was desolate, dreary and dusty; sometimes it was difficult to obtain food and water for the cattle; teams sometimes gave out and died; sometimes the cattle were stampeded by the Indians, whose attitude, if not actually hostile, was not friendly. Rocky acclivities and unbridged streams were encountered. Hunger sometimes haunted their camps; sickness and death were their traveling companions; wives lost their husbands, husbands their wives, and parents their children, and without funeral rites or flowers to bedeck their rude coffins, the lost ones were left by the wayside to the companionship of wolves and the wanton winds of the desert. Many, and indeed most of those who reached their destination arrived weak, exhausted and impoverished, and not a few in a state of utter destitution; but they found the promised land a land of fertility and beauty to soothe their sorrows and brighten their hopes for the future.

I think it is fitting that I should say a word or two about Dr. John McLoughlin. He was at the head of the Hudson's Bay Company when that company swayed the destinies of the whole Oregon country. He had more influence with the Indians than any other man who ever lived on the Pacific Coast; they revered and feared him. He was a born commander of men. I remember his long silvery locks, his ruddy complexion, his powerful frame, and accomplished manners. I can say of him with as much truth as of any man I ever saw that he was one upon whom every God had seemed to set his seal to give the world assurance of a man. His claim to the grateful remembrance of the people of Oregon is founded upon the fact that when the emigrants arrived from the plains poor and needy, he fed the hungry, clothed the naked, and helped them to start life anew in their new homes. He lost his standing with the British Company on account of his friendship for American settlers; he moved from Vancouver, where at one time he reigned supreme, to Oregon City, where he died.

It is difficult to understand how the early pioneers to Oregon managed to establish homes and acquire the means of livelihood. There were no sawmills to make lumber for houses; no flouring mills to make flour for food; no manufacturing establishments to make furniture, farming implements, or anything needful for farming or housekeeping, and no place where goods or groceries could be purchased. Some assistance was derived from the Hudson's Bay Company; and the Methodist missionaries, who came by the way of Cape Horn, were able and willing to give some aid, and in one way and another, it is hard to tell how, they got things together, so that when I came to Oregon a considerable number of them were comfortably situated. Many of these early settlers took up land claims so that they had plenty of land, and with little cultivation they could raise grain and vegetables sufficient to supply their wants, with unlimited pasturage for stock. Some few horses and cattle were brought across the plains by the settlers, but their stock consisted chiefly of Spanish cattle obtained from California, and Cayuse Indian ponies.

For two or three years after I came to Oregon I rode around the district in which I was judge on a Cayuse pony, and in 1854 I purchased a wild-eyed Spanish cow for \$80, which was the best I could do to supply my family with milk.

There was a time when I knew nearly all the men in the territory. My judicial district embraced the counties of Marion, Linn, Lane, Benton, Polk and Yamhill. Court time was a sort of gala day for the people; some came to the county seat to attend the court, some to do business with the county authorities, and many came to meet their friends and neighbors and have with them a good social time. I have hobnobbed with the dignitaries of the nation in Washington and elsewhere, but I can revert to no social occasions which it gives me more pleasure to remember than the jolly go-as-you-please meetings of the pioneers at the sessions of the court in old territorial days.

I always found in traveling around the country a warm welcome in the homes of the settlers—their houses were frail shelters, consisting generally of one room, which was kitchen, dining room and bed room, with an upper room to which the young people ascended by a ladder. When I have stopped at these homes after riding all day on horseback through the rain and mud, I have been met with a generous hospitality, and after eating a hearty supper of hot bread and bacon, have retired to the full enjoyment of “tired nature’s sweet restorer, balmy sleep.” There were generally two beds in the family room, one in each corner; one of them was usually assigned to me, and with my experience among the pioneers of Iowa and Oregon, I acquired a dexterity in undressing and dressing in the presence of the family that would fill a circus rider with envy. It was easy going to bed, because the family sat with their faces turned away, but to get up in the morning while the women were around getting breakfast—*hic labor hoc opus est*.

Most of the pioneers, especially those who took up donation claims, were pioneers by birth and education. They came from the sparsely settled parts of Missouri and other western States. They knew little or nothing and cared less about the customs and practices of the fashionable world; they lived the simple life, not the romantic simple life of which we read, but the real, practical, simple life. They had none of the luxuries in which the people of the East indulge. The “get-rich-quick” fever was not very prevalent. Some wandered off to California, attracted by the gold excitement there, but they soon returned to contentment with their homes in Oregon.

There is something in the freshness, freedom and expansion of a new country that enlarges and intensifies human sympathy. The pioneers were notably kind and generous to each other. The home of the pioneer was the home of hospitality. The traveler was not turned away because it was inconvenient to entertain him. The pioneers had not much to give, but they gave with a wholeheartedness that made it seem like an abundance. Oregon in pioneer days was a free country. The air, the water, the land, the sunshine and the rain, were free, and the people were in the full enjoyment of their freedom. There were no laws in existence providing what the people should eat, drink, or wear, or whether they should go to church, to places of amusement, or stay at home on Sunday. I recognize the difference in conditions created by an increase of population, but it is due to the pioneers to say that with all their freedom they were as well behaved as are our

people of the present time, with the multitudinous laws to regulate the conduct of the private citizen.

Publicists have written books to show how governments originated, but Oregon affords a practical illustration of the germination, growth, and development of a government. Here were a few scattered people, without any political or social organization; they were exposed to the hostilities and the depredations of wild animals; instinctively the idea of getting together for mutual protection began to work; neighbors consulted with each other about the situation, and finally a meeting of about 100 persons, comprising a large part of the men in the territory, was held at Champoeg, to take into consideration the formation of a government; committees were appointed, meetings held, officials named, and the ideas about a government were working towards a result, but nothing definite was accomplished until 1845, when a provisional government was adopted—that is to say, a local government, to exist until a government was established over the territory by the United States. Provision was made in the law creating the provisional government for civil and religious liberty, and for all the fundamental principles of a republican and representative government. It was highly creditable in all respects to the people by whom it was adopted. In 1848 Congress established a territorial government for Oregon, which took the place of the provisional government. To this new government, which continued to exist until 1859, the people seemed to be much attached. It was a simple and comparatively inexpensive government, well adapted to the circumstances of the country. Several efforts were made to supplant this government by the State government without success, but finally in 1857 the people voted for a convention to frame a State Constitution. A convention was held, a Constitution framed, which was adopted by the people in 1859. Thus it will be seen that a complete government was slowly and gradually evolved from a few individuals isolated in a wilderness.

This Constitution, that was adopted in 1859, has had a hard time of it. Between the accommodating constructions put upon it and the initiative and referendum it has had about as much stability as a weather-cock in a gale of wind. Written constitutions are made or are proposed to be made to protect the minority of the people from the aggressions and injustices of the majority; and in these days of frenzied finance and freak legislation, such protection is an absolute necessity. Majorities need restrictions upon their passions and power, as well as individuals. Majorities are sometimes right and sometimes wrong, and they have been wrong a thousand times since Jesus Christ was crucified to satisfy a majority of the people.

I have lived many years of my life among pioneers, and I know the courage, patience and endurance with which they overcome the privations and hardships of pioneer life. Every year there is a gathering of pioneers in Portland, and to see these gray-headed men and women tottering to the place of meeting is to see a procession of home-builders and State-builders, conquerers of the wilderness, weary and worn, near the close of their long and useful lives. Every morning when I take up the Oregonian, with hardly an exception, I read of the death of some old pioneer man or woman, and the time is not far distant when the pioneers of Oregon will be a tradition and a memory. I am 86 years of age and may not have another opportunity to speak in a public manner

for the pioneers of Oregon, and I want to record my testimony here that with few exceptions they were a brave, generous, and just people.

“And the actions of the past
Smell sweet and blossom in the dust.”

President Miller now introduced Hon. Frederick N. Judson, of St. Louis, Mo., who delivered the Anniversary Address.

ADDRESS OF FREDERICK N. JUDSON OF ST. LOUIS.

It is with deep appreciation of the honor conferred, that I appear in response to the invitation of the State Historical Society to address you on this commemoration of the semi-centennial of the Statehood of Oregon. The exhaustive and scholarly researches of the history of Oregon by that society are known far beyond the borders of the State, and this celebration is fittingly held under its auspices. So thorough have been their researches, and those of your local historians and pioneer associations, in their investigation and publication of the interesting and thrilling incidents of the dramatic history of Oregon, that I am impressed with the feeling that one from another State should come into such a presence as this rather to hear than to be heard upon any subject relating to the history of Oregon.

Yet if you go beyond your borders on such an occasion there is an appropriateness in one from the State of Missouri bringing you greetings upon this anniversary, as Missouri, more than any other State, may claim to be the mother State of Oregon. Missouri was the gateway, through which passed the great tides of immigration, which made the early settlements on the Pacific Coast, and she therefore contributed more than any other State to the early settlement of Oregon. Many Missouri names are among your pioneers, and very many of your people have come from Missouri homes, or trace back their lineage to Missouri ancestry. St. Louis was the starting point of the Lewis and Clark expedition; the earliest trading post for the furrier business of the Northwest, and it was in St. Louis that the pioneer bands of emigrants were organized.

The names of two of the counties of Oregon, Linn and Benton, happily commemorate the services of Missouri Senators in behalf of Oregon. Senator Lewis F. Linn first introduced in Congress the appeal of the settlers on the Columbia River for protection, and was the enthusiastic advocate of Oregon until his death in 1843. The great Senator of Missouri, Thomas Hart Benton, as we shall have occasion to see, made a thorough investigation and mastery of the situation of Oregon. He was foremost in advocating the termination of the joint occupancy and the settlement of the disputed boundary, and he braved the pro-slavery sentiment of his own State in advocating the territorial organization with the exclusion of slavery in 1848. His name is worthy of lasting honor in Oregon.

THE STRUGGLE OF THE NATIONS.

The early struggles of the nations for possession of Oregon, with the conflicting claims of Spain, France, Russia, Great Britain and the

United States, are of profound and romantic interest. Spain, in her conquest of the western world, in the fifteenth and sixteenth centuries, claimed the right of dominion over the whole western coast of the continent, through discovery and actual occupation. Under the Florida Treaty of 1819 the United States acquired the Spanish title, whatever it was, in the Oregon territory. France made extended claims in the new world, but vanquished in Canada, she gave way to the superior prowess of Great Britain, and her right to the Mississippi and the Rocky Mountains passed to the United States in the Louisiana Purchase of 1804. Russia was at one time a competitor in the struggle for this territory, but withdrew by her settlement with Great Britain on the line of 54 degrees 40 minutes as her southern boundary on the American coast, and her rights in Alaska have since passed to the United States. The English claims were more formidable in a practical view as they were based not only upon exploration but upon occupation by the Hudson's Bay Company of the territory with its armies of traders and furriers.

Time will not permit dwelling in detail upon the thrilling and dramatic incidents of the struggle of the nations for the possession of this territory between the mountains and the Pacific. The American competition with the Hudson's Bay Company in the establishment of Astoria by John Jacob Astor in the early part of the last century—the interruption of the War of 1812, and the abandonment of the American enterprises thereafter—the anomalous joint occupancy by Great Britain and the United States—the mild rule of the Hudson's Bay Company under the benevolent McLoughlin—the improvised provisional government established by the settlers—the inspiring and heroic labors of Lee, Whitman and De Smet, and their co-laborers, recalling the devoted work of Marquette in the Mississippi valley—the procession of emigrants slowly toiling over the mountain passes—the tales of Indian savagery continually imperilling the struggling and isolated settlements—the thrilling narrations of privation and bereavement—these are all the commonplaces in your history, and will be the theme of song and story for generations to come.

OREGON AND THE UNITED STATES.

As we are commemorating the admission of Oregon into Statehood in the United States, it seems appropriate to limit our consideration of these eventful annals to those features which are directly connected with the great drama of our national history. No State, not of the original thirteen, has contributed so materially in the circumstances of its acquisition and territorial organization to the great national issues which have divided the country. The anomalous period of joint occupancy between the United States and Great Britain—the improvised self-government—the boundary settlement, preventing a threatened war—the territorial organization precipitating the angry slavery issue, which finally resulted in civil war—these are all involved in the relation of Oregon to the United States.

The Oregon of the Oregon question prior to the settlement of the boundaries between the United States and Great Britain, was geographically not the Oregon which was admitted to Statehood in 1859. The Oregon country included not only what is now the State of Oregon, but also the States of Washington, Idaho, and part of Montana and Wyoming, and all of British Columbia west of the Rocky Mountains and

south of the Alaska line of 54 degrees 40 minutes. This area was greater than that of the thirteen colonies at the date of the Revolution. It included the entire territory between the Rocky Mountains and the Pacific Ocean, the Alaska boundary on the north and that of California on the south.

While there is no historical verification for the report that there was at any time danger of the abandonment of Oregon by the United States, it is true that the organization of the territory was delayed by opposition on different grounds. Until the great immigration of the early '40's there was general ignorance in the eastern States as to the value of the property for settlement. Some were opposed to a further extension of the Union westward, as they had been opposed to the Louisiana Purchase, and there was opposition in the south on the ground that Oregon would strengthen the free territory at the expense of the slave States. As late as 1843, Senator McDuffie of South Carolina, in the Senate, scouted the idea of a railroad to the mouth of the Columbia River, and was thankful that God in his mercy had placed the Rocky Mountains in the way so as to make this country unapproachable.

On the other hand, Mr. Jefferson, especially after the Lewis and Clark expedition, was profoundly convinced of the great possibilities in the development of Oregon and its availability for settlement. It clearly appears in the discussions in Congress that as soon as the value of the country became known, and the tides of immigration began to pour in, that there was no serious question as to the policy of the United States, although legislation was delayed through the boundary dispute and the complications of the slavery question.

THE AGREEMENT OF JOINT OCCUPANCY.

An interesting and anomalous feature of the history of Oregon, or rather of the Oregon territory, is the fact that from 1819 after the close of the War of 1812, for some twenty-five years, the country remained under the joint occupancy of two nations, England and the United States, both asserting title to the entire property, and without prejudice to their respective claims. The United States based its claim upon discovery and exploration of the Columbia River by Gray in 1792, the explorations of Lewis and Clark, the settlement at Astoria, and subsequently the acquisition of the rights of Spain under the Florida Treaty of 1819. On the other hand, the English claimed the entire country south to the Columbia River by virtue of the actual occupation by the Hudson's Bay Company, and its extensive business with the trappers and furriers. In the Louisiana Purchase of 1803 the territory ceded to Spain by France and returned to France in 1800, was sold to the United States by what was in effect a deed of quitclaim, but as this territory thus acquired was bounded by the Rocky Mountains, the purchase, in itself, was neither then nor thereafter asserted as a basis for the title of the United States. In the absence of actual settlement and occupation, it cannot be said that either Great Britain or the United States had a very convincing claim against the other. Dr. Fiske, in his Astoria address of 1892, well said:

"Neither the purchase of 1803 nor that of 1819 would have gone far towards giving Oregon to the United States, unless the shadowy, metaphysical claims had been supplemented by the solid facts of occupancy and possession."

After the War of 1812 and the sale of the Astoria property to an English company thereafter incorporated with the Hudson's Bay Company, a treaty was made between England and the United States in 1818 for the temporary occupancy of the territory which was essentially anomalous, and would have been impossible except under the peculiar conditions prevailing in the country. It was virtually an agreement of joint occupancy, without prejudice to the conflicting claims of the two contracting powers, as to the boundary of their respective rights. Thus in this treaty it was provided, among other things, that the entire country claimed by either party, and the navigation of all rivers, should be free and open for ten years to the vessels, citizens and subjects of the two powers, and that the agreement should not be considered to the prejudice of any claim of either to any part of the country. This condition of joint occupancy was secured for ten years, and was afterwards extended indefinitely until either of the two powers should give notice to the other of a desire to terminate it.

During this period of joint occupancy, certainly until the organization by the settlers of the provisional government, hereafter referred to, the authority necessary for the control of the Indians, and the small white population, was exercised by Dr. McLoughlin, the local governor of the Hudson's Bay Company. It was fortunate that this responsibility devolved upon one who was exceptionally qualified for its judicial administration. The high character of Dr. McLoughlin, his considerate treatment of the American settlers and missionaries, have been clearly shown by the president of your society, and will cause his memory to be honored.

The joint occupancy, of course, in the nature of things, could only be a temporary arrangement. Missions were established by both Protestant and Catholics for the conversion of the Indians, and public opinion in the United States became aroused to the possibilities of opening the country for settlement. Demands then sprang up for the termination of the joint occupancy, and for the assertion of the American rights to the entire Oregon territory. As soon as immigration began to pour in it was obvious that there was an irrepressible conflict between the Hudson's Bay Company, on the one hand, in keeping the lands in the hands of the Indians for the benefit of trappers and traders, and the demands of the American emigrants on the other hand, who required the occupation, settlement and cultivation of the land for the homes of the people. These forces were in the nature of things irreconcilable, and further continuance of the joint occupancy became impossible. The discussion of the subject was complicated with the disputed boundary, and the joint occupation was finally terminated by Congress in 1846 in connection with the negotiation for the settlement of the boundaries.

MR. BENTON AND THE JOINT OCCUPANCY.

As a Missourian I may be pardoned my State pride in recalling the far-sighted and all but prophetic grasp of the Oregon question in all its stages by Missouri's great statesman, Thomas Hart Benton. Before his election to the Senate and before the admission of Missouri as a State, he publicly denounced the joint occupancy treaty when it was first made, saying that it was time that western men had some share in the destinies of the republic. He declared there could be no mutuality in the use of the Columbia River, and that the effect would

be that the English traders would drive out our own. He proclaimed a new route to India to be formed by the rivers Columbia, Missouri and Ohio, which, he said, would open a channel to Asia short, safe, cheap and exclusively American; and that the route, though interrupted by several portages, would present in some respects better navigation than the Ohio, and would be shorter by 20,000 miles than the existing ocean route from the Atlantic States to the East Indies. This was when railroads were unknown. In the Senate he opposed the renewal of the joint occupancy in 1828, and introduced resolutions in secret session against it, declaring in favor of a settlement on the basis of the forty-ninth degree as a permanent boundary. He was the leader of the discussion on the final termination of the joint occupancy, saying that the country could have but one people, one interest, one government, and that people should be American, that interest ours and that government republican.

THE "54-40" CLAIM AND THE BOUNDARY SETTLEMENT.

The termination of the joint occupancy was closely associated with the assertion of the American rights in the Oregon territory up to the Russian boundary line of 54 degrees 40 minutes, and this was caused by the growing recognition of the value of the Oregon territory for occupation and settlement.

In the words of Mr. Benton, the great event of this time was the movement of the Anglo-Saxon race to the Pacific Ocean, beginning in 1840 and largely increasing in 1843, and this, "like all other great immigrations and settlements of that race on our continent, was the act of the people going forward without government, aid or maintenance, establishing their position and compelling the government to follow them with its shield and spread it over them."

It was at this time of the uncertainty of the titles of the respective countries that the assertion was made of the American right to the whole Oregon country up to the Russian border of 54 degrees 40 minutes, and this became a political issue, which was adopted by the Democratic convention of 1844, in its platform, whereon President Polk was elected.

At one time this issue threatened war with England, and the danger was the greater because it was complicated with the other political issues of the time. War with Mexico was then impending through the annexation of Texas, which the south wanted for the extension of the slave territory, and certain politicians of the west demanded the whole Oregon country, even at the risk of war with England.

This boundary question was aggravated by the demand for the termination of the joint occupancy. It may be true, as suggested by Dr. Fiske in his essay on Andrew Jackson, that the movement of American immigration into the Oregon territory would in time have given the United States the entire country up to the line of 54 degrees 40 minutes. It was the wise counsel of Mr. Calhoun to leave the adjustment of the boundary question, as well as the joint occupancy, to the working of these silent forces which would make the country American. But such speculations are idle, for the United States was at that time not only in no position to make war on Great Britain over the northwest boundary, as it had neither army nor navy on the Pacific Coast, nor the means of transportation which could enable it to cope with Great Britain; but the United States was really estopped in good

morals by its own prior assertion of the line of 49 degrees as the limit of its northern claim. Great Britain claimed to the line of the Columbia River by reason of actual occupation.

President Polk, when elected, was placed in an embarrassing position through the party platform which had demanded the 54-40 line, and when a treaty was negotiated with England upon the boundary line of 49 degrees he resorted to the unusual step of submitting to the Senate the proposal before the treaty was effected. The treaty finally made on June 15, 1846, settled the northern boundary line at 49 degrees. In the meantime the clamor for war had subsided and the settlement was recognized as a wise and just one. Mr. Blaine in his "Recollections," says that the controversy over this boundary line really consisted of bluffing on both sides and was not altogether creditable to either country. The settlement was the compromise of the conflicting claims; that of Great Britain to the line of the Columbia River was not allowed, nor was that of the United States to the whole territory drained by the Columbia, as the line of 49 degrees gave the upper waters of the river and the country drained by it to Great Britain. Mr. Benton, though he had been an earnest advocate of the termination of the joint occupancy, ridiculed the 54-40 provision in the platform of 1844, and said it was the party platform for the campaign, and that its architects knew but little of the northwestern coast or its diplomatic history.

This treaty of June, 1846, provided that the boundary line should be the forty-ninth parallel to the middle of the channel which separates Vancouver Island from the mountains, thence southerly through the middle of the channel through Juan de Fuca Straits to the Pacific Ocean, the navigation of the channel and straits to be free and open to both parties. Differences afterwards arose as to what channel was meant, so that it remained unsettled to which government Washington Sound and the islands in it belonged. An amicable arrangement was effected in 1859 by which the two governments jointly occupied the island, the United States having a garrison on the south and Great Britain on the north. Under the Treaty of Washington in 1871 this difference was referred to the Emperor of Germany, who decided for the United States in 1872.

In this connection as pertaining to what was once the Oregon country, though not the State of Oregon, should be mentioned the subsequent amicable adjustment between Great Britain and the United States of the country between Alaska and British Columbia. The peaceful settlement of these boundary questions, involving, as they did, great issues which might have resulted in war, make a happy page in the history of Oregon, as well as of our common country, to which we may look with pride and satisfaction. May all international controversies be thus adjusted, not through armies and battleships, but through peaceful arbitration, "in the parliament of mankind and the federation of the world."

THE PROVISIONAL GOVERNMENT.

A most interesting period of the history of Oregon is the so-called Provisional Government, which was established by the settlers during the later years of the joint occupancy and its termination, until the organization of the territorial government in 1849. A body of laws was adopted by the joint action of the emigrants of the State and of British subjects, which, amended from time to time, was in effect the

organic law until the territorial organization by the United States in 1849. At first there was not a single executive head, but an executive committee of three; and no provision for taxation, the expense of administration being paid by voluntary subscription. As the population increased, these primitive arrangements proved inadequate, and a governor was elected, and that essential of organized government, a system of taxation, was provided.

This improvised government is an interesting study for political philosophers. The government rested literally upon the consent of the governed. It was an illustration of the social contract to which such philosophers as Locke and Rousseau ascribed the origin of all government. These settlers in a wild country, separated from civilized States by thousands of miles and all but impassable mountains, surrounded by savage Indians, found it necessary to surrender in part their individual liberty for their mutual protection, the maintenance of order, and security of property.

An anomalous feature of this provisional government was its creation and maintenance by men who owed allegiance to different sovereignties, whose relations were at times strained even to the point of threatened war. The oath of the officials of this government expressly reserved the duty owing as a citizen of the United States, or as a subject of Great Britain.

The laws of this provisional government show clearly that however primitive and wild the conditions in which they are placed, men of Anglo-Saxon ancestry carry with them as their inheritance the fundamental conceptions of liberty and justice. Thus, in this social compact, the freedom of religious belief and worship, the right of habeas corpus, and trial by jury were guaranteed. Justice and the utmost good faith were enjoined in the treatment of the Indians, whose lands and property were not to be taken without their consent. Education was encouraged and slavery was prohibited. Provision was made for the prompt administration of justice and for regulating and recording land claims.

Factional differences may have developed among these settlers struggling with the hard conditions of pioneer life as they have developed in modern settled communities. Nevertheless, however, the successful organization and wise administration of this provisional government, whereunder life and property were secured, justice orderly administered, the settlements successfully defended from the Indians, and the national prejudices of alien populations effectually controlled during these critical years—will remain for all time signal proof of the capacity of the Oregon pioneers for self-government.

THE ORGANIZATION OF OREGON AS A TERRITORY.

The settlement of the boundary question and the termination of joint occupancy left the Oregon country, that is, including the territory south of the forty-ninth degree and between the Rocky Mountains and the Pacific, an unorganized territory of the United States. During the period of the settlement of the boundary question, emigrants had been pouring in through the passes of the Rocky Mountains, so that there were now several thousand American inhabitants who had settled upon the land and were living only under the laws made by themselves, and the demand for Federal protection by formal organization as a territory became imperative.

It was at this time that this recognized necessity for the organization of Oregon as a territory came in conflict with the new-developing slavery agitation which finally ended in the Civil War.

The Oregon question which was made a national party issue in 1844 had hardly been definitely settled by the adjustment of the boundary dispute, when another Oregon question was presented, which was before Congress in some form from 1844 until the final enactment in 1848. Oregon was north of the 36 degrees 30 minutes line fixed by the Missouri Compromise in 1820, and was, therefore, within the country wherein slavery was prohibited. But when the boundary question was finally settled and it was necessary to provide for a territorial organization, the political situation was complicated by the acquisition of the territory resulting from the Mexican War, that is, Texas, New Mexico and California. The situation was still further complicated by the fact that Mexico had abolished slavery and the residents of New Mexico and California both demanded the exclusion of slavery from their respective territories. While the line of 36 degrees 30 minutes fixed by the Missouri Compromise did not touch Oregon it did run through New Mexico and Southern California. The Wilmot Proviso had been introduced in Congress and provided that slavery should not exist in any part of the territory acquired from Mexico. The new Oregon question was presented by the introduction of the resolutions of Mr. Calhoun in the Senate of the United States, that the territories were the common property of the people of the United States, and that the slave holders of the south had the same right to take their property, that is, their slaves, into such territory as the emigrants from the north had to take their chattels or their livestock or any other form of personal property. The logic of these resolutions therefore prevented any exclusion of slavery in the territory of Oregon, though it had been excluded by the Missouri Compromise and by the provisional government of the settlers. The northern Democrats were not prepared to follow Mr. Calhoun in this position, and a number of other Senators had at first hesitated to support him. It cannot be denied, however, that upon the assumption that a slave holder had the same right in his slave property as others had in their property, his position was logical. It was thereafter, in effect, affirmed by the Supreme Court of the United States in the Dred Scott case, and was only settled in the time of the Civil War by the act of Congress which excluded slavery from all of the territory of the United States. In fact the issue was only settled by the final arbitrament of civil war. The debate of this Oregon question was really the beginning of the modern slavery agitation. It would serve no purpose to recall the heated debates in Congress growing out of the introduction of these resolutions. The position of the advocates of the organization of Oregon was effectively stated by Mr. Benton, when he said that Oregon was left without government, without laws, while at that moment she was engaged in war with the Indians. And he added, "She is three thousand miles from the metropolitan seat of government, and although she had set up for herself a provisional government, and taken on herself the enactment of laws, it is left to the will of every individual to determine for himself whether he will obey those laws or not."

The organization of Oregon with the exclusion of slavery was finally effected by the adoption of the provisional laws enacted by the territory and also subjecting the territory to the provisions of the ordinance of

1787, which excluded slavery from the northwest territory. An attempt was made to defeat the bill by filibustering, but it was finally passed on the last day of the session, August 14, 1848, through the alertness of Senator Benton in seizing an opportunity to call for a vote on the bill. It was promptly signed by President Polk, who announced his approval in a message, saying that if it had prohibited slavery south of the line of 36 degrees 30 minutes fixed by the Missouri Compromise, his action would have been different.

The resolutions of Mr. Calhoun, though never brought to a vote in the Senate, proved a veritable Pandora box in the politics of the country. When introduced in the Legislature of Missouri and adopted, they were repudiated by Mr. Benton, and this resulted in a division of the Democratic party in that State and the retirement of Mr. Benton from the Senate three years later.

On the approval of the Oregon territorial organization act, General Joseph Lane of Indiana, distinguished in the Mexican War, and subsequently delegate in Congress, also Senator, and candidate for Vice-President, was appointed Governor of the Territory; civil government was thereupon inaugurated, and for the first time courts under governmental authority were organized. There had been no legal basis for private land titles in Oregon, and it was not until the enactment by Congress of the Donation Land Law on September 27, 1850, that the possession claims theretofore entered were given any legal sanction. It is to the lasting honor of Oregon that the injustice done in this law to Dr. McLoughlin was subsequently officially acknowledged, and all possible reparation made by the Legislature after the admission to Statehood.

THE ADMISSION OF OREGON INTO THE UNION.

The territorial organization, despite the perils and sufferings of Indian warfare, was followed by a rapid increase in population, and under the same self-reliant pioneer spirit, which had organized the provisional government of 1843, a constitutional convention was held, without any authority from Congress, and a Constitution was adopted by the people November 9, 1857. On the 14th of February, 1859, the act admitting Oregon was approved by President Buchanan, and it was admitted as the thirty-third State in the Federal Union.

During the ten years of territorial organization events of far-reaching importance had been enacted on the broader national stage. It was not the same Oregon which had been admitted in 1848, as Washington with its present boundaries had been carved from it in 1853. The agitation of the slavery question had gone on unceasing since 1848. The admission of California, the Clay Compromise, the Fugitive Slave Act of 1850, the Kansas-Nebraska Act of 1854, the Dred Scott decision of 1857, the border war in Kansas, the development of anti-slavery sentiment in the northern States—all these had followed in rapid succession. This profound political revolution had had its effect upon party organizations. The old Whig party, after its crushing national defeat in 1852, had disappeared from the national arena. A new party organization sprang into existence opposing the slavery extension in the territories, while a division sprang up in the Democratic party in the struggle over Kansas, a large section of the northern Democrats following Senator Douglas in his demand for popular sovereignty in the territories, so that the issue of slavery should be determined in the territories by vote

of the people therein. When the bill for the admission of Oregon was presented in the second session of the Thirty-fourth Congress in 1859, Senator Douglas had just returned to the Senate from his successful campaign for re-election in Illinois, where he had been defeated in the popular vote by Abraham Lincoln, who had thus risen into national prominence as the leader of the new anti-slavery opinion of the country.

In this complex and inflamed condition of national politics, Oregon made its application for admission as a State in 1858. As slavery had been excluded in its original organization, as a territory, so it was excluded in its State Constitution. This Constitution also contained clauses, Article I, Section 35, and Article II, Section 6, which have since been nullified by the fourteenth amendment to the Constitution of the United States (and which I understand have never been enforced, and in fact have been repealed), not only excluding free negroes and mulattoes from voting, but also from making contracts or living in the State.

In the popular vote upon the Constitution, these clauses prohibiting slavery and excluding free negroes, were separately voted upon. Thus, on the slavery question, there were 2,645 for and 7,727 against slavery, while upon the exclusion of free negroes there were 8,040 in favor of the prohibition and 1,087 against; and upon the adoption of the Constitution, the ayes were 7,195 and the noes 3,195. It was thus clearly indicated that the opposition to slavery was mainly upon economic reasons, that is, it was deemed unsuited to the climate and industries of the State, while the feeling of opposition to negroes was then held in common with the other free States of the Northwest, though it is said that some voted for the exclusion clause as a concession to the strong pro-slavery sentiment.

The slavery question as a national issue now came to the front on this question of the admission of Oregon, as it had on the question of its territorial organizations ten years before. But the far-reaching changes of the intervening period had so complicated the existing party politics, that although Oregon applied for admission as a free State, the opposition in Congress to her admission came mainly from the anti-slavery and not from the pro-slavery members. It is true that another free State added to the Union, making the number 18 to 15, still more effectively destroyed the equilibrium between the free and slave States, which had been lost by the admission of California, followed by Minnesota; and it was seen that the admission of Kansas could not be long deferred. No slave State had been admitted since Texas in 1848, and the march of events had shown that it was not probable that any new slave State could be created. In the admission of Texas it had been provided as a concession to the pro-slavery demands that three new States could be made out of that territory, but the sentiment of State pride has made it impossible to carry this into effect, and no serious attempt was made to take advantage of it during the period of slavery agitation. So hopeless, therefore, had become the struggle against the increasing predominance of the free States that any opposition to the admission of Oregon as a free State seems to have been overborne by the then controlling political conditions.

It was known in 1859, when the bill for the admission of Oregon was pending, that the State in existing party divisions was aligned with the administration wing of the Democratic party. Two Democratic Senators had been elected, one of them General Joseph Lane, who had

been Governor of the territory, and thereafter candidate for Vice-President. The Thirty-fourth Congress, then holding its second session, had been elected in 1856, and was Democratic in both Senate and House. The division between Senator Douglas and the administration and the growth of the Republican party had resulted in very material gains for the latter in the election of Congressmen in 1858, so that there was doubt as to the political control of the next House of Representatives.

The approaching Presidential election of 1860 furnished another controlling political consideration. In the then not improbable contingency of the election of the next President devolving upon Congress on account of the failure of either party to secure a majority of the electoral college, the vote of Oregon would equal that of New York or any other State, both in the vote in the House for President and in the Senate for Vice-President.

The opposition to the admission was mainly from the anti-slavery sources, and was based chiefly on the ground of the discrimination against the negroes and the alleged insufficiency of population. The vote on the admission was somewhat on party lines; 114 to 108 in the House, and 35 to 17 in the Senate. The anti-slavery view of the Constitution of Oregon is found in the work of former Vice-President Henry Wilson, "The History of the Rise and Fall of the Slave Power." He says:

"In 1857 Oregon framed a Constitution and applied for admission to the Union. Though the Constitution was in form free, it was thoroughly imbued with the spirit of slavery, and though four-fifths of the votes cast were for the rejection of slavery, there were some seven-eighths for the article excluding entirely people of color. As their leaders were mainly pro-slavery men, it is probable that the reason why they excluded slavery from the Constitution was their fear of defeat in their application for admission."

While it is true that the sympathies of the people of Oregon were then largely with the south, the conclusion is unwarranted that the prohibition of slavery was inserted for the purpose of securing admission. Slavery was excluded in Oregon as it was in California, for the reason that it was admittedly unsuited to the economic and industrial as well as the climatic conditions of the State. Though the Oregon people may have had a racial dislike for the negro, they were not alone in this, as the Constitution of Minnesota admitted a short time before, contained substantially the same provisions, as did the Constitutions of other northern States.

OREGON IN 1859.

Oregon thus admitted into Statehood was the last State admitted before secession actually began, as Kansas, the next State, was not admitted until January, 1861, when several of the States had already seceded. Oregon was therefore the last admitted before the Civil War by the representatives of all the States of the Union.

The contrast of the Oregon of 1859 with the Oregon of 1909 is of course interesting, as we compare the scattered pioneer settlements, with the stage coach and pony express of the earlier date, with the wealthy and prosperous State with all the appliances of modern civilization of the present. In a broader point of view, however, far more

impressive is the contrast when we compare the civilized world of 1859 with that of 1909. In no half century of the world's history has there been such an accumulation of wealth, such industrial and material progress, such a control by men of the mysterious forces of nature, such an advance in education and all the refinements of civilization, such an uplifting of the masses in the comforts of living, and I may add such an awakening of the moral conscience and the growth of humanitarian sympathies of mankind, and such a development of the power of public opinion in the government of the world.

The momentous changes in the world politics in the last half century may be realized when we recall that in 1859 neither the French Republic nor the German Empire, nor the Kingdom of Italy, had come into existence. Louis Napoleon was Emperor of France; the Pope ruled the States of the church; a Bourbon King reigned over Naples and Sicily, and Austria over Venice and northern Italy. Japan was opening her ports for the first time to the markets of the world, England had suppressed the Sepoy insurrection in India, Livingston was exploring Africa, and the modern "Spheres of Influence" of the Great Powers in the Dark Continent were unknown. The world of 1859 was filled with wars and rumors of wars. Russia was warring against the tribes of the Caucasus, Spain against Morocco, England and France were threatening war against China, the war with Austria against Italy and France, with its far-reaching results, was impending. Mexico was distracted with civil war, and the border war of Kansas, with the John Brown Raid of 1859 foreshadowed the coming struggle in the United States. Both this country and Europe in 1859 were recovering from the financial panic of 1857 and the resulting business depression. The Atlantic cable had been successfully laid, but the operation was soon interrupted and ocean telegraphic communication not resumed until several years later. It was in 1859 that petroleum wells were first sunk in the United States, and no one ever dreamed of the far-reaching consequences to flow from that discovery.

Turning aside from the world of action to that of scientific thought, there was at the time of the admission of Oregon an event of profound importance in literature and science, the publication of the famous book of Darwin, the "Origin of Species," the semi-centennial whereof has been recently commemorated. This was indeed an epoch-making book, which worked a mighty revolution in scientific thought profoundly permeating history, religion and all studies of science and politics. The centennial of the birth of the author coincides with that of Abraham Lincoln, which was celebrated only three days ago; thus, almost coinciding with the event we are now commemorating.

Time will not permit me to dwell on the changes which came to Oregon in the advance of civilization in this half century of your Statehood. In no State has there been more marvelous material development and more substantial progress in all the refinements of an advanced civilization.

In considering the relation of Oregon to the Union, the peculiar isolated condition of your State at the time of its admission and during the few years succeeding, should be clearly understood. It was separated from the East by lofty and almost impassable mountains. The only communication with the older States and the seat of government was

by difficult and hazardous wagon trails through the territory of hostile Indians, or by a circuitous route through Panama, involving a long voyage over two oceans. The Great American Desert of the geographies of that time, extended as a barrier from the middle line of Kansas to the Rocky Mountains. Though railroads had been built in the east, and as far west as the Mississippi, the system was still in its infancy, and comparatively little progress had been made west of that river; and though the national political platform of 1860 demanded the extension of railroads to the Pacific Coast, such connections were not made until some years after the close of the Civil War. Telegraphic communication from the east to the Pacific Coast was not opened until late in 1861, and then over twenty days were required for the transmission of intelligence by pony express from the Mississippi River, that is, the outpost of railroad or telegraphic communication.

This isolation was emphasized by the constant peril of Indians which threatened the scattered settlements with all the horrors of savage warfare. Before and after the admission to Statehood and during and after the Civil War, the citizens of Oregon were compelled to defend themselves against the attacks by the Indians who surrounded them; and at this time, in 1861, they looked in vain for protection to the Federal Government three thousand miles away, which could not help them if it would.

OREGON AND THE CIVIL WAR.

At the outbreak of the Civil War, this geographical isolation placed Oregon in a peculiarly anomalous condition, which was a severe test to the patriotic impulses of the people. The seat of the Federal Government was over three thousand miles away and was necessarily powerless in the presence of civil war to protect isolated settlements from the perils of frontier life. The government which cannot protect its people obviously fails of its primary purpose. We cannot realize now in the presence of the tremendous forces involved in our interstate commercial relations in this age of steam and electricity how much they contribute to and make effective the sentiment of nationality throughout the country, binding the widely separated parts of the Union together. Indeed, it is difficult to see how these sections of a great continent, separated by mountains and deserts, with their widely diversified interests, could have been permanently united without the operation of these mighty forces which bound all parts of our country from ocean to ocean, from Canada to the Gulf, with bands of steel rail and copper wire, annihilating time and space in an indestructible union of indestructible States.

We all know that one of the most, if not the most, powerful of the motives which solidified the western people in the support of the Union, was the universal recognition of the necessity for the control by one power of the Mississippi River and its tributaries, including the vast territory from the Alleghenies to the Rocky Mountains. It was easy to be a Union man—one could not but be one in the New England and middle States, with their well developed industrial and commercial relations, or in the great Mississippi valley where the future destinies seemed dependent upon the control by the national power of that mighty system of waters rolling to the sea.

Far different was it with the people of Oregon and elsewhere on the Pacific Ocean in those dark days of 1861. A majority of the people

had come from the southern states*, and although they realized that economic considerations prevented the introduction of slavery into their own State, many of them strongly sympathized with the southern demands for equal rights in the territories, and even more in the struggle of the south in defense of their States, and their home institutions, against invading armies. In the election of 1860 Mr. Lincoln carried the State by a small plurality—270—over Breckinridge, the vote for the latter considerably exceeding the vote for Mr. Douglas. Oregon was the only northern State in which the vote for Breckinridge exceeded the vote for Douglas. The leader of the theretofore dominant party in the State, who had been the territorial governor and the first United States Senator, was candidate for Vice-President on the Breckinridge ticket.

In this connection it is an interesting fact in the political consideration of that time that it was understood as this campaign of 1860 progressed, that the only possible hope of defeating Mr. Lincoln in view of the divided Democratic party, was in carrying enough of the northern States by Mr. Douglas, or by fusion tickets supported in some of the close States by the different anti-Republican parties, so as to prevent a choice in the electoral college; thus throwing the election into Congress. In that event, as no one candidate in the then complexion of Congress could command a majority of the votes by States in the House of Representatives, Mr. Lane would doubtless be elected Vice-President by a Democratic Senate, the latter would succeed to the Presidency in accordance with the provisions of the Constitution. In view of the recognized certainty that none of the southern States would give their votes to Mr. Lincoln, this seemed a not improbable contingency, and it afforded the only chance of defeating Mr. Lincoln. Thus, in this great conflict of 1860 the Senator for Oregon, who was candidate for Vice-President of the United States, would have been elected President had the Republicans failed to carry a majority of the electoral college.

Some went from Oregon to serve in the Confederate army. Under these circumstances it was inevitable, not only that there should be sympathy with the South in its struggle for independence, but also that there should develop a separatist feeling; that men should argue that in the probable dissolution of the Union a new power on the Pacific Coast would be the natural and desirable and perhaps inevitable solution.

But neither this geographical isolation, nor the absence of Federal protection, nor the political sympathies with friends and kinsmen availed to prevent the development of a national sentiment which overcame all opposition and placed Oregon thoroughly in line with her loyal sister States in demanding the maintenance of the Federal Union of the States. This national sentiment, which was inspired rather by faith in the future than by then present conditions, was finely illustrated in your eloquent

*NOTE BY MR. HIMES: As compiler of this publication, I beg to take issue with the above statement, which is similar to that made by others who have lacked opportunity to investigate the matter. My reasons for dissenting from Mr. Judson's statement are the following: From information secured in person from pioneers of Oregon during the past twenty years, and now checked up for the first time, I find that out of 7,444 pioneers who came to Oregon before 1859, ninety-five per cent of whom came before 1854, fifty-six per cent were born in the northern states, thirty-three per cent in the southern states, and eleven per cent in twenty-one foreign countries. It is my belief that the above ratio will hold good, substantially, in respect to the population of 52,465 which Oregon is credited with by the U. S. census of 1860.—George H. Himes, Assistant Secretary of the Oregon Historical Society.

Senator Edward D. Baker, who fell on the field of battle in one of the earliest engagements of the Civil War. All honor, then, to the patriotism of the men of Oregon who stood for the Union despite geographical isolation and sectional sympathies, when the Federal power could not protect them, but required their assistance, when all their resources were needed to defend their own State from the horrors of Indian warfare.

MODERN OREGON.

Of the history of Oregon since the close of the Civil War, during the amazing industrial development which has followed the opening of direct railroad communications with the country beyond the mountains, others are more competent to speak. As I see your beautiful cities, and all these signs of a prosperous and happy people, I recall the prophetic words of our great Senator, Benton, spoken more than sixty years ago in St. Louis:

"I say the man is alive, full grown and listening to what I say (without believing it, perhaps), who will yet see the Asiatic commerce traversing the north Pacific Ocean, entering the Oregon river, climbing the western slope of the Rocky Mountains from its gorges, and spreading its fertilizing streams over our wide-extended Union. The steamboats and the steam car have not yet exhausted all their wonders. They have not yet found their amplest and most appropriate theatres—the tranquil surface of the north Pacific Ocean; and the vast inclined plains, which spread east and west from the base of the Rocky Mountains. The magic boat and the flying car are not yet seen upon the plains, but they will be seen there, and St. Louis yet to find herself as near Canton as she is now to London, with a better and safer route by land and sea to China and Japan, than she now has to France and Great Britain."

The great statesman whose glowing prophecies have been so signally verified in the wonderful development of this State, did not live to see Oregon admitted to Statehood. It was a coincidence that we cannot but notice that this last survivor of the great group of statesmen who had debated the Oregon question in the '40's passed away in April, 1858, on the very eve of the admission of Oregon to the Union.

Oregon is the mother State of the Oregon territory, as Washington, Idaho, and parts of Wyoming and Montana, since admitted to the Union, are taken in whole or in part from the original territory, between the great divide of the Rocky Mountains and the Pacific Ocean, which was the subject of the joint occupancy and the boundary settlement.

Time will not permit me to dwell upon the interesting incidents of the fifty years of Statehood. You have had trying experience, both during and since the Civil War, of a continuance of Indian warfare, which harassed the pioneers of the territorial period. But such disturbances have long since ended. Under the liberal grants for education made by the Federal Government, the maintenance by the State of a comprehensive system of education, with elementary schools, a State University and Agricultural College, demonstrate the progressive spirit of your citizens. With the extension of your railroad facilities, the growth of both domestic and foreign commerce, with the prospectively large increase of your arable lands, through the reclamation policy of the Government, and the judicious conservation of your immense natural resources, who can predict or measure the prosperity of the future?

It is not merely in material progress, however, that Oregon is now engaging the attention of the thoughtful world. In a recent article in one of our reviews, Oregon is called by one of your own people, the political experiment station of the Union. History has been said to be philosophy teaching by examples. What people is better qualified to give instructions in the great problem of self-government than the people of Oregon? In the provisional organization of 1843, your pioneer ancestors made one of the most signal illustrations that our history affords of the capacity of our people for self-government. The descendants of pioneer ancestry, trained in the stirring events of your dramatic territorial and State history may well feel that they can safely experiment in the solution of these great problems involved in the perpetuation of the government of the people.

I have called attention to the interesting association of my own State of Missouri with Oregon in the early stages of your history. Missouri may claim to be the mother of Oregon, in that it extended its protecting guidance during the trials of those early days. Now the conditions are reversed. Missouri is following the example of Oregon in seeking to remedy the evils of representative and party government. The mother State is following the footsteps of the daughter. At the late election Missouri adopted by popular vote the initiative and referendum, which was almost a copy from the Oregon Constitution, and one of the most effective arguments used with our people for the adoption of this amendment was the wise discrimination shown in the exercise of this power by the people of Oregon.*

Missouri also followed the example of Oregon in adopting by its last Legislature an act regulating the party nominating machinery, that is, requiring nominations of State and county officers to be made by primary elections and also in making effective the popular will in the selection of United States Senator.**

This is not the occasion to discuss the details of these measures, and as the people of Missouri have followed the people of Oregon in their adoption, I will not assume to question the patriotic purpose of their advocates. All candid men must admit the errors which, in the growth of commercialism, absorbing the best energies of our people, have developed in our representative system; and also the abuses which have grown out of our party organizations. Thoughtful and patriotic men can but welcome the public-spirited efforts to remedy these evils and abuses. But in seeking an effective remedy, we should not forget that representation is the great vitalizing principle of popular government. It was in England, our mother country, that this principle of representation was first successfully developed as a contribution to the science of government, and it was the lack of this principle which caused the

*The Missouri amendment differs from that of Oregon in that it excludes from the operation of the referendum not only laws "necessary for the immediate preservation of the public peace, health and safety," but also "laws making appropriations for the current expenses of the State government, for the maintenance of State institutions and the support of public schools." The requirement of signatures for the referendum petition not only calls for five per cent of the voters, but provides that they must be in at least two-thirds of the sixteen Congressional districts of the State, and the same requirement is made in the case of the initiative petition, that is, eight per cent of the voters must be in at least two-thirds of the Congressional districts.

**The Missouri law limits the senatorial primary to the selection of the party candidate for the legislative party caucus by the voters of the party ticket at the regular election.

failure of the republics of antiquity. In the opinion of the founders of our nation, representation was not only necessary for the extension of popular government over an extended territory, but in their view it was ideally the most perfect form of government, as it afforded the means whereby the intelligence of the community, the fittest men, could be selected for the purpose of conducting the government. The situation of this State affords a most signal example of the necessity of the principle of representation in a federated government over a wide extended territory. It was only through the successful application of this principle of representation that the thirteen States of 1787, bordering on the Atlantic Ocean, could be extended over this great continent, so that people three thousand miles apart with diverse interests, from the Atlantic to the Pacific, can be united in a Federal Union. If representative government has failed to meet modern conditions, then popular government over an extended territory is itself a failure.

The application of the principle of representation to the selection of candidates for office by party organizations, has developed grave abuses, which are sought to be remedied by the abolition of representation and the substitution of direct popular vote in the naming of such candidates. Political parties, however desirable, or even necessary in the working out of national policies, are not the end, but only the means of securing the ends of government; and in most of our State and local elections, where no national policies are involved, their only function is to provide the machinery whereby candidates for office may be brought before the people. In the absence of absorbing national issues the decline of that party spirit, the dangers whereof Washington so solemnly warned the American people, is inevitable; and the increase in the number of our citizens who insist on voting for candidates upon their personal merits, can only be welcomed as assuring better conditions in the administration of the government for the people.

While any reform which tends to insure the effective popular control of all the departments of government is desirable, there is grave doubt whether this desirable result can be effectively reached through the abolition of representation in the selection of candidates for office. Apart from the necessary expense involved in the prosecution of individual candidacy, which must be borne either by the candidate, his friends, or the State, it is a grave question whether the substitution of professed office-seekers for the receptive candidates, which were possible under the representative system, would tend to the public good. It is honorable to seek office, but it may often happen that the public good may be best promoted by having the office seek the man, and not the man the office. The trend of our democratic development has been in the direction of increasing the number of elective offices in our State and municipal governments. It has been pointed out by Mr. Bryce, that most thoughtful observer of American institutions, that the most fruitful sources of the caucus and the boss lay in our frequent elections and numerous elective offices. It would seem, therefore, that the very means we take in popularizing our system of government may tend to defeat an effective popular control. Public opinion to be effective must be concentrated. When the average voter is confronted with a ticket with names for numerous offices, constitutional amendments and other questions, he is dependent, in the nature of things, upon some form of organized effort

in the exercise of his electoral judgment. In this connection, however, I cannot but commend the example of Oregon in providing for the publication of information to assist the voter upon the questions submitted for his vote. None the less, it is true, however, that the most effective popular control is through the concentration of an enlightened public opinion in the selection of its representatives.

Behind all these considerations, however, lies the fundamental truth that no form of popular government can run itself, and the effective and permanent cure must be found in the development of the public spirit which is willing to make the necessary sacrifice for good government. Upon such a subject, however, and in such a presence as this, one cannot be pessimistic, for, with their pioneer ancestry and their dramatic history, no people can be more competent than the people of Oregon to work out these mighty problems, even in experimenting in the search for their wisest solution. Whatever inconveniences may attend the frequent exercise of these features of popular government, this exercise of itself involves a training of the people in citizenship, which will bring about a higher level of popular intelligence, and this is the final indispensable requisite for the solution of all political problems.

"Yet doubt not through the ages one increasing purpose runs,
And the thoughts of men are widened with the process of the suns."

The thoughtful world is now watching with intense interest the struggle for representative institutions, which is going on in lands where hitherto they have been unknown. The simple government of the time of the pioneers is no longer adapted to the complex conditions of our modern civilization. The national, state, and municipal governments are now compelled to deal with problems growing out of the density of population and the accumulations of wealth which were unknown in the simple life of our fathers. The highest intelligence and devotion to public duty are demanded to deal with these problems. The ideal of human government under these modern conditions is the rule of the people made effective through administration by the wisest and best of the people, selected by the people as their representatives, in view of their fitness for their respective duties, and responsible to the people for the performance of those duties. Oregon in its history has given not only to our own country but to all mankind inspiring lessons of heroism and patriotism. May the example of Oregon hereafter be effective in the realization of the loftiest conceptions of representative government, so that the rule of the people may be secured here and elsewhere for ages to come.

RESPONSES RECEIVED TO INVITATIONS.

- Theodore Roosevelt, President of the United States, Washington, D. C.
Charles Warren Fairbanks, Vice-President of the United States, Washington, D. C.
William Howard Taft, President-elect of the United States, Cincinnati, Ohio.
Luke E. Wright, Secretary of War, Washington, D. C.
Charles J. Bonaparte, Attorney-General, Washington, D. C.
George L. von Meyer, Postmaster-General, Washington, D. C.
Truman H. Newberry, Secretary of the Navy, Washington, D. C.
James Rudolph Garfield, Secretary of the Interior, Washington, D. C.
James Wilson, Secretary of Agriculture, Washington, D. C.
Oscar S. Straus, Secretary of Commerce and Labor, Washington, D. C.
David J. Brewer, Associate Justice of the Supreme Court of the United States, Washington, D. C.
Oliver W. Holmes, Associate Justice of the Supreme Court of the United States, Washington, D. C.
Herbert Putnam, Librarian of Congress, Washington, D. C.

STATES.

- Colorado—John F. Shafroth, Governor, Denver.
Connecticut—George L. Lilley, Governor, Hartford.
Florida—Albert W. Gilchrist, Governor, Tallahassee.
Georgia—Hoke Smith, Governor, Atlanta.
Hawaii—W. F. Frear, Governor, Honolulu.
Idaho—J. H. Brady, Governor, Boise.
Illinois—Charles S. Deneen, Governor, Springfield.
Louisiana—Jared Y. Sanders, Governor, Baton Rouge.
Maine—Bert M. Fernald, Governor, Augusta.
Maryland—Austin L. Crothers, Governor, Annapolis.
Mississippi—Edmond F. Noel, Governor, Jackson.
Nevada—Denver S. Dickerson, Lieutenant and Acting Governor, Carson City.
New Jersey—John Franklin Fort, Trenton.
New York—Charles E. Hughes, Governor, Albany.
North Carolina—W. W. Kitchin, Governor, Raleigh.
Ohio—Judson Harmon, Governor, Columbus.
Pennsylvania—Edwin S. Stuart, Governor, Harrisburg.
Porto Rico—Regis S. Post, Governor, Porto Rico.
Tennessee—Malcolm R. Patterson, Governor, Nashville.
Utah—William Spry, Governor, Salt Lake.
Vermont—Aaron H. Grout, Secretary, Montpelier.

MISCELLANEOUS.

- Bourne, Jonathan, Jr., U. S. Senator from Oregon, Washington, D. C.
Bryce, Rt. Hon. James, British Minister, Washington, D. C.

Ellis, William R., Representative in Congress from Oregon, Washington, D. C.

Gifford, Wm. L. R., Librarian St. Louis Mercantile Library, St. Louis, Mo.

Hale, Edward Everett, Chaplain U. S. Senate, Washington, D. C.

Hanford, C. H., U. S. District Judge, Seattle, Washington, D. C.

Kerr, W. J., President Oregon Agricultural College, Corvallis.

Meeker, Ezra, Oregon Trail Marker, Pioneer Author and Traveller, Seattle, Washington.

Moody, Z. F., Ex-Governor of Oregon, Pasadena, Cal.

Mowry, William A., Author and Lecturer, Hyde Park, Mass.

Packwood, William H. Sr., Member of the Constitutional Convention, August-September, 1857, Deputy Postmaster, Baker City, Oregon.

Weir, Allen, Attorney-at-law, Olympia, Washington.

Wadlin, Horace G., Librarian Public Library of Boston, Boston, Mass.

HISTORICAL SOCIETIES.

Alabama—Department of Archives and History. Thomas H. Owen, LL. D., Director, Montgomery.

American Historical Association, Waldo G. Leland, Secretary, Washington, D. C.

Bangor, Maine, Historical Society. John S. Sewall, Corresponding Secretary, Bangor.

Columbia Historical Society. M. I. Weller, Corresponding Secretary, Washington, D. C.

Connecticut Historical Society. Samuel Hart, President, Middletown.

Indiana Historical Society. Daniel Wait Howe, President, Indianapolis.

Iowa State Historical Society. Benjamin F. Shambaugh, Secretary and Superintendent, Iowa City.

Kansas State Historical Society. George W. Martin, Secretary, Topeka.

Missouri Historical Society, Miss Idress Head, Librarian, St. Louis.

New London County Historical Society. Miss Elizabeth Gordon, Secretary, New London, Conn.

Pennsylvania Historical Society. John W. Jordan, Librarian, Philadelphia.

Rhode Island Historical Society. Clarence S. Brigham, Librarian, Providence.

Wisconsin Archæological Society. Charles E. Brown, Secretary and Curator, Madison.

Wisconsin State Historical Society. Reuben G. Thwaites, Secretary and Superintendent, Madison.

LIST OF MEMBERS OF THE TWENTY-FIFTH LEGISLATIVE ASSEMBLY OF THE STATE OF OREGON.

SENATE.

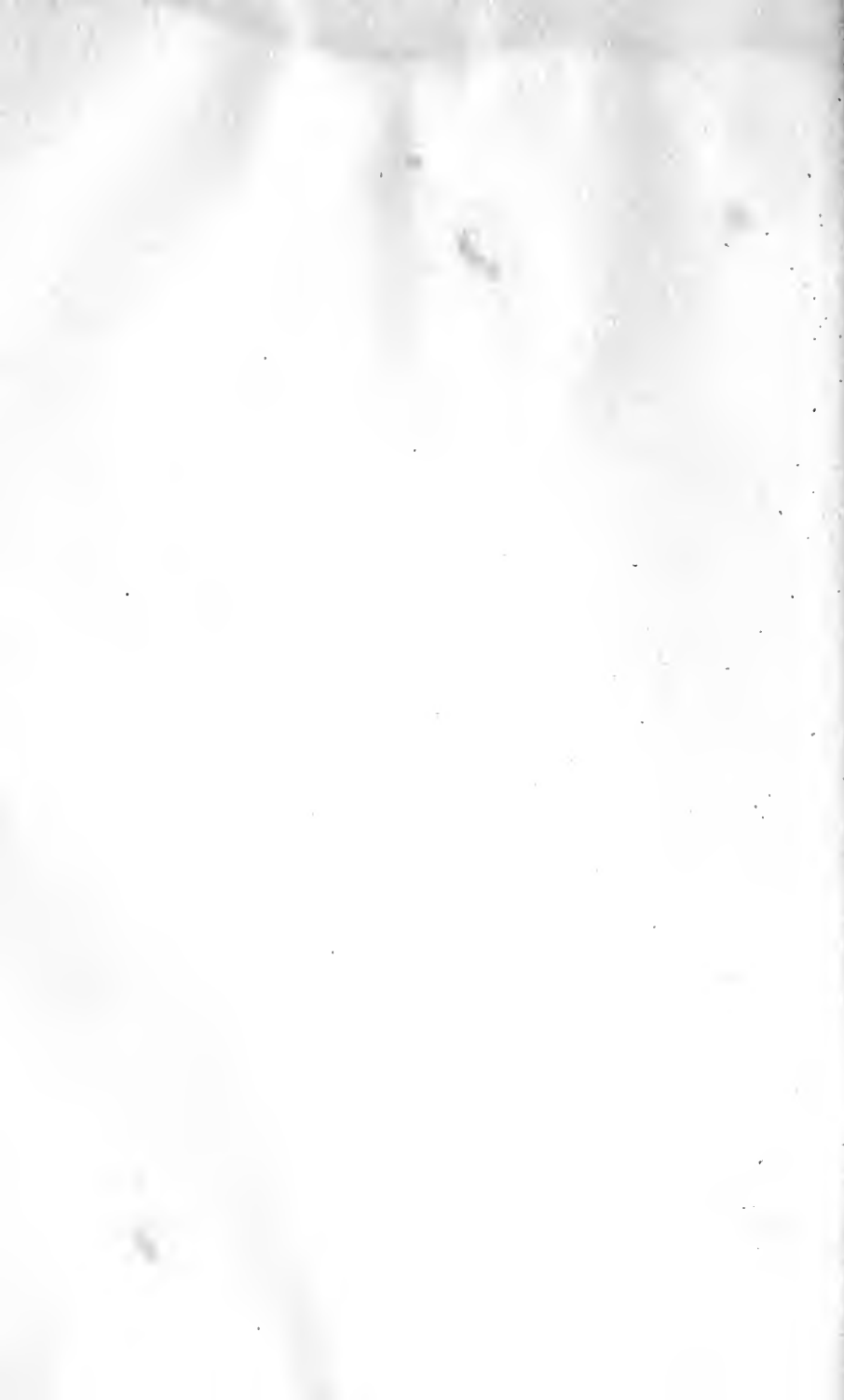
Counties embraced	Dist. No.	Name
Baker.....	23	Hart, J. N.
Benton and Polk.....	9	Johnson, A. J.
Clackamas.....	12	Hedges, Joseph E.
Clatsop.....	15	Scholfield, W. T.
Columbia, Clackamas, Multnomah.....	14	Bailey, A. A.
Coos and Curry.....	8	Chase, W. C.
Crook, Klamath, Lake.....	17	Merryman, George H.
Douglas.....	5	Abraham, Albert
Gilliam, Sherman, Wheeler.....	18	Bowerman, Jay
Grant, Harney, Malheur.....	22	Parrish, Chas. W.
Hood River, Wasco.....	16	Sinnott, N. J.
Jackson.....	6	Mullt, L. L.
Josephine.....	7	Norton, H. D.
Lane.....	3	Bingham, I. H.
Lincoln, Tillamook, Washington, Yamhill.....	24	Barrett, W. N.
Linn.....	2	Miller, M. A.
Marion.....	1	{ Kay, T. B.
Morrow, Umatilla, Union.....	19	{ Smith, J. N.
		{ Cole, W. G.
		{ Albee, H. R.
		{ Beach, S. C.
Multnomah.....	13	{ Coffey, John B.
		{ Kellaher, Dan
		{ Nottingham, C. W.
		{ Selling, Ben
Umatilla.....	20	Smith, C. J.
Union, Willowa.....	21	Oliver, Turner
Washington.....	11	Wood, William D.
Yamhill.....	10	Caldwell, F. H.

HOUSE OF REPRESENTATIVES.

Counties embraced	Dist. No.	Name
Baker	25	McKinney, Henry M.
Benton	10	Bonebrake, P. O.
Clackamas	16	{ Campbell, James U.
		{ Dimick, W. A.
		{ Jones, Linn E.
Clackamas and Multnomah	17	{ McArthur, C. N.
Clatsop	19	{ Leinenweber, O. A.
		{ McCue, John C.
Columbia	20	Conyers, E. W.
Coos	5	Bedillion, R. E. L.
Coos and Curry	6	Muncy, I. N.
Crook, Grant, Klamath, Lake	21	{ Belknap, H. P.
		{ Brattain, H. A.
		{ Applegate, E. R.
Douglas	4	{ Jones, George
Douglas and Jackson	9	Buchanan, J. A.
Gilliam, Sherman, Wheeler	28	{ Jackson, W. F.
		{ Mariner, Wm. J.
Harney and Malheur	27	Brooke, W. H.
Hood River, Wasco	29	{ Carter, J. L.
		{ Dodds, H. O.
Jackson	8	{ Miller, D. H.
		{ Purdin, M.
Josephine	7	Smith, J. C.
Lane	3	{ Bean, Louis E.
		{ Calkins, Winsor W.
Lincoln and Polk	12	{ Eaton, Allen H.
		{ Jones, Benjamin F.
Linn	2	{ Brandon, Thomas
		{ Munkers, I. A.
		{ Philpott, J. M.
		{ Hatteberg, O. L.
		{ Hughes, S. A.
Marion	1	{ Libby, A. C.
		{ Patton, Hal. D.
Morrow and Umatilla	22	Reynolds, Lloyd T.
		Mahoney, T. J.
		{ Abbott, James D.
		{ Altman, B. O.
		{ Brady, Fred J.
		{ Bryant, J. O.
		{ Clemens, W. J.
Multnomah	18	{ Couch, K. C.
		{ Davis, L. M.
		{ Farrell, Robert S.
		{ Jaeger, E. J.
		{ Mahone, L. D.
		{ McDonald, Chas. J.
		{ Orton, A. W.
Polk	11	Hawley, C. L.
Tillamook and Yamhill	14	Beals, A. G.
Umatilla	23	{ Mann, L. L.
		{ Barrett, C. A.
Union	26	Richardson, Stephen F.
Union and Wallowa	24	Rusk, John P.
		{ Greer, R. H.
Washington	15	{ Hines, Charles
		{ Meek, S. A. D.
Yamhill	13	{ Bones, J. W.
		{ Corrigan, M. F.







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