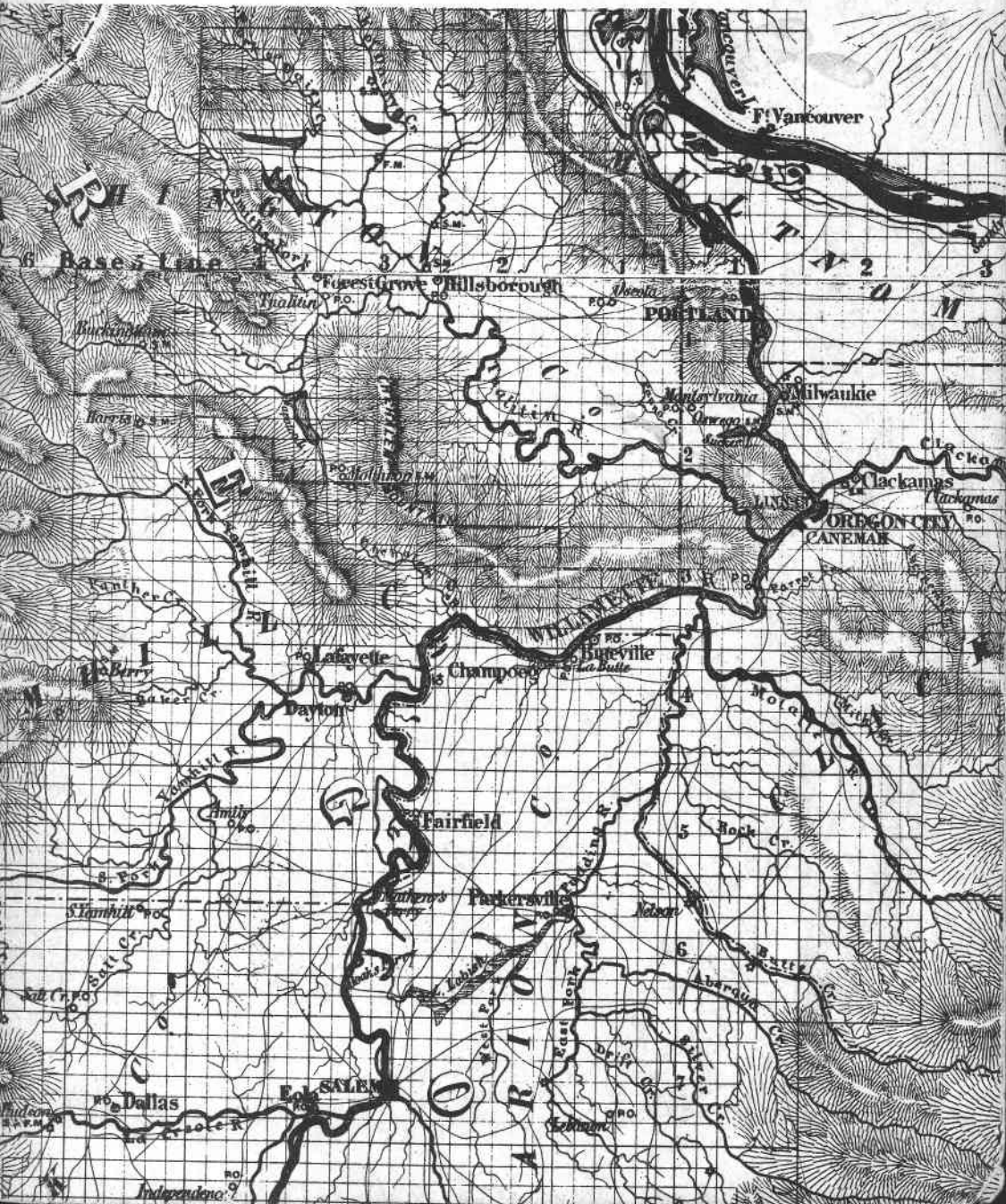
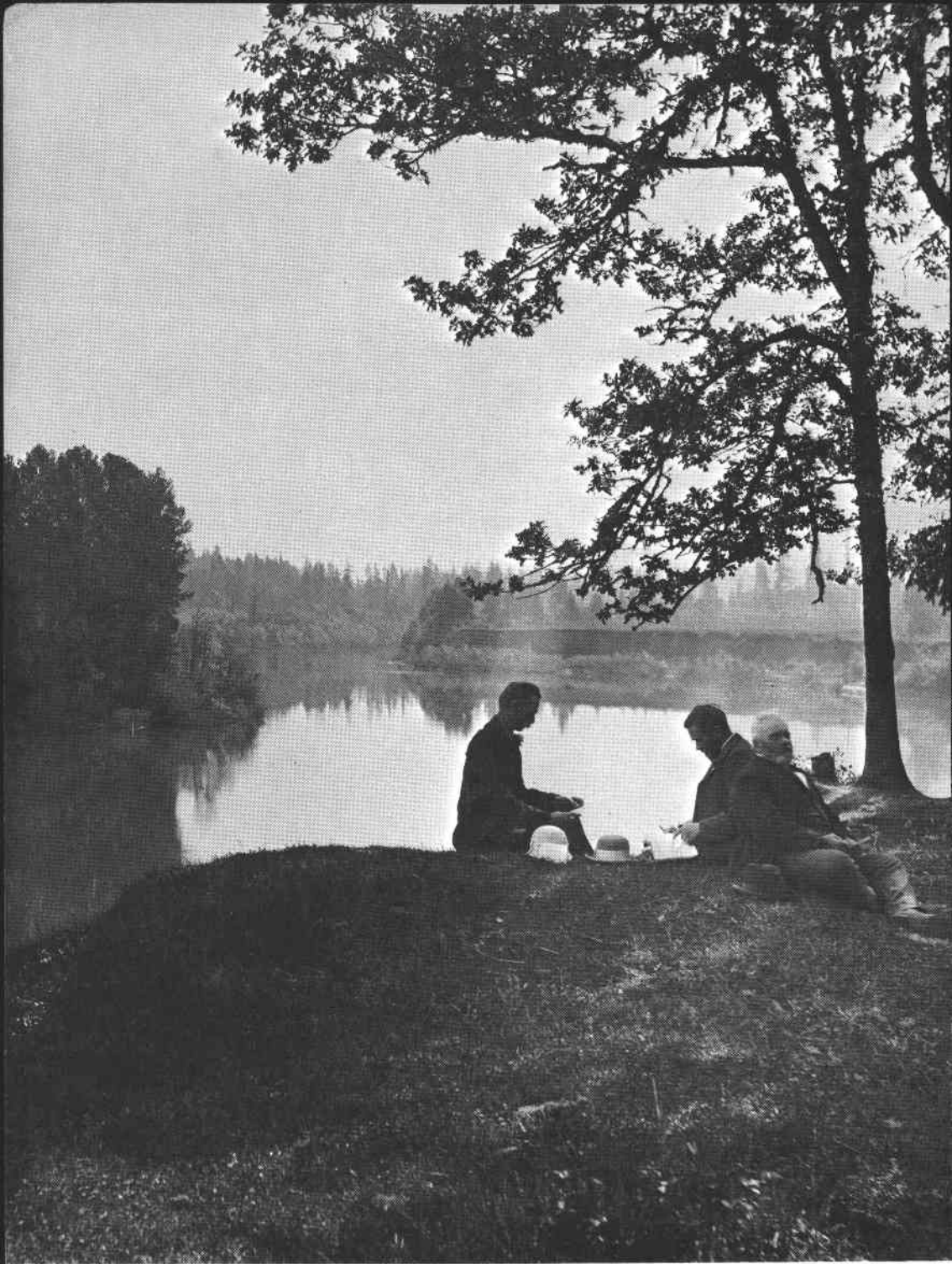


The Oregon Archives, 1841-1843





T. T. Geer and George H. Himes at Champoeg, 1900, attempting to verify the site of the meeting with the help of F. X. Matthieu (at right), who was present in 1843. Looking downstream from the Champoeg side of the Willamette. OHS photo.

OP
2-

The Oregon Archives, 1841-1843

DAVID C. DUNIWAY and NEIL R. RIGGS, *Editors*

Historical controversy has long raged over the significance of the meetings of 1841 and 1843 which resulted in the establishment of the Provisional Government of Oregon. In many of the discussions, the testimony of those present figured largely, while often the text of the official record was neither used nor appraised by either party. Realizing that a definitive text of the original documents would assist those who wish to study this significant event, every effort has been made to present an adequate text in honor of Oregon's centennial of statehood. Libraries known to have Oregon materials have been circularized, and where the origins of the individuals concerned were known, additional libraries throughout the nation have been queried in the hope that contemporary evidence would appear. Unfortunately no manuscripts were found outside of the original documents in the provisional and territorial records in the Oregon State Archives. If they exist, perhaps this publication will lead to their identification.

January 26, 1853, the Legislative Assembly of Oregon Territory authorized the first official publication of the text of the public papers which recorded the earliest attempts to establish government in the Oregon Country. Assembled and edited by La Fayette Grover, the documents were published in September of that year as *The Oregon Archives, including the Journals, Governor's Messages and Public Papers of Oregon* . . . In his introduction Grover acknowledged the assistance of J. Quinn Thornton, Dr. William H. Willson, Rev. David Leslie and Rev. Josiah L. Parrish. C. P. Crandall had helped prepare the actual manuscript.

It has long been realized that Grover's work was incomplete and in some ways misleading, and the present compilation presents the actual texts of the documents that have survived for the year 1843 except for court records. Unfortunately the documents for 1841 and the minutes for May 2,

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1843 are apparently no longer of record. The text of the *Oregon Archives* has therefore been reproduced for those meetings along with the text published by the Rev. Gustavus Hines in the 1852 edition of his book, *Life on the Plains of the Pacific: Oregon, its history, condition and prospects. . .* Since Hines was the secretary of the meetings for 1841, he undoubtedly used his own draft of the minutes. J. Henry Brown in his *Political History of Oregon*, 1892, used these same published sources.

Also missing is the report of the Committee on Ways and Means to the Legislative Committee, adopted at the public meeting, July 5, 1843, as well as a number of resolutions presented to the same meeting amending other reports. The texts of these documents appear to be embodied in the rearranged fair copy of the "Organic Law" (item 35 below), written by Dr. John E. Long, obviously after he became recorder of the Territory, May 25, 1844. It may be significant that the compiler of this 1844 document combines the Organic Law for 1843 which was the report of the Committee on Judiciary (item 19), and the reports of the committees on Land Claims (item 24), Districts (item 23), and Ways and Means (which is missing), but omits the report of the Committee on Military Affairs (item 22). It is interesting also to note that the text of the Organic Law published by Grover in the *Oregon Archives* follows the order of the earlier text. By comparison it is obvious that Section 1 of the 1844 text is section 6 of the original; 2 is 5; 3 is 7 and 16 combined; 4 is 8; 5 is 9, 10 and 11 combined; 6 is the missing report of the Committee on Ways and Means; 7 is 1; 8 is 2; 9 is 3; 10 is 4 with a lost proviso; 11 is 12; 12 is 13; 13 and 14 are missing resolutions; 15 is 18; 16 is 17 with a lost proviso; 17 is the report on Land Claims, and 18 is the report on Districts.

Grover omitted in the *Oregon Archives* anything which was not actually adopted, and in a number of instances the significance of resolutions and motions is lost because of these omissions. He also omitted the significant minutes of the Committee of the Whole of the Legislative Committee which drafted the Organic Act, and the Rules of the House. Both these items add materially to the record of the deliberations.

In addition, Grover's version of the minutes of July 5, 1843 were evidently rewritten by Le Breton from two manuscript versions by W. H. Willson (items 15 and 16) and incorporated resolutions which do not appear in those manuscripts. Le Breton's manuscript has not been found.

The papers which have been used as the basis of this compilation were described in 1878 by J. Henry Brown, who reported to H. H. Bancroft that "The papers of the Provisional Government are packed up loose in boxes without any system, not sorted or arranged according to dates and subjects as they should be."* In 1931, the Legislature authorized the deposit of the records then in the custody of the Secretary of State with the Oregon Historical Society. They were to be returned to Salem when adequate vaults were available. When they were sent to the Society they may have been numbered, for they were so listed in a receipt which was made up for the transfer. They are still maintained in this numerical order and to some extent the papers are roughly grouped according to type and age. While at the Historical Society, the papers were indexed as to surname and select subjects and were copied on microfilm for protective purposes. In 1952 the papers were returned to Salem and are now in the Oregon State Archives in the Oregon State Library, where they have been partially calendared.

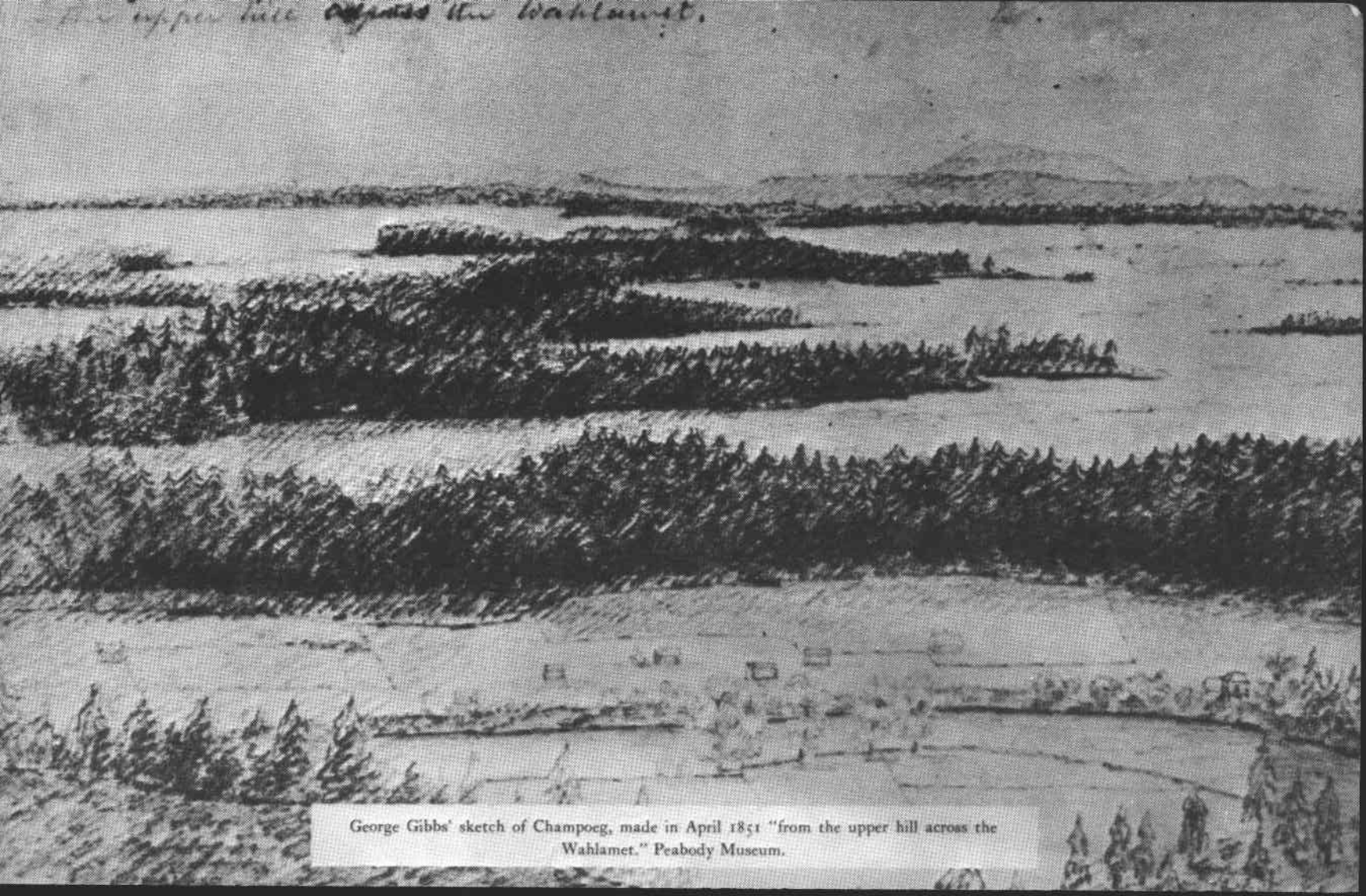
The intention of the Legislature to transfer all the papers of the territorial period to the Society was not realized and in the records salvaged from the Capitol which burned April 1935, there was found an exhibit of historical documents, the provisional government land claims, account books, census and tax rolls. What may have been lost, one can only surmise. Earlier neglect of the state records is evidenced by the fact that the first state Constitution bears the following notation: "Found rolled up and placed in one corner of the vault. Pressed out, arranged and bound this 8th day of March, 1880. R. P. Earhart, Secretary of State." The last two pages are somewhat scorched and one can guess that the record was rescued from the fire in the Holman Building

*Manuscript in the Bancroft Library, University of California, Berkeley, titled "Settlement of Willamette Valley," p. 33.

in 1866. Actually the Records of the Provisional and Territorial Government have obviously been reduced by such events as the fires of 1855, 1866 and 1935, for there should have been on record more bonds required of officers, and more receipts for the distribution of copies of the Organic Act as well as the major documents which now appear to be missing from the files.

One item published by both Grover and Brown is omitted from this compilation, the "Address of the Canadian Citizens." The original manuscript was not dated and although endorsed "March 4, 1843," it appears to have been written in 1844 since it refers to the provisions of the Organic Law adopted July 5, 1843. One significant document has been added from the records of the United States Senate in the National Archives, namely the petition of March 25, 1843, and its three appendices, written apparently by A. F. Waller. They are not in the hand of Robert Shortess.

In editing the papers, write-overs and erasures have been deciphered with the aid of ultra-violet light and are indicated by italics and are enclosed in brackets. The spelling, capitalization and punctuation has been preserved and because of the character of the manuscript, "*sic*" has been omitted as redundant. Reference to a "document" by number is a citation to the provisional government records. The historical significance of these documents and the changes within them has been left to the interpretation of the student. No attempt has been made to supply biographical data since most of the men are readily identified. The arrangement followed is similar to that used by Grover, in that minutes precede the documents which were considered at meetings. When reports or resolutions are adopted in the minutes, citations to item and document numbers have been inserted. The reports drafted by the Legislative Committee were not only adopted by that committee, but were amended and adopted by the people at the meeting of July 5th. They therefore follow all of the preceding minutes in the order of final adoption. Parts of the report on the judiciary were originally separate resolutions, and were evidently numbered in committee as articles. They have therefore been published with



George Gibbs' sketch of Champoeg, made in April 1851 "from the upper hill across the Wahlamet." Peabody Museum.

the report of the judiciary as if they were all one document. Following the last report adopted July 5th, there are arranged chronologically texts of the earliest routine documents, bonds, receipts, etc., along with lists of similar documents on file. The last document is the rearranged fair copy of the Organic Law, prepared by Dr. John E. Long shortly after he entered upon duties as recorder in May 1844 and outlined above. It was included since it contains the earliest surviving texts of some of the reports and resolutions.

The handwriting of unsigned documents has been identified in some cases. George W. Le Breton's hand and that of Dr. Long are easily recognized since so much survives that they have signed or written. The authorship of the original judiciary report is assigned to Robert Shortess upon comparison with an extant letter (Document 2425). Whenever insertions or deletions are described by color of ink or as in pencil, it indicates that the insertion or deletion is not in the same medium as the original.

1. MINUTES, 1841, VERSION A

[La Fayette Grover, *The Oregon Archives* (Salem, 1853), pp. 5-7.]

PUBLIC MEETING, HELD FEB. 17, 1841

At a meeting of some of the inhabitants of the Willamette Valley, for consultation concerning the steps necessary to be taken for the formation of laws, and the election of officers, to execute the same, for the better preservation of peace and good order, the following business was transacted:—

Rev. Jason Lee was chosen chairman, and Rev. Gustavus Hines was chosen secretary.

On motion,

Resolved—That an addition of one be made to the committee of arrangement, chosen at a previous meeting.*

On motion,

Resolved—That the chairman nominate this committeeman.

*No record of the meeting here referred to has been found, but it has been ascertained that it was merely an informal [*sic*] preliminary consultation of a few persons, immediately connected with the American mission station, in the Willamette Valley. Nothing of importance was transacted, except the election of the committee above noticed.—Com. [Grover]

Geo. Le Breton, was nominated and elected.

Resolved—That it be recommended that there be a committee of seven, elected for the purpose of drafting a constitution and code of laws, for the government of the settlements, south of the Columbia River.

It was then

Resolved—That all settlers, north of the Columbia River, not connected with the Hudson Bay Company, be admitted to the protection of our laws, on making application to that effect.

The meeting then proceeded to advise the committee of arrangements, to propose the making of certain officers, to wit:—

A Governor; a Supreme Judge, with probate powers; three Justices of the Peace; three constables; three Road Commissioners; an Attorney-General; a Clerk of the Courts, and Public Recorder; one Treasurer; two Overseers of the Poor.

It was recommended to nominate persons to fill the several offices, and that they be chosen *viva voce*.

The meeting then resolved itself into committee of the whole, for the purpose of choosing candidates for the several offices, and after having nominated persons to fill the various offices, it was

Resolved—That the doings of the committee of the whole be deposited in the hands of the chairman, to be presented to the meeting to-morrow.

On motion, the meeting then adjourned, to meet at eight o'clock, to-morrow.

FEBRUARY 18, 1841.

At a full meeting of the inhabitants of Willamette Valley, at the American Mission House,

David Leslie was elected chairman, and Sidney Smith, and Gustavus Hines, were chosen secretaries.

The doings of the previous meeting were presented to the assembly, and were accepted, in part; viz.:—

That a committee be chosen for framing a constitution, and drafting a code of laws; and that the following persons compose the committee; to wit:—

Rev. F. N. Blanchet, Rev. Jason Lee, David Donpierre,

Gustavus Hines, Mr. Charlevon, Robt. Moore, J. L. Parrish, Etienne Lucie, and Wm. Johnson.

J. L. Babcock, was appointed to fill the office of supreme judge, with probate powers.

Geo. Le Breton, was chosen to fill the office of clerk of courts, and public recorder.

Wm. Johnson, was chosen to fill the office of high sheriff.

Havier Laderant, Pierre Billique, and Wm. M'Carty, were chosen constables.

Resolved—That, until a code of laws be adopted by this community, Dr. Babcock be instructed to act, according to laws of the state of New York.

Resolved—That this meeting now adjourn, to meet on the first Tuesday of June, at the New Building, near the Catholic church.

TUESDAY, JUNE 1, 1841.

An adjourned meeting of the inhabitants of the Willamette Valley, at the New Building, near the Catholic church, was called to order by the chairman.

On motion, the doings of the former meeting were read.

The report of the committee, for drafting a constitution and code of laws, was called for, and responded to by the Chairman and others, that no meeting of the committee had been held, consequently no report had been prepared.

Rev. F. N. Blanchet requested to be excused from serving further upon the committee to draft a constitution and code of laws, and was excused.

On motion,

Resolved—That one person be chosen to make up the number of said committee.

Dr. Bailey was chosen.

On motion,

Resolved—That this committee be instructed to meet on the first Monday in August next.

On motion,

Resolved—That this committee be instructed to report to an adjourned meeting, on the first Tuesday in October next.

On motion,

Resolved—That the committee, for drafting constitution

and laws, be instructed to confer with the Commodore of the American Squadron, and John M'Loughlin, chief factor of the Hudson Bay Company, with regard to forming a constitution, and code of laws, for this community.

Resolved—That the motion, to adopt the report of the nominating committee, presented at a former meeting, be reconsidered.

Resolved—That the committee to draft a constitution, &c., be instructed to take into consideration, the number and kind of offices it will be necessary to create, in accordance with their constitution and code of laws, and report the same to the next meeting, and that the report of the nominating committee be referred to said committee.

Moved and carried, that this meeting adjourn, to meet at the American Mission House, at eleven o'clock, on the first Tuesday in October next.

(Signed) SIDNEY SMITH,
GUSTAVUS HINES,
Secretaries.

2. MINUTES, 1841, VERSION B

[Gustavus Hines, *Life on the Plains of the Pacific* (G. H. Derby & Co., Buffalo, N. Y., 1852), pp. 417-20.]

... But a circumstance transpired in the winter of 1841, different in its character and bearings upon community from any thing that had previously happened, namely, the death of one of the principal men in the colony, by the name of Ewing Young, who left a large and very unsettled estate, with out having made the least provision for its administration. On the very day of the burial of this man, who had not a single relative to follow him to the tomb, measures were taken to call a public meeting for the purpose of appointing officers for the government of the community, and particularly to provide for the proper disposition of the estate of Ewing Young. A committee of arrangements, chosen at his funeral, called a mass meeting of the inhabitants of Oregon, south of the Columbia river, on the 17th and 18th of February, 1841, to be held at the Methodist Mission premises in the Wallamette valley. Pursuant to the call, the people col-

lected and held, what was properly called, "The Primary Meeting of the people of Oregon."

The meeting on the 18th was full—nearly every male inhabitant south of the Columbia, of full age, being present.

Rev. Jason Lee was excused from officiating as Chairman, and Rev. David Leslie was elected to fill his place. G. Hines and Sidney Smith were chosen Secretaries.

The doings of the meeting the previous day were presented to the assembly, and adopted, in part, as follows:—

Resolved, That a committee be chosen to form a constitution, and draft a code of laws, and that the following persons compose that committee:

Rev. F. N. Blanchat, Rev. Jason Lee, David Don Pierre, Rev. Gustavus Hines, M. Chanlevo, Robert More, J. L. Parrish, Etienne Lucia, and Wm. Johnson.

As it was not deemed necessary to elect a Governor that office was set aside.

Dr. J. L. Babcock was elected to fill the office of Supreme Judge, with Probate powers.

George W. Le Breton was elected to fill the office of Clerk of the Courts and Public Recorder.

Wm. Johnson was elected High Sheriff. Zavier Ladaroot, Pierre Billique and Wm. McCarty were chosen Constables.

It was then resolved, that, until a code of laws be drafted by the Legislative Committee, and adopted by the people, Ira L. Babcock, the Supreme Judge, be instructed to act according to the laws of the State of New York.

It was then resolved to adjourn to meet the first Thursday in June, at the new building near the Roman Catholic church.

THURSDAY, JUNE 11, 1841.

The inhabitants of the Wallamette valley met according to adjournment, and the meeting was called to order by the Chairman, Rev. D. Leslie.

On motion, the doings of the former meeting were read, on which the report of the committee for drafting a constitution and code of laws was called for, and information was communicated to the meeting by the chairman of the committee, that, in consequence of his not having called the committee together, no report had been prepared.

F. N. Blanchat was excused from serving on that committee at his own request.

On motion, it was then resolved, that a person be chosen to fill the place thus vacated in the committee for drafting a constitution and code of laws, and Wm. J. Baily was chosen that committee man.

On motion, it was resolved, that this committee be instructed to meet for the transaction of their business on the first Monday of August next.

On motion, resolved, that the committee be instructed to report to an adjourned meeting, to be held the first Thursday in October next.

On motion, resolved, that the committee be advised to confer with the commander of the American Exploring Squadron now in the Columbia river, concerning the propriety of forming a provisional government in Oregon.

Resolved, That the motion to adopt the report of the nominating committee presented at a previous meeting, be rescinded.

Resolved, That the committee to draft a constitution be instructed to take into consideration the number and kind of offices it will be necessary to create, in accordance with their constitution and code of laws, and to report the same at the next meeting.

It was also resolved, that the report of the nominating committee be referred to the legislative committee.

It was then moved and carried, that this meeting adjourn to meet at the Methodist Mission at eleven o'clock, A. M., of the first Thursday in October next.

(Signed,) DAVID LESLIE, *Chairman*
GUSTAVUS HINES, }
SIDNEY SMITH, } *Secretaries.*

3. MINUTES, FEB. 2, 1843

[Document 1367, endorsed: Wolf Papers—Cd.]

A public Meeting of a number of the citizens of this Colony was called to order to take into consideration the propriety of adopting some measures for the protection of our herds against the beasts of prey in the country

On Motion Dr. I. L. Babcock was called to the chair, who proceeded to state the objects of meeting, and the necessity of acting

Moved by W. H. Gray seconded by Mr. Force that we appoint a committee of six to notify a general meeting
(Carried)

On Motion Messrs. Gray, Beers Gervais, Willson Barnaby and Lucia were appointed that committee

Moved by Mr. Beers that we call a general meeting at the dwelling [*house* inserted] of Mr. Joseph Gervais on the first monday in March next at 10 O'clock A.M. Carried

Oregon Institute

W. H. WILLSON, Secy

2 Feb 1843

4. MINUTES, MARCH 6, 1843

[Document 421]

[*Willamette Valley First Monday March 1843*, inserted]

The meeting was called to order and M James ONeal was chosen to act as chairman. Mr Monture was chosen to act as Secretary and excused—

Mr. LeBreton was then chosen and accepted

The doing of the former meeting were read

The Committee then made their report as follows

*[Star in original refers to item 6, document 341, see below, ed.]

It was moved & seconded that the report be accepted. carried

It was then moved & seconded that the report lay upon the Table—carried

It was moved & seconded that the first resolution of the report of the committee be adopted—

It was moved & seconded that a sum be raised by contribution for the protection of our animals—

It was moved & seconded that the third resolution as amended be adopted.

It was moved & seconded that two collectors be appointed to receive all subscriptions retaining five pr ct [*for* inserted] collecting the same and pay the amount over to the Treasurer taking his receipt for the same

It was moved & second that the 5th resolution be adopted.
—passed—

It was moved & second that the 6th resolution as amended
be adopted.—carried.—

That no one [*be* deleted] receive a bounty with the ex-
ception of Indians unless he pay a subscription of \$5.

It was moved & seconded that the 7th resolution be adopted.—

It was moved & second that the 8th resolution be adopted

It was moved & second that the 9th resolution be adopted,
as amended—

[11 inserted] It was moved & second that the Indian re-
ceive $\frac{1}{2}$ as much as the Whites—

[12 inserted] It was moved & seconded that all claims be
presented in ten days—if there shall be doubts that they give
their oath, to the various circumstances—

[13 inserted] It is moved & seconded that Mr. Gray be
[*one* written over *the*] Treasurer

[14 inserted] It is moved & seconded that [*Dr. Wilson* deleted,
excused inserted] Mr McRoy Mr Gervais Mr Monture Mr
S Smith, [*Mr. Clark* deleted] Mr Dougherty Mr O'Neal Mr
Shortess.—Mr Lucier.

[Document 431 continues Document 421. Endorsed: *Journal* in ink;
March 1843 in pencil]

[15 inserted] It was moved & seconded that G W Le Breton
& [*G. Gay* deleted; *Mr. Bridges* inserted] be the collectors—

Resolved that the 10th resolution be accepted.

[16 inserted] Resolved that no money be paid to an white
or descendant previous to the time of his subscription

[17 inserted] Resolved that [*that* deleted by pencil] a
miner's child's Bounty be paid to the parent or Guardian—

[18 inserted] Resolved the drafts for receiving subscrip-
tions be [*paid* deleted by pencil; *drawn by* inserted in pencil]
Mr Grey & LeBreton—

[19 inserted] That Drafts mss F Vancouver the Mission &
the Milling Co's. [*be accepted in payment for a subscription*
inserted in pencil]

[20 inserted] That a committee be appointed to take into
consideration the propriety of taking measure for [*the in-*
serted] civil & military protection [*of* deleted] this colony.

A public meeting of a number of the citizens of the Colony was called in order to take into consideration the propriety of adopting some measures for the protection of our herds against the pests of prey in the country.

On Motion Dr. J. L. Babcock was called to the chair, who proceeded to state the objects of meeting, and the necessity of acting

Moved by W. H. Gray seconded by Mr. Fore that we appoint a committee of six to notify a general meeting (Carried)

On Motion Messrs. Gray, Beers, Gervais, William Barnaby and Lucia were appointed that committee

Moved by Mr. Beers that we call a general meeting at the dwelling ^{house} of Mr. Joseph Gervais on the first Monday in March next at 10 o'clock A.M. (Carried)

Oregon Institute
2 Feb 1843

W. H. William Secy

Original Organic Laws of Oregon

The Legislative Committee recommend that the following Laws be adopted:—

Article 1st

Preamble,

We the people of Oregon Territory, for purposes of mutual protection, and to secure peace and prosperity among ourselves, agree to adopt the following Laws and regulations, until such time as the United States of America, extend their Jurisdiction over us.

Be it enacted therefore by the Free Citizens of Oregon Territory, that the said Territory for purposes of temporary Government, be divided into not less than three nor more ^{than} five Districts, subject to be extended to a greater number, when an increase of population shall require

For the purpose of fixing the principles of Civil and Religious Liberty, as the basis of all Laws and Constitutions of Government that may hereafter be adopted, Be it enacted that the following Articles, be considered articles of compact, among the Free Citizens of this Territory.

Section 1st.

No person demeaning himself in a peaceable and orderly manner, shall ^{ever} be molested upon account of his mode of worship, or Religious sentiments.

Section 2nd.

The inhabitants of said Territory shall always be entitled to the benefits of the writ of Habeas Corpus, and Trial by Jury; of a proportionate representation of the people in the legislature, and of Judicial proceedings, according to the course of common Law.

All persons shall be bailable, unless for capital offences where the proof shall be evident, or the presumption great. All fines shall be moderate, and no cruel, or unusual

[21 inserted] Resolved that this Committee consist of
[Eight deleted; 12 inserted]

[22 inserted] Resolved tha Dr Babcock be chairman Dr
White Mr O'Neal Mr Shortess Mr Newell Mr Lucie Mr
Gervais Mr Hubbard Mr McRoy Mr Grey Mr Smith Mr Gay—

[Moved that the Committee deleted]

Move & second that we now adjourn—

Jas A O'Neil Prs.
G W LeBreton Sec.

5. REPORT TO MEETING, MARCH 6, 1843

[Document 341, handwriting unidentified, ed. Endorsed: *1st in Arcus
March 1843, Proceedings of Meetings, Early in 1843, Cd.*]

Your Committee beg leave to Report as follows—

*[Star in original refers to item 4, document 421, ed.]

It being admitted by all that Wolves, Bears Panthers & &
are destructive to the useful animals owned by the Settlers
of this Colony, Your Committee would respectfully submit
the Following Resolutions as the sense of this meeting, by
which this community may be governed in carrying on a
defensive & destructive War against all such animals—

Resolved

1st That we deem it highly expedient for this community
to take immediate measures to destroy all. Wolves, Bears &
Panthers and such animals as are known to be destructive
to Cattle, Horses Sheap & Hogs—

[2nd Resolved (That this meeting recommend inserted) *That
a fund by contribution or Tax—be levied on all animals to be
protected—as follows. Horses—pr Head. Cattle pr Head—
Hogs & Sheap pr head—*paragraph deleted]

[2 inserted in pencil] 3rd Resolved. That a Treasurer be
appointed who shall receive all funds raised [*by tax or other
wise deleted*] & disburse the same in accordance with drafts
drawn on him by the Committee to receive the evidences of
the destruction of the above named animals, & that he report
the state of the Treasury, by posting up public notices once
in three months in the vicinity of each of the Committee—

[4th Resolved *That three assessors and collectors be appointed
whose duty it shall be to collect the tax on all animals liable to*

be destroyed by Wolves etc etc and pay over the same to the Treasurer & take his receipt for the same deducting pr cent (pr dollar, deleted) for collecting—paragraph deleted]

[3 inserted in pencil] 5. Resolved. That a Standing Committee of 8 be appointed whose duty it shall be together with the Treasurer to receive the proofs or evidences of the animals for which a bounty is claimed having been killed within the Willamette Valley—

[4 inserted in pencil] 6th Resolved, That a bounty of Fifty cents be paid for [*the deleted; the destroying a inserted*] small wolf \$3.00. for the Large. \$1.50. for the [*wildcat deleted in ink; or deleted in pencil*] Lynx, \$2.00. for the Bear. & \$5.00. for the Panther—

[5 inserted in pencil] 7th Resolved, That no bounty be paid except—the individual claiming a bounty give Satisfactory evidence [*under oath or deleted by pencil*] by. presenting to one of the Committee, The Skin of the head with the ears of all animals for which he claims a bounty—

[6 inserted; 8th deleted in pencil] Resolved—That the Committee and Treasurer form a board of advice to call public meetings whenever they deem it expedient to promote & encourage all persons to use their vigilance in [*the deleted; destroying written over destruction*] all the animals named in the 6th Resolution—

[7 inserted; 9th deleted in pencil] Resolved, That the Bounty Specified in the 6th Resolution be limited to Whites and their descendants—[~~&~~ deleted by pencil; *That two thirds of the bounty be paid to Indians deleted in ink*] when they present the proofs of having destroyed one [*or written over of the*] mor of the animals for which a bounty is to be given—

[8 inserted; 10th deleted in pencil] Resolved, That—The proceedings of this meeting be signed by the Chairman—and Secretary and a copy of the Resolves etc etc be presented to the Recorder of this Colony—

W. H. Gray
W. H. Wilson
Jarvays
A. Beers
Barnely
Lucieer, erased]

} Committee to
call a public
meeting & report
business etc—

6. PETITION TO U. S. SENATE, MARCH 25, 1843

[From the Territorial Papers of the U. S. Senate, in the National Archives.

Endorsed: 28th Cong, 1. Sess (105) *Petition of a number of citizens of the Territory of Oregon, praying the extension of the jurisdiction of the United States over that Territory.*

1844 Feb. 7. *Laid on the table & ordered to be printed.*

*It is particularly desired that this document be sent up tomorrow morning
W. Cass Feb. 8th (1754 inserted in pencil)*

Willamette, Oregon Territory
25th March 1843.

To the Hon the Senate and House of Representatives of the
U. S. of America:

We the undersigned settlers south of the Columbia River, beg leave respectfully to represent to your Honorable Body.

As has been before represented to your Hon body, we consider ourselves citizens of the United States and acknowledge the right of the United States to extend its jurisdiction over us, and the object of the present memorial is to ask that the protection of the United States government may be extended to us as soon as possible:—Hitherto our numbers have been small and the few difficulties that arose in the settlement were speedily and satisfactorily settled— But as our settlement increases in numbers so our difficulties increase in number and importance, and unless we can have laws to govern us that will be respected and obeyed our situation will be a deplorable one— Where the highest court of appeal is the Rifle, safety in life and property cannot be depended on— The state of the Country, its climate, resources, soil, productions etc, has already been laid before your Honorable body in Capt. Wyeth's memoir and in former memorials from the inhabitants of this place.— Laws are to protect the weak against the mighty, and we feel the necessity of them in the steps that are constantly taken by the Hon Hudsons Bay Co in their opposition to the improvement and enterprize of American Citizens— you have been apprized already of their opposition to Capts Wyeth, Bonneville and [*and deleted*] others, and we find that the same spirit dwells with them at the present day.— Some years ago when the Hudsons Bay Co owned all the cattle in Oregon, they would not sell on any

conditions— But they would lend their cows to the settler he returning to the Co the cows loaned with all the increase, and in case of the death of a Cow he then had the privilege of paying for it. But after the settlers at great risk and expense went to California and purchased Cattle for themselves, and there was a fair prospect of the settlement being supplied then the Hudsons Bay Co were willing to sell and at lower rates than the settler could sell.—

In the year 1841 feeling the necessity of having Mills erected that could supply the settlement with Flour and Lumber, a number of the inhabitants formed themselves into a joint stock company for the purpose of supplying the growing wants of the community (many of the farmers were obliged to leave their Farms on the Willamette and go six miles above Vancouver on the Columbia River [*making the whole distance about sixty miles inserted*] to get their Wheat ground at a great loss of time and expense)

The company was formed and proceeded to select a site, they selected an Island at the Falls of the [*Falls of the deleted*] Willamette and concluded to commence their operations, after commencing they are informed by Doct McLoughlin who was at the head of the Hudsons Bay Co's affairs west of the Rocky Mountains, that the Island is his and that he (although a Chief Factor of the Hudsons Bay Co.) claims all the land at the East side of the Willamette embracing the Falls down to the Klakamus River, a distance of about two miles.—he had no idea we presume that the Co would succeed, however he erected a shed on the Island, after the stuff was on the Island to build a house and then gave them permission to build, under certain restrictions. they took the paper he wrote them containing his conditions but did not obligate themselves to comply with the conditions as they did not think his claim just or reasonable— Many projects has been started by the inhabitants, but for want of means, [*and deleted*] encouragement failed, this fate was predicted for the Milling Co. But after much labor and difficulty they succeeded in getting a Saw Mill erected and ready to run, and entered into a contract to have a Grist Mill erected forthwith.— And now as they have succeeded, where is the

Hudsons Bay Co? Doct McLoughlin employs hands to get out a frame for a Saw Mill, and erect it at the Willamette Falls and we find as soon as the frame is up, the gearing which has been made at Vancouver, is brought up in Boats, and that, which caused a feeble Company of American citizens months of toil and embarassment, is accomplished by the chief Factor of the Hudsons Bay Co in a few weeks (he has men and means) and it is said by him that in two weeks his Mill will be sawing— And what will be the consequences? Why if the Milling Co sell for \$15 pr m. he can sell for \$12. if they reduce the price to \$10. he can come to \$8. or \$5. or \$2. pr m. He says he will have a Grist Mill started as soon as he gets the Saw Mill in operation.— All the Wheat raised in Oregon, they are anxious to get, as they ship it to the Russians on the North West Coast,— In the first place they measure the Wheat in a half bushel called by them Imperial measure, much larger than the standard measure of the United States—this not answering, they next proceeded to kick the half bushel with the foot, to settle the Wheat, then they brought up a measure [*said to be deleted*] larger than the former one, and now they fill this measure, then strike it three times with a stout club, and then fill up, and call it fair measure; against such proceedings we need law that will be respected and obeyed, About twelve or fourteen years ago the Hudsons Bay Co blasted a canal a few feet to conduct water to a Mill they were going to build, the timber for which, is now lying at the Falls rotting, they however abandoned the thing altogether and built their Mills on the Columbia about six miles above Fort Vancouver on the north side of the River,

In the year 1838 agreeable to orders left by Mr Slacum, a house was erected at the Falls to secure the claim for him, In 1840 the Methodist Mission erected buildings at the Falls and stationed two families there, and made a claim to sufficient land for their buildings, not interfering with any others who might wish to build, a short time previous to this Doct McLoughlin had a store house erected for the compy., not occupied however farther than to store Wheat and other articles in; and as a trading house during the Salmon season,—

After this in 1841 a shanty was erected, and a man Kept at the Falls whose business it was to trade with the Indians for Furs and Salmon and look out for the Doctors claim, he said, and to forbid persons building at the Falls, as some had built, and others were about building. this man was and still is a servant of the Hudsons Bay Co.— During the years 1841 and 1842 several families settled at the Falls, when Doct McLoughlin who still resides at Fort Vancouver, comes on the ground and says, the land is his, and any person building without his permission, is held, as a trespasser.— Without reference to any persons right or claim he employs a surveyor to lay out the plot and as a Bill was before the Senate of the United States to grant to every white male inhabitant, a mile square, he has a mile run out to suit his views, and lays out a town plot at the Falls and calls it, Oregon City.— And although some for peace sake asked him for the lots they had already in possession and which he appeared very willing to grant, The Doctor now felt himself secure and posted up the annexed paper marked A which is the original, and all who had lots. were required to pay Mr Hastings, Five dollars for a deed of land which they knew very well the grantor did not own, and which we hope he never will own but that Congress will pass a special act granting to each man his lot and improvements.— those that applied received if they had a house on the lot a Deed, a copy of which it is annexed marked B. if they had no house a Bond was given for \$5. a copy of which is annexed marked C.— to those that applied and paid their \$5. all was right with Doctor, while those who considered his title to the land not good and that therefore he had no right to direct who should build and who should not had their lots sold to others, in one case the purchaser came to the original claimant and ordered him to stop digging the ground which he was preparing for a garden and commanded him to remove his fences as he had Doctor McLoughlin's Bond in his pocket for the lots, and if he did not move the fence he would, and take forcible possession,— those who desire to have no difficulty, and did not apply for a Deed have lost their lots the Doctors promise and all, and Mr Hastings the Doctors agent, is now offering for sale the

lots on which part of the Mission buildings stand, and if he succeeds in finding a purchaser they must either contend or lose their buildings,— Doct McLoughlin has held claims in other places south of the Columbia River,— at the Tualatin Plains and Klakamus Plains he had huts erected to prevent others from building, and such is the power of Doct McLoughlin, that many persons are actually afraid to make their situation known, thinking if he hears of it, he will stop their supplies.— Letters were received here from Mess Ladd & Co of the Sandwich Islands, in answer to a letter written by the late Mr Ewing Young for a few supplies that orders were received for bidding the companys vessels carrying any Goods for the settlers of Oregon.— Every means will be made use of by them to break down every thing that will draw trade to this country or enable persons to get goods at any other place than their store.—

One other item and we are done.— When any United States government officers of distinction arrive, Vancouver is thrown open and every facility afforded them (they were even more condescending to the settlers, during the time the Exploring squadron was in the Columbia) nothing was left undone to give the officers a high opinion of the Hon Hudsons Bay Co.— Our Indian Agent is entirely dependant on them for supplies and funds to carry on his operations,

And now your memorialists pray your Honorable Body, that immediate action of Congress be taken in regard to this country and good and wholesome laws be enacted for our Territory as may in your wisdom be thought best for the good of the American citizens residing here.

And your memorialist will ever pray—

Robert Shortess
A E Wilson
Wm. C. Remick
Jeffrey Brown
E. N. Coombs
Rewbin Lewis
Geo. Davis

A. F. Waller*
John Hofstitter
G. W. Bellomy
Wm Brown
A. Beers
J. L. Parrish
Wm. H. Gray

*Signature of author, ed.

V. Bennet	A D Smith
J. Rekoner	J. C. Bridges
T J. Hubbard	Aaron Cook
James A. O Neil	A. Copeland
Jerm. Harregan	L. W. Moss
Wm McHarty	Gustavus Hines
Charles Campo	George W LeBreton
John Howard his A mark	P. R. Robbe
R Williams	G. L. Morrison
G Brown	M. Crawford
John Turner	John Anderson
Theodore Pancott	James M. Bates
L. H. Judson	S. Davis
Joel Turnham	Joseph Yatten
Richd H Ekin	Daniel Girtman
H. Campbell	C. T. Arrendiell
James Force	A. Tanner
W. H. Willson	David Carter
Felix Hathaway	E J Campbell
J. Lauson	W Johnson
Thomas J. Shadden	John Edmunds
Joseph Gibbs X	W Hauxhurst
J. Lewis Jr. [?, ed.]	Wm. A. Pfeiffer
Charles Ray	L Helman
William Brum	H. B. Brewer
	Wm C Sutton

7. APPENDIX A, PETITION TO U. S. SENATE

[Endorsed: *A, Dr Mc Loughlin's Ukase 1754*]

Notice [A inserted]

Notice is hereby given to whom it may concern—that those who have obtained grant of [*a* deleted] lots in Oregon City will be expected to call L W Hastings, my authorised agent at Oregon City and obtain a Bond for a Deed or Deeds as the case may be Those who hold claims to any Lot and who comply with the above Requisite on or before the first day of February next will be Entitled to their Lot or Lots otherwise the Lot upon which they hold a claim will there-

after be subject to any Disposition which the undersigned
may think proper to make of them

18 Jan 1843

Jn. McLoughlin

Oregon City Mch 27, 1843

We the undersigned do hereby certify that the within
Notice of John McLoughlin, was posted up in the most
public place in this town.

R Shortess

A E Wilson

8. APPENDIX B, PETITION TO U. S. SENATE*

[Endorsed: *B, Copy of Deed, John McLoughlin To Walter Pomeroy; 1854.*]

Know all men by these presents that I. John McLoughlin
of Fort Vancouver in the Territory of Oregon, for and in con-
sideration of the sum of One Dollar to me in hand paid by
Walter Pomeroy of Oregon City of the Territory aforesaid,
the receipt whereof is hereby acknowledged, have this day,
and do by these presents, remit, release, and forever quit-
claim, unto the said Pomeroy, his heirs and assigns, all and
singular the following piece, parcel and lot of land, bounded
and described as follows, to wit, commencing at the North
East corner running thence Southerly Sixty six (66) feet to
a stake, thence westerly one hundred (100) feet to a stake
thence Northerly sixty [*feet deleted*] six (66) feet to a stake,
thence easterly one hundred feet (100) to a stake at the place
of beginning being lot No four (4) in block No three (3) in
the town of Oregon City, in the Territory of Oregon which
will [*be deleted*] more fully appear from a reference to the
map and plan of [*the deleted*] said town.

To have and to hold the same together with all and singu-
lar the privileges and appurtenances thereunto in any wise
appertaining or belonging, unto the said Pomeroy, his heirs,
executors, administrators or assigns forever.

And I, the said McLoughlin for myself do avouch and de-
clare that I am the true and proper claimant of and to the
said premises and lot of land, and that I have in myself full

*Robert Shortess made a copy of this document, which is now in the
Shortess papers at the Oregon Historical Society.

power, good right, and sufficient authority to remit, release and quit my claim to all and singular my right, title, interest and claim, in and to said lot and premises in manner and form aforesaid.

And I, the said McLoughlin do hereby covenant and agree to warrant and defend the said premises, together with the privileges and appurtenances hereunto appertaining or belonging to the said Pomeroy, his heirs and assigns, against all lawfull claims of all person whomsoever, the claims of the Government only excepted.

In testimony whereof I the said McLoughlin have hereunto set my hand and affixed my seal this the 2d day of March A. D. 1843—

(Signed) John McLoughlin (SS)
pr L. W. Hastings his agent.

We the undersigned, do hereby acknowledge that the above is a true and correct copy of the original.

R. Shortess
A E Wilson

9. APPENDIX C, PETITION TO U. S. SENATE

[Endorsed: *C, Copy of Bond. John McLoughlin To Albert E. Wilson, 1854*]

Know all men by these presents, that I, John McLoughlin, of Fort Vancouver, in the Territory of Oregon, am held and firmly bound unto Albert E. Wilson, of Oregon City, in the Territory aforesaid, in the full sum of five hundred, federal money, for the punctual payment of which will and truly to be made, I bind myself, my heirs, executors or administrators, firmly by these presents—

In testimony whereof I have hereunto, below, set my hand, and affixed my seal, this the 26th day of December, A. D. 1842.—

Now Know ye, that the condition of the above obligation is such, that whereas, the said Wilson hath this day and doth by these presents, purchase of the said McLoughlin, all and singular, the following pieces, parcels, tracts and lots of land, namely lots No four (4) and five (5) in block No two (2), in the town of Oregon City, in the Territory of Oregon, as is more fully shown by the map and plan of the said town, and

hath, and by these presents doth, agree to build upon, and improve each of the said lots, within the term of one year, from the date of these presents, In consideration of which the said McLoughlin hath, and doth by these presents covenant and agree to make to the said Wilson a good and sufficient quit claim deed, for and to all and singular the above mentioned pieces, parcels, tracts and lots of land, whenever he, the said Wilson shall have complied with the above conditions on his part. Now if the said McLoughlin, shall well and truly make or cause to be made, the said deed, to the said Wilson, upon the said Wilson's complying, on his part, with the above condition, then and in such case the within obligation shall become entirely void and of no effect, otherwise to be and remain of full force and virtue—

John McLoughlin (SS)
(Signed) Per L W. Hastings
His Agt.

We the undersigned do hereby acknowledge the above to be a true and correct copy of the original.

R Shortess
A E Wilson

10. MINUTES, MAY 2, 1843, VERSION A

[La Fayette Grover, *The Oregon Archives*, pp. 14-15.]

PUBLIC MEETING, AT CHAMPOOICK, MAY 2, 1843

At a public meeting of the inhabitants of the Willamette settlements, held in accordance with the call of the committee, chosen at a former meeting, for the purpose of taking steps to organize themselves into a civil community, and provide themselves with the protection, secured by the enforcement of law and order,

Dr. J. L. Babcock was chosen chairman, and Messrs. Gray, Le Breton, and Willson, secretaries.

The committee made their report,* which was read, and A motion was made, that it be accepted, which was lost. Considerable confusion existing in consequence,

It was moved by Mr. Le Breton, and seconded by Mr. Gray, that the meeting divide, preparatory to being counted;

*Not found, ed.

those in favour of the objects of this meeting taking the right, and those of a contrary mind taking the left, which being carried by acclamation, and a great majority being found in favour of organization, the greater part of the dissenters withdrew.

It was then moved and carried, that the report of the committee be taken up, and disposed of article by article.

A motion was made and carried, that a supreme judge, with probate powers, be chosen to officiate in this community.

Moved and carried, that a clerk of the court, or recorder, be chosen.

Moved and carried, that a sheriff be chosen.

Moved and carried, that three magistrates be chosen.

Moved and carried, that three constables be chosen.

Moved and carried, that a committee of nine persons be chosen, for the purpose of drafting a code of laws, for the government of this community, to be presented to a public meeting to be hereafter called by them, on the fifth day of July next, for their acceptance.

A motion was made and carried, that a treasurer be chosen.

Moved and carried, that a major, and three captains, be chosen.

Moved and carried, that we now proceed to choose the persons to fill the various offices, by ballot.

W. E. Willson was chosen to act as supreme judge, with probate powers.

G. W. Le Breton was chosen to act as clerk of court, or recorder.

J. L. Meek was chosen to fill the office of sheriff.

W. H. Willson was chosen treasurer.

Moved and carried, that the remainder of the officers be chosen by hand ballot, and nomination from the floor.

Messrs. Hill, Shortess, Newell, Beers, Hubbard, Gray, O'Neil, Moore, and Dougherty, were chosen to act as the legislative committee.

Messrs. Burns, Judson, and A. T. Smith, were chosen to act as magistrates.

Messrs. Elbert, Bridges, and Lewis, were chosen to act as constables.

Mr. John Howard was chosen mayor [that is, major, ed.].

Messrs. Wm. M'Carty, C. M'Ray, and S. Smith, were chosen captains.

Moved and carried, that the legislative committee make their report on the 5th day of July next, at Champooick.

Moved and carried, that the services of the legislative committee be paid for, at \$ 1 25, per day, and that the money be raised by subscription.

Moved and carried, that the mayor and captains be instructed to enlist men to form companies of mounted riflemen.

Moved and carried, that an additional magistrate and constable be chosen.

Mr. Campo was chosen as an additional magistrate.

Mr. Matthew was chosen as an additional constable.

Moved and carried, that the legislative committee shall not sit over six days.

The meeting was then adjourned.

The question having arisen, with regard to what time the newly-appointed officers shall commence their duties, the meeting was again called to order, when

It was moved and carried, that the old officers remain in office till the laws are made and accepted, or until the next public meeting.

Attest.

G. W. LE BRETON

11. MINUTES, MAY 2, 1843, VERSION B

[Gustavus Hines, *Life on the Plains of the Pacific*, pp. 423-25.]

A public meeting of the inhabitants of the Wallamette settlement was held at Champoeg, on the 2d day of May, 1843, in accordance with the call of a committee, chosen at a previous meeting, for the purpose of taking steps to organize themselves into a civic community, and provide themselves with the protection secured by the enforcement of law and order.

Dr. J. L. Babcock was chosen Chairman, and W. H. Gray,

G. W. Le Breton and W. H. Wilson were chosen Secretaries.

The committee appointed for the purpose of bringing forward the business of the meeting, presented their report, and a motion was made to accept it, which was lost. Considerable confusion existed in consequence; but it was moved by G. W. Le Breton, and seconded by W. H. Gray, that the meeting divide themselves preparatory to being counted; those in favor of the objects of the meeting taking the right, and those of the contrary mind, the left. The motion prevailed, and a large majority being found in favor of organizing, the greater part of the dissenting withdrew.

The report of the committee was again presented and accepted. It was then taken up, item by item, and disposed of as follows:—

First item, that a Judge, with Probate powers, be chosen to officiate in this community. Adopted.

It was also resolved, that the second, third, fourth and fifth items, providing for the election of a Clerk, Sheriff, three Magistrates, and three Constables, be adopted.

The sixth item, recommending the election of a committee of nine persons for the purpose of drafting a code of laws for the government of the community, and to report to a public meeting to be hereafter called by said committee, and to be held at Champoeg, on the 5th day of July, 1843, was also adopted.

The seventh and eighth were adopted, which recommended the election of a Treasurer, a Major and three Captains.

It was then resolved, that the meeting proceed to choose persons to fill the various offices by ballot.

A. E. Wilson was chosen to act as Judge, with Probate powers.

G. W. Le Breton was chosen Clerk of the Court, and Recorder.

Joseph L. Meek was chosen to fill the office of Sheriff.

W. H. Wilson was chosen Treasurer.

Messrs. Hill, Shortess, Newel, Beers, Hubbard, Gray, O'Neal, More and Dougherty were chosen to act as the Legislative Committee.

Messrs. Burns, Judson and A. T. Smith were chosen to act as Magistrates.

Messrs. Ebberts, Bridges and Lewis were chosen to act as Constables.

John Howard was chosen Major.

Messrs. McCarty, McKay and S. Smith were constituted Captains.

It was then resolved, that the Legislative Committee be required to make their report on the 5th day of July, 1843, at Champoeg.

On motion, it was resolved, that the services of the Committee be paid for at the rate of one dollar and twenty-five cents per day, and that the money be raised by subscription.

A motion was made and carried, that the Major and Captains be instructed to enlist men, to form companies of mounted riflemen.

A fourth Magistrate and a fourth Constable were also elected, and it was then resolved, that the Legislative Committee should not be allowed to sit over six days.

In addition to the above business, this important primary meeting recognized the officers who had been elected immediately after the death of Ewing Young, and passed a vote that they should have power to exercise the functions of their office until the day of the public meeting should arrive, when the newly elected officers should be duly initiated.

12. MINUTES, LEGISLATIVE COMMITTEE,

MAY 16-JUNE 28, 1843

[Document 72. Color of ink changes from black to blue on the last motion of May 16th.]

[*1st Sheet* inserted in blue ink] Willamette May [*16* written over *15* in blue ink] 1843

The Lesligative [*sic*, ed.] Committee met and came to order by choosing Mr Moore Chairman and G W LeBreton as Secretary. —

Upon motion of Mr Grey a committee of three persons Mess Grey Shortess & Newell were chosen to prepare rules and [*to bring* deleted] business for this [*committee* deleted; *House* inserted]

[*Moved & carried that (there be inserted) a committee of three persons (to be appointed by the Chair) to serve as a judiciary committee Mess Beers Hubbard & Shortess were appointed.*— paragraph deleted]

The Committee for preparing Rules & business for the [*Committee deleted; House inserted*] made their report.

The report was taken up and the rules adopted articles by article. [See item 13, document 74 below, ed.]

It was moved & carried that the Committee sit with open door's

Moved & carried that a [*committee deleted*] Judiciary Committee be appointed by the Chair Mess Beers Hubbard & Shortess were appointed

Moved & carried that a Committee of Ways & means be appointed by the chair Messrs. [*Shortess— ONeil— & Doughty— inserted in blue ink*]

Moved & carried that the motion authorising the chairman to appoint the [*member deleted; chairman inserted*] of the committee of ways & means be reconsidered carried—

Messrs Shortess ONeal & Dougherty were chosen the committee of ways & means—

Moved & carried that a military Committee be appointed by the Chair. Mess Hubbard Newel & Grey

Moved & carried that a Private Land Claim Committee be appointed by the Chairman [*Messr inserted*] Shortess Dougherty & Hill were appointed.

Moved & carried that a committee be appointed for [*laying off deleted; dividing inserted*] this Territory into [*Five deleted*] Districts not to exceed Five in number.— to be appointed by the Chair. Messr Gray Dougherty & Beers were appointed this committee.

Moved & carried that the committee ajourn to meet at 8 oclock tomorrow morning.—

May 17 [*17 written over 16*] The House was called to order by the Chairman and Mr Grey appointed Secretary pro tem. [*The session commenced by prayer inserted; the written over illegible word*] minutes of yesterdays session read corrected and accepted.—

The Judiciary Committee in part reported

The report was accepted.—

The Committee of Land Claims reported in part. [*The* written over illegible word] Report was accepted

Moved & carried that the committee adjourn for the preparing of business for 1 ½ hours—

The time of adjournment having expired the House was called to order by the Chairman

The Judiciary Committee reported progress. Accepted

The Committee upon Military Affairs reported in part. accepted.

The [*Committee* written over illegible word; *upon* inserted] Districts reported in [*full.* written over *part*] Accepted.

It was moved & second that there be a standing Committee upon Finance.— Lost.—

It was moved & second that we [*adjourn* written over illegible word] till ½ past one.

The time of adjournment having expired the House was called to order by the Chairman.

It was moved & carried that we go into Committee of the whole for taking up the Reports of Committees Mr Grey in the Chair—

I was moved & carried that the Report upon Private Land Claims be taken up and first time.

[*It was moved & carried that the Report be amended by striking out the First Section and substituting (in its place deleted; the inserted) first section in its place—paragraph deleted*]

[*It was moved & carried that the motion to amend the first Section be reconsidered.—paragraph deleted*]

Moved & [*carried* written over illegible word] that the committee now rise

Moved & carried that we now adjourn for one hour carried.

The House met according to adjournment and was called to order by the Chairman

It was moved & carried that we go into Committee of the whole for taking up Reports of committees.—

Mr Grey in Chair

It was moved & carried [*the Report of Districting Committee inserted*] be taken up & read the first time

It was moved & carried that the Committee rise—

It was moved & carried that the Report of the District Comt as amended be adopted.—

It was moved & carried that the committee take a Recess for 15 Minutes.—

The time of Adjournment having elapsed the House was called to order.

Committee upon Military Affairs report progress and request instructions from the House—

Moved & carried that the House resolve itself into a committee of the Whole. [See also item 14, document 75, Minutes of Committee of the Whole, May 17th, ed.]

Mr Newell in the Chair

[*The Report of the Military Committee was read and taken up separately—paragraph deleted*]

Moved & carried that the Committee of Whole rise

Moved & carried that the House adjourn

May 18 [*18 written over 17*]

The House met according to adjournment and was called to order by the Chairman

The Minutes of the [*Yesterday written over illegible word; & Session inserted*] Read, Corrected, and Accepted,—

The House was opened with Prayer—

Moved & seconded that a Committee be chosen to prepare a paper for the Signatures of all persons wishing an organization etc. Lost.—

It was moved & carried that the Rules of the House be amended by an inserting an article to be called the Fourth.

Committee of ways & means [*in part deleted*] Reported in full accepted and laid upon the Table for Adoption

It was moved & carried that Rules of the House be amended by making the Appointment of Committees the 4th Rule. [See item 13, document 74, Rules of the House, ed.]

Moved & carried the [*House inserted*] Resolve itself into the Committee of the whole.— Carried [See item 14, document 75, Minutes of the Committee of the Whole, May 18th, ed.]

Mr Newell in the chair
Committee of the Whole now rise
It was moved & carried that the Report of [*the inserted*]
Military Commtte be recommitted to [*the inserted*] same
committee with their instruction for further action
The Judiciary Committee report in part accepted
Move & carried the House Adjourn. Mr. Newel upon the
Floor

[Document 73 continues Document 72. Color of ink changes from blue to
black on June 27th.]

— 2nd Sheet —

House called to order upon the expiration of the time of
adjournment

House went into committee of the whole [See item 14,
document 75, Minutes of Committee of the Whole, May
18th, relating to Judiciary Committee, ed.]

Committee rose

It was moved & carried that House take a recess of one
hour

House came to order [*at the expiration of the hour deleted;*
pursuant to adjournment inserted]

It was moved & carried that the Cmmtte of W & M be
instructed to prepare a Subscription Paper for presententn
at the general meeting to procure funds for defraying the
expenses of the Government.

House Resolves itself into comitte of Whole [See item 14,
document 75, Minutes of the Committee of the Whole. No
action taken, ed.]

Committee of the Whole Rise.—

Moved & carried the House adjourn till Tomorrow.—

May 19th House met pursuant to adjournment The roll
called the session comenced with prayer

Moved & [*carried written over illegible word*] that the
House adjourn to the call of the Chairman.—

House came to order in pursuance of adjournment

Moved & carried that the Minutes of the House [*upon the*
18th Inst inserted] be accepted.—

It was moved & carried that a committee [*of three inserted*]
be appointed to [*assist the Secretary on deleted; prepare &*

arrange written over *preparing & arranging*] all the business which has been or may hereafter be done at this session revising statues of Ioway etc etc to report to the next session of Committee [*and request the secretary to copy the same inserted*]

Messrs. [*Gray* written over *Beers*] Beers, & O'Neal.

Committee of W & M present a subscription Paper pursuant to Instruction as the Report of Committee—accepted.—

It was moved & carried the Report be adopted

[*It was moved & carried that the Officers elect be provided with a copy of (the above inserted) report—paragraph deleted*]

Committee [*upon* written over *of*] Military Affairs Report in part

Moved & carried the Report be accepted.—

Moved & carried the House go into Commit. of Whole

[See item 14, document 75, Minutes of Committee of the Whole, May 19th, Judiciary Committee report through Article 13, ed.]

Committee of Whole rose

Moved the House adjourn for dinner [*till 2 oclock* inserted] carried

House met pursuant to adjournment.—

The Judiciary Committee report in [*full* written over illegible word; *for present session* inserted]—accepted

Moved & carried that the Fourth Article of the Organic laws be reconsidered.—

Moved & carried that the Proviso to the 4th Article of Organic Laws be adopted

Moved & Carried the 4th Article of the Organic Laws be adopted as a whole

House resolve itself into Committee of the whole upon the judiciary Bill. Mr Beers in the chair [See item 14, document 75, Minutes of the Committee of the Whole, May 19th, Judiciary Committee report on articles 14, 15, 16 and 18, ed.]

Committee of Whole rose

It moved & second the Report of Committee upon Judiciary be adopted. Carried

Moved & Carried the J C Report be refered to the Revising Committee.— [*House* written over *Moved*] go into commit

of Whol upon Military affairs. Mr Hubard in the Chair [See item 14, document 75, Minutes of Committee of the Whole; May 19th, Military Committee Report, ed.]

Committee rise

Moved & carried the [*the deleted*] Report of [*the inserted*] comtee upon Military Affairs be adopted

Moved & carried that the Report of Comitee M Affairs be refered to Revising Committee—

Moved the House take a recess for ½ hour.—

House met pursuant to adjournment.

Moved & seconded that when this Committee adjourn [*it adjourn* written over *in May*] to meet the last Tuesday in June at this place— carried.—

[*This committee recommd to this Public to nominate 3 Individuals to fill the executive committee—*paragraph deleted]

This committee recommend to the Public that they appoint an executive committee of 3 [*and give the reason's for the same deleted*] carried

Moved & second that the committee of 3 give notice to this effect with the reason for the same carried—

Moved & second that the Minutes of the House be accepted. carried

Moved & carried that the Article appointing a Revision committee be amended to read as amended Carried.

Moved & seconded that the House adjourn by uniting in Prayer Carried.—

1843

June 27 The House met pursuant to adjournment the House called to order by Chairman The session opened with prayer

The Roll was called and a quorum not present.—

The Members present were Mr Moore Mr Hill Mr Beers & Mr ONeal.

Moved & carried the House adjourn 'till 5 oclock P M

House met pursuant to adjournment & was called to order by the chairman still not a quorum—same members present

Moved & carried that the House adjourn untill 8 oclock Wednesday Mng.

June 28th House met pursuant to adjournment and was called to order by chairman present Mess Moore Beers Hill ONeal Shortess constituting a quorum

Moved & carried the House adjourn for one hour to meet at the Hospital.

House met pursuant to adjournment same persn present.—

Moved & carried the Revising Committee be called upon for their report.

The Revising Committee Report—

Moved & carried that the 3rd Article of Sectin 2nd of the Organic Laws be amended by inserting the word or Affirmation after the word Oath.—

Moved & carried that the Report of the Revising Committee so far as the Judiciary is concerned be passed [See item 19, document 1582, ed.]

Moved & [*carried* deleted] that the Report of R. Committee so far as refers to Ways and Means be Rejected Lost.—

Moved & carried that Report of R. C. upon Ways & Means be adopted [not found, ed.]

Moved & carried that Report of R C upon Military Affairs be adopted [See item 22, document 424, ed.]

Moved & carried that R of the RC upon Private Land Claims be accepted [See item 24, document 5043, ed.]

Moved & carried that the Report of R Committee upon Districts be amended to read as passed

[*Amended* deleted or smeared] to read Ended

[Document 76 continues document 73. Endorsed: *May 1843 Journal marked, 1st, 2d, 3d sheets*]

3rd Sheet

Moved & carried that [*Report* written over *2nd dr*] of R Com up District be amded in the 2nd & 4th Articles as passed

Moved & carried that the Report of R C upon Districting the Territory as amended be adopted [See item 23, document 4936, ed.]

Moved & carried that the Chairman of the Legislative Committee present the Report of said Committee to the Chairman of the public meeting upon the 5th of July next

and request that said committee be discharged from further service

Moved & carried that the House adjourn to meet at Cham-pooick the 5th of July next at the call of the Chairman.—

Signed Robt. Moore, Chairman

Attest G W LeBreton [*Clerk* inserted in pencil]

13. RULES, LEGISLATIVE ASSEMBLY,
MAY 16-JUNE 28, 1843

[Document 74. Endorsed *Cd.* Originally affixed to document 72 with sticker endorsed "43." In handwriting of George W. Le Breton, ed.]

Rules of the House

[*1st Time of meeting 8 A M & 1 ½ P. M.* inserted]

[*2nd* written over *1st*] Calling the House to order by the Chairman or in case of his absence [*by* inserted] the Recorder and the appointment of a Chairman pro tem— Calling the Roll [*and opening Morning session by prayer* inserted]

[*3rd* written over *2nd*] Reading the Minutes of the last Session and correcting them

[*4th Appointment of Committees* inserted]

[*4th* over *3rd* deleted; *5th* inserted] Reports of Committee's

[*6th* over *5th* over *4th*] Presenting and reading of Memorials

[*7th* over *6th* over *5th*] Going into the Committee of the whole.—

[*8th* written over *7th*] Resolving the House into a Committee to do business—

[*9th* written over *8th*] No member of the House shall be allowed to speak more than twice upon any subject except by permission of the House—

[*10th* written over *9th*] Each member shall consider himself bound to come to order at the call of the chairman and in all cases shall be allowed an appeal to the House & in case a Majority sustain his appeal he shall be allowed to proceed—

[*11th* written over *10th*] Each Member shall respectfully address the chair—

[*12th* written over *11th*] The chair shall announce the residence of each Speaker

[*13* written over *12*] All motions properly made by any member and seconded shall be regularly put by the Chair—

man of the Meeting—and entered as the minutes by the Secretary.—

14. MINUTES, COMMITTEE OF THE WHOLE, MAY 17-19, 1843
[Document 75; written by George W. Le Breton, ed.]

Committee of the Whole

May 17 [17 written over 16]

Moved & carried that the Sect be requested to act as Sect to the Comitee of the Whole.—

The report of the Military [*Committee* inserted] was taken up & read

It was moved & carried that the first Section of the report of the Military Comee be accepted.—

It was moved & carried that the 2n Article be adopted

It was moved & carried that the 3rd Article be adopted

The Fourth Article under consideration

The Committee rose reported progress with leave to sit again.—

May 18 [18 written over 17] The House in [*the* deleted]
Committee of the Whole

[*In ar* deleted]

It was moved & carried that the word American be struck out of the 4th Article

It was moved & carried that the word white shall be struck out of the 4th Article.—

It was moved & carried that the 4th Article as amended be accepted

It was moved & carried that the 5th Article be accepted

It was moved & carried that the 6th Article be adopted

It was moved & carried that Article 7th be adopted

It was moved & carried that Article 8th be adopted—

It was moved & carried that the Military Committee be instructed to report an article empowering the executive to appoint [*an* deleted] a Surgeon to the Battalion—

It was moved & carried that the Commtee of the Whole now rise report progress & recommit the [*Military* inserted] Report to the same Comtee for further action.— Carried

In Committee of the Whole upon the report of the Judiciary Committee Mr Beers in the Chair

It was moved & carried that the first Article be adopted

It was moved seconded that the Articles of Compact be adopted [*as written over in*] a whole Carried

It next moved & carried that the first 7 Articles of the Organic Laws be adopted.

It was moved & carried that the 8th 9th 10th & 11th Articles of the Organic Laws be adopted.

Moved & carried the Committee rise report progress with leave to sit again

[*It was moved & carried that the comee of Ways & Means be instructed to prepare a Subscription Paper for presentation at the general meeting to procure funds for defraying the expenses of the Government.*—paragraph deleted]

House [*goes deleted; in written over into*] Committee of whole

Mr Beers in the Chair

Moved & carried that the Committee rise with leave to sit again.—

May 19 House in Committee of the [*Whole written over illegible word*] Mr Beers in the Chair Moved & carried that the Ioway Statues [*& report of J Committee inserted*] be referred to the Committee of Revision [*to deleted*] present to this committee hereafter.—

Moved & carried that the 12th 13th 14th & 15th Articles of the Judiciary Committee be [*adopted deleted; accepted inserted.*]

Moved & carried that the 12th Article be adopted

Moved & carried that the 13 Article be adopted

Moved & carried that the Committee rise report progress & request leave to sit again.

Committee Whole in Session upon the Judiciary Bill Mr Beers in chair.—

Moved & carried that the 14th Article be adopted

Moved & carried that the 15th Article be adopted

Moved & carried the [*1 2 & inserted*] 3 sections of the 16 Article be adopted

Moved & Carried [*that inserted*] the 1 2 & 3 sections of the 18th Article be adopted as amended.

Committee Rise

Committee of the Whole upon the [*Report* written over *Mil*] of the Military [*Commt.*—written over illegible word] Mr Hubbard in Chair

Moved & carried the 9th Article of [*Report of the* inserted] Military Committee be [*adopted* written over illegible word]

Moved & carried that the 10th Article of the Report be adopted.

Moved & carried tha the 11th Article of the Report be adopted

Committee rise

15. MINUTES, PUBLIC MEETING, JULY 5, 1843, VERSION A
[Document 425 in handwriting of W. H. Willson, ed. Endorsed: *Proceedings of an Adjnd Meeting.*]

Champoig July 5th/43

The inhabitants of Oregon Ter— met in pursuent to an adjournment to hear the Report of legislative Com—

on motion Revd. G. Hines [*was* written over illegible abbreviation] called to the chair

Mr. Robt. Moor chairman of the Com. presented his Report—

1 Com. Reported on districting the Ter.

2 “ “ “ military officers

3 “ “ “ Land claims

4 “ report of judiciary Com.

5 “ also reported that they adopted the laws of [*Ioa* written over *Iowa*] in cases not [*referd* to written over *re-reported*] above

6 Resolved that we appoint a committee of three as an Exe board— [See item 18, document 4374 below, ed.]

7 Com's of ways & means reported

8 Moved & scd the judiciary departments [*separately* deleted] be taken up separately— [See item 19, document 1582 *et al* below, ed.]

Article 1 ————— 1 Adopted

“ 2 ————— 2 “

3 ————— 3 “

Art. — 4 ————— 4 adopted

Section 2nd Organic Laws

Art - 1-----1	“	
“ - 2-----2	“	
“ - 3-----3	“	
“ - 4-----4	“	
“ - 5-- Amended --5	“	[See item 20, document 273 below, ed.]
“ - 6-----6	“	
“ - 7-----7	“	
“ - 8-----8	“	
“ - 9-----9	“	
“ -10-----10	“	
“ -11-----11	“	
“ -12-- Amended --12	“	[text of amendment not found, ed.]
“ -13-----13	“	
“ -14-----14	“	
“ -15-----15	“	
“ -16-----16	“	
“ -17-- Amended --17	“	[text of amendment not found, ed.]
“ -18-----18	“	
Resolution 19-----19	“	
moved & 2nd. that Mr Burns' Resignation be Recd.		
judicial [<i>civil</i> deleted] Laws of Ioa adopted [See item 21, ments. 422 and 430 below, ed.]		
[<i>Art 1st</i> deleted] As amended		
Moved to amend the military laws so as to continue the officers in office during good behaviour. Carried		
Moved to adopt the military laws as amended— Carried [See item 22, document 424 below, ed.]		
Moved to adopt the Report of the districting Committee.— Carried [See item 23, document 4936 below, ed.]		
Moved that proceed to appoint a magistrate in the Yam hill district Carried		
On motion James Oneill be appointed to the above office		
Moved that the coms to qualify the officers proceed to their duty as far as possible this evening [See item 26, documents 422 and 430 below, ed.]		

On Motion adjourned

16. MINUTES, PUBLIC MEETING, JULY 5, 1843, VERSION B
[Document 426, in handwriting of W. H. Willson, ed.]

Champoig 5 July 1843

The inhabitants of Oregon Ter. met pursuant to adjournment to hear the report of the Legislative com.—

On motion Rev. G. Hines was called to the chair

Mr. Robt. Moore, chm. of the committee presented his report

1 Committee report on districting the Ter.

2 “ “ “ military affairs

3 “ “ land claims

4 [*Judiciary* deleted] Report of judiciary committee

5 Committee report that they adopt the laws of Iowa in cases not referred to above

6 Resolved that the [*we* written over *adm*] appoint a committee of three as an ex. Board— [See item 18, document 4374 below, ed.]

7 Committee of ways and means report

8 Moved by L. H. Judson that the report be accepted
Carried [Report not found, ed.]

1 Art of judiciary [See item 19, document 1582 *et al* below, ed.]

Moved [*by* ~~*f*~~ written over *the a*] McLaughlin that the 1st art be adopted Carried

Art. 2d L. H. Judson———1 adopted

“ 3 C. McKay———2 adopted

4 Holman———3 adopted

Sec 2 organic laws

Art 1———1 adopted

2———2 adopted

3———3 adopted

4———4 adopted

5—— Amended ——5 a [See item 20, document 273 below, ed.]

Moved that the speakers on the [*aff* deleted] negative be allowed to speak again. Carried— [*Walker* deleted]

[*Willson* inserted] Moved that the question be laid on the table Lost—

On motion adjourned to dinner—

Met again after dinner pursuant to adjournment—

Art 6-----adopted

7-----adopted

8-----adopted

9-----adopted

10-----adopted

11-----adopted

Art 12---amended and adopted [text of amendment
not found, ed.]

13-----adopted

14-----adopted

15-----adopted

16-----adopted

17-----adopted

18-----adopted

19 resolution adopted

proceeded to appoint Com. by nom

Mr. Lee

Mr. Hines

D [*I* written over *L*] L. Babcock declined

C. M. Walker

Moved to proceed to the election of the executive Com-
mittee Carried

Moved to reconsider the above Lost

Moved to appoint by ballot

Moved the highest number of votes carried

Moved the votes be passed to the table by the voters
Carried

Messrs Hill, Beers, Gale were duly appointed [*on* written
over *one*] ex committee

Moved to proceed to electd the mag— in [*place* written
over illegible word] of Mr Burns [*by* written over *be*] nomina-
tion Carried

On nom— Mr Moore was elected—

Report of judiciary committee

Moved to adopt the [*Judicial* deleted; *jury and witness*
inserted] fees [*of New York* inserted] instead of those of Iowa
Car [*Shame* deleted]

Moved to adopt the judicial laws of Iowa as amended
Carried [See item 21, document 4244 below, ed.]

Moved to amend the military laws so as to continue the
officers [*so as to as long* deleted] during good behaviour
Carried

Moved to adopt the military laws as amended Carried
[See item 22, document 424 below, ed.]

[*Moved that the Yam Hill* deleted]

Moved to adopt report of the districting Committee
Carried [See item 23, document 4936 below, ed.]

[Document 423 continues document 426. Endorsed: *Proceedings at Cham-
pooick July 5 1843 Secretaries Report* (Copy deleted) *Doings of Meeting at
Champooick July 5th 1843.*]

[*Moved that we proceed to appoint a mag—* deleted] in

Moved that we proceed to appoint a mag in Yam hill
district— Carried

On motion Jas. Oneal Esq. appointed

On motion Mr Cook Constable

On motion Mr Turnham in in place of Mr. Bridges

Report of Com. on was and means Amended

Report of Committee on land claims

Moved, to adopt report above with a proviso—Carried
[See item 24, document 5043 below, ed.]

Moved to purchase law books to be the property of the
Committee Carried [See item 32, document 98 below, ed.]

Moved to adopt the report as a whole Carried

Moved to excuse the Legislative com from further serv-
ices Carried

Moved that the com have access to all public records and
also to all individuals necessary in making out their their
report Carried

[Document 125, undated. Addressed to : Mr. G. W. LeBriton, Oregon
Institute.]

Mr Le Briton Sir

I intended to have arranged these minutes in a little
better order, but have had no time If you are unable to make

them out I will assist you at any time whin not otherwise engaged—

Respectfully
W. H. Willson

18. RESOLUTION ON EXECUTIVE COMMITTEE,
ADOPTED JULY 5, 1843

[Document 4374, in pencil handwriting of George W. Le Breton, ed.]

Resolved that the Lesligative Committee recomend to the Inhabitants of this Territory to appoint three persons to act as an Executive Committee to approve all Laws passed subsequent to this meeting to grant pardons & reprieves and remit fines & forfeitures and to [*recommend to* written over *lay before the; recomend to the* (*people* deleted; *Representatives of the people* inserted)] Committee such Laws as they may consider necessary

19. REPORT, COMMITTEE ON THE JUDICIARY,
ADOPTED JULY 5, 1843

[Document 1582, in handwriting of Robert Shortess, with blue ink changes by George W. Le Breton, ed.]

Report of the committee on the Judiciary

[*Section 1st.* inserted] An Act To establish a [*Territorial* deleted] Government In Oregon.

We, The people of Oregon Territory For purposes of mutual protection, and to secure peace and prosperity among ourselves, Agree to adopt the following Laws & regulations [*until such time as the USA extend their jurisdiction over us* inserted in blue ink]

[*1st* deleted] Be it [*ordained* deleted; *enacted* inserted] by the free citizens of Oregon Territory that the said Territory for purposes of temporary government be divided into not less than three nor more than five Districts, Subject to be extended to a greater number when an increase of population shall require it.

[*2nd* deleted] For the purpose of fixing the principles of civil and religious liberty as the basis of all laws and constitutions of government that may hereafter be adopted Be it [*ordained* deleted; *enacted* written over illegible word] that

the following Articles [*of* deleted] be considered articles of compact among the free citizens of this territory viz

Article I

No person demeaning himself in a peaceable and orderly manner shall ever be molested on account of his mode of worship, or religious sentiments, in the said Territory.

Article II

The inhabitants of the said territory shall [*always* inserted] be entitled to the benefits of the writ of habeas corpus, and trial by jury; of a proportionate representation of the people in the Legislature and of judicial proceedings according to the course of common law. All [*persons* inserted] shall beailable, unless for capital offences, where the proof shall be evident, or the presumption great. All fines shall be moderate; and no cruel or unusual punishments inflicted. No man shall be deprived of his liberty, but by the judgement of his peers, on the law of the land; and should the public exigencies [*require* deleted] make it necessary for the common preservation, to take any persons property, or to demand his particular services, full compensation shall be made for the same. And in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in said territory, that shall in any manner whatever interfere [*with* inserted] or affect private contracts or engagements bona fide, and without fraud previously formed.

Article III

Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.

The utmost good faith shall always be observed towards [*towards* deleted] the Indians; their lands and property shall never be taken from them without their consent, and in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorised by the representatives of the people, but laws, founded in justice and humanity, shall, from time to time, be made, for preventing [*injustice* inserted] being done to them, and for preserving peace and friendship with them.

Article 4

There shall be neither slavery nor involuntary servitude in said Territory, otherwise than for the punishments of crimes, whereof the party shall have been duly convicted.

[*Section 2nd inserted*] Organic Laws

1 Be it enacted by the authority aforesaid That the officers elected on the 2nd of May inst shall continue in office until the 2nd. tuesday of may 1844 and untill others are elected and qualified

2 Be it further enacted that an election of civil and military officers shall be held annually on the 2nd tuesday in may, in the several districts at such places as shall be designated by law.

3 Each officer heretofore elected, or that shall be elected hereafter shall before entering upon the duties of his office, take an oath [*or an affirmation inserted by Le Breton*] to support the laws of the Territory, and faithfully to discharge the duties of his office.

4 Every free, [*white deleted in blue ink*] male [*male deleted*] inhabitant [*descendant of a white man inserted in blue ink; and their descendants inserted and deleted in blue ink*] of the age of twenty one years and upwards who shall have been an inhabitant of the territory at time of its organization Shall be entitled to vote at the election of officers civil and military and be eligible to any office in the territory. [*here the proviso to Section 4th Comes in inserted by another hand.*]

5 The executive power shall be vested in a committee [*of written over in*] three persons, elected by the qualified voters at the annual election, [*who shall approve all laws deleted*] before [*they take effect deleted*] they shall have power to grant pardons and reprieves for offences against the laws of the territory, They shall call out the military forces of the territory to repel invasion or suppress insurrection, and take care that the laws be faithfully executed [*and recommend such laws as they consider necessary inserted in pencil by Le Breton*] Two members of the committee shall constitute a quorum

6 The legislative power shall be vested in a committee of nine persons to be elected by the qualified electers at the

annual election, giving to each district a representation in the ratio of its population excluding Indians, and the said members of the committee shall reside in the district for which they shall be chosen.

7 The Judicial power shall be vested in a supreme court [*consisting of the supreme judge & two justices of the peace* inserted] Probate court, and in justices of the peace. The jurisdiction of the supreme court shall be both appellate and original; That of the Probate court and justices of the peace as limited by law. Provided that individual justices of the peace shall not have jurisdiction of any matter of controversy when the title or boundaries of lands may be in dispute or where the sum claimed exceeds fifty Dollars.

8 [*The Recorder deleted; There shall be a recorder elected by the qualified electer at the annual election who* inserted] shall keep a faithful record of the proceedings in the Legislative committee, supreme and probate courts, also record all boundaries of land presented for that purpose, all marks and brands used for marking [*live* written over *their*] stock, procure and keep the standard weights and measures required by law seal weights and measures, and keep a record of the same, [*and also* inserted] record wills, Deeds and other instruments of writing required by law to be recorded, [*and deleted*] The Recorder shall receive the following fees viz for Recording Deeds, wills and other instruments of writing twelve cents for every hundred words, for copies of the same for every hundred words twelve cents for every weight or measure sealed twenty five cents [*For granting official Papers & the seal twenty five cts.* inserted] For services as clerk of the legislature the same daily pay as members of the legislative committee and for all other services required of him by this acts the same fees [*as* inserted] allowed [*as* inserted and deleted] for similar services by the Laws of Iowa

9 There shall be a Treasurer elected by the qualified electors of the territory who shall before entering upon the duties of his office give bonds to the [*Territory deleted; Executive Committee* inserted] in the sum of [*fifteen hundred* inserted in blue ink] Dollars with two or more sufficient securities to be approved by the [*Recorder deleted; executive*

committee inserted] of the territory conditioned for the faithful discharge of the duties of his office The Treasurer shall receive all monies belonging to the Territory that may be raised by contribution or otherwise, and shall procure suitable books in which he shall enter an account of his receipts and disbursements

10 The Treasurer shall in no case pay [*out* deleted] money out of the treasury but according to law, and shall annually report to the legislative committee a true account of his receipts and disbursements, with necessary vouchers for the same, and shall deliver to his successor in office, all books, moneys, accounts, or other property, belonging to the Territory, so soon as his successor shall become qualified

11 The Treasurer shall receive for his services the sum of five percent on all monies received and paid out according to law and three percent on all money in the treasury when he goes out of office, and two per cent on the disbursement of monies in the treasury at the time of his coming into office,

12 The statutes of Iowa territory shall be the law of this territory in civil [*military* inserted in blue ink] and criminal cases, [*in all cases not otherwise provided for* inserted by Le Breton] and where no provision of said statutes applies the principles of common law [*shall* deleted] and equity shall govern

13 The law of Iowa regulating weights and measures shall be the law of this Territory, Provided that the supreme court shall perform the duties required of the county [*court* deleted; *commissioners* inserted] and the recorder shall perform the duties of the clerk of the county [*county* deleted; *commissioners* inserted] as prescribed in said laws of Iowa and provided that 60 lbs avoirdupois shall be the standard weight of a bushel of wheat whether the same be more or less than [*two* written over *three*] thousand [*one* written over *two* in blue ink] hundred [*and fifty and two fifths* inserted] cubic inches

[14 and 15 not found, ed.]

[Document 427 continues document 1582. In handwriting of Robert Shortess, ed.]

An Act fixing the times of holding courts

[16 inserted in blue ink] Sec 1 Be it enacted that the supreme court Shall hold two sessions annually on the third tuesdays of april and september the first session to be held at Champoeg on the third tuesday of sept. 1843, and the second at [Tualatin written over illegible word] plains on the third tuesday of april 1844.

2 At the sessions of the supreme court the supreme judge shall preside assisted by two justices, provided that no justice of the peace shall assist in trying any case that has been brought before the court by appeal from his Judgment [*The business of the probate court shall be done imme* deleted]

3 The supreme court shall have original jurisdiction in cases of treason felony or breach of the peace and in civil cases where the sum claimed exceeds fifty Dollars.

[17th inserted in blue ink and deleted; *If an executive committee shall not be appointed the supreme Judge assisted by any two Justices of the peace shall perform the duties required by law, of (of erased) said committee—* paragraph deleted with blue ink]

[Document 428 continues document 427, in handwriting of Robert Shortess, ed. Endorsed: *An Act regulating Marriages.*]

An act Regulating marriage

[17th written in brown ink over 18th in blue ink] All males persons of the age of sixteen years [*and upwards* inserted] and all females of the age of fourteen years [*and upwards* inserted] shall have the right [*of* inserted in blue ink] engaging in marriage provided that where the parties or either of them shall be under twenty one years of age the consent of the parents or guardians of such minor [*s* inserted in blue ink] shall be necessary to the validity of such matrimonial engagement

2 [*Each* deleted; *Every* inserted] ordained minister of the gospel of any religious denomination [*The supreme Judge* inserted] and All [*ordained* erased] justices of the peace [*shall* deleted] are hereby authorised to solemnise marriages according to law [*& to have the same recorded & pay the Recorder's fee.—* inserted in blue ink]

[3rd inserted in blue ink] All marriages shall be recorded by the territorial Recorder within one month from the time of such marriage taking place, [(and being made known to him officially) inserted by another hand] The legal fee for [m erased] solemnising marriage shall be [three written in blue ink over two and deleted; one inserted by another hand] Doll., and for recording marriage fifty cents,

[Document 429, continues document 428, in handwriting of Robert Shortess, ed.]

Resolved that all subsequent offices when filled [be inserted] by election in their several districts By Balet in the most central and convenient place in each district, [on written over and] the [Second Tuesday of May annually on deleted] the day provided by Law, and under such regulation as the laws of Iowa provides

[18th Article inserted in pencil]

[Document 4376, continues document 429; in pencil handwriting of George W. Le Breton, on back of piece torn from document ending with the word, "service," ed.]

Resolved that this Committee recommend that a Committee of three be appointed to draw up a digest of the doings of the people of this Territory with regard to an organization—and transmit [it written over the] to the United States Government for their Consideration.

[19th Article inserted in pencil]

20. AMENDMENT TO ARTICLE 5, REPORT, COMMITTEE ON
THE JUDICIARY, ADOPTED JULY 5, 1843

[Document 273. Written on reverse: *Wallamette 5 July 1843. Bro. Carter: Your good wife proposed to let me have some medicines.* First paragraph in pencil; second paragraph in ink, ed.]

We The Ex Com shall recmnd such Laws as they may think necessary to the Representatives of the People for their action

The executive Com shall recommend such laws as they [shall deleted] may think necessary to the prosperity the people for their acceptance to the representatives of the people Amendment to art [12 deleted] 5th

21. REPORT, COMMITTEE ON JUDICIARY ON LAWS OF
IOWA, ADOPTED JULY 5, 1843

[Document 4244, in handwriting of George W. Le Breton, ed. Endorsed:
Judiciary, Cd.]

The first thing to be read is the Preamble to the Judiciary
Report.— and the several Articles of the Organic Law.—
Under the Head of Civil Law

The Law of Attachment.— Commencing at page 52 & ex-
tending to 64.—

Bonds page 70.—

Constable page 71 to 73 inc

Constructin of Statues from page 73 to 75. inc

Costs & fees— Page 75—P— to 89 inclusive

Depositions page 172 to 177 inc.—

Executions from 197. to 205

Forcible Entry & Detainure from 217 to 220—

Gaming from 221 to 224

Act to prevent sale of Liquors to Indians 274th page

Jurors from 277 to 281

Justices of the Peace from 281 to 321

Ne Exeat & Injunctions from 350 to 353

Partition 354 to 364

Practice of the courts from 370 to 381

Promisorry Notes 381 to 385—

Replevin 398 to 400 inc.

Right. 419 to 426 inc

Seals 435.

Securities 439.440. inc

Waste 460 462

Criminal [*Offences* written over *courts*] from page 109.—
to 125 inc.— from 142 to 172

Venue for Juries 457 to 460

Probate Courts. from page 126 [*£* written over *to*] 127.

Minors [*Orphans* written over *Orpan*] & Guardians from
page 347 to 350 inc

Public Administrators from 385 to 388—

Wills & Administrations 471 [*to* inserted] 513

Vagrants.— 455. & 456

Militia from page 329 to 337 inc.

Mills & Millers from page 343 to 346 inc
Public Lands page 388
Recorders—396 & 397
Sheriffs 441 to 447
Territorial Treasurer 452
Civil—
Water Crafts. Lost goods & Estrays—462 to 470
Wheights & Measures 470.—
Worshipping Congregations from 513 & 514

22. REPORT, COMMITTEE ON MILITARY AFFAIRS,
ADOPTED, JULY 5, 1843

[Document 424, written in several hands. Endorsed: *Wolf Meeting Papers. Proceedings, Reports, etc of meeting at Champoeg July 5th, 1843, Militia, 1843.*]

The Committee on the Militia would recommend

1st That the millitia of this Territory shall be [*divided* deleted] arranged into [*I* inserted in dark ink; *D* erased] battalion [*comp* deleted in dark ink]

It [*it* deleted; *which* inserted in dark ink] shall consist of [*district* deleted; *3*— inserted in dark ink] companies of mounted rifle men

[*2*— inserted] That [*the* deleted] in case of removal of the Major by death or otherwise it shall be the duty of the executive [*committee* inserted] to appoint another [*in his* deleted] whose duty [*and privaleage* inserted and deleted; *it* deleted and re-inserted in dark ink] shal be to serve in the place of [ink changes from blue to brown for remainder of report, ed.] such removal untill the annuall election—

3. That whenever a country or distinct country is distant or so detached that in the opinion of the Exe committee it would be incomt— for the person residing therein to belong to an organized Co—they shall be organised as a separate Co— under the commad of a Capt— appointed by themselves, & [*by* deleted] give due notice to the [*to the* deleted] Major— of the Battalion to which they are attached— & be subject to the same [*laws* inserted] & regulations in all respects of other Cos in the Battalion—

[*4* written over *5*; *That* written over illegible word] above companies [*shall* inserted] meet once in each year for com-

pany inspection on the last Tuesday in September— well mounted with a good Rifle— [*or Musket inserted in blue ink*] and accoutrements— for Co inspection & Military exercise—

[5 written over 7] It shall be the duty of the Major to Notify each Captain & of the Capt. to notify each individual of his Co. of the day, time, & place of each annual meeting of his Battalion, & their respective Companies— at least 6 days previous to such time of meeting—

[6 written over 4] Sec It shall be the duty of each and every male inhabitant over the age of 16 years and under 60 that wishes to be considered a citizen either enroll himself or give his name to the proper officers of the [*militia written over illegible word*] for enrollment and serve under the same except such as are hereafter excepted

[7 written over 5]; *Sec That four Forts Barrockades be made as follows one at or near the Wallice plains one at champoag one at the Falls of the Wollamette and one Nefallite plains* —paragraph deleted]

[7 written over 6 and 8] sec That fines be laid on all who fail to adhere to commands or orders of the executive body and the same to be expended for amunition and arms without delay and persons appointed to keep the magazine [*at the above mentioned places deleted*] or wherever the executive committee [*may inserted*] orders that it shall be deposited—

[8 written over 7] Sec It shall be the duty of the executive committee to appoint a surgeon [*for written over to and of*] this battalion whose duty it shall be to serve in his profession when called on or ordered by [*by deleted*] the [*above deleted; exact inserted*] committee

[9th written over 8th] Section That it shall be lawful for any Commissind Officer in case of Invasion or insurrection to order out the Militia over which he may have Command provided he has sufficient reason for so doing and give immediate Notice thereof to the Executive Committee

[10th written over 9th; *That written over Re*] the Militia of this Territory be with the consent and advice of the Executive Committee subject to the commands of the Autherised Agents of the U S A untill She may send Troops to support & sustain her Agents.

23. REPORT, COMMITTEE ON DISTRICTS,
ADOPTED JULY 5, 1843

[Document 4936, in blue ink in the handwriting of George W. Le Breton, ed. Endorsed: *Districting Committee Report*]

The Districting Committee Respectfully Report

Artle. 1 Your Committee would recommend that the Colony or Territory be divided into four districts as follows

The first District to be called the Twality District. comprising all the country lying south [*& East of the Columbia River* deleted in brown ink; *of the Northern boundary Line of the United States.* north inserted in brown ink] west of the Willamette River [*and a supposed Line running due (North* written over illegible word and *upper)* mouth of said river, inserted in brown ink] North of the Yam Hill River & extending to the Pacific Ocean upon the West.—

The second District to be called the Yam Hill District embracing all the Country west of the Willamette River [*and a supposed Line running North & South from the said River* inserted in brown ink] & South of the Yam Hill River to the [*Calafornia Mountains—deleted; paralel of 42 degrees (North* written over *south)* inserted in brown ink]

The third District to be called the Clackamas District [*lying South North of a* deleted in brown ink] include all Territory not included in the other three Districts

The fourth District to be called the Champooick District and bounded upon the North by a supposed line [*running* deleted] drawn from the mouth of the Anchioke River & running due East to the Rocky Mountains. west by the Willamette River & a supposed line running due South from the Willamette River to the [*Calafornia Mountains* deleted with brown ink; *paralel of 42 degrees of (N* written over *S)* Latitude inserted with brown ink] & [*from thence* written over *South by; sout bounded (by erased) west by the Pacific Ocean.* deleted with brown ink] South by the boundary Line of the United States & Calafornia & East by the summit of the Rocky Mountains

They would also recommend the above Districts be designated by the name of the Oregon Territory.

24. REPORT, COMMITTEE ON PRIVATE LAND CLAIMS,
ADOPTED JULY 5, 1843

[Document 5043, handwriting unidentified, ed. Endorsed: *Report upon Land Claims Referred to R Comtee Reported by Revising Committee Pass By House.* Proviso not found, ed.]

Report of Committee upon Land Claims

1st Article. Be it ordained [*that any* written over *Upon persons*] person now holding or hereafter wishing to establish a claim to Land in this Territory shall designate the extent of his claim by Natural boundaries or by Mark at the Corners and upon the lines of such claim and have the extent and boundaries of said Claim recorded in the Office of the Territorial Recorder in a book to be kept by him for that purpose within Twenty days from the time of Marking said claim—

Provided that those who shall be [*already* inserted] in possession of Land shall be allowed One year from the passage of this Act to file a description of his Claim in the Recorders Office.—

2nd Article. [*All* written over *The*] Claimants shall within six months from the time of Recording their Claims make permanent improvements upon the same by Building or enclosing and also become an occupant upon said Claim within One year from the date of such Record.—

3rd— No Individual shall be allowed to hold a claim of more than one Square Mile or Six hundred and Forty Acres in a square or oblong Form according to the natural situation of the Premises Claimed nor shall any Individual be allowed to hold more than one claim at the same time

Any person complying with the provisions of these ordinances shall be entitled to the same recourse against Trespass as in other case by Law provided.—

4th No person shall be entitled [*to hold* inserted] such a claim upon City or Town sites extensive Water Privileges or other situations necessary for the transaction of Mercantile or Manufacturing Operations and to the detriment of the Community.—

25. RESOLUTION, ASSOCIATED WITH JULY 5, 1843

[Document 4912, in handwriting of Le Breton and published as part of the minutes by Grover, *Oregon Archives*, p. 24, ed.]

[*Resolved that no person be allowed to speak more than twice to any (one written over any) motion. Carried written in ink over penciled text: Resolved that No Person be allowed (next line illegible, ed.) any question.*]

26. RESOLUTION, JULY 5, 1843

[Documents 422 and 430, in handwriting of Robert Shortess. Published as part of the minutes by Grover, *Oregon Archives*, p. 24, ed.]

Resolved

That the Chairman of this meeting assisted by Rev. Messrs Lee Clark & Leslie be a committee to draft and administer an oath of office to [*the deleted*] the [*majistrates deleted*] civil officers elected on the 2nd of May 1843—& that the said officers be required to subscribe the same & administer the oath to the supreme Judge who shall hereafter [*qualify all written over illegible words*] civil & Military [*officers inserted*] to be elected by the people—

27. OATHS ADMINISTERED JULY 5, 1843

[Document 1368. Endorsed: *Official Oaths Administered by Committee; Satisfied J. E. Long; 1843* inserted in pencil.]

You do solemnly swear, or affirm, that you will faithfully, and impartially discharge the duties of the office to which you are elected according to the Laws of this Territory So help you God

Champoeg July 5th 1843
Oregon Territory

David Hill
Alanson Beers
Joseph Gale
G W LeBreton
Robt. Moore
L H Judson—
Jas A. ONeil
J L Meek
C Compo
W. H. Willson
Joel Turnham

This certifies that the persons whose names are above affixed, have been duly sworn [*us* deleted] before us

Jason Lee	} Committee
Gustavas Hines	
Harvy Clark	
David Leslie	

28. FORM OF BOND, DRAFTED JULY 6, 1843

[Document 95. Endorsed: *Form of Bond*. The oath is in two other hands, ed.]

Know all men by these presents that we [*a b prin* deleted] A. B. principal C D and E. F. Securities all of the County of T. and Territory of Oregon are held and firmly Bound unto the territory of Oregon in the penal sum of [*five* written over *one*] thousand dollars for the payment of wick well and truly to be made we bind ourselves and each of us our heirs executors and administrators firmly by these presents

Signed with our hands and sealed with our seals dated at Champoic this 6 day of July 1843

the condition of the above bond is such that if the above bound A. B. shall faithfully & truly perform all the duties [*required* written over *of him*] by law to be performed by him as Justice of the peace of the said territory of Oregon, then the above bond to be void otherwise to remain in full force [*in law* deleted] since [*the in* deleted]

You Solemnly swear [*or affirm* inserted; *before almighty God* deleted] that you will faithfully [*& impartially* inserted] discharge the duties of your office [*imposed upon you by the* deleted] according to the Laws of the Oregon Territory. So help you God

You Yours T Y g You Solemnly

You Solemnly swear and affirm that you will faithfully and impartially

29. BOND, GEORGE W. LEBRETON, JULY 5, 1843

[Document 727. Endorsed: *Bond, G W LeBreton, Recorder etc; Satisfied J. E Long*]

Know all men by these presents that we G W LeBreton Principal and A Beers & D Hill securities all of the Territory of Oregon are held and firmly bound unto the [*Clerk* written over illegible word] of the Court for the use of the Territory

of Oregon and the parties interested in the penal sum of Fifteen hundred dolls for the payment of which well and truly to be made we bind ourselves and each of us our heirs executors and administrators firmly by these presents.

The Condition of the above Bond is such that if the above bound G W LeBreton shall faithfully and truly perform all the duties required by Law to be performed by him as Secretary of the Territory and Recorder, Clerk of the Court of Probate and Supreme Court and all other duties of his Offices as required of by the laws of this Territory then the above Bond to void otherwise to remain in full force.

Wallamette Oregon Tert	}	George W LeBreton
July 5th 1843		Alanson Beers
		David Hill

Similar bonds on file:

- Document 726, July 5 1843, for \$500; Robt. Moore, Justice of the Peace, Jason Lee, security, Joel Turnham, witness.
- Document 916, July 5, 1843, Willamette, for \$500; L. H. Judson, Justice of the Peace, H. Campbell, security, Charles Roy witness.
- Document 728, July 19, 1843, Yam hill District, for \$500; Amos Cook, Constable, Francis Fletcher, security, A Beers, witness.
- Document 724, Aug 8, 1843, Yam hill District, for \$500; George W Ebbert, Constable, Robert Shortess, security, George W. LeBreton, witness.
- Document 725, Oct 14, 1843, for \$500; A T. Smith, Justice of the Peace, Twality District, W H Gray, security, A Beers, witness.
- Document 746, Oct 18, 1843, Champooick District, for \$1,500; W. H. Willson, Treasurer of Territory, no securities indicated, A Beers witness. Note on document: The law requires two or more sufficient securities.
- Document 747, Oct 6, 1843, Walamet, for \$500; Joel Turnham, Constable, A Beers, security, no witness.

30. RECEIPT FOR LAWS, JULY 19, 1843

[Document 838, endorsed: *A Beers Recept Copy of Laws for Justices*]

Miss Farm July 19th 43

Recd of G W L Breton a copy of the Law for Justices of the peace fifty four pages of Cap paper.—[*averaging 346 words to a page. deleted; at 12 cts per erased; h begins illegible deleted words*]

A Beers

Similar receipts on file which do not specify number of pages.

Document 835, Aug 11, 1843, Champooick District, W. H. Willson for Law relating to Territorial Treasurer (Document 1339)

Document 840, Aug 16, 1843, Wallamette, Yam Hill District, J L Mèek for Law of Sheriff

Document 834, Aug 28, 1843, West Tualatin Plains, Alvin T Smith for laws, to J. L. Meek.

Document 839, Aug 28, 1843, Robins Nest, Robt Moore, Justice of the peace, for Laws of Forecable Entry & Detainer, per C. M. Walker.

Document 836, Oct 26, 1843, Wallamette Falls, L. H. Judson for Laws for Justices of the peace

Document 837, Oct 30, Willamette Falls, O Russell, Judge of Supreme and Probate Courts, Laws of Oregon Territory.

31. COMMISSION, OSBORNE RUSSELL, SEPT. 13, 1843

[Document 1369. Endorsed: *Commission and Oath of Osborne Russell Judge etc.*]

Executive Department of the Oregon Territory

To Osborne Russell of the Faletine District and Territory
aforesaid Greeting

By Virtue of your appointment you are hereby commis-
sioned and authorized to discharge the duties of a Supreme
Judge and probat Judge [*and County Commissioner deleted*]
according to the Laws of Said Territory until the second
tuesday in May one thousand eight hundred and fourty four
or until your Successor shall be qualafied to file the office.

Given under our hands this thirteenth day of September
in the year of our Lord one thousand eight hundred and
fourty three

David Hill
Joseph Gale
Alanson Beers } Executive Committee

I, Osborne Russell do solemnly swear that I will faithfully
and honestly execute the duties appertaining to the offices of
Supreme Judge and Judge of Probate for the Territory of
Oregon

I will not on any occasion or pretence apply otherwise than
according to law any money's securities or effects which shall
come into my hands—

I will also support the Constitution of the United States
and the Laws of this Territory during the term of Office for

which I have been appointed and until my successor shall be qualified so help me God.—

In witness wherof I herewith affix my hand this 2nd of October A D 1843.—

Osborne Russell

32. RECEIPT FOR LAW BOOKS, SEPT. 20, 1843

[Document 98. Numerical computation on reverse.]

Received of James A ONeil three Books [*for the* written over *to wit*] use of this Territory to wit the Laws of iowa a guide to Judges & Jeffersons Manuel [*this* deleted] as per vote of the meeting at Champooick

Sept 20th 1843

Gerge W LeBreton Recdr

Amount ten Dollars & fifty cents for said Books

Red payment

Jams A ONeil

33. OATH OF OFFICE, OCT. 10, 1843

[Document 906. Endorsed: *Oath of Office of Alvin T Smith Justice of the Peace Recd Oct 12 1843 Satisfied J. E Long*]

Y You do Solomley Sware that you wil seport the Laws of this territory in the discharg of your duty as Justis of the peace and faithfulley demean yourself self in office

Alvin T Smith

Sworn and Subscribed before me this tenth day of Oct 1843

David Hill

Similar oath on file:

Document 908, Oct 10, 1843, Charles MacKay, Capt of Company, sworn before David Hill.

34. ORDER ON TREASURER, OCT 25, 1843

[Document 99. Endorsed: *Order on Treas.—of Colony of Oregon G W LeBreton*]

Champooick District Oregon Terty.

Mr W H Wilson Territorial Treasurer October 25th 1843

Sir please pay L H Judson the sum of Ninety Dollars. this money being due me for writing etc done by me upon the account of Terry Government

Approved
Joseph Gale
David Hill
Alanson Beers

} Execut Commtee

Respectfully yours etc
George W LeBreton
Secty of Terry

\$ 51

Will. Falls 9 Nov 1843 Received of W. H. Willson Treas.
on a/c of the within dft Fifty one Dollars a/c A Beers
Geo. Abernethy

Will. Falls 19 June 1844 Received of W. H. Willson Treas.
Thirty dollars on a/c

Geo. Abernethy

35. ORGANIC LAWS, FAIR COPY, REARRANGED AFTER
MAY 1844

[Document 1583.* Written on final page: *Writing for Government—1846—
Jany. 14—Copy of Launch Boat Act-act-2nd 350—...43 Jany—James Brown.*]

Original Organic Laws of Oregon.

The Legislative Committee recommend that the following
Laws be adopted:—

Article 1st

Preamble, We the people of Oregon Territory, for purposes
of mutual protection, and to secure peace and prosperity
among ourselves, agree to adopt the following Laws and regu-
lations, until such time as the United States of America, ex-
tend their Jurisdiction over us.

Be it enacted therefore by the Free Citizens of Oregon
Territory, that the said Territory for purposes of temporary
Government, be divided into not less than three nor more
[*than inserted*] five Districts, subject to be extended to a
greater number, when an increase of population shall require.

For the purpose of fixing, the principles of Civil and Re-
ligious Liberty, as the basis of all Laws and Constitutions of
Government that may hereafter be adopted; Be it enacted
that the following Articles, be considered articles of compact,
among the Free Citizens of this Territory.

*Document 12192 contains the same text without the recommendation
of the Legislative Committee. Both are in the hand of Dr. John E. Long,
Recorder, May 25, 1844 to June 26, 1846. Neither document includes the
amendments adopted July 1845.

Section 1st. No person demeaning himself in a peacable and orderly manner, shall [*ever* inserted] be molested upon account of his mode of Worship, or Religious sentiments.

Section 2nd. The inhabitants of said Territory shall always be entitled to the benefits of the writ of Habeas Corpus, and Trial by Jury; of a proportionate representation of the people in the Legislature, and of Judicial proceedings, according to the course of common Law, All persons shall be bailable, unless for Capital offences, where the proof shall be evident, or the presumption great; All fines shall be moderate, and no cruel or unusual punishments inflicted; no man shall be deprived of his liberty but by the judgment of his peers, or the Law of the Land, and should the public exigencies make it necessary for the common preservation to take any persons property or to demand his particular services, full compensation shall be made for the same; And in the just preservation of Rights and Property it is understood and declared that no Law ought ever to be made or have force in said Territory that shall in any manner whatever interfere with or affect private contracts or engagements "bona fide" and without fraud previously formed.

Section 3rd.—Religion, Morality, and Knowledge being necessary to good Government and the happiness of mankind, Schools and the means of Education shall [*for* written over *as*] ever be encouraged. The utmost good faith shall always be observed towards the Indians, their lands and property shall never be taken from them without their consent, and in their property, rights, and liberty, they shall never be invaded or disturbed unless in just and lawful wars authorized by the representatives of the people, But laws founded in Justice and Humanity shall from time to time be made for preventing Injustice being done to them and for preserving peace and friendship with them.

Section 4th.—There shall be neither Slavery nor Involuntary servitude in said Territory otherwise than for the punishment of crimes whereof the party shall have been duly convicted.—

Article 2nd.

Organic Laws.—

Section 1st.—The Legislative power shall be vested in a Committee of Nine persons to be elected by the qualified electors at the Annual election, giving to each District a representation in the ratio of its population, excluding Indians, and the said members of the Committee shall reside in the District for which they shall be chosen.

Section 2nd.—The Executive power shall be vested in a Committee of Three persons elected by the qualified voters at the annual election, who shall have power (to fill vacancies, to remit fines and forfeitures.) to grant pardons and reprieves for offences against the Laws of the Territory, to call out the Military force of the Territory, to repel invasion or suppress insurrection, to take care that the Laws are faithfully executed, and to recommend such Laws as they may consider necessary, to the representatives of the people for their action.

Two Members of the Committee shall constitute a Quorum for the transaction of business.

Section 3rd.—The Judicial power shall be vested in a Supreme Court consisting of the Supreme Judge and two Justices of the Peace, a probate Court and in Justices of the Peace. The jurisdiction of the Supreme Court shall be both appellate and original; That of the Probate Court and Justices of the Peace, as limited by Law; provided that individual Justices of the Peace shall not have jurisdiction of any matter of controversy when the Title or boundaries of Land may be in dispute or where the sum claimed exceed Fifty dollars. The Supreme Court shall hold two sessions annually, upon the third Tuesdays of April and September, the first session to be held at Champoick upon the third Tuesday of September 1843 and the second session at Twality Plains upon the third Tuesday of April 1844—

At the sessions of the Supreme Court, the Supreme Judge shall preside assisted by two Justices; provided that no Justice of the Peace shall assist in trying any case that has been brought before the Court by appeal from his judgment. The Supreme Court shall have original jurisdiction in cases of

Treason, Felony, or Breach of the Peace and in Civil cases where the sum claimed exceeds Fifty dollars.

Section 4th.—There shall be a Recorder elected by the qualified electors at the annual election, who shall keep a faithful record of the proceedings in the Legislative Committee, Supreme and Probate Courts, also record all boundaries of Land presented for that purpose and all marks and brands used for marking live stock, procure and keep the standard weights and measures required by Law, Seal weights and measures and keep a record of the same and also Records, Wills, Deeds and other instruments of writing, required by Law to be recorded.

The Recorder shall receive the following fees, viz. for recording Wills, Deeds and other instruments of writing, twelve cents for every hundred words and the same price for copies of the same, for every weight or measure sealed Twenty five cents, for granting other official Papers and the Seal Twenty five cents, for services as Clerk of the Legislature, the same daily pay as members of the Legislature, and for all other services required of him by this Act, the same fees as allowed for similar services by the Laws of Iowa.

Section 5th.—There shall be a Treasurer elected by the qualified electors of the Territory who shall before entering upon the duties of his office, give Bonds to the Executive Committee in the sum of Fifteen hundred dollars with two or more sufficient securities to be approved by the Executive Committee of the Territory, conditioned for the faithful discharge of the duties of his office.

The Treasurer shall receive [*all inserted*] monies belonging to the Territory that may be raised by contribution or otherwise and shall procure suitable Books in which he shall enter an account of his receipts and disbursements. The Treasurer shall in no case pay money out of the Treasury but according to Law, and shall annually report to the Legislative committee, a true account of his receipts and disbursements, with necessary vouchers for the same, and shall deliver to his successor in office all Books, Monies, Accounts, or other property, belonging to the Territory, so soon as his successor shall become qualified.

The Treasurer shall receive for his services the sum of Five pr cent, upon all monies received and paid out according to Law, and three pr cent, upon all money in the Treasury when he goes out of office, and two pr cent, upon the disbursement of money in the Treasury when he comes into office.

Section 6th.—Ways and Means— The Legislative Committee report that [*a* deleted] Subscription Papers as follows be put in circulation to collect funds for defraying the expenses of this Government.

We the Subscribers hereby pledge ourselves to pay annually to the Treasurer of Oregon Territory, the sums affixed to our respective names for the purpose of defraying the expenses of Government. Provided that in all cases each individual subscriber may at any time withdraw his name from said subscription upon paying up all arrearages and notifying the Treasurer of the Colony of such desire to withdraw.

Section 7th.—Be it enacted by the authority aforesaid that the officers elected upon the 2nd. of May inst. shall continue in office until the 2nd. Tuesday of May 1844 and until others are elected and qualified.

Section 8th.—Be it further enacted that an election of Civil and Military officers shall be held annually upon the 2nd. Tuesday in May in the several districts at such places as shall be designated by Law.

Section 9th.—Each officer heretofore elected or that shall hereafter be elected, shall before entering upon the duties of his office, take an Oath or Affirmation to support the Laws of the Territory and faithfully to discharge the duties of his office.

Section 10th.—Every free male descendant of a white man, inhabitant of this Territory of the age of twenty one years and upwards, who shall have been an inhabitant of this Territory at the time of its organization shall be entitled to vote at the election of Officers, Civil and Military and be eligible to any office in the Territory; provided that all persons of the description entitled to vote by the provisions of this section, who shall emigrate to this Territory after organization shall

be entitled to the rights of Citizens after having resided six months in the Territory.

Section 11th.—The Laws of Iowa Territory shall be the Law of this Territory in Civil, Military and Criminal cases, (where not otherwise provided for) and where no Statute of Iowa Territory applies, the principles of common Law and Equity shall govern—

Section 12th.—The Law of Iowa Territory regulating weights and measures shall be the Law of this Territory: Provided that the Supreme Court shall perform the duties required of the County Commissioners and the Recorder shall perform the duties of the Clerk of the County Commissioners as prescribed in said Laws of Iowa: and Provided that Sixty lbs. avoirdupois shall be the standard weight of a bushel of wheat, whether the same be more or less than two thousand, one hundred, and fifty and two-fifths cubic inches.

Section 13th.—The Laws of Iowa respecting Wills and Administrators shall be the Law of this Territory in all cases not otherwise provided for.

Section 14th.—The Law of Iowa respecting vagrants is hereby adopted as far as adapted to the circumstances of the Citizens of Oregon.

Section 15th.—All offices subsequently made shall be filled by election and ballot in the several Districts in the most central and convenient place in each District upon the day appointed by Law and under such regulations as the Laws of Ioway provide

Section 16th.—All male persons of the age of sixteen years and upwards and all Females of the age of fourteen years and upwards shall have the right of engaging in Marriage provided that where either of the parties shall be under twenty one years of age, the consent of the Parents or Guardians of such Minors shall be necessary to the validity of such matrimonial engagement.

Every ordained minister of the Gospel of any Religious denomination, the Supreme Judge and all Justices of the Peace are hereby authorized to solemnize Marriages according to Law, to have the same recorded and pay the Recorders fee.—

All Marriages shall be recorded by the Territorial Recorder within one month from the time of such marriage taking place, and being made known to him officially— The Legal fee for Marriage shall be One Dollar and for recording ditto fifty cents.

Section 17th.—Land Claims— Any person now holding or hereafter wishing to establish a claim to Land in this Territory, shall designate the extent of his claim by natural boundaries or by marks at the corners and upon the lines of such claim, and have the extent and boundaries of said claim recorded in the Office of the Territorial Recorder in a Book to be kept by him for that purpose within Twenty days from the time of marking said claim— Provided that those who shall be already in possession of Land shall be allowed One year from the passage of this Act to file a description of his claim in the Recorders office.

All claimants shall within six months from the time of Recording their claims make permanent improvements upon the same by building or enclosing, and also become an occupant upon said claim within one year from the date of such Record.

No individual shall be allowed to hold a Claim of more than one square mile or six hundred and forty acres, in a square or oblong form according to the natural situation of the Premises. Nor shall any individual be allowed to hold more than one claim at the same time. Any person complying with the provisions of these ordinances, shall be entitled to the same recourse against trespass as in other cases by Law provided.

No person shall be entitled to hold such a claim upon City or Town sites, extensive water privileges or other situations necessary for the transaction of Mercantile or Manufacturing operations and to the detriment of the community—provided that nothing in these laws shall be so construed, as to affect any claim of any Mission of a Religious character made previous to this time of an extent not more than six miles square.—

Section 18th.—Districts—The Legislative Committee

recommend that the Territory be divided into Four Districts, as follows—

1st. District to be called the Twality District comprising all the country south of the Northern Boundary Line of the United States, West of the Willamette or Multnomah River, North of the Yam Hill River, and East of the Pacific Ocean.

2nd. District to be called the Yam Hill District, embracing all country west of the Willamette or Multnomah River and a supposed line running North and South from said River, South of the Yam Hill River to the parallel of forty-two degrees North Latitude or the boundary line of the United States and California and East of the Pacific Ocean.

3rd District, to be called the Clackamas District comprehending all Territory not included in the other three Districts.

4th. District to be called the Champoick District and bounded upon the North by a supposed line, drawn from the mouth of the Anchiyoke River running due East to the Rocky Mountains, West by the Willamette or Multnomah River, and a supposed line, running due South from said River to the parallel of Forty-two degrees North Latitude, South by the boundary line of the United States and California, and East by the Summit of the Rocky Mountains.

The Legislative Committee also recommend the above Districts to be designated by the name of Oregon Territory.—