

UNIVERSITY OF WASHINGTON PUBLICATIONS
IN
THE SOCIAL SCIENCES

Volume 12, pp. 1-298

August, 1940

MESSAGES OF THE GOVERNORS OF THE
TERRITORY OF WASHINGTON TO THE
LEGISLATIVE ASSEMBLY, 1854-1889

Edited by
CHARLES M. GATES



UNIVERSITY OF WASHINGTON PRESS
SEATTLE, WASHINGTON
1940



Inauguration of Elisha P. Ferry as First Governor of the State of Washington,
Olympia, November 18, 1889

FOREWORD

American history in the seventeenth, eighteenth, and nineteenth centuries is in large part the story of the successive occupation of new areas by people of European antecedents, the planting therein of the Western type of civilization, and the interaction of the various strains of that civilization upon each other and with the environment. The story differs from area to area because of differences not only in the cultural heritage of the settlers and in the physical environment but also in the scientific and technological knowledge available during the period of occupation. The history of the settlement and development of each of these areas is an essential component of the history of the American Nation and a contribution toward an understanding of that Nation as it is today.

The publication of the documents contained in this volume serves at least two purposes: it facilitates their use by scholars, who will weave the data contained in them into their fabrics of exposition and interpretation, and it makes available to the general reader a fascinating panorama of the early stages in the development of an American community. For those with special interest in the State of Washington, whether historians or laymen, the value of this work is obvious; but no one concerned with the social, economic, or diplomatic history of the United States in the second half of the nineteenth century can afford to ignore it. Topics of more than local interest for which pertinent material can be found in these documents include: the promotion of immigration; transportation, including roads and trails as well as the Pacific railroads; Indian affairs; relations with England and Russia; postal service; crime and punishment; the treatment of the insane; repercussions of economic depressions; reaction to the Civil War; education, including the beginnings of higher education; public finance; commerce, external and internal; industrial development, including agriculture, manufacturing, mining, and fishing; the public land system; international expositions; and many others.

It is to be hoped that this volume will inaugurate a comprehensive series of documentary material for the history of Washington that will ultimately be comparable to the published collections of many of the older states.

SOLON J. BUCK

National Historical Publications Commission
Washington, D. C.

CONTENTS

	Page
Foreword	v
Introduction	xi
Isaac I. Stevens, biographical sketch.....	1
Message, February 28, 1854.....	3
Message, December 5, 1854.....	9
Charles H. Mason, acting governor, biographical sketch.....	15
Message, December 7, 1855, by acting governor Mason.....	16
Message, January 21, 1856.....	23
Message, December 3, 1856.....	28
Fayette McMullin, biographical sketch.....	49
Message, December 12, 1857.....	50
Message, December 8, 1858, by acting governor Mason.....	55
Richard D. Gholson, biographical sketch.....	65
Message, December 7, 1859.....	66
Henry M. McGill, acting governor, biographical sketch.....	75
Message, December 6, 1860, by acting governor McGill.....	76
L. Jay S. Turney, acting governor, biographical sketch.....	91
Message, December 19, 1861, by acting governor Turney.....	92
William Pickering, biographical sketch.....	101
Message, December 17, 1862.....	102
Message, December 23, 1863.....	110
Message, December 12, 1864.....	115
Message, January 1, 1866.....	118
Message, December 11, 1866.....	124
Marshall Moore, biographical sketch.....	131
Message, December 9, 1867.....	132
Alvan Flanders, biographical sketch.....	145
Message, October 7, 1869.....	146
Edward S. Salomon, biographical sketch.....	157
Message, October 2, 1871.....	158
Elisha P. Ferry, biographical sketch.....	173
Message, October 9, 1873.....	174
Message, October 5, 1875.....	182
Message, October 3, 1877.....	193
Message, October 6, 1879.....	205
William Newell, biographical sketch.....	217
Message, October 5, 1881.....	218
Message, October 3, 1883.....	230
Watson Squire, biographical sketch.....	247
Message, December 9, 1885.....	248
Eugene Semple, biographical sketch.....	265
Message, October 9, 1887.....	266
Miles C. Moore, biographical sketch.....	277
Farewell Address, November 18, 1889.....	278
Governor Ferry's Inaugural Address, November 18, 1889.....	280
Index	285

	Facing Page
Frontispiece	
Isaac I. Stevens	1
Charles H. Mason	15
Fayette McMullin	49
William Pickering	101
Marshall Moore	131
Alvan Flanders	145
Edward S. Salomon	157
Elisha P. Ferry	173
William Newell	217
Watson Squire	247
Eugene Semple	265
Miles C. Moore	277

	Between Pages
Map of the Indian nations and tribes of the Territory of Washington..	22- 23
Map of Oregon, Washington and British Columbia.....	110-111
Map of Washington Territory.....	230-231

MESSAGES OF THE GOVERNORS OF THE
TERRITORY OF WASHINGTON TO THE
LEGISLATIVE ASSEMBLY, 1854-1889

Edited by
CHARLES M. GATES

INTRODUCTION TO THE GOVERNORS' MESSAGES

Little more than a half century ago, on November 18, 1889, the members of the legislature of the State of Washington gathered at the open green in front of the capitol building in Olympia for the inauguration of Elisha P. Ferry as first governor of the state. The occasion was an historic one, and a large crowd of the citizenry of the city and visitors was there to witness the ceremony. On February 22, 1889, at long last, the Congress of the United States had passed the enabling act which authorized the framing of a constitution and the establishment of a state government. On November 11, after having been notified of the ratification of the new state constitution and the election of state officials, President Harrison had proclaimed the admission of Washington to statehood. Now, as the wheels of government were formally set in motion, it might rightly be said that the dream of the pioneers was being realized.

Governor Ferry expressed the spirit of the day in his inaugural message. It was on the one hand a day of beginnings. So plain, he said, was the significance of it that in future years his listeners, young and old alike, would tell proudly of having been present. At the same time it was a day of achievement. To the many thousands of newcomers who had made their homes in Washington Territory during the preceding half decade this fact might not be clear.

But to those whose hair has grown white beneath this sky; to those who in early days crossed a continent by long and weary marches; to those who planted the standard of civilization and Christianity within its borders; to those, the ever-to-be-remembered pioneers, it is an event of transcendent interest; to those it is the consummation of hopes long deferred yet ever renewed. It is the accomplishment of a result for which they had waited with anxious solicitude, and which they now welcome with joy and satisfaction.¹

In a peculiar sense the pioneers were identified with the territorial period of Washington history and represented the frontier culture that was associated with it. That culture was now outgrown. A new stage of social and economic development had been reached, and, as society moved forward, the pioneers gradually withdrew from positions of authority. The promised land was in sight, but younger men must guide the people to it. Statehood presented new problems, demanded new leaders.

¹ See below, p. 280.

It is perhaps too much to say that the winning of statehood marked the transformation of a crude frontier society into a mature economy comparable to that of the East or the Middle West. Manufacturing was but slightly industrialized. At no time had direct imports to Puget Sound amounted to much more than \$600,000 annually. In the year 1889 exports to the value of \$3,803,533 consisted chiefly of agricultural goods, lumber, and a little coal. Moreover, society was but slightly urbanized; only three counties (King, Pierce, and Spokane) could claim in 1889 a population greater than 25,000 persons. The population of the entire territory was but little more than that of the city of Seattle twenty years later.²

Nevertheless, while society had not been transformed, important progress had been made. A settled agrarian culture had been extended over a large part of the arable portion of the territory. Although cities were small and few in number, the social institutions found there followed in general the urban pattern that was developing over the country as a whole. Economically and politically, the day of the isolated frontier was gone; by 1889 the Pacific Northwest was an integral part of the nation.

Those who calculated maturity in terms of population announced that Washington had advanced rapidly during the territorial years. Gone and almost forgotten were the days when a few thousand inhabitants lived in scattered settlements on Whidbey Island, on the Olympic Peninsula and the southern and eastern shores of Puget Sound, and in the Cowlitz Valley. Men who had lived through the slow growth of the fifties and sixties found each succeeding decade more encouraging than the preceding one. In the decade 1870-1880 the population increased from 23,995 to 66,979. It nearly doubled during the next five years. By 1889 the figure reached 239,544, of which 95,875 represented the immigration during the years 1887-1889.

Despite the fact that the density of population for the territory as a whole was less than four persons per square mile, Washington

² *Report of the Governor of Washington Territory to the Secretary of the Interior, 1889* (Washington, D. C., Government Printing Office, 1889), 12-13; 21-22. These statistics only suggest the provincial status of the territory, since they represent commerce with foreign countries and do not include goods sent to or received from other parts of the United States. The dependence upon ocean borne trade declined with the completion of the transcontinental railroads. Imports amounted to \$601,585 in 1885; three years later the figure stood at \$395,631. An abstract of county census returns, 1889, and a table showing the growth of population in the territory as a whole for the years 1853 to 1889 appear in this same report pp. 5-7.

was scarcely to be considered empty. Oregon had achieved statehood with a population of less than 53,000. If that was exceptional, it remained true that few territories attracted many settlers before their admission to the Union. Of the twelve territories which achieved statehood during the latter half of the nineteenth century only Dakota Territory could boast a population in excess of 250,000.³

The territorial period had seen an extensive survey and settlement of the public lands. Development had been discouraged for a time by the hostility of the Indians, whose resentment against the white men had been increased by unfortunate delays in the confirmation of several treaties of cession. The resulting open warfare drove surveying parties to shelter and impeded progress generally. After the Civil War, however, the occupation of the soil had progressed more rapidly. One-half million acres of land had been alienated during the two years 1869-1871. In 1885 nearly three and one-half million acres were assessed for tax purposes. By 1889 the figure had increased to 8,110,706 acres.⁴

Evidences of improvement and exploitation had not been wanting. Land values had risen rapidly and considerable wealth had been accumulated. In 1878 the aggregate value of real and personal property in the territory was \$18,930,964.96, of which approximately one-half represented the assessed value of the land itself. By 1887 this total had risen to \$61,562,739. Two years later it was more than one hundred and twenty-four millions.⁵

Agricultural development accounted for a part of the increase. The river valleys of the Puget Sound country had been found to be very fertile, and extensive acreages east of the Cascade Range had been put under cultivation. In the latter region progress had been particularly striking. By 1889, 85 per cent of the 953,791 acres of improved agricultural land assessed lay east of the Cascades. Eight

³ *Abstract of the Fourteenth Census of the United States, 1920* (Washington, D. C., Government Printing Office, 1923), 18-19.

⁴ *Report of the Governor, 1889*, 25. See also below, p. 000 and map p. 000. The text of the Donation Law of September 27, 1850, and acts amending it are printed in the *Statutes of the Territory of Washington: Being the Code Passed by the Legislative Assembly at the First Session Begun and Held at Olympia, February 28th, 1854* (Olympia, 1855), 43-55. The Homestead Act, the Preemption Act, and other laws governing land sales in Washington Territory, are discussed in Benjamin H. Hibbard, *History of the Public Land Policies* (New York, 1924), *passim*. A map of Washington Territory showing meridian and standard parallel lines is reproduced below, p. 000.

⁵ *Report of the Governor of Washington Territory to the Secretary of the Interior, 1878* (Washington, D. C., Government Printing Office, 1879), 7; *Report of the Governor, 1889*, 9.

of the fifteen eastern counties to be found on the map in that year had been organized within the previous decade.⁶

As has been suggested, this rural advance had been matched by the growth of an increasingly close-knit community life, especially in the towns situated near the Sound. Refinement and crudeness were strangely intermingled, as was so often the case on the American frontier. Some of the appurtenances of civilization had appeared almost immediately. Mills and stores had been early forms of enterprise. The second building to be constructed at Port Townsend was a hotel.⁷ Olympia was supporting a newspaper (the *Columbian*) by the fall of 1852, little more than a year after the site was laid out.

As early as 1872 Puget Sound had published its own *Business Directory* which set forth for the perusal of "tourists" and immigrants the virtues and advantages of the more interesting and important towns.⁸ According to this compendium Walla Walla, a place of four thousand inhabitants, presumed to be the equal of any city of the East of equal population. Kalama, a town of three hundred persons which served as the headquarters of the Pacific Division of the Northern Pacific railroad, boasted churches, schools, restaurants, hotels, and a newspaper. Vancouver, proud of its schools and cultural institutions, posed as "the Athens of Western Washington." Steilacoom looked forward to a bright future as a fashionable summer resort for tourists, and hoped that one day it might become another Newport. Seattle was pointed out as a model pioneer city which claimed to do the largest amount of non-manufacturing business (proportionate to its population of 1,800) of any place on the coast. Choice lots were held for prices ranging from \$400 to \$2,000. Ship arrivals averaged forty per week and the city's annual commerce exceeded one million dollars. In spite of geographical remoteness, residents did not feel themselves cut off from the rest of the world. The city's second bank, recently established, and capitalized at \$500,000, maintained connections with New York and San Francisco. Shops sold garden seed from New York and Victoria.

⁶ *Report of the Governor, 1889*, 25. The eight eastern counties were the following: Adams, Asotin, Douglas, Franklin, Garfield, Kittitas, Lincoln, Okanogan.

⁷ Clinton A. Snowden, *History of Washington; the Rise and Progress of an American State* (New York, 1909) III, 101.

⁸ Murphy and Harned, compilers and publishers, *Puget Sound Business Directory and Guide to Washington Territory, 1872* (Olympia, 1872). The editor has drawn upon this volume for the material in the following paragraph.

Hotels advertised their tables as furnished from Californian markets. Milliners exhibited the latest fashions; newspapers printed the latest telegraphic news. Social institutions likewise made possible some contact with the cultured centers of the East and of California. Masonic, Temperance, and Odd Fellows lodges were active. Schools and churches were kept in touch with other regions. Meanwhile, in all the more prominent towns, many trades, professions, and small enterprises were established. Ship yards, sash and door plants, and boot and shoe manufactories were founded. Gunsmiths, tanners, brewers, and wagon makers pursued their respective trades. Doctors, lawyers, music teachers, and other professionals did much to bring technical knowledge and cultural appreciations to Puget Sound. Commercialized diversions appeared with the advertising of steamboat excursions by moonlight and the establishment of skating rinks, pool halls, and bath houses.

By 1890 Seattle, with a population of nearly 43,000, had developed an urbanized community life that was comparable to that of the Middle West and the East. In the older cities the advances made during the seventies and eighties were very striking, yet many well known communities were but slightly larger. During the latter decade, for example, Bridgeport, Connecticut, grew from 27,643 to 48,866 in population, while Des Moines, Iowa, advanced from 22,408 to 50,093. The group of cities having from fifty to eighty thousand inhabitants included in 1890 such places as New Haven and Hartford in Connecticut; Camden, Paterson, and Trenton in New Jersey; Reading, Pennsylvania; Dayton and Toledo in Ohio; Salt Lake City, Utah; and Memphis, Richmond and Atlanta in the South. Seattle was, admittedly, a step behind in its development. Kansas City, Missouri, and the Twin Cities, St. Paul and Minneapolis, which were cities of fifty thousand persons in 1880, increased their population during the decade to one hundred and fifty thousand. Seattle was not to do so until after 1900. Omaha advanced from 30,518 to 140,452. Nevertheless, life in the cities of Washington Territory was essentially similar. Municipal services, such as water supply and fire and police protection, were considerably improved during the territorial years. Beginnings were made in caring for sewage and in providing sanitary safeguards. Foundations were laid for a system of city parks and for a public library. The urban citizenry was sensitive to na-

tional trends in city government and secured the inclusion of a provision in the constitution of 1889 authorizing home rule charters for cities of 20,000 population.⁹ So in economic development and in the growth of social and political institutions, the territorial cities may be said to have gone far toward maturity. While the urban centers were few in number, they developed the same organic relations to their respective hinterlands that the midwestern cities bore to their tributary rural areas. The life of the countryside and of the city was being transformed throughout the United States, and Washington Territory was no exception.

Fifty years have passed and the celebration of the Golden Jubilee has offered an appropriate occasion for the reprinting of the documents here presented. The messages of the governors to the legislative assembly comprise a basic collection of historical source materials for the territorial period. Like all official statements, they leave much unsaid. The picture they describe is not uniformly realistic; on the contrary, it is highly idealized in many places. The reader sees Washington Territory for the most part as the governors wished it to appear. Moreover, the analyses of conditions and problems which the chief executives offered are by no means equally penetrating. Some of them were penned by men who had lived in the territory and who identified themselves with it. Others, however, were composed by novitiates in office, individuals who had only recently arrived from the East and who were soon to return there. It is a fact of no small importance that only eight of the men appointed to the office of territorial governor served actively in that capacity as long as two years. The story of political controversy, of social discontent, and of economic exploitation must be sought elsewhere in communications more confidential in nature and less apologetic.

In spite of these shortcomings, the messages are of interest and value. There is, after all, no need to excuse their official character, for public documents comprise one of the historian's most important resources for the study of the past. His investigations require a familiarity with the statements of responsible officials, even though his final interpretation may revise their story at many points. Further-

⁹ *Abstract of the Fourteenth Census, 1920*, 50-51. Donald Roberts, "A Study of the Growth and Expansion of the Seattle Municipal Government." This essay is a manuscript submitted to the Department of History of the University of Washington.

more, the documents which follow are at once comprehensive in scope and rich in factual detail. Each message, taken by itself, presents a review of recent events and developments together with proposals for legislative action on matters of continuing concern. When studied as a continuous series they afford the reader a single panoramic view of the territorial period, in which specific data contribute to clarify the evolution of a changing society.

The movement of settlers to the territory and the progressive occupation of the land is set forth in a host of facts and figures. Sometimes they are in the form of straightforward narrative as, for example, the accounts of the Indian wars during the fifties. Repeated references to the importance of encouraging emigrants to choose the Pacific Northwest for their home likewise speak plainly enough, especially the numerous appeals for improved roads and better mail service. Statistical data concerning population, surveys, and land sales require compilation and interpretation, but they too give form to the picture of territorial development.

The growth of political institutions is indicated. Points of constitutional procedure are suggested in references to the problem of legislative divorce, the governor's veto, and the movement for statehood. The relations of territorial officers with the national government are disclosed in proposals of memorials to Congress. The simplicity of administrative machinery is manifest, yet budget data and allusions to the reports of subordinate officials give evidence of a moderate extension of the sphere of territorial authority. The conspicuous (though not large) appropriations for the care of the insane and the confinement of criminals are plainly visible. The recognition of the responsibility of the territory for the education of children is clear. The increasingly active concern of the government in the public welfare may be seen in the establishment of such regulative bodies as the Board of Health, the Equalization Board, the Inspector of Coal Mines, and the Board of Pilot Commissioners. The study of measures designed to protect cattle from infection and to safeguard the salmon fisheries furnishes further evidence of this trend.

The documents illustrate the tendency of the governors to view the territory in its national and even its international setting. There are vigorous expostulations on the subject of the Civil War and a

mourning of the death of President Lincoln. Sympathy is expressed for the Minnesota people at the time of the Sioux outbreak in 1862. The vicissitudes of national depression and the signs of recovery are followed with interest; plans for the participation of the territory in the centennial exposition at Philadelphia are recorded with satisfaction.

The interest of the Far West in foreign affairs is evident in a number of documents. The concern felt by the governors over the boundary dispute with Great Britain and the disposition of the Hudson's Bay Company property is repeatedly expressed. The anticipation of the people of the territory regarding commercial prosperity is pointed out in connection with the acquisition of Alaska and the conclusion of a trade pact with the government of the Hawaiian Islands. The Crimean War and the failure of the French protectorate in Mexico are likewise the subject of comment. In these and other allusions the world-wide reach of territorial interests is emphasized.

The declarations of the governors breathe unmistakably the spirit of the times in which they were written. They suggest on the one hand the discouraging struggle against the indifference of Congress and federal officials to territorial interests. Almost every communication contains either a proposal that the national government be memorialized to supply some badly needed service or an exhortation to be more zealous in self-development. On the other hand, a number of them illustrate the efforts of the governors to make a sounding board of their local platform, addressing themselves to prospective emigrants as well as to their immediate audiences. Such documents were reprinted and were widely distributed by the territorial government as promotion literature. Their characteristic tone is not one of discouragement but of easy confidence. The exuberant mood of expansionism is uppermost, with its extravagant claims to rich resources and its bold expectations of future development, all too frequently clothed in florid eloquence. Both attitudes are typical of the emigrant state-builders who reared a new civilization in an untamed wilderness.

Thus the messages of the governors describe for us the problems, the hardships, and the dreams of the territorial settlers. Their timely interest to a modern generation of readers does not depend upon the celebration of a Golden Jubilee, nor is it to be explained as an antiquarian curiosity about a strange kind of life that is gone,

never to be recovered. It is true that some of the goals to which the pioneers aspired have now been reached. In so far as this is true, their point of view is necessarily different from our own. Yet the roots of present problems may be seen in these records of the territorial period, and we therefore have a sympathetic interest in them. What is more important, we still have something of the pioneering outlook on life. We look forward to the future now with anticipation, as men did a half century ago. The Pacific Northwest is today (as it was then) a place where dreams are cherished and where the hope of great achievement lures us on. Rich resources are yet waiting to be exploited. There are industries to be established and cities to be improved. The pioneer still speaks to us. His language is strange to us at times, but we understand him and share his spirit of expectancy. So we read the story of the past with interest because the experiences recorded are closely akin to our own.

In presenting these documents for publication, the editor wishes to acknowledge his obligations to a number of persons. Mrs. Alta Grim of the Washington State Library showed a genuine interest in the proposal to commemorate the jubilee by publishing official records. In fact, the writer conceived and mapped out the general plan of the volume in a rare book vault at the Library building in Olympia. Professor Herman Deutsch of Washington State College and Professor Percy Christian of Walla Walla College added their encouragement to the project. Mr. Charles W. Smith, Librarian of the University of Washington, endorsed the proposal, and showed the editor every courtesy in placing the resources of the library at his disposal. Mr. Ronald Todd, custodian of the Northwest Collection of the Library of the University of Washington, gave invaluable assistance in the assembling of documentary material and in the review of biographical sketches. Professor O. B. Sperlin was kind enough to read this introduction and Mr. Charles Hubbell spent an evening with the editor going over a number of pertinent maps. Mrs. Mary Swanson offered for inclusion a portrait study of her father, Governor Eugene Semple. Dr. Edmond S. Meany, Jr., wrote a cordial letter granting the free use of the materials which his father had collected during his years of service at the University of Washington. Finally, it is hardly too much to say that the volume would not now be making its appearance were it not for the assistance provided by the National Youth Administration in the typing and collating of the manuscript.

For all these evidences of interest and support, and for many others not here enumerated, the editor wishes to express his gratitude.

A few words of explanation should be added concerning the form in which the documents appear. A search for the original manuscript copies of the messages proved fruitless, and the editor turned to the official published version. Except as otherwise noted, the text is reproduced from the Journal of the House of Representatives of the Territorial Assembly. Unless other acknowledgement is made the maps and portrait studies are reproduced from copies in the Pacific Northwest Collection of the University of Washington Library.

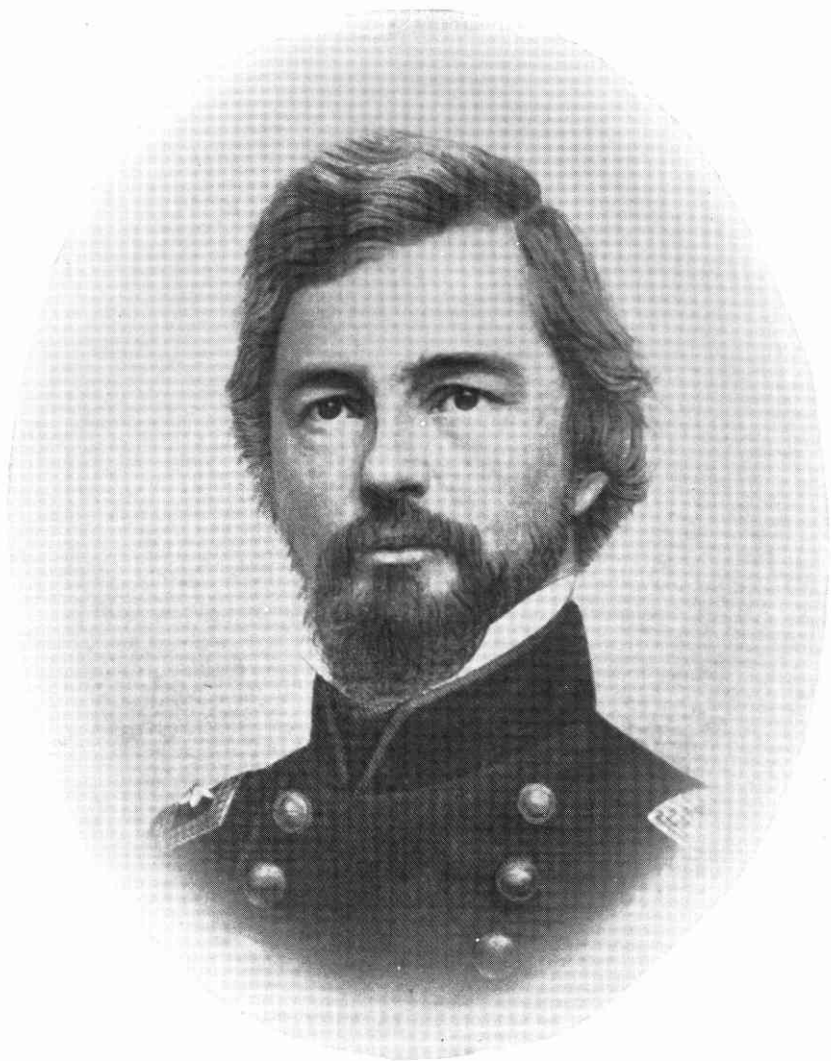
Every effort has been made to reproduce the documents with exactitude. The opening form of address has been standardized, and periods have been supplied in the presentation of certain statistical data. Dashes appearing at the end of lines for the purpose of spacing have been dropped, and minor changes have been made in indentation. Beyond this no effort has been made to bring uniformity into the varied practices of the several printers originally charged with publishing the messages. Capitalization and spelling have been scrupulously respected, save only in a few instances where an obvious misprint obscured the meaning of a sentence. Where further corrections were considered necessary they have been indicated in brackets.

As for the inclusion of explanatory material, the editor has endeavored to supply in this introduction, in maps, and in footnotes sufficient information to render the text intelligible to the scholar and to the lay reader. He has not offered supplementary detail upon the numerous topics dealt with in the documents, nor has he attempted to provide specific cross references to other documentary or monographic literature. The messages are presented as the raw materials of history, which students are encouraged to interpret for themselves.

Despite the efforts of a generation of writers, much remains to be done in Washington state history. "Spade work" must be carried forward with industry and imagination before the narrative of economic, social, and political developments can be written in detail. Facts and data must be ferreted out. Points of interpretation must be formulated and tested. The product of future research in this field will be rich indeed. It is hoped that this memorial volume will contribute in some small measure to it.

CHARLES MARVIN GATES

University of Washington
May, 1940



Governor Isaac I. Stevens
1853-1857

ISAAC I. STEVENS

Isaac I. Stevens, first governor of the Territory of Washington, was born March 25, 1818, at Andover, Massachusetts. Having chosen a military career he graduated from the United States Military Academy in 1839, was assigned to the engineering corps, and spent several years building fortifications on the New England Coast. He served during the Mexican War as adjutant of the corps of engineers under General Winfield Scott. With the conclusion of peace he returned to problems of coast defense, and for several years (1849-1853) acted as executive assistant to the chief of the United States Coast Survey.

While Stevens' military experience did much to qualify him for executive responsibilities in the remote territory on Puget Sound, political interests which led him to participate in Franklin Pierce's presidential campaign also contributed to make him eligible for the new post to which Pierce appointed him. He resigned from the army to accept the appointment March 16, 1853.

Stevens' interests during his period of service as governor were closely identified with the development of Washington Territory. His state papers here reprinted give evidence of his appreciation of the needs of the territory and his leadership in establishing the institutions of civil government.

Well aware of the need for improved means of travel and communication, he made every effort to secure funds for the building of roads, urged improved mail service, and accepted the leadership of a party charged with determining by survey the practicability of a northern route for a transcontinental railroad. The reports prepared under his direction were amazingly accurate and rich in descriptive details. Recognizing that the economic development of the territory would be promoted by a systematic survey of lands open to settlement and the progressive extinguishment of the Indian title, he urged the appointment of a surveyor-general for Washington Territory and himself became superintendent of Indian affairs. He negotiated ten treaties providing for the quieting of the Indian title to some hundred thousand square miles of land. In Washington Territory as elsewhere confining the Indians to reservations was not a task to be achieved by

peaceful negotiation. Hostilities broke out in 1855 and 1856, and Stevens gave his attention to commanding the territorial volunteers. His messages to the assembly reveal some of the difficulties with which he was faced during those campaigns.

Stevens served as governor of Washington Territory until August 11, 1857, when he resigned, having been elected to the office of territorial delegate to the United States Congress. He served in this capacity for two terms. When the Civil War broke out he returned to the army, and was killed in action at Chantilly during the retreat of Pope's army at Bull Run, September 1, 1862.*

* *Dictionary of American Biography*; Edmond S. Meany, *Governors of Washington—Territorial and State* (Seattle, University of Washington, 1915), 5-7; Hazard Stevens, *Life of Isaac Ingalls Stevens*, 2 vols. (Boston, 1900).

Governor Isaac I. Stevens to the First Annual Session of the
Legislative Assembly, February 28, 1854.

*Fellow Citizens of the Legislative Assembly of the
Territory of Washington:*

In obedience to your call, I take pleasure in communicating information in relation to the condition and resources of this Territory, and in making suggestions in relation to its amelioration and development. Inexperienced in civil duties, and just entered on the threshold of a new field of activity and exertion, this duty is discharged with undissembled diffidence but with trust in the generous confidence of the citizens of this Territory, and in the determination of my will to serve them with fidelity, with energy, with all the powers for which I am accountable to the great Director of Events. I congratulate you, fellow-citizens, for the auspices under which our beautiful domain has been organized into a government of its own—the youngest of the American confederacy. The outpost of the great Northwest, looking on the Pacific and on the Hudson's Bay, having the elements of a great and varied development, commerce, manufactures, agriculture and the arts, it has received the name of the Father of his Country, and has had the impulse of its life at a great era of American progress and civilization.—Its name, its geography, its magnificent waters are known throughout the land. The emigrant looks forward to it as his home; princely merchants as the highway of the trade of nations; statesman and patriots as a grand element of national strength and national security. Our whole people have risen in their strength and are now reducing to subjection the vast wilderness between the two Oceans, and binding our people together with iron roads. The Eagle of our country's majesty has winged his course to the distant East, and Japan, China, Australia and Hindostan will be brought into fraternal and mutually beneficial communion with us. In this great era of the World's history, an era which hereafter will be the theme of epics and the torch of eloquence, we can play no secondary part if we would. We must of necessity play a great part if we act at all.

With this conviction of the significance of the agencies at work to develop the glorious future of our Territory, I accepted the trust of organizing it from the hands of men in whose judgment, patriotism and commanding ability, I placed the utmost reliance. This trust has thus far been discharged with the most sincere purpose and desire on my part to do justice towards all portions of the Territory, and to guard against those sectional jealousies which often have been the bane of commonwealths. The courts have been established, the elections have been held and you are about to enter upon the highest duties which can be discharged by man in his political capacity, as the representatives of a people torn by no civil strifes, agitated by no provocations of injustice, but united in interests, in sympathies, in the noble purpose of union for the sake of the common good.

The duty which has been assigned to me of exploring this Territory and the country eastward to the Mississippi to determine the question of the practicability of a rail road route has placed me in possession of its general character and con-

dition. With the aid of the able and experienced scientific corps associated with me, information has been obtained of the great part of its geography, of the nomadic tribes within its borders, of the land adapted to settlement, of the roads that should be opened to facilitate emigration, of its minerals, its forests, its fisheries and its capabilities of manufacturing. With this information, I can with confidence urge upon you, the representatives of the people of this Territory, the memorializing Congress for the vigorous application of its general policy to this Territory, and for those incidental aids which are always accorded to new Territories by the general government as the principal proprietor of the soil.

We have difficulties of communication growing out of the mountain ranges which extend from north to south through the Territory, of the extraordinary forests which abound, and the numberless streams which water the country, and we are almost, in the winter season, without communication with the States in consequence of the extreme inefficiency and defectiveness of the mail arrangements.

The Indian title has not been extinguished, nor even a law passed to provide for its extinguishment east of the Cascade mountains. Under the land law of Congress it is impossible to secure titles to land, and thus the growth of towns and villages is obstructed, as well as the development of the resources of the Territory. The surveys of the public lands are languidly conducted, and only by the most vigorous course, the adoption of proper methods, and an efficient and distinct organization can the wants of the people of the Territory be supplied. Yet our settlements cover all portions of the Territory, the emigrant under the land law is not restricted in the location of his claim, and the necessity of the promptest action on the topics referred to is obvious to all.

Roads connecting the Columbia river and the Sound, extending from the Falls of the Missouri at the head of navigation, to connect with the road from Walla Walla to Steilacoom—which has already been commenced and should be completed— would afford easy access to emigrants whether they reach the territory by the South pass or the Northern route. From the Falls of the Missouri to the crossing of the Columbia river, the route would pass through a well grassed and well watered country, with sparse wood for only some six or seven days, and with scanty grass some two or three days. In giving it the most direct course to connect west of the Columbia river with the road from Walla Walla to the Sound, a branch should be extended to Walla Walla and be continued down the Columbia to Columbia City. The road over the Cascades should branch to some of the most important points on the Sound. The importance of a suitable road from the Columbia river to the Sound, the great thoroughfare of the Territory and the line of connection with Oregon, must be obvious. This route continued along the eastern shore of the Sound to Bellingham Bay, of which the road over the Cascades will furnish a link, would in connection with the labors of our citizens in their Territorial and county capacities provide adequately for the emigration of the coming year.

The roads recommended pass through or are in direct connexion with the valley west of the Rocky mountains extending from the 46 parallel far into English territory, and giving some 1500 or 2000 square miles of arable prairie land, beautifully watered, having a mild climate, and within reach of inexhaustable forests—with many rich prairies on Clark's Fork—with the Coeur d'Alene prairie and Spokane plain, having 2000 square miles of arable and pasture land—with the Colville valley sixty miles long, and rejoicing already in a flourishing settlement—with the Walla Walla and Yakama vallies—with the country on the Puyallup, the White, the Green, the Duwamish, the Scagitt, the Neuksark rivers and the country bordering on Lake Washington, back of Seattle, and the numerous valleys from the head of the Sound to the Columbia river, Gray's Harbor and Shoalwater Bay, furnished by the Cowlitz, the Black, the Chehalis, the Wylapa, Gray's river, the Columbia and their several tributaries.

In memorializing for these roads, their importance to the people of the whole country who, by invitation of Congress, are coming to this Territory, to enable them to gain access to desirable locations without personal suffering and loss of property should be presented in the strongest terms.

For similar reasons I will recommend that Congress be memorialized to establish the office of Surveyor General of this Territory, to make liberal appropriations for the prosecution of the land surveys, and to direct the adoption of methods by which surveys of all the desirable valleys throughout its entire border may be made as soon as the attention of emigrants is called to them. By a vigorous effort, the land surveys may be kept in advance of settlement, and the economy of public and private interests demand it.

I would propose that the land laws be so modified that title may be received either by payment of the minimum valuation, by continuous residence for one year, or by improvements equal to the minimum valuation, and that single women be placed on the same footing with married women. No person to secure title in this way but once, but that no interference whatever be had with one of the essential incidents of proprietorship, that of transfer or alienation.

Especially would I recommend that Congress be memorialized to continue the geographical surveys which have been instituted, till the whole geography of the country and its resources be entirely developed. This information is an indispensable preliminary to a proper organization of the land surveys. A special appropriation for the completion of the geological survey which is already well entered upon, will be of great consequence to settle all disputes in relation especially to the coals of the Territory, which I am satisfied are inexhaustible, of good quality and will be a vital element in our prosperity. At the same time these explorations are being made, it would not only be highly advantageous and give a more complete development of our territory to run the boundary lines separating it from the British dominions on the north and Oregon on the south, but the gravest considerations of public policy demand it. Our boundary line has been called in question, and it is important that a joint commission, clothed with full powers, should adjust it. Valleys on the dividing line of the two Territories are now filling up,

and to prevent future difficulties it is important that the settler should know of which Territory he is a citizen, and that the Indian officers of the Government should understand the extent of their jurisdiction.

The magnificent and gigantic enterprise of connecting the Mississippi and the Pacific with iron roads is now engaging the attention of the Government and the people of the United States, and is on the eve of its accomplishment. In my judgment, with such aid as the government can rightfully furnish as a proprietor in making surveys and in granting lands, the energies of our people are adequate to building not simply one, but three or four roads. Our commerce doubles in seven years, our railroads in four or five years, and we have reason to believe that for some years to come this rate of increase will be accelerated. Roads must be built simultaneously to the great harbors on the Pacific, San Francisco and Puget Sound, if practicable routes are found. I can speak decisively as to the Northern route, and I have no doubt that surveys will establish the entire practicability of the Southern and many intermediate routes. The best interests of the country will be advanced by the ascertaining many practicable routes, and the necessities of the times imperiously demand that the roads now running westward should not be stayed in their course till they reach our western shores. I am firmly of opinion, however, that these great undertakings should be controlled and consummated by the people themselves, and that every project of a Government road should be discountenanced.

Allusion has been made to our defective mail arrangements. For six weeks the present winter has this territory been without communication with the States. Yet in this interval sailing vessels reached Seattle from San Francisco and brought to that port information on the 12th of January which only reached the same place by mail more than six weeks subsequently.

There are reasons growing out of the condition of the Territory which call for an efficient mail service by steamers. There are nearly five thousand Indians on the shores of the Sound, a large revenue district with innumerable ports affording facilities to the invasion of the revenue laws and a disputed Territory. The entrance to the Sound is in common with a foreign possession to the North, wielded by an almost despotic sway, and the abode of large bands of warlike aborigines. For the management of public business, for the protection alike of the Indian and the settler, for the enforcement of the revenue laws and for the upholding [of] the dignity and the integrity of national and territorial rights, it is essential that a line of steamers should run direct from San Francisco to Puget Sound and that an effective mail service by steamers be organized on the Sound itself. The portion of the Territory on the Columbia river will be provided for by the existing arrangements, let them only be carried out with a due regard to express stipulations. I trust that this measure may be urged on Congress with the unbroken strength of the territory and with such emphasis as to carry conviction and insure success.

There are in this Territory some ten thousand Indians, in about equal proportions on either side of the Cascade Mountains, for the most part a docile,

harmless race, disposed to obey the laws and be good members of the State. I will recommend the memorializing Congress to pass a law authorizing the President to open negotiations with the Indians east of the Cascades, to provide for the extinguishment of the title to their lands, and to make ample appropriations to actually extinguish their title throughout the Territory, reserving to them such portions as are indispensable to their comfort and subsistence.

In the matter of legislation, I would suggest that, as there seems to be some ambiguity as to the state of Statute Law at present in force in this Territory, some course be adopted which, while it frees us from the present uncertainty, shall not render the community entirely destitute of the law. Such a result might be effected, by enacting such of the laws of Oregon as still remain applicable to this Territory, and by having at the same time suitable persons occupied in preparing such acts as the present exigencies may need. In reference, however, to local laws, I will advert to the strong necessity that exists for organizing into counties the whole eastern portion of the Territory, and for making new counties, and in some cases running new county lines in the portions of the Territory already organized. The passing of a suitable election law, the assigning [of] the judges and the judicial districts, and the other matters referred to in the Organic Law, will, of course, engage your attention.

I also call your attention to the rights of the Hudson's Bay Company and the Puget Sound Agricultural Company, and the position they occupy in this Territory. They have certain rights granted to them by the treaty of 1846, to the security of which the faith of the United States is pledged. It certainly cannot conduce to the welfare of this Territory to have situated in our midst a foreign corporation, usurping a large proportion of the trade, and annually carrying off great amounts of specie from the country. And the possessions confirmed to the Puget Sound Agricultural Company are of so vague and uncertain a nature in their limits, that they must necessarily give rise to many disputes between the company and the settlers, and tend to retard the settlement of many portions of the Territory. It will be of importance to acquire as accurate a knowledge as possible of the amount of territory actually in possession of the Puget Sound Agricultural Company at the date of the treaty, and the present value thereof, with the design of memorializing Congress upon the subject, in order to extinguish their title, if it shall be deemed expedient.

In regard to the Hudson's Bay Company, great difficulty it is apprehended, cannot occur. Their right to trade with Indians is not recognized, and will no longer be allowed. Under instructions from the Secretary of State, I have already addressed a note to them on this subject, and have allowed them until the first of July next, to wind up their affairs. After that time, the laws regulating intercourse with the Indians will be rigidly enforced.

By the census taken preliminary to the organization of the government, the whole number of inhabitants was 3,965, and the number of qualified voters 1,682. Since this time the population has very considerably increased, and a great accession may be expected in the spring, and from the emigration of the coming

season. It is suggested that in view of the rapid increase of population, a yearly census will be necessary to apportion the representation, and make adequate provision for county organization.

I have purchased the library of the Territory as provided for in the Organic Law, and the books, which reached the Territory in excellent order, have been placed in a suitable room, in the charge of a gentleman, until the Legislature might make some suitable provision. Care was taken to get the best books in each department of learning, and the executive of each State and Territory, and many learned societies, were applied to for the donation of their published archives. This application has been very generally responded to, and is worthy of special acknowledgment. Most of the archives are still on their way, and a few of the purchased books. The number of volumes now in the library, including unbound documents, is about 1850, and when all the books shall have come to hand, the number will probably be about two thousand. A pair of globes, and five mounted maps, have also been purchased for the library, and are in the library room.

The subject of education already occupies the minds and hearts of the citizens of this Territory, and I feel confident that they will aim at nothing less than to provide a system, which shall place within the means of all the full development of the capacities with which he has been endowed. Let every youth, however limited his opportunities, find his place in the school, the college, the university, if God has given him the necessary gifts. A great champion of liberty said, more than two hundred years ago, that the true object of a complete and generous education was to fit man to perform justly, skilfully, and magnanimously, all the offices, both private and public, of peace and war. Congress has made liberal appropriations of land for the support of schools, and I would recommend that a special commission be instituted to report on the whole school system. I will also recommend that congress be memorialized to appropriate land for an university.

It seems to me, also, of the first importance, that a Territorial militia be organized, and that in the higher schools which may be included in an educational system, opportunities be afforded to learn the elements of the military art. The nation depends on the patriotism and the valor of its citizens for defence in time of war. Only a small portion of its members can be organized in times of peace, and that simply to maintain a nucleus which may be indefinitely extended in case of emergency, and to continue the march of these improvements, which have entirely changed the methods of conducting war. An efficient militia system is especially necessary in this distant Territory, which, on the occurrence of war, must, for a time, almost entirely rely upon herself. A general enrolment of the militia, the organization of volunteer corps as artillerists and riflemen, in detachments at exposed points, and increased to platoons, companies, battalions, and regiments with the increase of population, two or more heavy guns placed in battery, at points exposed to the attacks of hostile enemies, is recommended as the system adapted to the present scanty population of the Territory. By the laws of Congress, the Territory will be entitled to arms for its militia, and to light guns for its artillery, and it is confidently believed, that in the peculiar exposed condition

of this coast, it will furnish heavy guns. I am persuaded that, with such a system, and with governmental aid, to be derived from the efficient military posts, which should serve as schools of the military art to the youth and citizens of the Territory—the establishment of depots of heavy guns and powder on this Sound, and on the Columbia river—from permanent works—and from the services of officers of ability and character in our geographical surveys, and our military roads, no hostile foot will be able to land upon its soil, though we maintain the conflict single handed, without additional aid from home, against whatever power may be brought against us. Let this be our fixed determination, and to it let every step we take in organizing our militia system, tend.

I would invite the special attention of the Legislative Assembly to making some provision for the emigration for the coming year, in providing for Territorial roads, in raising a fund to relieve cases of suffering and distress, and especially to see that timely aid be extended to those who come in late, and who may otherwise perish in the mountains.

Fellow citizens! We have bright omens to encourage us in our efforts to lay the solid foundations of the prosperity of this Territory. The intelligence and the virtue of our citizens, which are so strikingly exhibited, the kind, social relations, which unite them, their deep interest in the prosperity of their social communities, and the labor which they freely tender for the common good, in opening roads, in establishing schools, in giving aid to the stranger, all these give us reason to believe that here the young blossoms of our youth will yield a glorious fruit, and that here the dignity of our nation, the worth of liberty, and the influence of a lofty intelligence, will be shown in a truly noble theatre. Be assured that, chief magistrate or citizen, my efforts shall be joined with yours, and those of our citizens, to prepare her for the company of that glorious sisterhood of States, which have made the name of America immortal.

(Signed,)

ISAAC I. STEVENS.

Olympia, W. T., Feb. 28th, 1854.

Governor Isaac I. Stevens to the Second Annual Session of the
Legislative Assembly, December 5, 1854.

*Fellow Citizens of the Legislative Assembly of the
Territory of Washington:*

My long absence from the territory, and the late period of my return, will prevent my entering as fully as I should desire into our general condition and prospects.¹ I shall simply touch upon some general points of interest to the territory and the country at large. It is incumbent upon me, however, to express my sense of the kindness and consideration which have been manifested since I entered upon the duties of your executive. Especially has this been shown in the

¹ Stevens spent several months of the year 1854 in Washington, D. C., urging the continued federal support of his railroad survey. Clinton A. Snowden, *History of Washington—the Rise and Progress of an American State*, 5 vols. (New York, 1909-1911), III, 245-250.

circumstances attending my absence from the territory. I left with your concurrence, and after satisfying my judgment that certain public questions with which I was charged, required my presence at the national capitol. I knew that I should leave the duties of the executive department and of the Indian superintendency in able and safe hands, and that affairs would be managed in a manner that would reflect credit upon the secretary of the territory, and give general satisfaction to the people. I have not been mistaken in either particular, and I now return, after an arduous period of service elsewhere, with the most unalloyed satisfaction.

I cannot but congratulate you, fellow citizens, on the aspect that our territory at present presents. Just one year has rolled away since the proclamation was issued giving vitality to our organic act, and calling into existence a new component part of that great confederacy, to whose extent nature has been unable to assign any limits.

Within that brief period, our population has rapidly increased. A legislature has assembled, and dispensed to the people laws made by representatives of their own selection. Courts have been held and meted out general justice to all. Towns have increased in size, and assumed the business of established cities. Steam, the lever of the present social world, has made its appearance in our far-famed waters. Everything, in fine, betrays a prosperous and growing republic.

Since you were last assembled, many changes have taken place for our internal and social welfare. A surveyor general, a register, and receiver, have been granted to us. Appropriations have been made for the extinguishment of the Indian title to the lands in the territory. Light houses have been provided for upon our coast, and mail routes have been more thoroughly extended throughout the territory.

The mail routes heretofore existing, have been further extended to all the settlements on Puget Sound and its adjacent waters, and from the valley of the Columbia, by the way of the Coeur d'Alene mission, to fort Benton, in the territory of Nebraska. This merely establishes the route, without providing for the sending of the mail. Two years ago Congress established by law the connection of Olympia and Steilacoom, *via* Astoria, with San Francisco, but as yet no mail steamer has made its appearance. The growing wants of our community, the number of Indian tribes on our waters, and our position on the frontier, loudly call for this facility of communication. I therefore recommend to you to press as earnestly as possible, by the way of memorial, the fulfillment of these laws, made for our benefit, and to which our rights as American citizens entitle us.

I will earnestly call your attention to the importance of organizing an effective militia for the defense of the territory. Without dwelling upon our Indian relations, which have at several times the past season been critical, and which in our sister territory obstructed the great emigrant trail and caused the loss of many lives, there are reasons connected with the war now waging in Europe and which has extended to the possessions on our north, for its being done without delay. This war will probably be a very stern and protracted one, and may in-

volve the necessity of our country taking a firm stand as the great power of the American continent.² I am persuaded that no trifling with the rights for which we have contended since we have been a nation, will be tolerated. Our flag will still wave in every sea, and our citizens will be protected in legitimate pursuits to the ends of the earth. In my message to the first assembly of the territory I gave my views at length, and to that document I will respectfully refer you. It is of great consequence, in a national point of view, that depots of powder and heavy guns should be established on the Columbia river and on the Sound, and the attention of the general government ought to be called to it. I will here observe, that under existing laws, no distribution of arms can be made to the states and territories 'till the militia is enrolled, and the returns filed with the proper department in the city of Washington. As soon as I received intelligence of the Indian disturbances at Bellingham Bay, I made application to the Secretary of War for arms and ammunition for our citizens, but the application failed for want of an enrollment of the militia of the territory.

It is the duty of the general government to afford adequate protection to the great thoroughfares from the old states to the western coast. The numerous Indian massacres the past season must seriously interfere with immigration, and may, the coming year, entirely block up the usual trail to the territories of Washington and Oregon. I will suggest that you urge upon Congress the necessity of placing upon this trail such a force as will inflict summary chastisement on hostile Indians, and render it safe for our emigrants moving in small bodies.

It gives me great pleasure to be able to inform you that the executive department of the general government, is fully impressed with the importance of settling the disputed boundary question on our north, and of relieving this territory from the pressure of the foreign corporations in our midst. At the last session of Congress, authority was asked to run the northern boundary line from the lake of the Woods to the Pacific ocean, and to extinguish, by purchase, after a thorough investigation, by a commission of their claims, the rights of the Hudson's Bay and Puget Sound Agricultural companies. Both measures were earnestly pressed, and passed one branch, but failed in the other branch of Congress. A strong and respectful memorial, setting forth the discouragements and vexations of our settlers, and the development of the population and resources of the territory which would result from the settlement of these questions, must have weight with Congress, and I will earnestly recommend it.

Congress made appropriations for the continuation of the rail road surveys from the Mississippi river to the Pacific ocean, and it is confidently believed that every practicable route will be explored and surveyed, in order to [effect] a just and safe action on this momentous question. The whole intermediate territory is now organized, and the pressure of population will of itself build several roads, in the national extension of our rail road system. It seems to me it would be a danger-

² Stevens refers here to the Crimean War which involved most of Europe in a contest for the control of the Near East. France and England declared war on Russia March 27, 1854, and hostilities continued until the signing of the Treaty of Paris, March 30, 1856. Despite the governor's fears, the war did not raise any acute problems of defense in the Pacific Northwest.

ous precedent, and in every respect highly inexpedient, to look to Congress for any other aid than it can properly render as the proprietor of the domain over which the roads will pass, and in the way of the business which it must transact on these roads. The information already developed in reference to our great interior by these explorations, is surprising. Beautiful prairies and delightful valleys—easy passes, practicable at all seasons of the year, have taken the place of savage deserts and mountain defiles, impracticable half the year from snow. East of our own Cascades, we have an unsurpassed stock grazing and wool growing country. The Bitter Root mountains furnish inexhaustible supplies of limestone and lumber. On its western slopes, and between the Bitter Root and Rocky mountains, the soil is fertile, and adapted to all the products of the temperate zone. Such is the result, in our own territory, of careful and minute exploration.

West of the Cascades, there is a large quantity of excellent land. The more the country is examined, the better it develops. Inexhaustible beds of limestone and coal are found on the shores of the sound. The distinguished geologist, Dr. John Evans, has, during the past season, made a general examination of the coal resources of the territory, and reports it to be of a good quality, and adapted to nearly all uses. He has discovered, in several places, jets of anthracite coal. If our coal should be found suitable for ocean steamers, as an element of national strength, it will rival the gold of California, and will at once settle the question of steam communication with the east. Not only the whole western coast, but the country at large, has a vital interest in this matter. A more minute examination of our coal measure is called for, and the general geological survey of the territory should be completed to develop its mineral wealth, as an indispensable preliminary to the survey of the public lands. I regret to inform you that Congress failed to make provision for this survey at its last session, and I will suggest that Congress be memorialized to provide for the expense of Dr. Evan's examination the past season, and for the completion of the work. It will be gratifying to the people of the territory to know that California has already moved in the matter. Her most eminent citizens have memorialized her congressional delegation to make every exertion to procure the necessary appropriations.

The people of the territory have shown their appreciation of the necessity of roads by the action of the first legislative assembly, and their own exertions in cutting trails and carrying out the provisions of law. All the territorial roads have been made post routes by act of Congress. Nothing will tend so rapidly to advance our settlements and general prosperity, as the opening of communication. I doubt not that you all are alive to the importance of this subject. A road, of easy grades, from the settlements at the head of the sound to Bellingham bay, can be so located as to open a fertile country, and it is probable that a good route could be found on the other side of the sound to some port on the straits.

A matter of general interest to the territory, is the opening of the military road from Walla Walla to fort Steilacoom; affording to the immigrant an easy and safe access to the country upon the sound. It is recommended that this be made by law a territorial road also, and that it be rendered the duty of the proper

officers to keep it open and in repair. The portion of the road between Steilacoom and White river has not been worked, as the appropriation was not sufficient to cover the whole ground, but as it lies within the settled country, and affords comparatively few obstacles, the counties themselves will be able to improve it. It would be a great benefit to those travelling this road, should the legislature take some step towards sowing with grass seed the small prairie known as the Bare prairie, situated a little below the mouth of Green river, as also the sides of the mountain known as La Tete. These points are intermediate in a long distance destitute of grass, and are almost necessarily stopping places on the march. A very small sum would cover the expense of planting them, and the advantage would be incalculable.

I regret to be obliged to inform you that no appropriations for roads were made by congress at its last session. Three roads I deem of vital consequence, in a military point of view, and for which ample appropriations should be made. Those from the Sound to the Columbia river, and from Columbia city to the Dalles, are urgently demanded by the increasing population of the territory. The road from Walla Walla to fort Benton, in the territory of Nebraska, will have an immense influence in settling our territory, and is demanded in connexion with Indian affairs. The Indians on this route are about to be brought into treaty arrangements, and besides special appropriations for the Indians of this territory, Congress has made ample appropriations to convene a general council at fort Benton. An excellent route for a wagon road has been found, of easy grades, with a plentiful supply of wood and water. From fort Benton to the upper Mississippi, and the western end of lake Superior, a natural road exists, requiring simply a little work here and there to make it passable all the year. These roads completed, and the Indian relations placed on a stable basis, many emigrants will pass over the lakes to the western end of lake Superior, and reach our territory by this route. I trust no delay will occur on your part in memorializing Congress to provide for the construction of these roads, which have received the sanction of one branch of Congress, and now only await the action of the other branch.

The rising prosperity and rapid increase of our towns render it necessary for the safety of individuals, and to avoid uncertainty, that the real estate in such places should be placed upon some firm basis. By an amendment to the act of Congress of September 27th, 1850, passed at the last session, it is provided, "That the donations hereafter to be surveyed shall, in no case, include a town site, or lands settled upon for business or trade, and not for agriculture." The construction of the department of the interior upon this important provision, is to the effect, that if a claim is taken for the purposes of agriculture, and subsequently a town or trade springs up upon such claim, it is not affected by the statute, but that the claimant, by complying with the other provisions of the law, is entitled to all the benefit arriving therefrom.

To avoid, however, future litigation, and to free such property from its present uncertainty, I would recommend that congress be memorialized to con-

firm to the claimants of the present town sites, and to the grantees under such claimants, the property so acquired by them.

In every political society, the mere fact of the existence of laws for the prevention of crimes and misdemeanors, presupposes their occasional violation. It is a remark no less common than true, that nothing tends more to prevent the commission of crime, than the certainty of punishment. The records of our courts during the past year will show that this unwelcome visitor has made its appearance among us. From our new political existence, no provision has as yet been made for the punishment of those unfortunate individuals whom a jury of their countrymen shall have declared to have violated the laws necessary for the protection of society. I call your attention to this subject as one which vitally concerns the enforcement of law, and the preservation of order throughout the territory.

I regret to inform you that the laws passed at the last session of the legislative assembly have not yet been prepared for distribution. It became necessary to send them to the states for publication, and the gentleman into whose charge they were placed, died before any arrangements had been made to affect this purpose. Much delay and inconvenience has thus been occasioned, and our existing system of laws perhaps are not so well known to you and to the people generally, as might be desired. Judging, however, from information and experience, they have been admirably adapted to our wants, and have, so far, meted out general justice to all. In this connection, and under these circumstances, I would respectfully caution you against any hasty legislation, in the way of amendments, as subsequent laws are frequently passed inconsistent with existing statutory provisions, thus occasioning uncertainty and involving parties in litigation.

In closing this communication, I will indulge the hope that the same spirit of concord and exalted patriotism which has thus far marked our political existence, will continue unto the end.

Particularly do I invoke the spirit in reference to our Indian relations. I believe the time has now come for their final settlement. In view of the important duties which have been assigned to me, I throw myself unreservedly upon the people of the territory, not doubting that they will extend to me a hearty and generous support in my efforts to arrange, on a permanent basis, the future of the Indians of this territory.

ISAAC I. STEVENS



Acting Governor Charles H. Mason
1855-1856, 1858-1859

CHARLES H. MASON

Charles H. Mason, appointed first secretary of the Territory of Washington in 1853, was born at Fort Washington, on the Potomac, but moved to Providence, Rhode Island, where he was graduated with distinction from Brown University, was admitted to the bar, and associated himself as a partner with the state attorney-general, Albert C. Green. As a young man of twenty-three he sought through friends an appointment as district attorney in Rhode Island, but received instead the assignment to the new territory on Puget Sound. He was reappointed and served as secretary for some six years until his death in 1859.

Due to the fact that the governors appointed during those years were frequently away from their posts, it fell to his lot to act as chief executive on several occasions. Despite his lack of experience he was an able man who selected his counselors wisely and was universally esteemed by those who knew him. Mason's message of December 7, 1855 was submitted to the legislative assembly while Governor Stevens was away on a nine-month treaty-making expedition east of the mountains. It was during this interval that the councils with the Yakima, Flathead, Blackfoot and other Indian tribes were held.

Fayette McMullin, appointed to succeed Governor Stevens, returned to Virginia in July, 1858. Mason acted as governor until Richard Gholson arrived to take up his duties just one year later. His second message in this series was submitted to the assembly during these months of executive responsibility.*

* Clinton A. Snowden, *History of Washington*, III, 379; IV, 137-138; *Works of Hubert Howe Bancroft*, vol. XXXI, *History of Washington, Idaho, and Montana, 1845-1889* (San Francisco, 1890), 211.

Acting Governor Charles H. Mason to the Third Annual Session of the Legislative Assembly, December 7, 1855.

Fellow Citizens of the Legislative Assembly:

In the absence of the Executive, I have the honor to respond to your call. To the people of this Territory, and to me especially, that absence is, at this time, particularly to be regretted, for the present juncture of affairs requires all the experience, ability, and energy, so justly conceded to the distinguished gentleman who has the honor to preside over this Territory, and whose duties in such absence by law devolves upon the Secretary of the Territory. With real sincerity I will assert, that many and grave doubts have arisen in my mind, as to my ability to discharge the weighty and responsible duties incident to, and arising out of our present Indian relations; but, with a firm reliance upon the patriotism of the people, and their hearty co-operation, I have endeavored to compensate for want of experience by an earnestness of purpose, and a zealous effort to discharge my whole duty.

It is a subject of regret, that pressure of business and multiplicity of labors, prevent as full and careful a review of matters as is desirable. Should, therefore, things seemingly important be omitted, or slightly alluded to, the neglect must be attributed not to intention, but rather to an attention to more pressing matters.

Since you were last assembled, an important, and, I regret to say, disastrous change has taken place in our social prospects. While peace and security seemed to reign about us, and every person was, as usual, pursuing his customary avocations, an Indian war breaks out in our midst, spreading alarm throughout the whole Territory. Families are murdered, property is destroyed, claims are abandoned for the fort and the blockhouse, and the whole country, instead of portraying the usual peaceful occupations of American citizens, has the appearance of desertion, and nothing but parties of armed men are to be seen in motion. How long this state of affairs is to continue, it is impossible to say; but, from the energy which our citizens have shown, and the measures which have been adopted, it is earnestly to be hoped that the end is not far off.

The extinguishment of the Indian title to lands within the Territory, had been long and loudly called for by the people. This was a matter absolutely necessary for our welfare, in order that there might be no conflicting claims between the settler and the Indian, and that the Indians might be placed in such a position, that, while they were taken care of and protected, they could at the same time, as far as possible, be prevented from doing harm.

In the month of December, 1854, in pursuance of instructions from the general government, Governor Stevens entered upon this delicate and arduous task. The first treaty was made in the county of Thurston, in the vicinity of the Nisqually river, on the 26th of December; was ratified by the United States Senate before its adjournment—March 3d, 1855,—has been proclaimed by the President, and is now a part of the supreme law of the land. The basis of that treaty, is the basis

of all that have been concluded since. Great care was taken to explain the provisions, and the objects of negotiation to the various tribes. Careful interpreters were secured, and every individual was allowed to speak his views. Similar treaties have been concluded with all the Indians west of the Cascade Mountains, with the exception of the Chehalis, those residing in the neighborhood of Shoalwater Bay and on the Columbia, as far east as the Dalles.

In pursuance of the instructions and line of policy marked out by the Indian Department at Washington City, Governor Stevens crossed the Cascade Mountains, and in conjunction with the Superintendent of Indian Affairs of Oregon, treaties were effected with the various bands known as the Yakima tribe, the Cayuse, the Walla Walla, and the Nez Percés. He then proceeded to Fort Benton, on the Missouri River, where a great council had been called, to conclude and settle a definite peace between the tribes divided by the Rocky Mountains, hostilities between which had continued ever since the whites have had any knowledge of the country.

This measure was of vital importance to the Territory of Washington, as, while these hostilities continued, there could be no safe travel or communication by the great northern route connecting the waters of the Columbia and Puget Sound, with the headwaters of the Mississippi. It may be well here to state, that the latest information received, will justify the belief that that treaty has been concluded, and the return of Gov. Stevens is daily looked for.

In the midst of this favorable appearance of things, while the ink was scarcely dry with which treaties had been written, Indians who had entered into these stipulations, and solemnly pledged their faith to preserve amity and peace towards all American citizens, have risen in arms, treacherously surprised, and barbarously murdered our inoffending citizens, killed an Indian agent, while in the performance of his official duties, and in defiance of all plighted faith and written obligation, waged a war, accompanied with all the horrid brutalities incident to savage life.

The sphere allotted to this message will not justify a recital of the preliminary aggressions. Satisfactory evidence, however, has been afforded, indicating that both in Oregon and this Territory, for a great length of time, preparations for the war had been going on, on the part of the Indians. Simultaneously with the murders committed in the Yakima valley, southern Oregon became the scene of Indian warfare, and the moment troops move from Puget Sound across the mountains, an outbreak takes place on the White river prairies.

On the 23d of September, in addition to previous floating rumors, positive information was received that two of our citizens had been murdered in the Yakima valley, while travelling on the military road across the Nachess pass. A requisition was immediately made upon the commanding officers of the military posts of fort Steilacoom and fort Vancouver, for sufficient forces to proceed, by different routes, into that country, to procure, if possible, the murderers, if not to punish the tribe, and to furnish protection to such persons as might be traveling to, or returning from the Colville mines. Both of these requisitions were

promptly complied with. Previous to this, Major Haller, commanding fort Dalles, being nearer the scene of action, and having earlier information, had moved into the field, and on the 6th of October was attacked by an immensely superior force, and after a gallant and desperate conflict of about forty-eight hours, succeeded in driving off the enemy, losing five men killed and sixteen wounded, together with a large portion of his animals, and all of his provisions. This last compelled him to return to the Dalles. Upon the receipt of this information, Major Rains, commanding the Columbia river and Puget Sound district of the United States army, made a requisition upon the Governor of Oregon for four companies of volunteers, and upon the Governor of Washington for two. The proclamation by the respective executives, calling for these forces, were responded to with zeal and alacrity by the citizens of this and of our sister Territory. In consequence of the scarcity of arms, existing in this section of country, in order to furnish the volunteer force being raised here, it became necessary to make a requisition both upon the United States sloop-of-war "Decatur," and the revenue cutter "Jefferson Davis," for such as could be spared. Much praise is due to the commanding officers of those two vessels, for the willingness and promptness with which they responded to that request, thus enabling the first company of Washington Territory volunteers to be equipped and ready for the field, the moment their organization was completed.

On the 30th of October, Major Rains, having received from me the appointment of Brigadier General of the volunteer forces serving in the Yakima war, moved into the field with all the disposable regular troops, and having the co-operation of nine companies of Oregon mounted volunteers, under command of Col. Nesmith. After proceeding as far as the Yakima mission, having several skirmishes with the enemy, capturing some of their cattle and horses, and destroying several large caches of provisions, the whole command returned to the Dalles, the unusual inclemency of the season preventing a winter campaign. In the meanwhile, the command moving from fort Steilacoom under the command of Lieut. Slaughter, proceeded across the mountains, through the Nachess pass, to within about twenty-five miles of the Atahman mission, where, learning of the return of Major Haller to the Dalles, they fell back, first to the summit, and then to the upper prairies on White river. Being reinforced with seventy-six regulars and company B, of the Washington Territory volunteers, under command of Captain Gilmore Hays, the whole detachment, under command of Capt. M. Maloney, U. S. 4th Infantry, again advanced; but, after crossing the summit, were overtaken by an express, informing them that delay had taken place in the movements of the troops from the Columbia river. Capt. Maloney consequently fell back to the first grazing ground on this side of the mountains—the White river prairies. During these movements, a band of rangers had been organized, under command of Capt. Charles H. Eaton, whose duty it was made to guard the outskirts of the settlements, and watch the various mountain passes. Scarcely had the command commenced its operations, when a detachment of eleven men, on regular scouting duty, were suddenly attacked by Indians, heretofore supposed to be friendly.

Taking refuge in a log house, after gallantly sustaining a siege of some sixteen hours' duration, the Indians were repulsed. The murder of several highly esteemed citizens, travelling from Capt. Maloney's camp into the settlements, and the massacre on White river, followed.

The return of the command under Capt. Maloney cannot but be looked upon as a most fortunate event for the settlers on Puget Sound, as it is impossible to say what might have been the result, with the settlements entirely unprotected, and many of the Indians at open war, and the rest, to say the least, wavering. The battle on White river, in which both, regulars and volunteers, so admirably distinguished themselves, cannot fail to impress the Indians with the superiority and power of the white man, and that however protracted the contest may be, ruin and desolation must necessarily come upon them.

The calls upon the people of the Territory for their services in the present war, have been met by the organization of twelve companies, consisting of two companies of Rangers, and ten companies of the 1st Regiment of Washington Territory Volunteers, amounting, in all, to upwards of seven hundred men. Of these about five hundred are mounted. In addition to these, there is a company of Rangers at the Cowlitz Farms, under command of Capt. Peers, not regularly mustered into service, but ready to perform such duty as may be required of them.

I deem it my duty here to make public acknowledgements of the services rendered by His Excellency, JAMES DOUGLAS, Governor of Vancouver's Island. Upon the alarm naturally attendant upon a serious Indian outbreak, almost within arms-length of us, and owing to the scarcity of arms and ammunition, application was made to him for such an amount of these munitions of war as he could possibly furnish. That application was promptly and cordially responded to, to the extent of his power; he at the same time regretting that he had at the moment no vessel of war at his disposal, and that his steamers, the "Otter" and "Beaver" were both absent, but upon the arrival of either, she should be dispatched to the Sound, to render such service as might be required of her. Since then the "Otter" has visited this place.

This movement on the part of the Executive of Vancouver's Island, cannot fail to have its influence upon the Indians residing upon our waters, having a tendency to show to them that whatever differences may exist between the Americans and the Englishmen, in their social and political organization, as far as savages are concerned, they are but one.

The Indians west of the Cascades, with the exception of those before alluded to, still continue friendly. They have been collected at various points, disarmed, and placed under the surveillance of local agents, and arrangements have been made for their support. The only fear, at present entertained, is that by some act of indiscretion, they may be frightened into the hostile ranks.

The disposition which has been subsequently made of the troops in the field in this portion of the Territory, has been with the design—while at the same time to keep the hostile Indians in check, adequate force should be moving on the out-

skirts of the settlements—in order that the farmers might be enabled to return to their claims to provide for the coming year's subsistence.

The general stagnation in trade and industrial pursuits arising out of the present state of affairs, loudly calls for prompt and speedy action on the part of the general government. Should Congress adjourn without affording the relief so pressingly needed in this emergency, it will much retard our Territorial growth and advancement. I therefore earnestly recommend a memorial calling for a sufficient appropriation to remunerate the citizen soldiery for their valuable and patriotic services, and the citizens generally for the supplies they have so promptly furnished, and for the property destroyed.

Beyond the limits of our Territory to the north, the coast and innumerable islands are inhabited by numerous tribes of Indians of a fierce and warlike character, bands of which are constantly in the habit of descending into our settlements for the ostensible purpose of procuring labor. Besides the alarm occasioned to the most exposed settlers by the presence of these unwelcome visitors, complaints frequently arise from the various thefts committed by them. In case punishment is attempted to be inflicted, isolated settlers, as we already know from past experience, are liable, in revenge, to be cut off by them. In view of these facts, in order to discourage their coming within the limits of the Territory, I respectfully submit to your consideration, whether or not it would be advisable to enact a law, making it penal for any person to employ for hire any of these northern bands. In connection with this subject, considering the nature of the waters of Puget Sound, the numerous tribes residing on its borders, the liability to incursion from foreign tribes, and the utter inefficiency of sailing vessels for rapid communication, I will recommend that you memorialize the Navy Department to station within our waters, an armed steam vessel.

I will here call your attention to the trade that has been too largely carried on with the Indians in guns and ammunition. Our very self-preservation demands that it should entirely cease, and that very stringent laws should be passed upon the subject.

The present existing war has suggested many deficiencies in our militia law. It provides for the election of officers, but on the subject of enrollment of men, and the rendering the militia effective, it is extremely defective. I would respectfully recommend the election of the general staff, consisting of a Brigadier, Adjutant, Quartermaster and Commissary General, by the Legislative Assembly, and a system of enrollment of all capable of bearing arms in the various counties, and that the formation of companies be entirely volunteer—to elect their own officers, and to be formed into battalions or regiments, as circumstances may require. The scattered nature of our settlements, and the isolation of some of our counties, seems to dictate this as the most effective means for their protection, and at the same time, the most expedient for combination or general action. I suggest it for your consideration.

During the past summer, rumors of discoveries of gold fields near Fort Colville, induced many enterprising and energetic citizens of the Territory to visit

that region. Many have returned on account of the war, and the impossibility of obtaining provisions there during the winter. Although the extent of the gold bearing district is not known, yet the fact is certain, that those who worked the bars and prospected the country near Fort Colville, found gold in sufficient quantities to pay well for working. Wherever the more experienced miners dug, either upon the bars or upon the hill-sides, gold was found, and even with the rude mode of working with pans, an average of \$10 per day has been made, and those who are still at the mines, report profitable employment. I have no doubt that with improved machines and better preparations for working to advantage, these gold mines will prove amply remunerative to many citizens who may go there, whenever the state of the country will permit communication between the Columbia River and Puget Sound settlements and the gold bearing region.

The prosecution of the public surveys during the past year, has developed large bodies of fertile lands, and made great addition to the topographical knowledge of the Territory, which will be useful to emigrants in search of the best lands. As to the amount of work thus far accomplished, the office of the Surveyor General shows the following results:—Total amount surveyed while this Territory was under the Oregon office, 1876 miles; amount surveyed and under contract since the organization of the Washington office, 3063 miles; proposed to be surveyed in 1856 and 1857, as per annual report of the Surveyor General, 5688 miles—all lying west of the Cascade Mountains.

The general government has made liberal appropriations for public surveys in the Territory, but the Surveyor General has found it impossible to obtain surveyors willing to contract for the whole amount, as the exceedingly difficult nature of the country, and the high prices of labor and provisions have subjected to loss those who undertook the work, even at the maximum prices allowed by law. The present Indian war has stopped all field work in this important part of the development of our Territory; but it is hoped that it can be resumed in the spring, and that you by your action, will second the urgent request of the Surveyor General to the General Land Office, that an increased sum per mile be allowed by the general government, for further surveys.

At the last session of Congress, appropriations were made for the military roads in this Territory:—One from fort Benton, in Nebraska, to Walla Walla; one from the Dalles to Columbia barracks; and one from Columbia barracks to fort Steilacoom. A reconnoissance has been made of the two latter during the present fall, and, it is expected, work will be commenced thereon during the coming spring.

In addition to these roads, communication should be opened by land to Bellingham Bay, on the north, and through the valleys of the Chehalis and Willapah to Grey's Harbor, Shoalwater Bay, and some point near the mouth of the Columbia, on the south. These roads will be of great importance, in a domestic point of view, as opening a large section of country to settlement, and communication with other settlements; and, in military affairs, as affording means of communication with exposed points, and of rapidly marching troops into the fast-

nesses and lairs of those savages who may hover upon the outskirts of the settlements. I call your attention to this as a subject of memorial.

In the "act making appropriations for the support of the army, for the year ending the 30th of June, 1856, and for other purposes," it was provided, that the Secretary of War shall equalize, as far as practicable, the number of arms heretofore distributed, and now in possession of the several states, so that each state which had received less than its pro rata share, shall receive a number sufficient to make an equal pro rata proportion for all the states, according to the number of their representatives and senators in Congress respectively.

Under this provision, the amount falling due to this Territory is 2000 muskets. An effort was made to draw them in rifles, but failed from some regulation to the contrary. In addition to this, our annual quota of arms is 137 muskets, which amount, consisting of 2137 muskets, have been drawn in 1980 muskets, 100 rifles and accoutrements, and 30 cavalry sabres. The whole amount—to which 208,000 caps were added—have arrived at Vancouver, in this Territory, some mistake having occurred in their shipment. Owing to the difficulty of transportation at the present season of the year, between the Columbia river and Puget Sound, efforts have been made to procure the proper portion, suitable for the Puget Sound section of country, transported direct, by sea, from Vancouver to this place.

Your attention is urgently requested to the subject of the postal arrangements for the Territory. Mail routes have been established throughout the Sound, and a large appropriation has been made for carrying the mail from Olympia, by sea, to San Francisco.

The contracts of the former have not as yet been let, and the latter has proved inadequate for the service required, and has thus far been of no avail.

In the present critical state of affairs, our exposed position demands from the general government a more rapid communication with San Francisco and New York.

By an act of the last Legislative Assembly, the public buildings of the Territory were located, and by subsequent resolution, the Governor was requested to draw the amount appropriated by Congress to be used in the erection of the capitol.

During the vacation of the Legislature, and as soon as a site for the Capitol could be cleared, the plan of construction was adopted, and a contract entered into for its erection. The building was fast reaching its completion when the Indian war broke out, taking from said building the artisans engaged, and preventing the possibility of securing others. Under these circumstances, a suspension of the work was ordered, and I have been compelled to employ, temporarily, the hall used by the Legislative Assembly at its last session. The architect and contractor of the capitol assures me, however, that the work will be finished shortly.

In reference to our boundary question, and the extinguishment of the rights of the Hudson's Bay and Puget Sound Agricultural Companies, I refer you to the last message of the executive.

TABULAR STATEMENT of the Indians west of the Cascade Mountains showing tribes, population, parties to the several treaties, reservations provided for in the treaties, and temporary encampments.

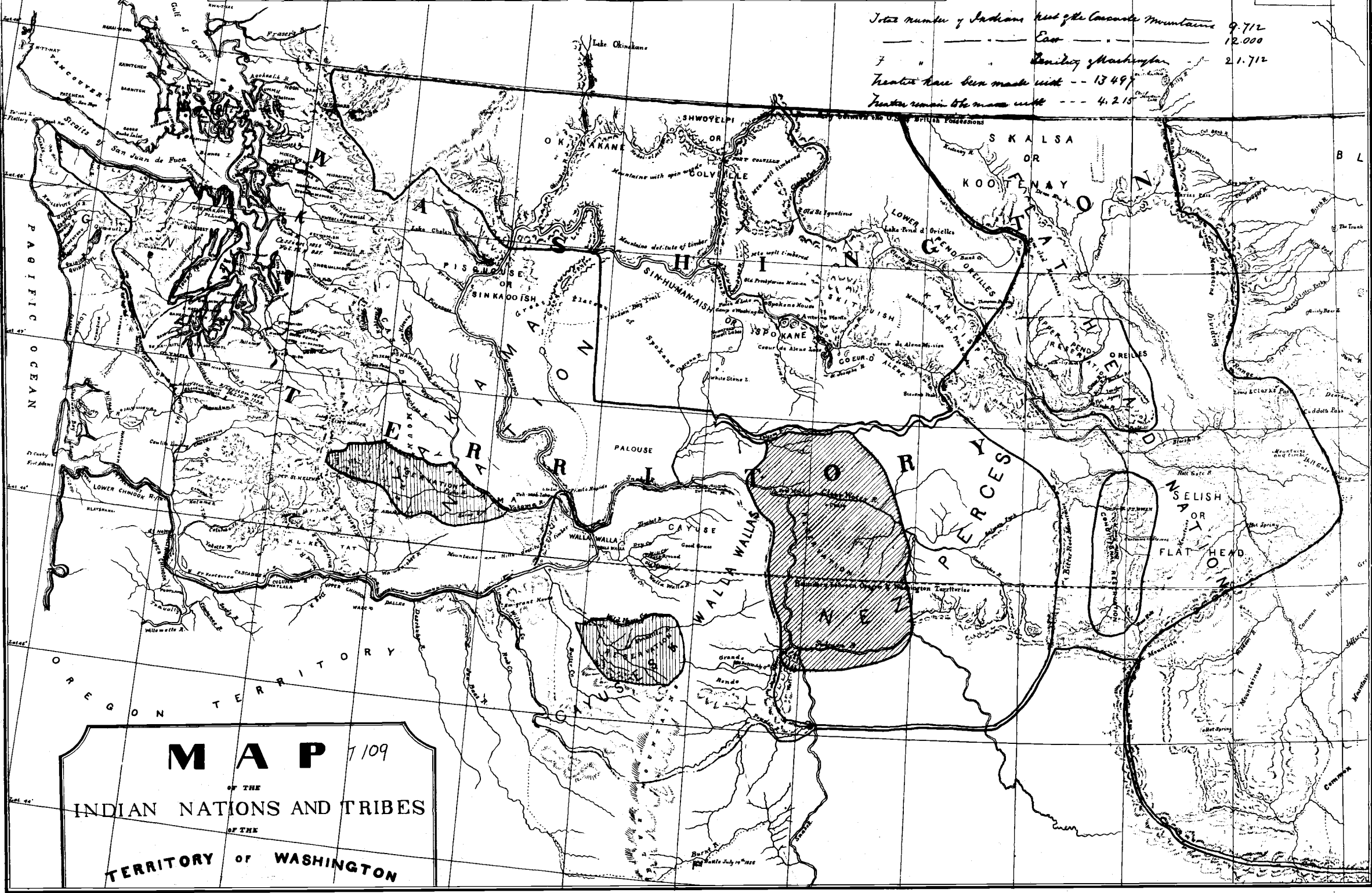
Name and date of treaty	Names of Tribes	Population	Reservations	Temp. Encampment
Treaty of Peace with the Nez Percés, Sept. 26, 1855	Bunaish, Knapall, Puyallup	12,000	Wahkiakum Island near mouth of Nisqually R. Mouth of Puyallup R.	Klochemin Island Fox Island
Treaty of Peace with the Puget Sound Tribes, Jan. 22, 1855	Bunaish, Knapall, Puyallup, and allied tribes Snoqualmie and allied tribes Skagit and allied tribes Lummi, Nooksack, Samish	9,420 17,700 13,300 10,550	Agashish near Puget Sound Tasitash near north side of Duwamish R. SE end of Perry's I. Chab-chau-see Island at the mouth of the Summit River	Dungeness Point Port-Blair Skagit House W. Id. Perry's Cove W. Id.

Treaty of Point No Point, Jan. 21, 1855	Tribe	Population	Reservations	Temp. Encampment
Treaty of Point No Point, Jan. 21, 1855	Stokovich, Chinook	100		
Treaty of Walla Walla, 1855	Makah	486		Cape Flattery
Treaty of Olympia, 1855	Suquamish, Twana	495		Reservations as directed by the President
Treaties with whom treaties have not been made	Lower Chehalis, Upper Chehalis, Skillee, Tlulmagu, Lower Chehalis, Upper Chehalis	277 216 112 338		
Total number of Indians west of the Cascade Mountains		9,712		
Number with whom treaties have been made		12,000		
Number with whom treaties have not been made		4,215		

Treaty with the Yakama Nation concluded at Walla Walla, June 1855

Walla Walla treaty concluded June 1855

Total number of Indians west of the Cascade Mountains 9,712
 --- East --- 12,000
 --- Residing in Washington --- 2,172
 Treaties have been made with --- 13,497
 Treaties remain to be made with --- 4,215



MAP 109
 OF THE
INDIAN NATIONS AND TRIBES
 OF THE
TERRITORY OF WASHINGTON

Map of the Indian nations and tribes of the Territory of Washington and of the Territory of Nebraska west of the mouth of the Yellowstone. Made under the direction of Isaac I. Stevens, Governor of Washington Territory and Superintendent of Indian Affairs, March, 1857, drawn by William H. Carlton, surveyor and topographical engineer, Washington, 1857. Only a portion of the map is reproduced here.

In conclusion I will state, that as far as my limited judgment extends, every effort has been made on my part, for the protection of the Territory. An Indian war, existing all around us, demands from every citizen a unanimity of opinion, and a concert of action.

From the uniform courtesy which has ever been extended to me by the citizens of this Territory, as long as the duties of acting executive devolve upon me, I shall rely upon your patriotism and earnest cooperation, and, having in view but one object—that of duty—shall leave it to you, how far that object has been accomplished.

C. H. MASON.

Governor Isaac I. Stevens to the Third Annual Session of the
Legislative Assembly, January 21, 1856.

*Fellow Citizens of the Legislative Assembly, of the
Territory of Washington:*

I have taken the liberty of departing from the usual custom of delivering a written message. This arises from the exigencies of the case. It did not seem necessary to follow the etiquette usual in such cases, if by doing so time should be lost, or public business deferred.

We are, fellow citizens, and have been for the past three months, engaged in an Indian war. Our settlers, from the Cowlitz river to the Sound, have been obliged to abandon their claims, to live in forts. It is true that almost all the Indians are friendly; that the number of Indians hostile does not exceed the number of one hundred and fifty or two hundred; but from the peculiarity of the country, if this force is not soon crushed, it will prove a source of serious annoyance upon this side of the Cascade Mountains, and the other. Several tribes have violated their plighted faith, and broken out in open hostilities.

We are now in the midst of a war. What has brought it about? and what is the remedy? Gentlemen of the Legislative Assembly, it is due to you that I should enter dispassionately and fully into the policy which has marked the government in the making of treaties with Indians of this Territory. It is important that the honor and dignity of that government should be sustained. That its course should be characterized by humanity and justice. Those who have done their duty, and maintained the dignity and honor of the country, should not be struck down. Let the blow be struck in the right quarter. If dignity and honor have been maintained, then has no citizen anything to blush for, and it is a bright page in the history of the country, and dear to every citizen.

When this Territory was organized, there was a population of about four thousand souls, widely scattered. No treaties had been made with the Indians occupying the lands of this territory, nor was there, practically, an intercourse law. Congress had by law extended the provisions of the Indian intercourse act, so far as applicable, over this Territory and Oregon. Congress had also passed a dona-

tion law, inviting settlers to locate claims, first west, and then east of the Cascade Mountains, and public surveys had been ordered to be made over this domain. But the Indian title had not been extinguished. This was a bitter cause of complaint on the part of the Indians. The Yakimas, Cayuses, and Walla Wallas were anxious to make treaties, selling their lands to the government, and securing to themselves reservations for their permanent homes, and they asserted that until such treaties were made, no settlers should come among them. These were the reasons of public policy which induced the government to enter into these treaties, and no time was lost in consummating them. The people of this Territory urged upon Congress the necessity of such a policy, and Congress made appropriation to carry out their wishes. It fell to my lot to be appointed the Commissioner to negotiate these treaties. I entered upon those labors in December, a year ago, and during that and the following month, successfully treated with all the Indians upon the Sound, the Straits, and the Indians at Cape Flattery.

In January a year ago, I despatched Jas. Doty, Esq., east of the Cascade Mountains, to ascertain the feelings and views of the Indians. He visited the Yakimas, the Cayuses, the Walla Wallas, and the Nez Percés in their own country, and they were desirous to treat and sell their lands. Kamiakin advised the tribes to meet in council at Walla Walla, saying that was their old council ground. The council was convened, and lasted fourteen days. All those tribes were present. The greatest care was taken to explain the treaties, and the objects of them, and to secure the most faithful interpreters. Three interpreters were provided for each language; one to act as principal interpreter, the other two to correct. At the close of that council, such expressions of joy and thankfulness I have never seen exhibited to a greater degree among Indians. Kamiakin, Peu-peu-mox-mox, the young chief Stickas, and the Lawyer, all personally expressed their joy and satisfaction. Kamiakin asserted that personally, he was indifferent about the treaty; but as his people all wanted it, he was for it, and that was the reason he assented to the treaty. The record of that Council was made up by intelligent and dispassionate men, and the speeches of all, there made, are recorded verbatim. The dignity, humanity, and justice of the national government are there signally exhibited, and none of the actors therein need fear the criticism of an intelligent community, nor the supervision of intelligent superiors. By these treaties, had the Indians been faithful to them, the question as to whether the Indian tribes of this Territory can become civilized and christianized beings, would have been determined practically, and as to whether the intervention of an Indian service, for the supervision of the Indians, might not become unnecessary, in consequence of the Indians being able to govern themselves. This spirit lies at the basis of all the treaties made in this Territory.

Another council followed, in which three considerable tribes were convened, which lasted eight days—the Indians, at the close, again expressing the utmost joy and satisfaction. It is due to gentlemen of the Legislative Assembly, to make this frank and full statement. The printed record will show that the authorities

and the people of this Territory have nothing to blush for, nothing to fear in the judgment of impartial men, now living, nor the rebuke of posterity.

As to the causes of this war, it is not a question necessary to dwell upon. It has been conclusively demonstrated, that it has been plotting for at least two or three years. I am frank to admit, that had I known when the council at Walla Walla was convened, what I learned afterwards, I should not have convened that council. I learned from one of the fathers, some days after it had commenced, and I was satisfied that his information was correct, from the deputation of several of the principal chiefs, that many of the Indians came to that council with hostile feelings. But when I left Walla Walla, I thought that by the treaty such feelings were entirely assuaged—that those who were once for war, were now for peace.

It is difficult to see how such a combination should have existed, and not have been known; and yet it extended from the Sound to the Umpqua—from one side to the other of the Cascade Mountains.

Fellow citizens!—War has existed for three months, and still exists. A war entered into by these Indians, without a cause; a war having not its origin in these treaties, nor in the bad conduct of our people. It originated in the native intelligence of restless Indians, who, foreseeing destiny against them, that the white man was moving upon them, determined that it must be met and resisted by arms. We may sympathize with such a manly feeling, but in view of it, we have high duties.

I will not dwell upon the efforts made, the false reports circulated, distorting the proceedings of these councils; the stories of killing friendly Indians, which those hostile have resorted to, to spread hostility. The war exists; the question is—How shall it be met? There are duties to be discharged,—difficulties to be grappled with. The war must be vigorously prosecuted now. Seed time is coming, and the farmer should be at his plough in the field. The summer is coming. The snows will melt in your mountain passes. It seems to me the warm season is not the time for operations. Day-light is breaking upon us. The gloom which for a time hung over us, is giving way. There has been great energy displayed in handling the whole question. Judgment and energy in driving back, into a comparatively small region of country, the hostile Indians, and in keeping the great body of the Indians entirely friendly.

The work remaining to be done is comparatively small. It is my opinion that it would be expedient forthwith to raise a force of three hundred men, from the Sound, to push into the Indian country, build a depot, and vigorously operate against the Indians in this quarter; and nearly the same force should be raised on the Columbia river, to prosecute the war east of the Cascade mountains. This last would have a vast influence upon the operations in this section. It would prevent reinforcements from either side joining the bands on the other side, and would effectually crush both. But what is more important, would be the influence upon the numerous tribes not yet broken out into hostility. It is due to you to state what experience in travelling through the Indian country has taught me. There is a

surprising feeling of uneasiness among all the tribes who have not broken out, except, alone, the Nez Percés. These tribes may be led into war, if delay attends our operations.

I regret on this occasion to be compelled to criticise the official acts of a gallant and war-worn veteran, one whose name has been on the historic rolls of the country for nearly half a century. But it is due to the people and the authorities of the Territory of Washington, that the facts should appear, and be known to the national government. Gov. Mason, in obedience to the requisition of the commanding officer of the United States forces upon the Columbia river, raised two companies of volunteers, of excellent material. They were well mounted, and ready for the field. Another company was raised to protect the commissioner appointed by the president of the United States, to make treaties with the Indian tribes in the interior of the continent. These troops were disbanded, were brought down into garrison—and the regulars were kept in garrison. And there stands out the broad fact, that seven hundred Indians in the Walla Walla valley, were met and defeated by volunteers, when the regulars were in garrison. The president's commissioner, a high functionary, deriving his powers from the president of the United States, and not from any department, was left without protection, and the troops raised to protect him, Major General Wool thought proper to disband, and bring into garrison. That officer acted unquestionably from a sense of duty. His reputation as a gallant soldier, his long and valuable services to the country, cannot be disputed. I do not wish to impugn his motives. I only desire to submit facts for the judgment of superiors at home.

I learn from good authority, that his plan of operations is to delay till spring—probably until May. It is well known by those who have experience and knowledge of their country, that February and March are the best months for the prosecution of this war. I think it due to the Legislative Assembly to state the reasons why all voyageurs, and gentlemen of experience in these matters, give it as their opinion that now is the proper time for action. There is a vast plain between the Cascade and Bitter Root Mountains. The Columbia, Snake, Clear Water, and Spokane rivers are to be crossed. The snow is but a few inches deep, and lasts but a short time—seldom over a fortnight. There is but one continuous period of cold weather, and that period has now passed. The mountain passes are all closed up with snows, which can only be scaled by snow-shoes. For these reasons the Indians cannot escape, should vigorous operations be made. On these plains our forces can operate well. There is abundant fuel for camps, grass for animals, and the rivers are low. The Indians must be struck now. But if we delay, in a few months the roots and fish will abound, supplying the Indians with food. The snows will melt, and the mountain passes will allow them hiding places. It is my opinion, if operations are deferred till summer, they must be deferred till winter again.

What effect would it have on the Sound, should nothing be done until May or June? The whole industrial community would be ruined; the Sound paralyzed; the husbandman would be kept in a state of suspense by rumors of war, and could

not adhere to his pursuits; fields would not be tilled, and the Territory would starve out.

I am of the opinion that vigorous operations should be prosecuted on both sides of the Cascade Mountains. Whenever it is practicable or expedient, it is best that volunteers should be mustered into the United States service. It should go to the authorities at home, that we endeavored to co-operate with the regular service. But there has been a breach of faith. Troops mustered into service were disbanded, in violation of a positive understanding; and it is now proper that the authorities of this Territory should conduct the movements of their own troops—co-operating with the regulars where such co-operations can be effective. I therefore do not think the volunteers of this Territory should be mustered into the United States service. I am ready to take the responsibility of raising them, independent of that service, and it is due to the Territory, and to myself, that the reasons for assuming it, should go to the president and the departments at Washington.

The spirit of prosecuting this war should be, to accomplish a lasting peace,—not to make treaties, but to punish their violation.

Gentlemen of the Legislative Assembly: I have done my duty. It was a pleasant feeling that actuated me on my mission, in making these treaties, to think I was doing something to civilize, and render the condition of the Indian happier; and while justice and mercy should characterize the acts of our government, there should be no weakness—no imbecility. In nations, as well as individuals, we may apply the precept—a man who has deceived you once, should not again be trusted. Let the blow strike where it is deserved. I am opposed to any treaties; I shall oppose any treaties with these hostile bands. I will protest against any and all treaties made with them:—nothing but death is a mete punishment for their perfidy—their lives only should pay the forfeit. A friendly Nez-Perce informed me that in the Cayuse tribe, nineteen ill-disposed persons caused all the trouble. Could these be punished, the tribe could be governed. These turbulent persons should be seized and put to death. The tribes now at war must submit unconditionally to the justice, mercy, and leniency of our government. The guilty ones should suffer, and the remainder placed upon reservations, under the eye of the military. In a few years, the policy might be changed. By such a decisive, energetic and firm course, the difficulty may be grappled with, and peace restored.

Let not our hearts be discouraged. I have an abiding confidence in the future destiny of our Territory. Gloom must give way to sun-light. Let us never lose sight of the resources, capacities, and natural advantages of the Territory of Washington. We have an interior, soon to be filled up with settlements. Gold, in considerable quantities, has been discovered in the northern part of that interior. There are fine grazing tracts, and rich agricultural vallies, and that interior *will fill up*, when these Indian difficulties are at an end. Then, too, will the Sound resume its prosperity. Gather heart, then, fellow citizens. Do not now talk of leaving us in our hour of adversity, but stay till the shade of gloom is lifted, and await that destiny to be fulfilled. Let us all put hands together, and rescue the

Territory from its present difficulties, so that we all may feel that we had done our whole duty in the present exigency.

ISAAC I. STEVENS,
Governor, and Supt. Ind. Aff's., Wash. Ter.

Governor Isaac I. Stevens to the Fourth Annual Session of the
Legislative Assembly, December 3, 1856.

*Fellow Citizens of the Legislative Assembly, of the
Territory of Washington:*

I congratulate you on the comparatively happy auspices under which we now meet. The last Legislative Assembly had its session in a period of gloom and despondency, when our people had been compelled to congregate in block-houses for protection—when both east and west of the Cascade mountains a wily and treacherous foe were dealing fire and death upon our homes and people—when the fealty of a large number of the so-called friendly tribes was uncertain.

A vigorous and united effort was made; more than one-half of the able bodied men took up arms; the citizens with unexampled patriotism turned out their animals, their provisions and their shipping. A vigorous campaign was waged in the enemy's country; decisive blows were struck, the allegiance of the friendly Indians not only strengthened, but their effective aid secured us auxiliaries, and in a few months the hostiles on the Sound were reduced to unconditional submission, or driven across the Cascades

We meet to-day under comparatively the auspices of peace and returning prosperity. The Sound is whitening with the sails of commerce, the fields are preparing to make returns to the labor of the husbandman, and through most portions of the settlements our citizens can travel with safety.

Not that now there is no danger—not that now a lasting peace has been secured with the Indian tribes of the Territory—not that now all our citizens can return to homes which have been made to smile through honest years of labor—not that now our people can seek new homes under the solemn safe-guards of the government and the plighted faith of the Indians—not that now there is not vigorous action and an intelligent forecast required to put our Territory on the vantage ground due to its geographical position, and individually, to its people for their generous sacrifices in the cause of humanity and their country—not that now a want of appreciation does not exist, both of the rights of our citizens under existing laws, and of the true policy which should characterize the military operations of those sent here for our protection. Our people have not had the sympathy and the protection to which they were entitled, and the facts will be briefly set forth in this address.

Let us have confidence in the justice and discrimination of the Government, which will, I firmly believe, correct all these evils. Let us see to it, that we use every exertion to ameliorate them.

The message of acting Gov. Mason to the last Legislative Assembly, set forth the causes of the war, and the operations in prosecution of it which had been undertaken previous to its assembling, and the address which I delivered on my arrival from the Indian country, announced the policy which ought, in my judgment, to characterize all the operations of the Government with the hostile Indians, and the necessity which the Territory was under of permitting its volunteers no longer to be mustered into the regular service in consequence of a breach of faith.

The war had its origin in the Indians treacherously killing some of our best citizens, both east and west of the Cascade mountains, not sparing women and children, in the teeth of the faith of solemn treaties. It was not caused as has been falsely asserted by bad conduct on the part of the citizens, who have been habitually kind to the Indians.

The troops were at first mustered into the regular service, but when they were mustered out in utter disregard of an agreement to muster them in and send them on a specific service, the time had come for the territory to muster them into the service on its own responsibility.

The Indians to be conquered and peace to be permanently established, the one should feel the power of the Government, and the other should be on the basis of absolute submission to its justice and mercy.

These views met with the approbation of your predecessors, and I am indebted to them for their confidence in leaving to my discretion the organizing of the territorial forces, and applying them to reducing the enemy to submission. I have endeavored to do my duty in a way that should be creditable to the territory, should sustain the prestige of American valor, and keep in the ascendant the American flag.

It was during the session of the last Legislative Assembly that I issued my proclamation calling out volunteers for six months.

This force was organized into three battallions, which were designated as the Northern, Central, and Southern battalions, each of which elected its Major, and the two latter were organized into a single command by the election of a Lieutenant Colonel.

The Northern battallion under the command of Major Van Bokelen consisted of Co's G, Capt. Smalley; H, Capt. Peabody; I, Capt. Howe. The Central battallion under Major Gilmore Hays of Co's B, Capt. Rabbeson; C, Capt. Henness; E, Capt. Riley; F, Capt. Swindal—the Pioneer company, Capt. White, and the train guard, Capt. Shead. Southern battallion, Major Maxon of the Washington Mounted Rifles, Major Maxon, Captain; D, Capt. Achilles; E, Capt. Miller, and K, Capt. Goff.

A Quartermaster and Commissary's department was organized throughout the territory, by the appointment of a Quartermaster and Commissary General, an Assistant Quartermaster and Commissary General, and seven Quartermasters

and Commissaries, besides one Regimental Quartermaster and Commissary on duty with the troops in the field.

Care was taken to supply the troops with the proper force of medical officers, expresses were organized throughout the territory, and every exertion made to collect supplies and transportation.

The plan was to guard the line of the Snohomish by the whole available force of the Northern battallion, to move with the Central battallion at once into the heart of the enemy's country with one hundred day's supplies, to operate with the Southern battallion east of the Cascades, and to combine all the operations by a movement from the Sound to the interior, or from the interior to the Sound, according to circumstances.

It was also determined in all the military operations to occupy the country permanently by roads and block-houses, and one of the companies was enlisted expressly for such service, and was named the Pioneer company.

The citizens moreover were urged not to leave the borders of the settlements, but wherever there were three or more families, to build a block-house and hold a firm front to the enemy.

My proclamation was dated the 22nd day of January. On the 19th February the Central battallion moved from the Yelm prairie, the 20th, 21st, 22d and 23d, it established the post at Camp Montgomery, the 25th, 26th, 27th, 28th and 29th, the post and ferry at the emigrant crossing of the Puyallup, and on the 10th of March fought the decisive battle of Connell's Prairie, where previously a post had been established, the only general engagement with the Indians of the Sound since November, 1855, which resulted in a loss of thirty killed and mortally wounded to the enemy. The Indians then scattered into small parties, with the evident design of burning and laying waste the settlements. The report of Major Hays which will be found in the accompanying papers will best show how well each company of his command did its part. It will be invidious to particularize, except that it will be proper to state that the alacrity with which Capt. Henness' company, ordered for ranging duty, left behind their horses and went forward on foot, is deserving of special mention. They took an active part with company B, Capt. Rabbeson, the Pioneers under Capt. White, the scouts under Capt. Swindal, in this decisive engagement.

In the meantime, the northern battalion was being organized and sent up the line of the Sno-ho-mish; Port Townsend was the general depot of supplies, and the friendly Indians of the Holmes' Harbor reservations performed the canoe transportation for the rivers. Fort Tilton, near the falls of the Sno-qual-mie, was occupied the latter days of February and early in March. The route thence to Ranger's Prairie, above the falls of the Sno-qual-mie examined, and, on the 13th March, Major Van Bokelin, with company G., Capt. Smalley, consisting of 46 rank and file, and 76 friendly Indians, marched through the forests to the camp of the central battalion on Connell's Prairie.

Soon after returning to Olympia from the Blackfoot country, I went down the Sound to take the necessary measures for its defense, and inspect the Indian

reservations. The result was the organization of a volunteer company at Seattle, by the election of the Chief Justice of the Territory as its commander, and the sending a force of Indian auxiliaries under Pat Kanim against the hostiles known to be on Green River under Leschi.

The Indian Agent of the Sound district accompanied the force up the Snoho-mish river, and the result was one skirmish, resulting in the seizing and hanging two of the hostiles, and a severe battle, inflicting a loss of five killed and six wounded, upon the enemy.

The same force of Indian auxiliaries accompanied Major Van Bokelin on his march from the Sno-qual-mie to Connell's Prairie.

Previous to the battle of Connell's Prairie, White and Northcraft, two of the most respectable citizens of the territory, were killed within 12 miles of the capital, and there was grave cause of apprehension that, as the central battalion moved into the enemy's country the hostiles would turn its flank, and fall upon the settlements now disgarnished of troops.

Being unwilling to make any retrograde movements, the effect being mischievous in depressing the morale of our troops and raising that of the enemy, I determined to move the southern battalion, already en route for the interior, to the Sound, unite it with the central battalion to operate vigorously on the Sound till the war was closed, and then carry out the original plan of operating in the interior, by sending over the Cascades all the available strength of the territorial forces. The order was obeyed with an alacrity and promptitude which calls at my hands for the warmest commendation. The express carrying the order left Olympia at midnight, on the 2d and 3d March, and on the eleventh, Capt. (afterwards Major) Maxon reported his company at the Falls, two miles from this place, for orders. The distance traveled both ways by the express and by the troops being nearly three hundred miles. It must be borne in mind that the roads were in the worst possible condition, and the weather rainy.

The other companies of the southern battalion soon followed. Those of Capts. Miller and Achilles were advanced to the border settlements of Pierce and Thurston counties, and that of Capt. Goff was held in reserve on the Skookum Chuck.

At this juncture, additional bands of Indian auxiliaries were employed from the Chehalis and Squaxon tribes for the purpose of scouting the country in the vicinity of the Nesqually, and offers of assistance were freely tendered by nearly every tribe on the Sound. The Northern Indians had also previously tendered their services, which were declined, excepting some eight men who acted as scouts in connection with the Northern battalion. These arrangements enabled the country to be held firmly, and gave the force to send parties in the various directions to hunt up and reduce the enemy.

The orders were accordingly given, and all the arrangements made to penetrate the fastnesses whence the Indians sallied forth to spread devastation and death, when a difficulty, which had been felt acknowledged, and made great cause

of complaint from the commencement of the war, assumed an aspect which called for the promptest action.

I refer to the so-called neutrals in the war, who remained on their claims unmolested, when our patriotic citizens were compelled to live in block-houses. There is no such thing in my humble judgment as neutrality in an Indian war, and whoever can remain on his claim unmolested, is an ally of the enemy, and must be dealt with as such. These men, I ordered in to the towns, giving them the choice of residence at Olympia, Nisqually, or Steilacoom, and on their returning to their claims in violation of orders, I caused them to be put in close confinement at Steilacoom.

Thereupon, exertions were made to procure their release, which I met by my proclamation placing Pierce county under martial law.

The testimony of the military officers in the field—that their exertions were fruitless to find the enemy till the decisive step had been taken of ordering and keeping in the suspected persons, and that afterwards they repeatedly struck them, and effectually prevented their rallying again, is the best evidence of the necessity of the course taken by the executive. I took the responsibility as an incident of the war, and as necessary to its successful prosecution and termination. The whole territory was in a state of siege; more than one-half of the able bodied men were in the field; the sole business almost of the territory was the war. It was no time for half measures, or for running the risk of the slaughtering of our families and the destruction of our property.

Not only was the executive frequently besought, previous to his proclamation of martial law, to enforce it all over the territory, but a military officer in command of regular troops was urgently advised to do so over a portion of the territory by persons who felt aggrieved by the action of the executive.

When the time has come for all members of the community to resort to arms—when the officers of justice are in the field in command of troops, it would seem to be the dictate of patriotism, and to be an obligation of duty to avoid a collision with the authority entrusted with the general defense. Least of all, would it be expected that the field should be abandoned not only without orders, but without notice, to enter upon a course, the inevitable result of which was to bring about a collision, and engender strife and ill feeling amidst a population already too small when united, to defend itself from the common enemy, and leave hands enough at home to procure food for the coming year.

I impute no want of patriotism, no inconsiderateness of action to those who have differed from me; I concede to all the highest motives of action which may be claimed. I speak of stubborn facts, and of the inferences to be drawn therefrom, and of the practical tendency and effect of the action of those who sought to strike down the executive, when laboriously and honestly exerting his whole force to bring back peace and prosperity to a suffering people.

I now leave this matter of martial law in your hands, fellow citizens, of the legislative assembly, and I invite your most rigid scrutiny into the necessity of proclaiming it, and the measures taken to enforce it.

The massacre of the Cascades rendered it necessary to call more volunteers into the service, and one company under the command of Capt. Wm. Kelly was raised in Clarke county, and another under the command of Capt. E. E. Warbass, in Lewis county. Both counties were block-housed, and in Lewis County the roads were improved to facilitate communication, and two ferries established on the Cowlitz to make the trail to Monticello practicable to troops at all seasons of the year. Small parties of Indian auxiliaries were also employed in Lewis county to watch the trails and procure information.

In the meantime sight was never lost of the fact that a contingency might arise making it necessary to operate east of the Cascade mountains, and whilst the Southern battallion was operating with the Central and Northern battalions in bringing the war to a close upon the Sound, supplies and transportation were pushed to the Dalles, and accumulated at the Yelm prairie, and at Camp Montgomery to move over the Cascades.

Till the war was brought to a close east of the mountains, the Sound was not free from danger. The Sound hostiles were acting in concert with those of the Yakima and other tribes, and had been actually assisted by a force of sixty Yakimas under the son of *Owhi*. To secure the permanent peace of the Sound, it was essential to carry its arms east of the mountains, and to teach the Indians, that not only was the Sound adequate for its own defence, but that it had the force to "carry the war into Africa."

Had the operations of the regular troops been energetic and decisive, had the true policy of the war been inflexibly carried out, I should have hesitated long before I sent troops east of the Cascades, except in obedience to a requisition of the principal officer in command. But when I received official information from Col. Wright, in command of the Northern District, that he did not intend to operate in the Walla Walla, that his advices were that the Indians in that quarter and on the Snake were friendly, and when furthermore, it being necessary to send an Indian train with supplies to the Nez Perce country, my requisition for an escort was practically refused by being referred to Gen. Wool, the time had come for a prompt and vigorous movement.

When I met the Nez Percés in their own country last December, they were staunch in their determination to abide by their treaty, and to keep hostiles out of their country. They offered their warriors to see me safe through the hostile country. They organized a company of fifty volunteers to maintain the integrity of the nation, to defend the agent and keep all hostiles out.

When the regular troops commenced their feeble and procrastinating course in the Yakima country, disaffection which had already commenced in consequence of a tampering with them by persons having no authority, rapidly spread among the Nez Percés, and the Agent and the reliable chiefs advised me that unless troops were rapidly sent there, the majority of the nation would be plunged into the war.

I accordingly determined to push forward all the available troops with the least possible delay. Lt. Col. B. F. Shaw was intrusted with the command, with Majors Maxon and Blankenship as the battalion commanders.

At this junction, I proposed to Lieut. Col. Casey a joint operation over the Cascades into the Yakima, he moving over the Nachess with three companies, one to be retained near the pass, and the volunteers to move over the Sno-qual-mie with a wagon train, that pass being much lower and more open than the Nachess, and there being much less snow upon it, for Major Van Bokelin had examined the pass and reported the quantity of snow, and his expresses had reported that a wagon road could easily be made on that line. The engineer officer, Capt. De Lacy, was sent over the route to verify the fact by actual observation, and transportation was collected in readiness to move with the wagon train, should the route be found one that the available working parties could make practicable in season. Col. Casey declined the combined operation and sent his force to the assistance of Col. Wright by way of the Columbia, and Capt. De Lacy having reported the route impracticable for the time allowed to build it, I determined to move over the Nachess with pack animals.

It will be recollected that when Col. Wright first moved into the Yakima, he met a large force of hostiles near the Nachess, marched to and encamped on its banks, and sent back for reinforcements. Lt. Col. Shaw by my orders sent an express over the Nachess, consisting of Messrs. Coffee and Sharp, to get information and to inform Col. Wright that the volunteers were about moving to his assistance.

The successful accomplishment of this very arduous and perilous service, furnished the information that the route was entirely practicable, and Lt. Col. Shaw started from Camp Montgomery on the 12th of June. His force consisted of the following companies of the Central and Southern battallions under the respective Majors Blankenship and Maxon, viz: Co. C, Capt. Henness; Washington Mounted Rifles, Major Maxon; Co. D, Lt. Powell, and Co. J, Capt. Miller; numbering in all, 175 officers and men. The pack train consisted of 27 packers and 107 pack animals, under Capt. Armstrong, the regimental Quartermaster and Commissary. He determined after crossing White river at Porter's to keep on the north bank of the river, though by a veteran and energetic officer it was pronounced impracticable, and he successfully accomplished the undertaking and brought his force to the Wenass without the loss of a day, and with but that of a single animal.

Whilst Shaw was marching over the Cascades, new troops raised on the Columbia, rendezvoused at the Dalles, and on the 22d of June, a force of two companies of 175 men under Capts. Goff and Williams, with a train of forty-five wagons and 35 pack animals in charge of Quartermaster and Commissary Robie, commenced its march from the Dalles to join Shaw at Walla Walla.

On the 9th of July the whole force came together on Mill Creek in the Walla Walla, including the Nez Perce auxiliaries, who marched from the Nez Perce country under Lt. Col. Craig, except a force of about seventy-five men, which, under Goff, separated from the train on the Umatilla to march to the assistance

of Major Layton of the Oregon volunteers, in presence of a large number of the enemy, in the Blue mountains.

At a conference held with the Nez Perce chiefs, the strongest assurances were given of the friendship of the whole nation, and Capt. Robie proceeded without an escort other than that furnished by the Nez Perces, with an Indian train to the Nez Perce country.

Lt. Col. Shaw learning that the hostiles were in the Grand Ronde, determined to march against them, and moving in the night by an unused trail, he fell upon the main body the third day, and struck the hardest and most brilliant blow of the war. The enemy were pursued some fifteen miles, nearly all their provisions and ammunition were captured, over two hundred horses fell into his hands, and the loss of the enemy could not have been less than from forty to sixty killed and mortally wounded.

Two days before the battle of the Grand Ronde, the Washington volunteers, in concert with the Oregon troops, fought the battle of Burnt river, having pursued the enemy from the head waters of the Umatilla.

Whilst these decisive operations were going on, for the full account of which I will refer you to the reports of Col. Shaw and his officers, the disaffected portion of the Nez Perce nation began to use threatening language again and ordered Capt. Robie, who had just arrived with his train, out of their country. Capt. Robie returned by forced marches, found Col. Shaw at the Walla Walla, just returned from the Grand Ronde. The Nez Perces, however, again professed friendship on hearing of the success of our military operations, and in answer to Col. Shaw's message, stating he was their friend, but if they beat their drums for war, he would parade his men for battle, made again the most earnest protestations of friendship.

This seemed to be a favorable moment for doing away with disaffection, and I immediately had word sent to all the Indians, both friendly and hostile, to meet me at Walla Walla. It was made an express condition that the only basis on which a conference would be held with the hostiles was that of absolute submission to the justice and mercy of the government. Col. Shaw, who in obedience to his original orders had already communicated with the Indians to the same end, now sent my message to all the tribes. The hostiles were directed to come without their arms. They were guaranteed safe conduct coming to, at, and returning from the Council ground.

The day my express started for the Walla Walla, calling into council the Indians, my proclamation was issued calling out two hundred volunteers to strengthen Shaw's command—nearly every man going out of service from the expiration of his term of enlistment; at the same time I addressed Col. Wright, in command of the Northern district, a letter urging him to occupy the Walla Walla with regular troops, and to accompany me to the Walla Walla to be present at the council.

On my way to the council, I met Col. Wright on the Columbia river, and having ascertained from him that he was despatching a force of regulars to the valley, and that they would probably reach that point in season for the council, I revoked

my proclamation calling out two hundred volunteers, and the result of many conferences which I had with him before leaving the Dalles, was, though he was unable to accompany me from the press of other duties, that I was led to expect the co-operation and assistance of the regular troops about to occupy the Walla Walla valley.

The regular troops, consisting of four companies, reached the valley early in September, and the volunteers, except a single company, that of Goff, was sent down to be mustered out of service.

The council was now opened. A large assemblage of Indians were on the ground. The head chief, chiefs, principal men, and nearly one-half of the bulk of the Nez Perce nation, the Cayuses, the Walla Wallas, the Umatillas, the chiefs of the Des Chutes and Tye Indians, the Palouses, the Yakimas, and individual members of the other tribes. So hostile were nearly all the Indians but a portion of the Nez Percés, that I made a requisition upon Lt. Col. Steptoe to protect my camp, about to be left without troops by sending down Goff's company, whose terms of service were also expiring, and on his refusal to comply with my requisition, that company was retained to guard my camp.

The council continued six days, with an interval of two days occupied in transferring the council ground to the vicinity of Lt. Col. Steptoe's camp, some seven miles from the point where the council opened, a step absolutely necessary to guard my party from an attack during the holding [of] the council, Steptoe refusing to send any troops to strengthen my escort.

The result can easily be predicted. The Indians felt there was a difference of judgment and action between the Superintendent of Indian Affairs and the military officer in command. The one inflexibly insisted upon absolute submission, as the condition of a suspension of hostilities, utterly refused to grant other terms, demanded the giving up of murderers to punishment. The military officer did not recognize a state of war, and proposed to treat them as though they had been good Indians from the beginning.

All this occurred when their deportment was insulting, when in their camps they threatened nothing but war, and when in council they were as persistent in demanding an abrogation of all the treaties and the withdrawal of the whites from the country, as I was in demanding obedience to the law in all its various obligations, whether cessions of land, surrender of murderers, or respecting the lives and property of the whites.

The honor of myself and my party, the Indians having come to the council on a pledge of safe conduct, was concerned in no act being done, even under provocation, which would taint the good name of our people, already for a long time the theme of slander and vituperation at the hands of malicious and designing men.

The council adjourned without effecting its object. Nothing was accomplished in healing the difficulties of the Nez Percés. I started on my way home and was attacked before I had gone three miles by a vastly superior force of the

enemy. No impression was made upon the party, not an animal was captured, and but one man killed. A considerable loss was inflicted upon the Indians.

I indulged the hope that this act of the Indians would awake the officers in command of the regular troops to the actual condition of affairs, and that, as the Indians had not only attacked the authorities of the territory, but the regular camp itself, had burnt out all its grass, and had compelled it to move to another place, that the attempt would be made to chastise the Indians and make them feel the power of the government—the more so, as the regular service were witnesses of the propriety and moderation which characterized the proceedings of the council, of the extraordinary forbearance and good conduct of the volunteers and Indian employees, and that there was not the slightest provocation for the attack made by the Indians near the council ground.

Unhappily other councils have prevailed, and I have recently received intelligence that the quasi peace policy of the Yakima had been adopted in the Walla Walla, and that a temporary quiet had been established by surrendering to the demands of the Indians. Col. Wright met in October the prominent hostile Nez Perce chiefs, and there took the ground that the treaty ought not to be insisted upon.

This ground taken in connection with the order which Lieut. Col. Steptoe has recently published by order of Gen. Wool, prohibiting in fact the settlers returning to their claims in the Walla Walla valley, presents the most extraordinary and unprecedented abandonment of the great duty of protecting our citizens and maintaining the honor and dignity of the government in the whole annals of our Indian relations. It calls for the most earnest remonstrance at your hands, and for the prompt interposition of the home authorities.

I will again inquire, even at the risk of some repetition, under what circumstances did the war commence on our part, east of the Cascades? Treaties had been made with the most powerful tribes in that quarter, the Yakimas, the Walla Wallas, the Cayuses, the Nez Percés and other tribes, in which it was guaranteed that whites should pass unmolested through their country, and that the whole country should at once be open to settlement, except the tracts set apart for reservations and those actually enclosed and under cultivation by the Indians. Our citizens in good faith started, some with their flocks and herds, to locate on the fine grazing lands of the interior, and others to explore and work the gold mines further north. They were orderly citizens, who had established characters for sobriety and integrity at home, and who would have kept, and did keep untarnished, the good name of the territory in the progress eastward of its settlements. Many of these citizens entirely unsuspecting of danger were ruthlessly and treacherously killed in the Yakima, and when the Agent of the Yakimas, Bolon, went to their country they killed him also, and danced his scalp in their camps. Thereupon it was determined to demand the murderers, and in the event of resistance, to punish the tribe; two expeditions marched into the Yakima with this avowed object. The first was driven out by an overwhelming force of the enemy, and the second drove the Yakimas out of their country to east of the Columbia,

and then abandoned the country itself. The third expedition, under Col. Wright, seems to have lost sight entirely of the imperative duty which devolved upon it of seizing these murderers and of not relaxing in a single jot or tittle the original purpose of the war. Its long delays, its refusal to fight when opportunities offered, its great desire to talk, its persisting in talking even though the Indians did not make their appearance in the council house prepared for their reception, its long marching and countermarching, its proclaiming a peace in the Yakima, not a murderer seized and held in custody, its affectation to treat as refugees and men of no influence the great chiefs as Kamiakin and the flower of the nation, who were at this time at work stirring up the tribes of the interior, leaves on the mind the impression that it was not the object of the expedition to bring to an honorable and just close an unhappy state of things, to enforce the honor of our arms and the power and justice of our government, but simply by quasi peaces and pretended conciliations to cast the whole censure of the war upon our people, and to bolster up the reputation of a veteran commander, who having grossly mistaken the character of the contest, having slandered most cruelly and falsely the people of the territory, was endeavoring to sustain himself at any and all sacrifices of honor, truth, and the public welfare.

A temporary quiet undoubtedly now exists in consequence of the regular service having surrendered to the demands of the Indians. That quiet may continue so long as the regular service continues to be the ally of the Indians. But call upon the Indians to surrender the murderers—call upon them to give free passages to all whites passing through their country—call upon them to molest no white settling any where in the country except on the lands set apart as reservations, and the quasi peace will be broken and the tribes will again appear in arms.

These facts have all been presented by me to the authorities at home. I have earnestly called for some action of the government. I have recommended that all the hostile tribes be planted by the strong arm of the military power on reservations to be established by act of Congress.

Under the donation law, the whole country is now unquestionably open to settlement, and there is no authority short of a law of Congress, or of the sanction of the Senate to a treaty with the Indians, which can say to the settler, thus far shall you go and no further. But in the case of claims actually taken, where the provisions of the donation law have been complied with, not even Congress can take away the right therein vested in the citizen without compensation; much less can a military officer in the plenitude of his power, issue his edicts, wiping out the entire country of Walla Walla.

I congratulate you, fellow citizens of the Legislative Assembly, that on this your assembling, you will find nothing to reproach the people of our beloved territory with, for their conduct either at home or in the field.

During the first six months of this war, not an Indian was killed except in battle. Throughout the war, not an Indian has been killed in a volunteer camp. Captured animals have been accounted for as public property. The animals and property of friendly Indians has been cared for and returned to them. Since last

April some murders have occurred, one recently, under circumstances of great aggravation; but the wonder is that these murders were not much more numerous, for it must be borne in mind that for a long time the fealty of all the tribes was uncertain, our citizens were in constant apprehension, and a spirit of exasperation gradually rose and gained strength in consequence of the positive suffering of the entire community.

Our troops have been subsisted as well, and as systematically as those of the regular service. Our Quartermaster department has at least been as efficient. The troops have never been delayed for want of transportation. They have never starved and been tempted to plunder for want of subsistence.

But above all, we have waged the war with humanity, with moderation, with honor to our country and honor to ourselves. The dignity, the justice, the mercy of the government, has been vindicated at our hands.

On the Sound, where our force exceeded that of the regular service, where we occupied the circumference, and the regular service the centre, we point to our block-houses, to our roads, to our scouts, to our expresses, to the battles fought, to the camps struck, the Indian auxiliaries brought into the field, to the hostile Indians reduced to unconditional submission, to the general quiet and contentment of the Indian tribes, as evidence of the vigor, the judgment, and the success of our operations.

The march over the Naches with ample supplies, the troops cutting the road as they marched, snow still on the mountains, each animal taking its sack of oats for three nights without grass, and the horseman going on foot, the simultaneous movement of our troops on the Columbia with the trains and supplies from the Dalles, the vigorous scouts made on the route, and the movement of our Indian auxiliaries from the Nez Perce country, and all meeting in the Walla Walla on a single day, show that our troops had discipline, had constancy, had patriotism, had the public service alone at heart. It shows too that military skill was applied, and that we had good leaders as well as good men.

The movement of the Northern battalion to Seattle and the head of the Sound amid drenching rains, having to cross swollen streams, and the march back again, its trails cut on this line, on the line over the Sno-qual-mie into the main Yakima and down the Sno-qual-mie river, show that it could work as well as fight, and that it appreciated the old Roman principal of conquering a country by the roads it built.

One thing yet remains to establish the permanent peace of the Sound, so far as it is disconnected with its relations with the tribes east of the mountains. I refer to apprehending and seizing the Sound murderers. I made requisition upon Col. Wright for their delivery to the civil authority when they were in the Yakima, which he agreed to comply with.

Since their return to the Sound, I have made a similar requisition upon Lieut. Col. Casey, and he has finally returned an equivocal answer referring the matter to Gen. Wool.

It is manifest that a peace cannot be considered as achieved, or the functions of the military exhausted, so long as the great leaders and instigators of the war are at large, especially if such men are arraigned before the tribunals of the territory on charges affecting their lives. It is understood that the military have proclaimed a peace, and holding them to the logical consequences of such proclamation, we have the right to hold them responsible for the delivery of these men as in their actual custody. I regret to inform you, gentlemen, that there is no disposition on the part of the service here to do what I conceive to be its duty in the apprehension of these men. There is a strong disposition to ascribe all the efforts made to secure them, to a spirit of vindictiveness and vengeance.

I have refused to receive the last installment of Indian refugees from the Yakima, till the murderers of their number had been apprehended and turned over to the civil authorities. I shall then receive the remainder and provide for them.

I have to speak in terms of the warmest commendation of the conduct of the officers and men of the volunteer forces, and of the efficiency of the several branches of the staff. That most difficult of all the departments—the Quartermasters and Commissary department—which, generally kept distinct, was a single department in our service, has had extraordinary efficiency imparted to it, reflecting the highest capacity and devotion to the public service, upon its chief and subordinate officers. In this connection I will call your special attention to the able report of Gen. Miller, and I will state that all the commendation which in it he bestows upon the officers and employees of his department, is simply their honest dues.

The special acknowledgments of the people of our territory are due to Oregon for the aid which it freely tendered to us in the prosecution of the war. The companies of Miller, Goff, and Richards (afterwards Williams) were almost exclusively raised in our sister Territory.

In the management of the volunteer service, it has been found that the dishonorably discharging of men for disobedience of orders, or for bad conduct, was in most cases sufficient to prevent a laxity of discipline. Every persistent disobedience of orders has been followed by a dishonorable discharge; the effect of which will be to forfeit the pay and allowance of the offending party.

Military courts have rarely been assembled. A court martial for the trial of some minor offenses, was called in the Walla Walla by Lieut. Col. Shaw: a military commission at Seattle for the trial of Indians, and one at camp Montgomery for the trial of certain persons accused of corresponding with, furnishing food and ammunition to the enemy, and, of volunteers charged with conduct prejudicial to good order and discipline. Resorts to military courts have been discouraged, and the slight necessity for them is cause of congratulation.

One of the most significant facts in proof of the serious character of our Indian troubles, is that it drove all but one of our surveying parties from the field, and for a considerable period suspended the operations of that branch of the public service. The territory, however, has the benefit of the military experience of

the Surveyor General, as Adjutant General of the Volunteers; and I take this occasion to make my special acknowledgments for his services.

In his report to the Commissioner of the General Land Office, Gen. Tilton says:

"In October, 1853, this office had in the field 8 surveying parties in full and active employment. A simultaneous outbreak of the Indian tribes inhabiting the greater portion of the territory, and numerous murders committed by the savages upon our people, rendered it impossible for but one party to remain in the field.

"As there were but about 1,700 white male inhabitants in the territory, and 2,000 Indians were absolutely in arms, it became a matter of vital necessity for all able-bodied men to bear arms in assisting the feeble garrisons of regular troops who were stationed at their widely separated posts.

"I entered the service myself, and, as adjutant general to the volunteer forces raised by Acting Governor Mason, did duty for several months in that capacity.

"Three of the young gentlemen of my office, Messrs. George Bright, Edward Gibson, and J. J. Lodge enlisted and made a campaign with credit. Almost all the deputy surveyors and the most of the surveying parties enlisted.

"As there were 2,000 Indians known to be hostile, and some 8,000 others wavering, active and decided measures were necessary to subdue them, and overawe those who were apparently only awaiting the chance to join which ever party proved the stronger. One thousand men were raised and subsisted for nine months by the patriotism and devotion of the scanty population.

"The families occupied the five villages and block houses of the territory, and almost every farm was abandoned.

"Such was the state of affairs at the opening of spring. By June last, the enemy occupying the region east of Puget Sound, and west of the Cascade range, were effectually subdued, and the usual employments of life resumed."

The whole expense of our service will be a matter of record in the course of this and next month, and every thing will be ready for the action of the commissioners appointed by the Secretary of War, to audit and allow the war claims of Oregon and Washington.

All the transactions of the volunteer service, in enlistments, discharges, purchases, issues and sales have been brought before the review of the executive. In regard to the service of troops, the papers have been consolidated in the office of the Adjutant General. Those relating to the purchases, issues and sales, in the office of the Quartermaster and Commissary General.

All scrip has been issued by the Quarter Master and Commissary General, and approved by the commander-in-chief. It has been registered in both offices. Sales have been made at public auction for scrip, and at prices exceeding in the aggregate the original cost, and the scrip cancelled appears on the books of the proper office.

The merit of our system is, that it has prevented the issuing of unauthorized scrip. It has enforced system and economy, and a strict accountability in purchases. The books show the service rendered or the articles purchased for any

given price of scrip. It will make comparatively easy the labors of the commissioners in auditing our accounts.

There has been issued the sum of \$1,019,090.20 in scrip, of which the sum of \$132,721.09 has been cancelled by sales. About \$40,500 remain to be issued, which will leave the amount of scrip to be redeemed \$926,869.15.

In the three months organization, the force consisted of 16 companies, 17 captains, 28 1st lieutenants, 18 2d lieutenants, 813 non-commissioned officers and privates, giving in the aggregate 65,794 days service of a single man.

In the six months organization, the force consisted of 18 companies, 20 captains, 20 1st lieutenants, 18 2d lieutenants, 1002 non-commissioned officers and privates, giving a force of 1,060 men, and an aggregate of 133,259 days' service of a single man.

I subjoin herewith reports from the Adjutant and Quarter Master and Commissary Generals, setting forth the above statistics in detail.

I also subjoin reports from the ordnance officer, R. M. Walker, in regard to the public arms, and from the engineer officer, Capt. DeLacy, showing the posts and block houses established by our citizens and volunteers throughout the territory, the wagon and pack trails cut out. This report is accompanied by two maps, showing in detail the operations of our troops and people.

Accompanying this message will be found selections from the correspondence so arranged in appropriate divisions, as to give a connected and full view of all the operations of the war.

The correspondence with the departments and with the officers of the military and naval service, will but illustrate the desire which has animated me to co-operate with them, and to insure our joint efforts being directed against a common enemy. I deemed it my duty to refuse the requisition made at the instance of Gen. Wool, of Lieut. Col. Casey, of the 15th March, for two companies of volunteers, to be mustered into the regular service, for the reasons stated in my letters to him of the 15th March, and to Gen. Wool of the 20th March. Our troops were in the field prosecuting a vigorous campaign. Supplies and transportation had already been collected for it, and it seemed to me not only unwise, but tending to mischievous results to change the plan of campaign, which promised a termination of the war. The requisition was obviously but a formal one, it being well known that it could not and would not be complied with.

I have been careful to communicate frequently with the military and naval officers, to the end that there might be no want of co-operation from lack of information, and the examination of the correspondence with Lieut. Col. Casey, will show that in the operations of the campaign we acted together. He was cognizant of and appreciated the importance of occupying the line of the Snohomish, and of sending into the field Indian auxiliaries. I will especially refer to his occupying our posts when it became desirable to have the services of our men over the Cascades, or to provide for the disbandment of those whose terms of service were about expiring, as evidence of the merits of our operations.

The people of the territory are under obligations to the navy for their many and valuable services. The timely arrival of the quota of territorial arms for the river counties is due to Capt. Alden, taking them in his steamer, the *Active*, to San Francisco, and thence shipping them by the mail steamer to Vancouver.

The navy has cruised much on the Sound—has rendered great aid to the Indian service, and has always shown a spirit of sympathy for our situation, and a desire to relieve it is most emphatically exemplified in its services at Seattle, where, for many weeks, the place was garrisoned in part by men from the ships. Its recent brilliant engagement with the Northern Indians at Port Gamble, where, after exhausting all proper efforts to effect their peaceable removal from the territory, it resorted to arms—killing 27, and wounding 25 Indians, destroying their canoes and property, and reducing them to submission, will, it is hoped, stop further marauding expeditions. The blow was struck at a seasonable moment, for there is reason to believe the Northern Indians had an understanding with the hostile leaders on the Sound, and that they had agreed upon a junction with the hostiles from all quarters to attack the settlements at the head of the Sound. The apprehension of the two hostile leaders, Leschi and Quiemuth, probably prevented the combination, and the blow struck by the navy, it is hoped, will keep the Northern Indians out of the Sound.

The correspondence itself will best show the spirit which has actuated the navy.

It is cause of congratulation that every case of a loan of arms or ammunition made by public officers, whether of the army, navy or revenue service, notwithstanding the censure it provoked at the time from immediate superiors on this coast, in one case to the extent of threatening a removal from office, was not only approved, but highly commended and endorsed by the authorities at home.

In view of the war-like, hardy and revengeful character of the Northern Indians, of their means of transportation, canoes carrying seventy-five men, which can be moved with rapidity against wind and tide, their visits to our settlements ought to be discountenanced, and a steam vessel of war of large size and speed, with two efficient steam barges, should be furnished for our protection. I will again recommend that congress be again memorialized to grant this protection, and that the employment of Northern Indians be made penal by act of the legislature.

I will earnestly call your attention to the subject of a revision of the militia laws. I will recommend that not exceeding three regiments be organized: that provision be made by law for the organizing of the staff, and for its appointment. No provision is made in the existing law for aids to the Commander-in-chief and the Brigadier General of the militia, nor for an officer of engineers, which, in some of the state organizations, has become a branch of the service.

All the able-bodied men of the territory should be enrolled as provided for under existing laws, but some encouragement should be given to volunteer organizations. I will recommend that some provision be made whereby four companies of rangers shall be raised as a part of the militia organization, and shall

meet some two or three times a year, in camps of one week's continuance, for purposes of drill and instruction.

I would also recommend the organization of a small corps of artillerists and engineers, organized, say into four or six sections; each numbering from 15 to 20 men, with one lieutenant, one sergeant, and one corporal to each section, and the whole under command of a first and second captain. It should be the duty of the senior captain of engineers to keep constantly advised of the topography of the country, and its facilities of communication.

A medical department should also be organized.

From information derived from the Surveyor General, I present the following statistics in reference to the surveys of the public lands.

Statement, showing the amount of surveys executed in Washington Territory

Amount surveyed under contracts with the Surveyor General of Oregon Territory.....	1,876 miles
Amount surveyed since organization of Surveyor General's office in Washington territory.....	2,969 miles
Total.....	4,845 miles
Of which there has been surveyed since date of last message	966 miles
Amount now under contract.....	225 miles
Estimated amount of surveys for 1857.....	4,500 miles

Provision has been made for running our northern boundary line, but nothing has yet been effected in the way of relieving the territory from the foreign corporations in our midst. This want of action is retarding the settlement of the country, and has specially of late, been the cause of mischievous results. Colville is at this moment practically a British dependency, the road thither is closed to American citizens. Forts have been established north of the 49th parallel, a road has been opened to Frazer's river. I rejoice at the prosperity of our neighbors, but I mourn at its being built up at our expense, through the supineness of our troops, who have not opened the road to our citizens through our own territory, and through the failure of Congress to act.

Let this be the subject of an earnest and vigorous memorial.

A steam mail service for the territory, which can be economically done, it being an established and conceded fact that the Sound can furnish the coal; works of defence for the Sound and the Columbia river; increased appropriations for military roads; appropriations for public buildings, will not, of course, fail to receive your attention.

Our remoteness from the seat of the general government has operated prejudicially to our interests. Our territory seems almost a *terra incognita* at home, yet, it is situated on the great highway of the road of nations, and has the most magnificent and capacious harbors and roadsteads either on the Atlantic or Pacific shore. Its coal, its fisheries, its lumber, its gold, its extensive and rich grazing lands, its genial climate, its manufacturing advantages, and its soil, which yields the most generous returns to labor, present a combination of advantages second

to no state or territory of our common country. West of the Cascade mountains, we have nearly as large an amount of rich arable land as in the state of New York—land which requires labor, it is true, to yield returns from its bosom, for our magnificent forests, a great source of our wealth, have first to be cleared away. The Walla-Walla valley, situated mostly in the territory of Washington, surpasses in extent, advantages, climate and soil, that of the great Salt Lake, and can subsist a much larger population. West of the Bitter Root mountains, for a hundred miles in breadth, the soil is not only good, but equal to that of the western prairies. The landscape in June [is] a carpet of flowers, the streams lined with pine, and the country well watered. The remainder of the interior is not only all of it a good grazing country, well adapted to the growing of wool, as well as the raising of stock, but large tracts included in the Yakima purchase, are unsurpassed for roots and cereals. It is ignorance and presumption which pronounces this country fit only for Indians. Our citizens who have the experience of having successfully established new homes, have pronounced judgment by their acts in seeking again new homes in the interior. They deem the Yakima, the Walla-Walla, the Nez Perce purchase good for the settler. They have tried to go there for years before the purchase was made, and when the purchase was made, they at once started with their flocks and herds.

Surveyor General Tilton, in his last annual report to the Commissioner of the General Land Office, writes as follows: "Fine bodies of rich land have been explored in the vallies of the Chehalis river, which falls into the Pacific at Gray's Harbor.

"The bottom lands of the Nesqually, the Puyallup, the Snohomish, White and Green rivers, the waters of all which disembogue in Puget Sound, are broad, rich, and of the most fertile quality, but densely timbered.

"East of the Cascades, and upon the Columbia river, and its northern tributaries, are also large bodies of excellent lands.

"The Cowlitz river, running southwardly and falling into the Columbia, also drains fertile lands, and has many of the oldest settlers in the territory among its prosperous farmers.

"All cereal grains, except Indian corn, flourish admirably here, the wheat being of excellent quality and abundant in quantity.

"If a permanent peace should be made with them (several powerful tribes of Indians east of the Cascade mountains) it will throw open a large extent of excellent country."

That there are valuable gold mines in the interior, requiring only protection to our people to the growing up of a hardy, mining community, is no longer a matter of doubt. The efforts making by the Hudson Bay Company, to control and monopolize this business by its forts and roads in British Territory near our line, honorable as it is to its enterprise and forecaste, should be met simply by protection on the part of our government, so that our citizens, through their individual enterprise, may enter into the competition. On one of the tributaries of the Wenatchepan, included in the Yakima purchase, and the next stream north of the main

Yakima, a rich deposit of dust was found the present year, yielding twelve cents to the pan.

It is said we have land enough west of the Cascades for our present purposes. Why then do our people want to go eastward—are the people made for the government, or the government for the people? The government has decided the matter by directing treaties to be made, by establishing surveys, by its donation laws.

The treaties with the Indians of the territory, except those at the head of the Sound, have not yet been confirmed. I will urge your memorializing the President and the Senate in favor of the confirmation of the treaties with the Indians who have remained firm in their allegiance, as essential to the peace of the country, and that you also memorialize for an authoritative act of congress, to place the hostile tribes and bands on reservations, on the basis of absolute submission to the mercy and justice of the government.

The want of proper communications with the states, has long been a serious evil, and has assumed a darker magnitude since the commencement of our Indian troubles. Congress has made an appropriation for a military road from Fort Benton to Fort Walla-Walla, and under its appropriation, the portage at the Cascades has been made a good wagon road, and a trail has been opened over the Cascades from Fort Steilacoom. Post routes have also been established from the head of navigation of the Mississippi to Puget Sound, and the Columbia valley. Nearly the whole intervening country is adapted to settlement, either on the part of farmers or stock raisers. There is no serious scarcity of water or fuel. Timber and building stone is either to be found almost the entire distance, or can be brought to a practicable vicinity by navigable waters. Nature has pointed out the route as one over which commerce must pass—along which settlements must spring up.

In my recent trip to the Blackfoot country, I examined with great care the Coeur d' Alene trail over the Bitter Root Mountains, and found it to be entirely practicable for a rail road, with grades not exceeding 60 feet to the mile—that it abridges the distance over the route by Clark's Fork 75 miles, and lessened the cost six millions of dollars.

The distance from Saint Paul to Puget Sound by the Coeur D' Alene trail, and over the Snoqualmie Pass, will be 1,800 miles. The distance to Vancouver, 1,789 miles.

The shortest practicable rail road route from the Mississippi to ship navigation on the Pacific, is through our territory, and the equated distance, whether the port of Vancouver or the Sound, will, in round numbers, be two hundred miles shorter than on the route of the 32d parallel, nine hundred miles shorter than on that of the 35th parallel, and seven hundred miles than that by the South Pass.

When, in addition to the greater shortness of the route, it be considered that it has the nearest connections with Asia and Europe, and that the latter connection can be made almost exclusively by water on the line of the great Lakes, a point of great importance, in view of the greater cheapness of freight on water than on rail road lines, the claims of the northern route to consideration from the government cannot be overlooked.

The question of a Pacific Railroad is not simply one of domestic inter-communication and of strengthening the fraternal bonds which unite us as a people, it is the question of a struggle for the commerce of the world. Over the rail must not only pass from Asia to Europe and back again, costly and perishable articles, but on this route the bulk of Asiatic supplies for the teeming region of the northwest, where the territory of to-day is the populous state to-morrow, where the wave of population has nearly reached the Red River of the north, and is moving rapidly westward. The Indian war over in this territory, the reflex tide of emigration setting eastward from the Pacific, will in a single year pass over our interior plains, from the Walla Walla to the Spokane, occupying the Yakima, and our miners will be found thence to the 49th parallel.

I have always been and am still of opinion that several routes should go on simultaneously to the Pacific, and that equivalent aid should be given to all through roads. But in view of the whole force applied to exploration having of late been thrown upon the southern route, and of its special endorsement by the department having charge of the rail road explorations, it seems to me the time has come for you to memorialize Congress to make grants of land to the northern route, and to provide for the completion of the explorations connected with it.

In this, my last annual message to the Legislative Assembly, I am especially reminded of the duty which devolves upon me of acknowledging the courtesy and kindness which has ever been extended to me by the several Legislative Assemblies of the territory, and by the constituency which elected them. I have endeavored faithfully to do my whole duty, and have nothing to reproach myself with as regards intention. I could have wished some things had been done more wisely, and that my whole course had been guided by my present experience. I claim at your hands simply the merit of patient and long labor, and of having been animated with the fixed determination of suffering and enduring all things in your behalf. Whether in the wilderness contending with the hostile elements, managing and controlling the more hostile aborigines, or exploring the country, or at the Capitol struggling with disaffection, the subject of obloquy and abuse, I have had no end but my duty, no reward in view but my country's good. It is for you to judge how I have done my part, and for the Almighty Ruler to allot to each man his desert.

I close this address with the expression of the confident hope that your session will be harmonious, and will result in the advancement of the best interests of our territory and common country.

ISAAC I. STEVENS.



Governor Fayette McMullin
1857-1858

FAYETTE McMULLIN

For Fayette McMullin, Virginian, the term of office as governor of the Territory of Washington was a brief and not very significant interlude. Although he won a position of prominence in Virginia and represented that state in the Congress of the United States for eight years, 1849-1857, he never identified himself wholeheartedly with the Pacific Northwest. His message to the legislative assembly December 12, 1857, was prepared after a sojourn of only a few months in the west, and therefore gives little evidence of familiarity with territorial problems. Eight months later, in July, 1858, he returned to Virginia, taking with him his second wife, Mary Wood McMullin, of Olympia.

During the war between the States he continued his political career by serving as a member of the Confederate Congress. He was killed by a railroad train in Virginia, November 8, 1880.*

*Meany, *Governors of Washington*, 11-13; Snowden, *History of Washington*, IV, 137.

Governor Fayette McMullin to the Fifth Annual Session of the
Legislative Assembly, December 12, 1857.

Fellow Citizens of the Legislative Assembly:

In responding to your call, it affords me much satisfaction to communicate such information as I am in possession of, relative to the general condition of the country, and to make such suggestions as it is believed will be most conducive to the peace, happiness and welfare of this interesting Territory and its citizens.

There is no one duty incumbent upon me to perform, that I approach with greater diffidence in my own capacity, than that of laying before the Legislative Assembly such subjects as require legislative action.

Since first coming to your Territory, I have endeavored by every means within my reach to gain a knowledge of the condition of our citizens and their various wants.

My recent arrival in the Territory, and my limited knowledge consequent thereto, of its true condition, will, I fear, render it difficult for me to discharge this duty in a manner creditable to myself, or profitable to you. I trust, however, that your superior knowledge of the requirements of this people, will fully compensate for my own deficiency, and I can only say that I will bring into requisition all my energies for the promotion of the common good.

Having been chosen by your several constituencies to legislate for them and their welfare, it is reasonable to expect that each member will watch over the local interests of his own constituents, but at the same time, it is to be hoped that you will not lose sight of the general good of the whole.

In a community like ours, it can seldom happen that the interests of any one locality will be found in antagonism with the common welfare of all.

The prospects for the general prosperity of the country may not at present be encouraging. Business may languish amongst you, and it may be that some discontent prevails, and that a feeling of insecurity and uncertainty about the future is felt; but it is believed these discouragements will be temporary and removable by proper exertions. It is said that "the darkest hour is just before day," and although this Territory may now be at its lowest point of depression, yet, if Congress will but pay the war debt as allowed by the commissioners, I feel assured that Providence has a brilliant future in store for her, if she be faithful to her own interests.

My attention has been called to our Indian relations, both foreign and domestic, and particularly to the frequent incursions of the Northern Indians upon the defenseless settlements in the northern portion of the Territory lying west of the Cascade mountains. I have urged upon the President of the United States and the Departments, the importance and necessity of sending two small but fleet war steamers to these northern waters: one to cruise upon Puget Sound and Admiralty Inlet, and the other in the waters adjacent to the 49th parallel; to the end that the lives and property of our people in that quarter may receive that protection

against the hordes of savages inhabiting the British and Russian possessions, to which they are justly entitled.

I feel satisfied from my own personal observation, as well as from information received from the most reliable sources, that two war steamers, with a force of one hundred men each, would afford more ample protection to the settlements upon Puget Sound, than a thousand United States troops, stationed as they now are, remote from each other, without the means of giving pursuit to the enemy upon the water, and who can in fact, do but little more than protect themselves.

I have likewise communicated to the authorities at Washington, the circumstances connected with the murder of Col. Isaac N. Ebey, late Collector of Customs for the District of Puget Sound, by the Northern Indians, and would suggest, that you ask by memorial of the proper authorities, that such instructions be given to officers commanding United States steamers cruising on these waters, as will lead to the arrest of these murderers, even if it should be necessary to pursue them into their own country.

The grounds of complaint urged by our own Indians against the government, relative to the non-confirmation of treaties and the failure to pay them for their lands, has been fully dwelt upon in my communications.

I have also recommended that one or two of the principal chiefs of each of the tribes in this Territory, be invited to visit the City of Washington, in charge of a trusty and competent agent, and to be returned to their homes by the overland route. I am of opinion if this were done, it would accomplish more towards giving them a proper idea of the power and force of our government, than any other policy which could be adopted with the same amount of money.

The joint commission for making the survey of, and marking the northern boundary line between the government of Great Britain and the United States, have been organized, and are making the necessary preparations for prosecuting the work early the coming spring.

It becomes my duty to call the particular attention of the Legislative Assembly, to the fact, that our neighbors of Oregon, did, in framing a State Constitution, incorporate within their boundaries a large and fertile tract of country belonging to the Territory of Washington, embraced in the Walla Walla valley. A section of country, which, if I am correctly informed, is of excellent quality—admirably adapted to agriculture, and capable of sustaining a population of seventy-five or one hundred thousand souls.

It would perhaps be unkind in me to say that I look upon this attempt thus to rob us of so valuable a portion of our Territory, as a political, moral, and social outrage. I cannot, therefore, urge too strongly upon you, the importance of sending to Congress a legislative protest against this attempt made to take from Washington a portion of her domain, and thus change the boundary between the two Territories, without even asking our consent.

If our neighbors had waited until we had grown up to political manhood as they have, and then had proposed to us by legislative negotiation or otherwise to have obtained our assent, it would have looked differently; but now, that they are

about to ask admission into the Union as a State, whilst we are yet in our infancy, with a white population of only about seven thousand, it is believed that seeking to drag a portion of our Territory in with them, would only jeopardize their own success.

I am of opinion therefore, that when all the facts are presented to Congress, they will not hesitate to confine Oregon to her original boundary line.

I regard an accession to our population as of the first importance to the proper development of the various resources of the country. I am of opinion that as many advantages are offered here, to the farmer, mechanic, lumberman and fisherman, as in any section of the Union. The high price of labor it seems would be an inducement to this class of citizens, worthy their attention.

With a view therefore to the encouragement of emigration, I would suggest for your consideration, the propriety of urging upon Congress the passage of an act donating to American citizens who now are, or who may hereafter become actual settlers in the Territory, one hundred and sixty acres of land, without the onerous restrictions attached to the donation act of 1850—requiring immediate settlement and continued cultivation.

The prosecution of the public surveys have progressed steadily during the past year.—The amount surveyed and under contract for the year 1857, has been of township and sub-divisional lines, 1805 miles; meridian and standard parallel lines, 60 miles; number of claims surveyed under the donation act, 165; estimated number of miles to be surveyed in 1858, 2060 miles.

I would remind you of the fact, that the last Congress appropriated thirty thousand dollars for the erection of the capitol of the Territory. It is a matter of importance that you give this subject your early attention, in order that the funds may be made available, and the capitol erected as soon as practicable.

Your attention is called to the fact that there exists no legislative enactment in this Territory by which appropriation is made for the purpose of paying rewards for the apprehension of fugitives from justice. A case in point occurred in September last.—A prisoner, convicted of murder in Island county, escaped from confinement at Fort Steilacoom. On being notified of the fact by the commanding officer at that post, I offered a reward of three hundred dollars for his apprehension. He was arrested on his way to the Columbia river, by two citizens of Cowlitz county—James McDonald and Lorenzo P. Smith, and delivered again into the custody of the officer at Fort Steilacoom, and *for* which delivery, these men now claim the reward. I have respectfully to recommend that the proper action be taken by the Legislature for their relief.

The militia law needs amendment, and I would call your attention to the various defects therein, and suggest that it be so amended as to allow the formation of volunteer companies.

I have turned over to the Quartermaster General, W. W. Miller, all public arms belonging to the Territory, and that officer is now having them cleaned and repaired, and I would recommend that an appropriation be made by the Legislature to meet this necessary expenditure.

I am much gratified to find the school system of the Territory as well perfected as it seems to be. I look upon the subject of education as one of paramount interest to every community, for, unless the public mind be enlightened, no people can ever attain a very high degree of prosperity and happiness.

Our proud pre-eminence amongst the nations of the earth does not result solely from the fertility of the soil, and our free form of government; but the great leading power is the universality of education, and the large proportion of intelligent thinking minds among our people.

Information recently received from various sources to be relied upon, go to show that the gold fields in the vicinity of Fort Colville, and the country adjacent, are likely to prove quite remunerative to those who are now working them. It is said that men engaged in the diggings are making from \$6 to \$16 per day, and I feel assured that with the proper machinery and good management, the mines in that region will become a source of great wealth and profit.

With regard to internal improvements, I need do but little more than call your attention to the fact, that the subject of a Railroad across the Continent, engrosses a large share of the public attention throughout the nation, and whilst other sections are straining every nerve to secure to themselves the advantages to be derived from its location, Washington Territory is making no effort in her own behalf, although it is believed that the route passing through her domain, from Puget Sound by way of Fort Benton, and thence to the head of Lake Superior, or the Mississippi, offer the shortest and most practicable line from the Atlantic to the Pacific.

To other portions of the confederacy, the location of this great national highway will add prosperity and greatness; to us, it is the great fountain from which must flow *all* our future prosperity.

From what I have seen of this most important of all the Territories, and from the most reliable information I can get of the great interior portion of it lying between the Cascade and Rocky mountains—the mildness of its climate—its arable and its grazing lands, stretching to its eastern boundary, I am brought to the conclusion that the northern route possesses as many, if not more natural advantages for a railroad than any other across the continent.

This fact will be the more apparent when it is known that a distance of only some five hundred miles separate the navigable waters of the Columbia from those of the Missouri, thus affording a line of transportation for material and laborers in the construction of the road, far into the interior from both the Pacific and Atlantic slopes.

When it is remembered that the northern route has the great advantage over any other both as to population and capital—that taking the equated distance, it is the shortest route by some two hundred miles—that the country through which it passes is well watered, and that along the line is said to be a great sufficiency of material for its construction—that its terminus on the Pacific is upon the waters of Puget Sound, one of the largest and most commodious harbors in the world—being the nearest to, and facing the oriental nations, and *finally*, that proceeding to-

wards the Atlantic, it strikes the Mississippi, the great highway to the southern States, and connects with the great water and railroad lines terminating on the Atlantic sea-board: I cannot but believe that this route will be thought worthy of, and receive that consideration at the hands of Congress and the American people, which its many advantages entitle it to.

Present indications go to show that most serious difficulties are likely to occur between the government of the United States and the people of the Territory of Utah. Looking to this result, and also the well known fact of the hostility of all the Indian tribes in that quarter, it would seem that a more northern and less dangerous road might be established and protected by the government, for emigrants from the Atlantic States to the territories of Oregon and Washington, by the route over which Congress by act approved March 3d, 1855, established a mail route from St. Anthony on the Mississippi river, to Puget Sound; and *did*, also, by act approved February 6th, 1855, appropriate the sum of thirty thousand dollars for the construction of a military road from the Great Falls of the Missouri to Walla Walla.

I am of opinion therefore, that in view of the fact that Congress did pass these acts as above recited, establishing a mail route on this northern line, and appropriating money for the construction of a military road over a very important portion of it, they will, by proper memorial of the Legislative Assembly, in behalf of the people of this Territory, certainly not fail to cause them to be carried out in the same spirit with which they acknowledge the necessity of their passage.

In view of these facts, I have transmitted to the Secretary of war a copy of "Joint Resolutions" of the Legislature, passed at the session of 1855-6, "concerning the protection of settlers and emigrants between the Mississippi valley and the Pacific Ocean," &c., and to which I respectfully call your attention as worthy some further action during the present session.

I cannot, fellow citizens, close this communication without congratulating you and the American people upon the election of the Hon. James Buchanan as President of the United States. He has been most fortunate in selecting as his cabinet advisers, gentlemen of enlarged and liberal views, who are true to the Constitution and the Union, and who will contend as I believe, for the rights and equality of the States. Our able Post Master General has already done much for this, our remote Territory, in giving us the benefit of a mail steamer on Puget Sound, by contract with Messrs. Hunt & Scranton, and at the same time, by the terms of said contract, we have the right to press their steamer, the "Constitution," into the war service of the country. He has also given us the benefit of a mail service, by contract with the Pacific Mail Steamship Company, direct from San Francisco to Olympia.

I have the most abiding confidence that the President will give us that aid—through the Navy and War Department, which our people so much require, and which in his judgment, may be compatible with the public interest.

In conclusion, I will say to you my countrymen, that if we wish to preserve this great and glorious Union—which has recently been shaken to its very centre,

and which I seriously fear is still in imminent danger, it can only be done by adhering strictly to the Constitution—that sacred instrument, which will be to us, as a “cloud by day, and a pillow of fire by night.” We must at the same time practice and carry out the clear and unmistakable doctrine of non-intervention, a doctrine which will and must be maintained so long as we recognize the doctrine of a representative government.

If we will but do these things, I hope and believe that God in the plentitude of his mercy will continue to bestow upon us, as he has hitherto done, his rich and innumerable blessings.

That I may err in judgment, my knowledge of myself forbids me to deny; but, gentlemen, if I can have your co-operation, and that of the people of this Territory, I flatter myself that I shall be able to discharge the duties devolving upon me, and to give to you a peaceful and prosperous administration.

December 12, 1857.

FAYETTE McMULLIN.

Acting Governor Charles H. Mason to the Sixth Annual Session of the
Legislative Assembly, December 8, 1858.

Fellow Citizens of the Legislative Assembly:

In the absence of the Executive, I have the honor to respond to your call; not, however, under the same circumstances as when, three years ago, this duty devolved upon me—with an Indian war in our midst—the country wasted and desolate—and the people gathered together in forts and block-houses—but now with a bright and cheering prospect before us.

I congratulate you, fellow citizens, on the present aspect of affairs. Our Territory, so long ignored, and even geographically known to but comparatively a few, has emerged from its unmerited obscurity, and at once sprung into importance. The brilliant reports of gold on Fraser's and Thompson's rivers have had their natural effect upon the popular mind, and thousands have flocked to the new El Dorado of the north. Ships from the cities of the Atlantic sea-board, and from various other parts of the globe, are advertised, as direct for this portion of the world, and heavy overland emigrations, in the ensuing spring, are credibly reported. In this great influx of population, it may reasonably be expected many will find a new home within our Territory.

From the exaggerated reports that were first circulated, thousands at once rushed to the new fields of fortune—ignorant of the nature of the country, its rivers, and its climate—and, many of them, of the nature of the occupation they had entered upon. Consequent upon this undue excitement, was a reaction, and many have returned discouraged, in proportion as they had been previously elated. Gold, however, is there. From the conflicting nature of the reports, it is difficult to say in what quantities or how accessible. The best information I have been

able to obtain, leads me to believe that good wages can be made,—and this is confirmed by the fact that several thousand miners have remained there, with the intention of spending the winter in that region.

In reference to the restrictions imposed upon the free navigation of Fraser's river, the introduction of merchandize into the interior, and the general rights of American citizens in that quarter, I have to state that the general government have sent out as Special Agent, the Hon. John Nugent, by whom these and all other grievances of our citizens will be investigated, and referred to the proper Department,—and we can rest assured that so important a matter will meet with the attention which it deserves, and the international intercourse be placed upon such a basis as to prevent all further annoyance.

In this connection, I will call your attention to the necessity of a new port of entry, at some point to the north, near the boundary line. Fort Langley, near the mouth of Fraser's River, has been selected as the seat of Government for British Columbia, and is to be made a port of entry. As a matter of facility and convenience to American commerce and navigation, it is expedient that there should be some point near the British possessions where vessels could effect a clearance without being necessarily compelled to go out of their way to the present Custom House at Port Townsend. I suggest this as a subject for memorial.

In the interest that is being manifested in the mines to the north of our boundary line, the resources within our own limits should not be neglected. Mining has already been carried on successfully in the neighborhood of Fort Colville, and gold is known to exist on the Yakima and all its branches. The Indians reduced to peace and subjection, and the country thoroughly prospected, it is not hazarding too much to say, that we anticipate the development of mines which will equal in richness those of the British Possessions.

Consequent upon the gold excitement, miners began to pass through the interior section of the Territory on their way to the mines. This, as in 1855, became the occasion for Indian robberies and murders. Col. Steptoe advanced into their country, and was utterly routed. Active and vigorous measures were at once taken by Gen. Clarke, Commanding General of the United States Army for the Pacific coast, and ample forces, under the command of Col. Wright and Maj. Garnett, were sent into the field. After a series of brilliant and successful engagements, the Indians were completely routed, and reduced to submission—their property destroyed, and hostages given for their future good behavior. Peace has been established. It may, however, be doubted whether a permanent peace, such as shall, for time to come, render the life of a white man sacred, can be effected without either a winter campaign, or the movement of troops at all seasons of the year, through their country, and the establishment of permanent posts in their midst—in order that the savage foe may learn in winter, as well as in summer, the power of the military arm—and not to trust to the inclemency of the season to baffle its efforts, but be rendered subject to the authorities placed over him, and maintained in a condition in which he can do no harm.

The organization of the Department of Oregon, I conceive to be one of the most important measures that has been adopted for our welfare. The force and the Commander, being in our midst, furnish from their very presence, additional protection,—and, in case of difficulty, the blow can be struck at once, without the former delay of transporting troops and munitions of war from San Francisco. Moreover, it will furnish an incentive to the settlement of the interior—the various posts furnishing a market for the forage and subsistence that may be raised. And it is hardly necessary to state that, by the gallant and distinguished officer who has been assigned to the command of this Department, we may feel assured every step will be taken, with his usual promptness, zeal, and energy, to render the country safe, and to effect an actually permanent peace.

The project of connecting the waters of the Atlantic and Pacific by the rail is every day assuming new and additional importance. Governor Stevens, in his Message to the fourth session of the Legislative Assembly, says: “The question of a Pacific Railroad is not simply one of domestic intercommunication, and of strengthening the fraternal bonds, which unite us as a people, it is a question of a struggle for the commerce of the world. Over the rail must not only pass from Asia to Europe, and back again, costly and perishable articles, but on this route the great bulk of Asiatic supplies for the teeming region of the north-west, where the Territory of to-day is the populous state of tomorrow, where the wave of population has nearly reached the Red River of the North, and is rapidly moving westward. The Indian War over in this Territory, the reflex tide of emigration setting eastward from the Pacific, will, in a single year, pass over our interior plains from the Walla-walla to the Spokane, occupying the Yakima, and our miners will be found thence to the 49th parallel.” Every day tends more strongly to confirm the necessity of this communication. The whole American people now feel deeply the want of some sure and safe, some speedy and effective means of bringing the extreme sea-board frontier of our country into that close connection, between themselves and the interior, which can only be afforded in its desired completeness by a Railroad connecting the two Oceans. Washington Territory, with its rivers, and its harbors, holds, as it were, the key to the commerce of the Pacific; and when once a direct communication is opened from the eastern side of the continent, it will receive that aid both in capital and emigration, which will bring it at once into importance, and cause its influence to be felt throughout the western ocean. This is a matter of great moment, and one which it behooves the people of the United States closely to look to. The formation of the Colony of British Columbia, the emigration thither, the establishment of naval depots, and the location of troops, the surveys of the country of the Red River and the Saskatchewan, are all significant facts—and by delay we may, in this amicable contest, find that we are left in the rear, and the golden prize has fallen into the hands of our neighbours of the North.

As, in a measure, a precursor to a Railroad, I beg leave, especially, to call your attention to the Military Road from Fort Walla-walla to Fort Benton. Passing as it does, for five hundred miles, through the Territory of Washington, it

crosses many fertile valleys, and locations, offering inducements to settlement—and is the nearest, most direct, and practicable route on the northern line to the Mississippi. Looking, as we do, for a heavy emigration by this line to the gold mines during the next year, a good road from Fort Benton to Walla-walla will materially facilitate its progress, and also tend to develop the interior of the Territory. The Engineer in charge, Lt. Mullan, entered upon the construction of this road last spring, but was compelled to suspend his operations, on account of the Indian War. His work will be resumed again as soon as the season will permit. In his opinion an additional appropriation of \$50,000 would complete the road, and I recommend the passage of a memorial to Congress asking for that amount.

Of equal importance is it, that there should be roads from Fort Colville to Walla-walla or the Dalles—and also cross the Cascade Mountains to some point on Puget Sound. Fort Colville, situated as it is, in the centre of a rich and fertile valley, already the nucleus of a considerable settlement, is the general rendezvous of the Indians residing north of the 49th parallel, and is in the direct route of miners, moving from the east, the south, and by land from Puget Sound on the west—and its proximity to the boundary line, and to the mining regions of the Pen d'Oreille, the Wenatchepam, and the Yakima, all call for its being the site of a military post, and being thus more closely connected with the settled portions of the Territory.

In addition to these, I will call your attention to the necessity of military roads from Olympia via Grey's Harbor and Shoalwater Bay to Astoria—from Olympia to Fort Townsend—and from Fort Townsend to New Dungeness.

The subject of the Indian Treaties, so long contracted and still unconfirmed, is worthy of your most serious attention. Since the influx of population, occasioned by the newly discovered gold mines, several murders have been committed on Puget Sound, and though in some instances the officers of the Indian Department have succeeded in arresting the criminals, several still remain at large. The executive power of the agents is weakened, as they cannot compel the Indians to remain upon reservations which have not been guaranteed to them, and the Indians themselves are dissatisfied from not having received the remuneration promised them. Sheer justice to the Indian, and the better security of the lives and property of the citizens, demand the speedy confirmation of these Treaties.

In connection with these Treaties, I will call your attention to the absolute necessity of a separate Indian Superintendent for the Territory of Washington. The extent of Territory, the number of Indians, (some twenty-five thousand,) and the amount of business to be transacted, render it imperative that this office should be created. It must be borne in mind that the faster settlements progress, and the more rapidly citizens advance upon lands over which the Indian has been accustomed to rove, the more intricate and laborious become the duties of the officers of that Department.

The present state of affairs demands that there should be a chief to this department of the public service in this Territory. The present Superintendent has recommended it, and I suggest it to your consideration as a subject of memorial.

In reference to the Hudson Bay Company and the Puget Sound Agricultural Company, I beg leave to refer to the messages delivered to the previous Legislative Assemblies. Already have the British government taken from their control large portions of their territories, such as afford inducements to the settler and the miner; manifesting by this act, that they were an obstacle to social progress; and every reason demands the removal of this incubus from our midst, casting, as it does, a shadow over the title to some of the finest portions of our Territory. From the recent developments in their own House of Commons, their exaggerated claims have become still more vague and uncertain. The strong desire manifested by the citizens of Canada to have their pretended rights and boundaries defined, and to throw open a portion of their Territories to the advancing settlements, render it nothing more than reasonable that we, having no affinities with such monopolists, but in all our business relations diametrically opposed to them, should earnestly demand their speedy extinction within our Territory.

Our war debt, in which every citizen is interested, either in his own behalf, or as a matter of justice to his neighbor, still remains unadjusted. The money expended—the material furnished—the services rendered—all remain unliquidated. Many obstacles have been placed in its way,—malice has vented its spleen—self-sufficiency and egotism have given their deliberate opinion, and detraction has done its utmost. Yet, there stands the record, confirmed by the blood of our murdered citizens, by ruined houses and devastated farms, and by solitary block-houses dotting the country west of the Cascades. By that record, we can proudly stand. A commission was appointed to investigate these claims, consisting of two army officers and a civilian,—and by them the accounts were audited, with scarcely an alteration. The whole matter was referred to Congress, and by it to one of the most prominent members of the Military Committee, to be investigated during the recess, and we may expect a report early during the present session.

I beg leave to call your attention to the condition of the Territorial Library. From the remoteness of the Capitol building from the centre of the town, and the smallness of the salary allowed by the general government, (\$300,) it is impossible for any one to hold the office and give to it that proper attention which it requires. As a remedy, I will suggest, for your consideration, that the law uniting the offices of Territorial Auditor and Librarian be repealed, and the County Auditor, of the county in which the capitol may be located, be *ex-officio* Librarian, giving bonds for his faithful performance of this duty, in addition to his bonds as County Auditor. His duties as Auditor, could be performed at the Library, as well as at any other place,—and he could, at the same time, keep charge of the books, for which, under these circumstances, the present salary would be an adequate remuneration.

You are aware that there is no legislative enactment authorizing the executive to offer rewards for prisoners escaping from confinement. Cases have occurred and may hereafter occur, in which to meet the strict ends of justice, it would be of advantage that a reward should be offered for the reclamation of the fugitive. In order, therefore, to render the decrees of our Courts more certain

and decisive, and to prevent the ends of justice from being defeated, I would recommend the passage of a law investing the Governor of the Territory with some discretionary power in this matter.

Of the amounts appropriated by Congress for the erection of a Capitol, and a Penitentiary, none has as yet been expended. The act of the Legislative Assembly locating the Capitol, required that the title to the site for the same should be approved by the Attorney General of the United States, before any of the money should be applied to the erection of the building or the improvement of the site. The title deeds to the ground have been submitted to the Attorney General, but from a mistake in not sending on copies of the whole record, (not knowing what would be required,) they have not been approved. The necessary papers have been transmitted, the defect supplied, and we may expect a definite opinion in due course of mail. Of the state of the title to the site for the Penitentiary, I am not advised.

One of the most material elements of wealth within our Territory, is its rich coal fields. Those of Bellingham Bay are the only ones which have been worked to any extent, and their resources have been recently more fully developed, a shaft has been sunk to the depth of five hundred feet, and coal bearing a fair comparison with the best English coals procured. The thickness of the vein is twenty-five feet, and the quality semi-bituminous. The analysis of the Superintendent gives—

Carbon.....	70 per cent
Volatile Matter	23 per cent
Ashes	7 per cent

In order more fully to develop this great interest, and as a matter of convenience to such of our steam vessels of war as may cruise in these waters, I will suggest as a subject of memorial, the establishment by the United States, of a coal depot within our waters, similar to what they have maintained in other parts of the world, at which a certain number of tons should always be kept on hand.

The great and important lumber interests of the Territory, are shown by the extensive establishments, both of the Columbia river and Puget Sound, which export to all parts of the world manufactured lumber, spars and piles, and carry on a business of not less than two millions of dollars per year. Our magnificent forests of the most valuable timber of fir, cedar and pine, are unequalled in extent, and unrivalled in accessibility on the globe.

The commission constituted on the part of the United States for the survey of the boundary line between this Territory and Great Britain, is still in operation, but as to its progress or results, I have no information. The commission on the part of Great Britain has arrived, and the two are at present jointly engaged in the undertaking. In view of the constitution of the Colony of British Columbia, and the probability of its receiving a rapid increase of population, it is material to the welfare of this Territory, in order to avoid all possible disputes as to jurisdiction, that this boundary line should be surveyed and marked to the Rocky mountains.

In this connection, I will call your attention to the line between Oregon and Washington, and in the event of the probable admission of Oregon into the Union as a State, suggest the expediency of having that surveyed and marked. This line has already been estimated for by the Surveyor-General, in his annual report, to be used as a base line for the further progress of the land surveys east of the Cascades.

The extension of the public surveys during the past year, have developed large bodies of excellent farming lands upon the lower Columbia and Chehalis rivers—upon Grey’s Harbor, the Cowlitz, the Peninsular between Puget Sound and Hood’s Canal,—and also, upon the southern shores of the Straits of Juan de Fuca. From the office of the Surveyor-General, I am enabled to furnish the following information since the last annual Message :

No. of miles of Meridian and Standard Parallel lines surveyed . . .	150
No. of miles, Township and Sub-divisional lines	3,339
No. of acres surveyed	816,590
No. of miles proposed for survey in 1859	3,720
Total No. of acres surveyed in the Territory	1,420,969

Of this 94,200 acres are prairie lands, exclusive of the Nisqually and Vancouver plains.

By the Register of the Land Office I am informed that the number of pre-emption claims on *surveyed* lands, taken since February 1st, 1858, is one hundred and twelve; previous to that date forty-nine had been taken. These are exclusive of some fifteen hundred claims taken under the Donation Law. There are, however, a great number of pre-emptions on *unsurveyed* lands, which can not be definitely determined until the surveys are completed, and the plats returned to his office.

Complaint has been made by settlers, of the non-issuing of patents for land claims taken under and by virtue of the Act of Sept. 27th, 1850. Sec. 7 of that act, after stating the time within which notice of the *commencement* of settlement and cultivation must be made, has the following words: “*and at any time* after the expiration of four years from the date of such settlement, whether made under the laws of the late provisional government or not, shall prove, in like manner, by two disinterested witnesses, the fact of continual residence and cultivation required by the fourth section of this Act; and upon such proof being made, the Surveyor General, or other officer, appointed by law for that purpose, shall issue certificates, under such rules and regulations as may be prescribed by the Commissioner of the General Land Office, setting forth the facts in the case, and specifying the land to which the parties are entitled. And the said Surveyor General shall return the proof so taken to the office of the Commissioner of the General Land Office, and if the said Commissioner shall find no valid objection thereto, patents shall issue for the land according to the certificates aforesaid, upon the surrender thereof.” It will be seen by the wording of the statute that the law renders it optional with the claimant whether he will make final proof or not—the words being, “*at any time* after the expiration of four years,” &c. In order to avoid con-

fusion in the issuing of patents, and to prevent any conflict in the boundary lines under them, it becomes necessary, as I am informed, not only for each but for all claimants under this law in a certain township, in order to secure their patents, to have their claims surveyed, and so connected with the Government surveys, that the Land Office can obtain an accurated description of the same and take proper action thereupon. The failure of one to take this step may delay all in that township. In a matter of so much moment to the future welfare of the Territory, I suggest for your consideration the propriety of asking for an amendment to the law, making it compulsory upon the claimant, within a reasonable period, to have his claim regularly surveyed, and a plot of the same returned to the proper office.

In this connection I will add that just complaints have been made against the orders issued by the Military authorities in 1857, prohibiting settlement in that portion of the Territory east of the Cascade Mountains, as an infringement of the rights and privileges guaranteed by the Donation Law. This order, I am informed, has been practically rescinded. Congress, at its last session, extended the land surveys over that section of the Territory. Estimates have been made for the same, and as soon as appropriations are made, and the state of the country will permit, the work will be put under contract.

The extended nature of our settlements, from the 49th parallel on the north to the Columbia on the south, and from the Pacific on the west to the Rocky Mountains on the east, demand the creation of several new land offices. There should be at least three additional Land Districts organized,—one for the lower part of Puget Sound; one for the Columbia river; and, in view of the surveys of the interior, one for that section of the Territory. Your attention is especially called to this matter.

The 4th section of the Act of July 17th, 1854, (amendatory to the Donation Act,) provides that, "there shall be reserved to each of the Territories of Washington and Oregon two townships of land, of thirty-six sections each, to be selected in legal sub-divisions for University purposes, under the direction of the Legislatures of said Territories respectively."

By the Act of the Legislative Assembly, passed January 31st, 1855, the Superintendents of Common Schools of the various Counties were constituted a Board of Commissioners to select and locate these lands. They have not yet, as I am informed, taken any action on the subject. In a matter of so great moment to our educational welfare, and in view of the rapidity with which the better lands have been taken up, and probably will continue to be during the coming year, I recommend some speedy action on your part to enable the Territory to avail itself of this munificent provision.

By the Quarter-master General, I am informed that the number of arms at present on hand, belonging to the Territory, is as follows :

Rifles	194
Muskets	660
Small arms, (damaged).....	39
Carbines	4
Howitzers, (complete)	2
Sabres	15
The number distributed amongst the various counties.....	1,088

In the general charge of these arms, for cleaning, repairing, and keeping them in good order, a small indebtedness has been incurred by the Quarter-master General, as will appear by his report,—for the payment of which, I recommend that an appropriation be made.

Since the last annual Message, four light-houses have been completed, and are now in full operation,—one at Cape Flattery—one at New Dungeness—one at Shoalwater Bay—and one on Smith’s Island, in the Straits of Fuca. There is an appropriation for one at Red Bluff, on Whitby’s Island, which will be erected in the coming spring. In addition to these, the increasing settlement in the valley of the lower Chehalis demands that a light should be erected at Grey’s Harbor, and that the channel and bar should be surveyed and buoyed out. It would also materially facilitate the navigation of the upper part of the Sound to have a light, either upon Sandy Point or the northern end of Vashon’s Island. I call your attention to these as a subject for memorial.

Fellow citizens—we are now entering upon the sixth annual session of the Legislative Assembly. Since your first meeting, many and grave changes have taken place,—many for our welfare—a few, but important ones, to our detriment. It is to be hoped that the latter have ceased. Within that period, no bickerings have taken place—no local feuds and jealousies sprung up, but a general spirit of conciliation and good will has pervaded. May it long continue so, and may your present session be characterized by a spirit of harmony and united concession, such as will redound to your own honor and the welfare of our beloved Territory.

C. H. MASON.

RICHARD D. GHOLSON

Richard D. Gholson arrived in Washington Territory to take up the duties of governor July, 1859. He actually served in that capacity less than a year, returning to Kentucky, his home state, in the spring of 1860. Governor Gholson had Welsh and Cherokee blood in his veins. He was born and educated in Virginia, went with his parents to Kentucky, married and acquired property there, and rose to prominence. During the Mexican War he was appointed assistant commissary of the United States Volunteers, with the rank of captain. He was a staunch and eloquent Democrat in politics, which he loved, and for four years, 1851-1855, he was a member of the state senate of Kentucky.

In 1856 he took an active part in Buchanan's campaign for the presidency and was rewarded by him with the appointment as governor. To a man who was ambitious to win a position that would take him to the national capital, the assignment must have left much to be wished for, and Gholson, like McMullin, never familiarized himself very thoroughly with territorial affairs. In May, 1860, he secured leave in order to take his wife, who was then in Texas, back to Kentucky. There his pro-Southern sympathies led him to urge the cause of secession, and in February, 1861, unwilling to continue even the semblance of service under a Republican president, he resigned the post which Secretary Henry McGill had occupied in his absence.*

*Meany, *Governors of Washington*, 19; Snowden, *History of Washington*, IV, 137; Edmond S. Meany, "Richard D. Gholson," in *Washington Historical Quarterly*, VIII, 180-182.

Governor Richard D. Gholson to the Seventh Annual Session of the Legislative Assembly, December 7, 1859.

*Gentlemen of the House of Representatives
of Washington Territory:*

Congratulating you upon the favorable auspices under which you have again assembled, it is with pleasure that I am enabled to say, that while peace reigns, health is universal, and plenty has crowned the labors of the husbandman throughout our borders.

But in the midst of these felicitous circumstances, it is my painful duty to announce that he who last addressed you upon a similar occasion, "has gone to that bourne from which no traveller returns." The Hon. Charles H. Mason is no more! Wise beyond his age, in his death the Territory has lost one of its ablest statesmen and devoted defenders—society a bright ornament, and mankind a great benefactor. Devoted to the land of his adoption, liberal, just, educated and refined, he has fallen in the bloom of his youth—in the prime of his manhood. Living, he was beloved by all, so he died lamented. Ever striving to emulate his many manly virtues in our hearts, let us embalm a kindly recollection, and each drop a tear to his memory.

Regretting my limited acquaintance with the country, and the wants of our people, in accordance with the usage of my predecessors, I now proceed to make some suggestions, and impart such information as my brief residence in the Territory has enabled me to acquire.

During the month of September last, the Capitol building was in great danger of destruction from fire in the surrounding woods. The removal of the fallen timber and other rubbish would guard against future similar dangers, facilitate access, and much improve the appearance of the public grounds, for which a small appropriation is suggested.

In relation to the title of the Capitol and Penitentiary grounds, nothing has reached this office since your last session. An early adjustment of title, and erection of buildings is very desirable. The present edifice is unsuited for the business of legislation, and while labor in the Penitentiary would promote the health and comfort of the convicts, their confinement therein, would relieve the several counties of the burthen (always onerous) of supporting them *after* conviction.

Greatly to the injury of our commerce, the lights have recently been discontinued in the Light House at Shoalwater Bay. Gray's Harbor has not yet been surveyed. This should be done at an early day; a light placed at its entrance, and buoys in the channel. The attention of the proper department should immediately be called to these matters.

Recent occurrences cannot have failed forcibly to impress upon all, the defenceless condition of our entire coast. The early adoption of measures for its defence, can hardly be too urgently pressed upon the general government; and the first step in this direction should be an exchange of the duties now performed

by the *Shubrick* and *Massachusetts*. The want of celerity of motion, and great draft of water, renders the latter wholly unavailable for efficient service against the Northern Indians, to which the former is admirably adapted.

For a brief space, "a speck of war" hung, meteor like, upon our northern border; but thanks to wise heads and humane hearts, it is now below the horizon, and 'tis hoped will rise no more.¹

Descended from a common stock—speaking the same language; fraternal feeling—good neighborhood—interest and humanity—each forbade the threatened contest. Now, that the danger is past, (while duly appreciating the high-toned patriotism and chivalry which seemingly exceeded "the rigid rules of right," but which most certainly, by procuring a speedy adjustment of the long vexed question of title, will result in good to the country,) let us, henceforth, imitate the generous example of forbearance set us; cultivate reciprocal amenity, promote commerce, and scrupulously regard the rights of our British neighbors.

Charged with the duty of "taking care that the laws be faithfully executed," the late order of Gen. Scott directing the military commander on San Juan Island "to allow no person, claiming to be a functionary of Washington Territory, to interfere with any British subject residing or happening to be on the same," was to me a matter of no small surprise and regret.

Subverting *all Territorial*, and usurping as it does, SUPREME authority, it is in effect, so far as violations of our laws by British subjects are concerned, not only a declaration of "martial law" upon that Island, but a usurpation of *our* rights, of precisely the same character of those alledged against us by the British authorities, which he professed to be restoring to them; and is a reversal of the fundamental principles of our government, and the genius of our institutions, which require that the *military* shall everywhere, and at all times be *subordinate* to the *civil* power. Not believing it possible that the instructions to Gen. Scott could have authorized or contemplated such a proceeding, a communication, (among other things,) protesting against this order, and asking its abrogation, has been forwarded.

Immediately upon learning the concessions made in reference to the occupancy of the Island, the Territorial officers there were urged to respect the rights of British subjects, and the course thought proper, in case of a violation of our laws by the latter, suggested and its adoption advised. Relying upon the well

¹The possession of San Juan Island was disputed by Great Britain and the United States from 1846 until 1871. Great excitement was occasioned by the landing of American troops on the island during the summer of 1859. The occupation was ordered by Brigadier General William S. Harney, commanding the Department of Oregon, who feared that the British were about to assume jurisdiction over the disputed territory. At one time nine companies of United States soldiers were stationed on the island while a British war vessel with several hundred men lay in the harbor ready for action. The British did not attempt a landing and hostilities were thus averted until Lieutenant General Winfield Scott arrived on the scene, empowered to effect a peaceful settlement on the basis of the joint occupation of the island by small detachments appropriate to defense against Indian attack. The correspondence of the diplomatic and military officers concerned has been collected and printed as a pamphlet entitled *The Northwest Boundary: Discussion of the Water Boundary Question: Geographical Memoir of the Islands in Dispute, and History of the Military Occupation of San Juan Island* (Washington, D. C., Government Printing Office, 1868).

known intelligence of our officials there, (both military and civil,) it is hoped no collision growing out of the obnoxious order will occur.

That under any *fair* construction of the treaty, the Island is OURS, is regarded as beyond a doubt. Hence no fears of its final surrender are entertained.

Whether any legislation is necessary for the preservation of peace, and to uphold the integrity of the Territory, pending the joint occupancy, is respectfully submitted to your superior wisdom.

From a statement furnished by the Surveyor General, it appears that the

“number of miles under contract at the beginning of the present surveying season, was.....	2,764
No. of miles, Meridian and standard parallel lines surveyed	150
No. of exterior and sub-divisional lines.....	2,232
Total.....	2,382
No. of miles under contract remaining unsurveyed.....	365
No. of acres surveyed during the year.....	620,000
No. of acres surveyed in the Territory.....	2,040,969

The surveys executed during the past year have been chiefly upon the peninsula in the vicinity of Teekalet; along the shores of Puget Sound; from Seattle to Puyallup Bay; on Bellingham Bay, and Gulf of Georgia; Comono, and Whidby's Island; the lower Chehalis; the level lands to the north and east of Gray's Harbor, and the Columbia River bottom in the vicinity of the Cascades.

The Puget Sound guide meridian has been extended north to within a few chains of the northern boundary, and standard parallels run therefrom to the Gulf of Georgia and Rosario Straits.

The estimate of surveys for the next year includes 1600 miles of exterior and sub-divisional lines west of the Cascade mountains, and 400 miles of meridian and standard parallel, and 2000 miles exterior and sub-divisional lines east of the same.

It is expected that the initial surveys east of the Cascades, consisting of a meridian and standard parallels, will be commenced early in the spring.”

From a statement of the Register of the Land Office, it appears that in the aggregate, fifteen hundred and fifty-five donation and three hundred and fifty-two pre-emption claims have been filed, and there are about two hundred settlers claiming under the pre-emption laws upon lands not yet surveyed.

The Receiver reports that twenty-four persons claiming under the donation laws, taking in the aggregate, four thousand two hundred and fifty-two acres, and paying therefor, five thousand three hundred and twenty-five dollars (\$5,325,) and twenty-five pre-emption claimants, taking two thousand nine hundred and twenty acres, and paying three thousand six hundred and forty dollars, (\$3,640,) and twenty-four of the latter class, taking four thousand one hundred and five acres, paying in land warrants, have availed themselves of the privilege of entering their lands.

Some remarks upon the finances of the Territory, and defects in existing laws, were intended, but unable to procure the data necessary to their profitable discussion, I have thought proper to omit them. Your attention is, however, particularly called to the report of the Auditor, upon the laws, &c., connected with his duties.

The importance of the military road now being constructed from the Walla Walla to Fort Benton on the Missouri, as a stage route and a route for emigration, can scarcely be over-estimated by our fellow-citizens.

This work, under charge of its efficient superintendent, (Lieut. Mullan, assisted by Capt. DeLacy,) is now favorably located to the valley of the Bitter-root, and during the next spring and summer, will be pushed on to the Missouri. And with an extension west from Walla Walla to the Sound, will, in connection with the road from St. Paul to Fort Benton, afford a direct route for immigration or other travel to our Territory.

The explorations of Lieut. Mullan have developed large bodies of fine farming and grazing lands, hitherto unknown, and a route thus far practicable for a Railroad. During the present winter, observations will be made upon the climate, and information, necessary to determine the further practicability of the route for that purpose through the mountain passes, obtained.

Lieut. Mullan proposes to explore a route from Hell's-gate, in the Rocky Mountains, to Fort Laramie, with a view to the construction of a road to that point; there to receive the immigration coming up the Platte, and afford them a route to our Territory and Northern Oregon, some four hundred miles nearer than by way of Salt Lake.

To complete these roads will require an additional appropriation, for which a memorial is recommended.

Before taking leave of this subject, it is due to the present able and distinguished commander of the Military Department of Oregon, to acknowledge the efficient disposition made of the forces under his command. In addition to the admirable arrangements for the opening of roads and the protection of our widely dispersed population; to his timely movement of troops to the Salt Lake road, a large body of emigrants were indebted for protection to their lives and property, and our Territory for a handsome addition to its population, (which would otherwise, of necessity have gone south,) and should he be continued in command, affords just ground for confident hope that *Indian depredations* upon the emigrant in Washington and Oregon *are at an end*.

Without going into detail, it is deemed sufficient to say that I heartily concur in the recommendations of my immediate predecessor, (Governor Mason,) as to the necessity for placing the Indian tribes upon reservations; the appointment of a separate superintendent of Indian affairs for this Territory. The total extinguishment of all claims of the Puget Sound Agricultural Company, (those of the Hudson's Bay Company having expired with its Charter;) the creation and location of additional land offices; for additional roads through the Territory; a national coal depot in our waters; additional lights in the Sound; and upon the sub-

ject of land patents from the general government. Your attention is again respectfully called to his views upon each of these subjects.

The public arms are in excellent condition, and with those received the present season, are as follows: 194 rifles; 84 rifle-muskets; 37 small arms, (damaged;) 660 muskets; 4 carbines; 4 howitzers, with fixtures complete; 15 sabres. In addition to these, 1088 have been distributed to the Counties.

Upon looking into the past history of the Territory, knowing that all similar (and often less meritorious) claims have heretofore been paid, (to the disinterested observer,) few things are more surprising than the delay of the general Government in the payment of the "war debt." Aware, however, of the superior personal knowledge of yourselves, and relying upon the thorough amplification of the subject in all its bearings hitherto made; and believing that its *early payment* is among the things that *MUST* be; the undersigned will waive all discussion and pass from it, with a friendly warning to those holding *just* claims *not* to sacrifice them; adding that its payment should be persistently demanded (respectfully of course) until justice shall be done.

Upon the subject of a "Pacific Railroad" so much, and by such able pens, has been already written, that anything further by one so humble as myself, if not superfluous, can be little more than a waste of time and paper. But gentlemen, upon a subject like this, a measure upon the consummation of which so greatly depends not only the convenience, prosperity, and happiness of its citizens, the development of the Territory for all time to come; the protection of our lives and property against a foreign foe; but also the power of our Government to retain this as an integral portion of the Union, or continue over us the bright banner of liberty, what patriot can afford to be silent; and when we remember that upon these hang all our hopes for the enjoyments of life, and much, very much of the commercial, and maritime power of the nation, (for it will surely be conceded by those acquainted with it, that in this last point of view, this Territory is of more importance than was originally the same extent of space in all our vast domains,) who among us all, that upon a measure involving consequences such as these, does not feel an ardent desire to cast his mite, however small, into the general receptacle of information and suggestion? There can be none among us who do not feel that this great work ought to be done; few that do not believe it will be done. The word *fail* is fast passing from our national vocabulary, is being supplanted by "when there is a will, there is a way." Upon no object, however great, has the *united* will of the nation hitherto failed of accomplishment. Then the *way*, the *best* way, is the paramount question. Divisions, and these divisions over a *one* road idea, have heretofore delayed the commencement of this transcendently important work; one party being for a Southern, another for a middle, and a third for a Northern road. This is believed to be all wrong. The idea of concentrating all the trade and travel of the Atlantic, from the Gulf of Mexico to the Aristook, and that of the Pacific from the Gulf of Georgia to that of California, is worse than futile. The people are not likely, never ought, to agree to the proposition;

neither would it meet their wants should they do so. To supply these we must have two, a Northern and a Southern road.

Should however the one road idea prevail, we are not without the best reasons for hope of a terminus within our borders. Its nearly central position renders St. Josephs, on the Mississippi river, the most probable initial point for the Eastern terminus. Thence (being west, a little north) its facility for cheap construction, must locate the eastern portion up the valley of the Platte to the South Pass, from which the only reasonably practicable route west, (as was recently admitted in a somewhat notable meeting of those whose *interests* would be *best* promoted by a *central* road,) is to cross the head of Green River to, and take the Valley of Snake River. Then the great (national) object being to reach the Pacific, (not a particular point on it,) by the nearest and cheapest route; once *in* the valley of that stream, the reasons for following the Platte, (cheapness and facility of construction, arising from level surface, abundant supply of water, and water transportation for cross ties and other materials,) to which must now be added, the immense advantage of the well known exemption of the valley of that stream (Snake river) from the snows of winter, as compared with this dangerous element of obstruction, always found on the mountains either north or south of it, would operate with tenfold force in favor of a continuance of the road down the valley of Snake river to the mouth of Burnt river; thence up the latter to the head of Powder river, (ascertained to be a good route,) and down its valley and that of the Columbia to a terminus at the head of tide water, and perhaps to the Sound.

These positions are undeniably true, and show that if economy decides the location, our Territory will in all probability be the recipient of the western end, as it certainly will be, should there be two roads. For the latter, the Creator seems to have disposed both the earth's surface and the elements far better, than for one, even approximately central; for, while the Northern route, after passing over an immense and gently undulating plain, reaches the Rocky Mountains, and thence (if by way of the Columbia,) with scarce a tunnel the entire route to the Sound; and the Southern, free from the snows of winter, finds nothing in all its long line equal to that which has already been often surmounted in the old States. The Central is known to be obstructed by high, precipitous, and most difficult mountains, on which snow to the depth of fifteen to twenty feet annually accumulates, which, lying as it frequently does for many consecutive months would for the time render railroad traveling impossible. Thus do we find both the elements and the earth's surface in singular unison with the wants and the interests of our wide-spread population, and each in its turn, like the buoy in the channel, or the light upon the strand, with unerring certainty, indicating not only the propriety *of*, but the necessity *for two* great highways from ocean to ocean.

But to two roads it may again, as it has heretofore been objected, that we have not the surplus hands, nor at present prices, it is probable we could not command the funds necessary to build two such immense lines of road. If so, the

answer is ready—the remedy is easy, and the way to a supply of labor both bountiful and cheap, is plain.

Bury the mischievous “Sam” beyond the reach of resurrection. Throw wide the portals of the Union. Not only invite hither, but, in connection with our commerce, provide transportation for the redundant, half-fed and less than half-paid millions of the “old world;” assure them of protection by our laws, and profitable employment; and as the oaks in the forest, so will be the hardy sons of toil, who will cross the Atlantic and build the eastern ends of your roads; and myriads of the sallow, but patient and sturdy “John Chinamen,” with others of his caste, will cross the Pacific and build the western ends, and lapping over the great divide, in the valley of the noble Missouri in the north, and that of the Rio Grande in the south, weld the last links in the most important highways ever built by man. To initiate these, fraternal liberality and justice in the legislation of Congress, is all that is necessary. Let the North say to the South, (or *vice versa*,) “locate and build your road where you wish; permit us to do the same. We will give you all the aid within the constitutional limits of our power, and only ask a reciprocity at your hands.”

Upon principles such as these, is it believed this great work is likely ever to be commenced, and thus, and thus only can the paramount interests of the nation be subserved, and thus alone, can the great American heart be satisfied.

Once completed, commanding the commerce of the Indies, developing our vast interior, affording equal facilities to all sections, these roads will bind together this Union as with adamant chains, and the multitude (for their construction drawn into our midst) will ere long fill that mighty wilderness, now the abode of the beast and the savage, from the Mississippi to the Pacific, with farms, villages, towns and cities,—with millions of free and happy people, who in the full enjoyment of our noble institutions, while making the valley broad and mountain high redolent with the music of the lowing herd, the anvil, the plough, and the plane, will be a tower of strength and bulwark of national defence, against which in vain may tyrants thenceforth hurl their anathemas, and launch forth their bannered hosts, only to be discomfited, routed and slain.

As a fore-runner of these great enterprises, an “Overland Mail” in four horse coaches upon the Northern route, would not only facilitate their inauguration, but also the convenience of the traveling community, our own citizens, the transmission and reception of mails, and would also materially aid in the development of our extensive interior.

Very important also is a similar mail line from the Capital of this Territory, through Oregon, to the capital of California. These are suggestions as proper subjects for urgent memorial.

While these bright prospects of a glorious future—the material prosperity of our Territory and of the nation at large—call for the most sincere thanks of all,

and to the world, this Union presents the prodigy of but the other day a mere handful of three millions, already grown in all the elements of national greatness, one of the most powerful governments of the times; yet, to the lover of his country, the aspect of our national politics is far from encouraging—a dark cloud is gathering over the horizon. Proclamations of treasonable purposes pass unrebuked. Men in high places, alike in the South, and the North, in their discussions upon slavery, declare their purpose upon the *happening* of one, or the *not* happening of another contingency to dissolve the Union. Men signally favored by their fellow-citizens, and still more favored by the gifts of Omnipotence, *deseccrate* the post of honor, and bring all their mental powers into requisition for the destruction of this, the most perfect political fabric ever invented by human wisdom.

Time was, when those who should have proclaimed such purposes would have been hissed, driven from the rostrum, and sunk beneath the patriotic scowls of an indignant people. But alas! those halcyon days are fast passing away, and the apparent pleasure with which such sentiments are now tolerated is an omen that augurs ill for the perpetuity of our national existence. Admonished by these premonitions,—seeing in the late tragical insurrection at Harper's Ferry, Va., the maturity of a portion of the legitimate fruits of tolerating these seditious sentiments, and the discovery of a wide spread sympathy with, if not actually participation in, that treasonable transaction, and desiring above all things the perpetual preservation of this fair confederacy, the undersigned would be deficient in duty should he fail upon this occasion to raise a warning voice.² In view of these things, that it is possible for misguided philanthropists (unacquainted with the practical operations of slavery and the remedy for its alledged evils) aided on the one hand, by those who *live* by slavery agitation in the free states, and the over zealous, the indiscreet, and too often reckless Southrons on the other, to call down upon the nation that most dire of all political woes, a *dissolution*, cannot be denied.

Yes, "it is possible" that, forgetful of duty, and regardless of consequences, reckless writers, speakers and legislators, may "dissolve the Union." Seeing then, that there is a possibility, nay, 'tis feared a *probability*, of such an awful catastrophe, let us in this embryo State, beware of the hydra-headed monster dissolution, and at once, as faithful sentinels, take our stand upon the watch-tower of liberty, and by our devotion to the Constitution and the Union—the rich legacies our forefathers bequeathed us—prove ourselves worthy sons of the noble sires; and leaving as they did, unfettered and unmolested, to each political division of the confederacy, (who alone are responsible for them,) the management of its own domestic affairs, imitate their wise, peaceful, fraternal and sublime example. And firmly setting our faces now and forever, against all who would jeopardize, or destroy the palladium of liberty; profoundly thankful for past blessings; fer-

² John Brown's raid on the federal arsenal at Harper's Ferry, Virginia, occurred on the night of October 16, 1859. While his abolitionist schemes were not representative of Northern opinion, his acts of violence stirred Southerners deeply and helped to bring about the secession of the Southern states.

vently beseeching the Almighty ruler of the universe, that its legislation may be always *right*, yet recollecting that to occasionally err has been the unavoidable lot of all mankind; relying upon the sagacity, wisdom and equity of our countrymen; with an abiding faith that ultimate public justice will be done; "clinging to the Constitution and the Union, as the shipwreck mariner clings to the last plank when night and the tempest close around him," let our motto ever be "THE UNION."

Olympia, Dec. 7th, 1859.

R. D. GHOLSON.

HENRY M. MCGILL

Henry M. McGill, appointed to succeed Charles H. Mason as secretary of the territory in November, 1859, became acting governor in May, 1860, when Richard Gholson returned to Kentucky. McGill was an Irish immigrant who had come to the United States as a boy six years of age. Having taken up the practice of law, he journeyed west to San Francisco during 1857 but returned to Washington, D. C. the following year where he served for a time as President Buchanan's private secretary and later, in 1859, as a commissioner of the Court of Claims. Acquainted with problems of territorial government through his experience as secretary, and possessed of considerable executive ability and political sagacity, he discharged the duties of the governor's office with energy and decision. He was replaced in the summer of 1861 by President Lincoln's appointee, L. J. S. Turney. He made Washington Territory his permanent home, and some few years later he served as United States prosecuting attorney for the Puget Sound District, and as a member of the legislative assembly. His interest in higher education is evidenced by the fact that he served for a time as president of the board of regents of the territorial university.*

*Snowden, *History of Washington*, IV, 104, 138, 162; Bancroft, *Works*, XXXI—*History of Washington, Idaho and Montana*, 217.

Acting Governor Henry M. McGill to the Eighth Annual Session of the Legislative Assembly, December 6, 1860.¹

Fellow-Citizens of the Council and House of Representatives:

In conformity with the practice adopted at each annual meeting of the Legislature, it has become my duty as acting Governor to communicate to you information upon the present condition of our Territory, and to recommend such measures as I may deem expedient for your action.

But a few years have elapsed—not more than nine years—since the interior of our Territory was known only to the trapper and the tourist. Although unrivaled in the magnificence of its scenery, it was believed to be almost wholly uninhabitable, and valueless for the purposes of agriculture.

How great has been the change; our inhabitants are now numbered by thousands. In proportion to area, Washington Territory, west of the Cascade mountains, contains as much good arable land as any other portion of our country, west of the Missouri river. The soil is of remarkable fertility, and all the cereals, fruits, and vegetables, common to a temperate climate, thrive well. In no other portion of the country can stock raising and wool growing be so profitably followed. As a lumbering region the shores of Puget Sound are known throughout the world. Our fisheries are the best on the Pacific coast, and coal of superior quality is found in great abundance.

In addition to these inexhaustible sources of wealth the Territory is known to be rich in the precious metals. During the past summer new gold diggings have been commenced on the Wenatchee and Clear-water rivers, tributaries of the Columbia, and in the valleys of the Similkameen and Okanagan; and from the reports of the different surveying and prospecting parties, there can be no doubt of the existence of gold in large quantities, on all the rivers and streams east of the Cascade mountains. Traces of gold have also been found along the route of the Fort Benton and Walla Walla road, on the Big Blackfoot river, and Flint and Benetzé creeks.

I regret to inform you that in the month of September last a party of immigrants was attacked by a band of the Snake Indians in the vicinity of Salmon Falls of the Snake river, and several of their number killed. Happily, the first rumors that reached this place as to the number slain are proved to have been much exaggerated. Immediately upon receiving the report of the massacre, Colonel Wright, commanding the Department of Oregon, dispatched one hundred mounted men with orders to proceed along the emigrant route for the rescue of the survivors and the punishment of the Indians. Colonel Wright, in a letter addressed to me under date of October 20th, expresses the opinion “that no new accession of danger to the settlements or immigration need be apprehended from these Indians. They have always been a plundering and marauding collection of bands, without however the disposition to attack parties capable of resistance.”

¹ Although the message itself is dated December 6, 1860, the journals of both the Council and the House of Representatives indicate that it was delivered to the assembly a day earlier, December 5, 1860.

The Colonel informs me that in the Spring an expedition will be fitted out to carry on the war against these savages actively and vigorously.

The feeling of insecurity naturally created by these repeated attacks cannot fail to retard overland immigration, upon which we must mainly depend for any large accession to our population. Thus the vital interests of the Territory are at stake and it becomes our duty again to call upon the general government for the immediate adoption of measures for the permanent protection of the emigrant routes.

In a dispatch to General Scott, dated 10th October, 1860, Colonel Wright says: "From the nature and extent of the country through which the immigrants have to pass, it will be some years before they can do so without military escorts; stationing posts, alone, will not accomplish the end. A post has been recommended and ordered by the Secretary of War to be placed somewhere in the Boisé region. It will be serviceable for various reasons, but will not dispense with the necessity of moving columns. Troops must travel with the immigration from the time of their leaving the Salt Lake country until they reach the settlements. If it were announced that military escorts would leave Utah about the 15th of July and 15th of August annually, to meet escorts from Walla Walla, or the new post when established, about the 15th of August and 15th of September, it is believed that all who desired it could easily avail themselves of such opportunities to travel in safety, and thus the yearly immigration be perfectly protected."

Concurring fully in the foregoing views of the Colonel commanding, I would respectfully recommend that his suggestions be embodied in the form of a memorial to the War Department, and that Congress be asked to appropriate the money that will be required for the transportation of supplies, and other expenses incident to this service.

As a further protection to immigration, I would call your attention to the necessity for the establishment of a military post at Fort Boisé. The selection of that site, in obedience to an order from the Secretary of War, directing the establishment of a post there, was deferred by his approval, in order that better knowledge on the subject of the most eligible immigrant route from the southeast point of the Territory into the settlements, should have been obtained by explorations. Exploring parties were sent out, but the hostility of the Snakes caused the junction of the parties for the purposes of a campaign. It is estimated by the Colonel commanding this department, that \$150,000 will be necessary for building a post of five companies at Fort Boisé, and I recommend that Congress be asked to make the necessary appropriation.

Among the appropriations of greatest importance to the Territory, are those for the construction of military roads. In addition to the facilities afforded for travel and communication, these roads present great inducements for settlement, and soon every acre throughout their entire length is brought under cultivation. Their importance in a military point of view, is known and appreciated by the War Department.

It affords me much pleasure to state, that the military road from Fort Benton to Walla Walla, is now so far completed as to allow the passage of wagons over the entire route. On the 4th of October last, a military command, under Major Blake, arrived from Fort Benton by this road, making the trip in fifty-seven days. I am informed by Lieut. Mullan, the able and energetic officer in charge of the construction of this road, that, with the work of two seasons more, it will be completed. In connection with this road, I would call your attention to that proposed by Lieut. Mullan, from Fort Laramie to the Deer Lodge valley. Captain Reynolds, under instructions from the War Department, made an exploration of a portion of this line during the past summer, and it is reported that it traverses an eminently easy and beautiful region. If opened, it will shorten the present emigrant route several hundred miles, enabling the emigrants to reach their new homes at an early season. I would suggest that the War Department be memorialized to direct an examination of this route.

It is of great importance that a direct communication be opened between Puget Sound and Walla Walla, to connect with the road from the latter point to Fort Benton. By act of Congress, approved January 7, 1853 \$20,000 were appropriated for the construction of a military road from Steilacoom, on Puget Sound, to Fort Walla Walla. This sum was barely sufficient to make a reconnoissance of the route, and some improvement at the more important points. It is now entirely impassable. A description of the country traversed by this route, and a statement of the work performed upon it, will be found in the report of Lieut. Arnold to the War Department, dated January 26, 1855, [Senate Executive Document, Vol. 2, 1855-6.] This road, if opened, will afford direct communication between Puget Sound and the head of navigation of the Missouri river. In the reconnoissance of this route by Lieut. Arnold, the War Department directed the adoption of the Naches Pass and emigrant road, whenever the location of the latter would admit. A different route is proposed in the report of General Harney to the War Department, dated September 15, 1859,—viz: from Seattle, *via* the Snoqualmie Pass and Yakima river, to connect with the Colville and Walla Walla road; and the estimated cost for location and construction of two hundred and fifty miles is \$100,000.

By an act of Congress, approved February 6, 1855, an appropriation of \$30,000 was made for the construction of a military road from Fort Vancouver to Fort Steilacoom. During the spring of 1858, this road was completed from Steilacoom to the Cowlitz Landing, exhausting the appropriation. At the last session, Congress appropriated \$10,000 to continue the road from the Cowlitz river to Monticello. Of the progress made on the work, I am not advised. There remains the construction of the road from Monticello to Vancouver. It is most important that it should be at once commenced. It is the mail route between this Territory and Oregon. The mail is now carried by steamers up the Columbia from Monticello to Vancouver, and owing to the freezing of the river during the winter months, a delay of from one to two weeks is of frequent occurrence. Besides, the high rate of freight charged on these steamers, operates greatly to the

injury of the farming interests of that section. General Harney, in a dispatch to the General-in-chief, under date of September 15, 1859, in alluding to this road remarks: "The road of greatest importance, is one required from Fort Vancouver to Fort Steilacoom on Puget Sound. Our communication with the Sound is now done by sea, there being no road by which troops and supplies can be transported," and in his report to the War Department Lieut. Mendall, the officer who was charged with the construction of this road, says: "In a military point of view, it is of great importance that there should be a good road over this route. In case of emergency, requiring a movement of a large body of troops from Oregon to the Sound, with the present facilities for transportation, long and vexatious delay would necessarily occur." The estimated cost of completing this road is \$50,000.

A road from Vancouver to the Dalles is also required. General Harney in his report to the War Department, of September 15, 1859, recommends the construction of this road, and thinks that \$60,000 would be sufficient. Its importance can be best stated in the words of the General: "At present," he remarks, "this distance is traveled by water, there being no practicable road. The heavy expenses the Government has been obliged to pay for transportation necessitates the construction of this road, and, as the main artery of travel to and from the interior, this road would be a public benefit to the citizens of the country."

The engineer officer in charge of the construction of military roads in this Territory, in his report to the War Department, dated October 6, 1859, recommends the construction of a road from the Columbia river, commencing at or near its mouth, *via* the head of Puget Sound to Fort Townsend, "this road being important in the absence of any other inland route on the west of Puget Sound."

He also urges the completion of the road from Steilacoom to Bellingham Bay. A trail has been opened along the located line of this road from Seattle to Whatcom, a distance of about eighty five miles. In alluding to this road, he states: "There is no other road to connect the military posts, and to open the country to settlement along the east of Puget Sound. At the present time its completion would afford great advantages." For the completion of this road there will be required \$50,000.

In December, 1859, a communication was addressed to the Executive of this Territory by several citizens of Chehalis county, residing in the vicinity of Gray's Harbor, expressing their apprehensions of attack from the neighboring Indians. In compliance with the request of the Governor, the General then in command, assigned a company of the 4th Infantry to duty in that vicinity. This command is furnished with supplies from Fort Steilacoom, and the construction of a road between these points would save much to the War Department in the expenses of transportation, and be of great convenience to our citizens.

Your attention is respectfully invited to the subject of the roads thus indicated as necessary, and I would recommend the passage of memorials to Congress for the appropriations required.

In concluding this subject, I take the opportunity, in behalf of our citizens, to make public acknowledgment of the services rendered the Territory by the gallant General, lately in command of this military department. The opening and construction of roads; the establishment of military posts, and the effective protection afforded to overland immigration, bear testimony to the zeal and solicitude displayed by Gen. Harney for the advancement of the interests of this portion of our country. He has well earned the high place he holds in the estimation of our citizens. While they shall not cease to regret his absence, they know that the command could not have devolved upon a braver officer, or one better qualified for the position than Colonel Wright.

It is believed from reliable information, that an eligible and easy route for a wagon road across the Cascade Mountains, may be found to the south of Mount Rainer. The pass at this point is said to be much lower and more practicable than either the Nachess or Snoqualmie passes. I would suggest that the War Department be memorialized to detail an officer of the engineer corps in this Territory, to make an exploration of this route.

There has been opened during the past summer, a road from Rockland, opposite the Dalles on the Columbia, to Fort Colville, by way of White Bluffs on the Columbia. It crosses the Yakima river at the mouth of the Pisco, and strikes the Columbia about the centre of the Bluffs, eighteen miles below Priest's Rapids.

The great advantages of such a road, in shortening the distance now traveled around the elbow of the Columbia, will be readily seen by a glance at the map.

Other roads diverging towards the Wenatchee country and Rock Creek mines can be made from the terminus on the north side of the Columbia, at the Bluffs.

I am furnished by the Surveyor General with the following information, relative to the progress of the public surveys in this Territory during the past year:

No. of miles of meridian and standard parallel lines surveyed.	463
No. of miles township and subdivisional lines surveyed.	1,436
No. of acres subdivided.	409,404
Whole number of acres surveyed in the Territory.	2,450,373
No. of miles under contract.	280

There has been expended in the execution of the surveys,
the past year \$26,498.00

Of which, there was applied on the east side of the
Cascade mountains \$24,362.00

And on the western side. 2,136.00

The work under contract is all upon the western side of
the Cascade mountains, and amounts to. 3,360.00

A portion of the most valuable lands in the valley of the Walla Walla, chiefly in the vicinity of Walla Walla City, and New Fort Walla Walla, and also four townships of desirable grazing land in the valley of the east fork of Clicatat river, extending to the Columbia river, within eight miles of the town of the Dalles, have been subdivided. The surveys west of the Cascade mountains include the valuable lands formerly claimed by the Hudson Bay Company, some

good farming land on the lower Chehalis, and two fractional townships on the eastern shore of the Sound, to the north of Seattle. The estimate of surveys for the next year includes 300 miles meridian and parallel lines, and 4,000 miles of township work; and if the amount of the estimate be appropriated, it is hoped that during the next season the surveys will be extended over the greater part of the country now occupied by settlers.

Congress at its last session made an appropriation of \$4,500, for establishing that part of the boundary between Oregon and Washington lying upon the 46° N. Lat., between the Columbia and Snake rivers. The work has been placed in the joint charge of the Surveyors General of Oregon and Washington, who have agreed upon a plan of operation, and will commence the work in the field as early in the ensuing spring as the weather will permit.

The prompt and efficient manner in which the duties of the Land Office at this place are now administered, gives great and deserved satisfaction to the people of the Territory. To bring up the large arrears in the Register's office, and to examine, prepare and issue certificates on the donation notifications remaining on file, would require the assistance of a clerk for two years, as the time of the Register is fully occupied in the current business of the office. As it appears a special appropriation is necessary for this purpose, I would recommend that Congress be memorialized to make such an allowance for clerical services as may enable the Register and Receiver to dispose of the donation papers at once.

The following statement of the operations of the Land Office is furnished by the Register and Receiver :

REGISTER'S OFFICE.

The total number of notifications filed under the act of	
Sept. 27th, 1850, is.....	1,587
Total number of donation certificates issued.....	119
Notifications yet remaining to be acted upon.....	1,468
Number of donation patents issued to this date.....	35
Total number of declaratory statements on unsurveyed	
lands held under the pre-emption law.....	597
Declaratory statements filed since Nov. 1st, 1860.....	253

As no declaratory statements can be filed on unsurveyed lands, the whole number of claims held under the pre-emption law cannot be stated. No patents have yet been issued on pre-emption claims in this Territory, for the reason that the Department has no knowledge of what lands are held by donation claimants.

By the fourth section of the act of 3d March, 1843, it is declared, "that when an individual has filed, under the late pre-emption law, (1841,) his intention to claim the benefit of said law for one tract of land, it shall not be lawful for the same individual, at any future time, to file a second declaration for another tract."

Previous to December, 1856, this act was held by the department to be applicable to those lands only which had been offered at public sale, and thus rendered subject to private entry. On the 3d December 1856, a circular was issued

by the General Land Office, stating that the prohibition was held to extend to both classes—of lands unoffered, and such as were subject to private entry. The latter construction of this law was not enforced until the present Register entered upon the duties of the office. Many persons were allowed to abandon their claims and take others, on which they have since made valuable improvements. The Register being instructed, in all such cases, not to issue a certificate unless the parties can prove that their first declaratory statement was illegal, the claimants cannot acquire a title without a special act of Congress, which may perhaps be obtained through the action of the Legislature, and I would therefore call your attention to the subject.

RECEIVER'S OFFICE

	<i>Acres</i>
Amount of land located with Military Bounty Land Warrants, under Act of 1847.....	640
Amount of land located with Military Bounty Land Warrants, under Act of 1850.....	160
Amount of land located with Military Bounty Land Warrants, under Act of 1855.....	6,118
Amount of land sold under Act of 14th February, and amendments thereto	4,891
Amount of land sold under Pre-emption Act of 1841 and amendments thereto.....	3,155
	<hr/>
Total amount located and sold up to date.....	14,964

By the Quartermaster General I am furnished with the following statement, relative to the public arms:

PUBLIC ARMS NOW AT OLYMPIA

Rifles	154
Rifle Muskets	84
Small Arms, (damaged).....	37
Muskets	360
Carbines	4
Howitzers, (complete)	4
Belt Pistols	4
Sabres	15

In accordance with the resolution passed February 1st, 1860, 40 rifles and 260 muskets have been forwarded to the Walla Walla country; 40 muskets have also been forwarded to Chehalis county, and a similar number to Dungeness, to meet a requisition from the County Commissioners of Clalm county.

The quota of arms assigned to this Territory for the year 1860, amounts to 137 muskets.

To meet the incidental expenses of the Quartermaster's office for the cleaning and repairing of arms, and their transmission without delay to the different counties when required, I would recommend that the necessary appropriation

be made to cover the expenses already incurred, as well as those for the ensuing year.

In February last, Governor Gholson received information from the Treasury Department that the title to the site selected for the Capitol had been approved by the Attorney General of the United States, and that a portion of the funds appropriated for the erection of the building had been forwarded to the Chief Justice of the Territory to be delivered to his Excellency, on his executing a bond as Disbursing Agent. The act of the Legislature of January 5, 1858, having declared the Governor to be merely the *treasurer* of the fund, and placed its disbursement entirely under the control of a Board of Commissioners, Governor Gholson deferred the execution of the bond as disbursing agent until he could obtain the instructions of the Department as to the control which he was to assume over the disbursement of the fund. Upon the departure of the Governor from the Territory in May last, the duties of the Executive devolved upon me, and entertaining no doubt that, under the provisions of the organic act, the moneys appropriated for the public buildings were like all others entrusted to that officer for territorial purposes, to be disbursed by him under the instructions of the Secretary of the Treasury, I executed the proper bond, and adopted measures for an immediate commencement of the work, and so advised the department.

I was notified by letter from the Acting Commissioner that "he did not propose to proceed with the building until after the meeting of the next Legislature, unless such delay would in my opinion justify the appointment of another in his place." By the act of the Legislature of Jan. 5, 1858, it is made the duty of the Commissioners to contract for the erection of the building without delay, and I deemed it to be incumbent upon me, as Acting Governor, to see that the law was executed, and so informed the Acting Commissioner. On the 30th of July that gentleman published a notice inviting proposals for the clearing of the ground selected, as the site, fixing the 29th September following as the day for opening the bids. At the date to which the work was thus postponed, it would be greatly retarded by the inclemency of the weather. For this reason, therefore, I requested the Commissioner to reduce the time allowed for making proposals, and upon his declining to do so appointed another in his stead.

The title to the site selected for the Penitentiary has been since also approved, and by a letter received from the Department in October last I was instructed to cause the sites for both buildings to be cleared. A portion of this work had been done before the receipt of these instructions, and it is now completed. By the same letter, I was requested to forward a statement of the price of building materials in the Territory, and was informed that plans, specifications, and working drawings for both buildings would be prepared at the Bureau of Construction in Washington. I had previously adopted the plan for the Penitentiary agreed upon by the Commissioners, and have forwarded it to Washington with a recommendation that it be approved by the Department. The stone for the foundation of the Penitentiary has been delivered on the site, and paid for, and both buildings will be commenced immediately, upon receipt of the plans.

No provision has yet been made by Congress for the extinguishment of the Indian title, to the lands occupied by the Cowlitz, Chehalis, Gray's Harbor, Shoalwater Bay, and Chinook Indians. These lands are being fast settled, and some of the tribes have recently exhibited feelings of hostility to the whites. The same remarks will apply to several tribes on the east of the Cascade mountains; and I would recommend that Congress be memorialized to authorize treaty stipulations to be entered into with these Indians, for the relinquishment of their title and their concentration upon reservations.

The apprehended difficulties between our citizens and the Nez Perce Indians, growing out of the recent discovery of gold on the Clear Water, are deserving serious attention. A doubt exists as to the exact location of these mines, the Indian Agent holding that they are within the boundaries of the reservation. While the citizens claim the right, under the second article of the Treaty, to run roads through the reservation, this privilege is held by the Indian Agent to be exclusively vested in the Government. I am without official advices on this subject, but from information derived from most reliable sources, I am satisfied that there is imminent danger of a conflict between the miners and the Indians, and should this occur, the consequences would be most disastrous. I would respectfully urge that this matter receive immediate attention, and that the Department of the Interior be memorialized to dispatch a Commissioner to this Territory with authority to define the boundaries of the reservation, and acquire the cession of the lands on which the mines are situated.

The possessory rights confirmed to the Hudson Bay Company in this Territory by the third article of the Treaty of 1846, became extinct upon the expiration of the Company's charter in May, 1859. It has been decided that these rights were merely a license to the Company to trade, and did not convey title to the soil. No decision has yet been rendered on the claims of the Puget Sound Agricultural Company, but there are strong grounds for the belief that they will be found to have no better foundation than those of the Hudson Bay Company, and that both Companies are, in fact, but one and the same. From a report made by the Surveyor General to the General Land Office, under date of December 8th, 1859, it appears that this Company has no charter, nor does it exhibit any original donation of title, either from the British Crown or the aborigines; and the Surveyor General decides that the Company has shown no color of title to the lands claimed, other than occupancy of an indefinite portion of them. The claims of the Company are known as the Nisqually and Cowlitz Farms, the former containing one hundred and sixty-seven thousand acres, of which about eighty thousand are prairie or oak openings, and the latter three thousand six hundred acres of highly arable land. The bottoms on the Nisqually are very fertile; and the town of Steilacoom and the United States Fort Steilacoom are upon the Nisqually claim. There are now about three hundred American settlers having farms in steady process of improvement upon the Nisqually claim, and it is of great importance therefore that an early decision be rendered as to the rights of this Company under the Treaty.

The importance of a geological survey of this Territory cannot be too highly appreciated, and, although this subject has already received the attention of the Legislature, I would, in view of the great advantages to accrue from the work, urge further action in the matter. That the Territory is rich in minerals is well known, but until a thorough and careful examination is had and the results published, their development must necessarily be slow and imperfect. By act of Congress of March 3d, 1855, an appropriation was made for the completion of the geological explorations of Dr. John Evans. The examinations by this gentleman were, under his instruction, confined to some of the coal regions, and his report has not yet been published. I commend this most important subject to your attention, and suggest that Congress be again asked to make an appropriation for a geological survey of this Territory.

I need not inform you that the frontier settlements on Puget Sound still continue to suffer from the incursions of the Northern Indians of the British and Russian Possessions. These savages have, during the past summer, infested the waters in the vicinity of Port Townsend and Whidby's Island in formidable numbers, have committed several murders, and caused much alarm to the exposed and isolated settlements in that part of the Territory. The murderers have gone unpunished, and in the present defenseless condition of our frontier we cannot hope for any cessation of these outrages. The only means by which protection can be afforded, is by stationing some war steamers of small draught and great speed, in the Straits of Fuca, on Puget Sound. The Indians can then be followed to their lurking places among the islands and driven from our waters. The only protection we have on the waters is the steamer *Massachusetts*, of the Quartermaster's Department, and, although always prompt, she is proved to be entirely inadequate to this service. This subject was brought to the attention of the Department by General Clarke, the late commander of the Department of the Pacific, in a report dated September 14th, 1857. The General remarks: "Against an enemy possessing such means of rapid movement and a secure retreat, the army can neither give protection to the inhabitants nor can it inflict punishment. I then suggest that the defense of the Sound against the enemy belongs of propriety to the navy. Their steamers and boats can close the Sound to the excursionists." The occurrences of the past summer should be brought to the attention of the Government, and an earnest appeal made for the necessary protection.

The Legislature, at its last session, appointed a board of Commissioners to select and locate the lands donated by Congress to the Territory for university purposes. One of the Commissioners having declined to act, the vacancy was filled under the authority vested in the Governor by the fifth section of the act of January 20th, 1859. I am informed by the President of the board that further legislation on the subject is necessary, and I presume that the difficulties existing in the way of the execution of the law will be brought to the attention of the Legislature by report from the commissioners.

I submit a petition to the Legislature from citizens residing in the vicinity of the Bitter Root river, and within the present boundaries of Spokane county, pray-

ing the organization of a new county in that part of the Territory. The petitioners state that they are without the means of preserving order and carrying the law into execution, and I would therefore commend their request to the favorable consideration of the Legislature.

In connection with this subject, it is proper that I should remind the Legislature that all that portion of the Territory lying between the western line of Walla Walla county and the summit of the Cascade mountains, and containing about four thousand six hundred and eight square miles, is at present without any county organization.

A revision of the laws, providing for the assessment of county and territorial revenue, would seem to be necessary, with a view if possible to render taxation equal and uniform throughout the Territory, and to enforce a more prompt and perfect execution of duty on the part of the officers engaged in the collection of revenue. In the majority of the counties no tax is levied on lands, and in others, but partial assessments are made, either for county or territorial purposes.

By the twenty-sixth section of the act of 29th April, 1854, it is made the duty of the county treasurer and sheriff to assess and estimate the tax on any land, or other property, that may be omitted from the regular assessment roll. I am informed that in many instances these officers assess the greater portion of the property in a county under this provision, and that no account is ever rendered to the Territory of the money collected for its use.

I would recommend that it be made one of the duties of the Prosecuting Attorney to attend to the collection of delinquent taxes. I would recommend that the 9th section of the act of January 28th, 1857 creating a "court fund," be so amended as to require the County Treasurers in each judicial district to pay over to the clerk of the district court the amount set apart for this fund, and that the clerk be made the treasurer of such fund upon his executing a proper bond. It might be well also to designate definitely what expenses are to be paid out of this fund, and to direct that it be disbursed under the approval of the presiding judge of the district.

An amendment to the law regulating elections is also respectfully suggested, to insure a more strict compliance with its provisions on the subject of the qualifications of voters, the time and mode of correcting mistakes in the poll lists, and the disposition and safe keeping of the ballot box and poll lists at each adjournment of the polls.

There is no subject in which our citizens feel so deep an interest as in the progress of education, and none which merits in a higher degree the attention of the Legislature. Our common school system, although devised with much care, is, I conceive, susceptible of many improvements, and among the most important, I would suggest the passage of a law providing for the appointment by the Legislature of a superintendent or commissioner of public instruction, to be charged with the general supervision of education throughout the Territory. The superintendent, if such a law should prevail, should be a man well qualified in every particular for the position, and should be allowed such compensation as will permit him to

devote his entire time to the duties of his office. I am confident that I express the sentiment of our citizens, when I state that there is no object for which they would more cheerfully bear taxation than for the thorough education of their children.

By the present law it is made the duty of the County Superintendent to visit the schools of his county annually, and to prepare a statement containing abstracts from the district reports, and such other information or suggestions as he may deem important to the cause of education. This statement he is required to file in his office, and if convenient to publish in some newspaper of the Territory. I am not aware that these statements are ever published. If not, of what practical use can they be to the cause of education?

It should be made the duty of the County Superintendents and District Directors, upon their visits, to hold a public examination at each school, and to report annually to the Territorial Superintendent the result of their examinations—the qualifications of the teachers, the proficiency of the scholars, the methods of teaching, the discipline observed, and the condition of the school houses. It should also be their duty to answer such interrogatories, on the subject of education in the several counties and districts, as might be propounded by the Territorial Superintendent, and to report to him a statement of all moneys levied, collected, and paid for educational purposes.

Among the other duties of the Territorial Superintendent he should be required to prepare and transmit a report annually to the Governor, to be by him submitted to the Legislative Assembly. This report should contain abstracts from those of the county superintendents and directors; a statement of the collections and expenditures for school purposes, with all such matters relating to his office, and the subject of education generally, as he may deem of importance. By the publication of this report the people would be advised of the progress and prospects of common school education, and their attention called to any defects in the system. Greater care is required in the selection of teachers. Under the present law it is made the duty of the County Superintendents to give public notice of the time appointed for the examination of candidates for the position of teachers, but there is no provision that the examination itself shall be public. By requiring this examination to be public, and inviting citizens to attend, it would insure a more thorough discharge of duty on the part of the examiners; incompetency could not fail to be detected, and the community would have an opportunity to judge of the qualifications of the candidates.

I would also call your attention to the necessity, for the introduction into all our schools of a uniform system, of text books.

I cannot forbear to notice the ruinous effects of the extravagant rates of interest exacted for the loan of money, on credits, and the extension of time for the payment of debts. I think the time has arrived when the best interests of the Territory demand some legislation upon this subject, and as the most effectual remedy for the evil I would urge the passage of a Usury Law. Such a law, if rigorously enforced, would be most beneficial in its results.

Under the provisions of the act of April 28, 1854, the expenses of convicts sentenced to the penitentiary are to be borne by the Territory. The Territory being, as yet, without a penitentiary, convicts are confined in the county jails, and the burthen of their expenses is for the time being thrown upon the sheriffs of the different counties, as the territorial auditor can only certify an unliquidated account for such expenses to the Legislative Assembly, a special appropriation being required for their payment. Some provision should be made by which the accounts of the sheriffs may be audited, and paid at stated periods, without subjecting them to the delay arising from the necessity for a special appropriation in each case.

The same law provides that convicts shall be sentenced to *hard labor*. In the absence of a penitentiary all such sentences are inoperative, and useless, but yet the law might be rendered in some way effective, and I would commend the subject to your attention.

In September last three convicts sentenced to the penitentiary, one from Kit-sap county, and the others from Thurston, were by my instructions, transferred to the custody of the sheriff of Pierce county. I would ask that the proper legislation be had to reimburse that officer for his expenses in the safe keeping of these convicts. Copies of the correspondence on the subject, showing the causes for the transfer, are herewith communicated.

In connection with this subject, I would strongly urge that the Governor be authorized, under the proper restrictions, to offer rewards for the arrest of prisoners escaping from confinement. Escapes are frequent; and that the ends of justice may not be defeated, the Executive should be invested with the power to secure the arrest and return of the fugitives.

By the acts creating the offices of Territorial Auditor, Treasurer, and Librarian, it is made the duty of these officers to report to the Legislative Assembly, at each session, the operations and condition of their respective departments. I would recommend that the law be so amended as to require these reports to be made to the Governor in time to be communicated by him to the Legislature, with his annual message. By affording the Governor an opportunity for their examination, he would be able to call attention to such subjects as might be deemed proper for the action of the Legislature.

I would also suggest an amendment to the acts relative to the printing and distribution of the laws and journals, by which a larger number of the former may be furnished the several counties. By reducing the number of the journals, this could be done without increasing the cost of the public printing.

The joint commission for marking the boundary between this Territory and the British Possessions is still in existence, but I am not informed of the progress made in the work during the past year. From a report of the United States Commissioner, dated December 31, 1859, it appears that at that date the survey had been carried eastward as far as the Columbia river, and that it would be extended during the past season to the Rocky Mountains. Upon the question of title to the Island of San Juan, I am not advised that any definitive action has yet been had.

No doubt, however, is entertained by the Government of the United States as to the validity of our title; and the measures adopted to prevent any conflicts on the disputed grounds pending the negotiations between the two Governments, have met the cordial co-operation of the citizens of this Territory.

It may not be inappropriate in this place, to call the attention of the Legislature, and through it that of the general government, to the urgent necessity for the appointment of a United States Consul or Commercial Agent for Vancouver's Island and British Columbia. A large number of American citizens are engaged in mercantile pursuits in Victoria, also at Fort Hope, and other towns on Fraser river, and the mining population in the latter vicinity, and Rock creek, is largely American. The interests of our countrymen resident at these places, as well as of those visiting the British Possessions for purposes of trade and commerce, require the presence there of a representative of our government.

For the protection of the public revenue it is necessary that an officer of the customs be stationed at some point on the boundary line, near Fort Colville, and I suggest this subject as one proper to be brought to the attention of the government.

The establishment of the overland mail service from Sacramento, California, to Olympia, is a most important measure for the welfare of our Territory. Provision should now be made for an increased mail service on Puget Sound. The service is now weekly from Olympia to the different ports on the Sound, and the great commercial interests of this part of the Territory require that it should be made at least semi-weekly. I would suggest this as a subject of memorial to Congress.

It is to be regretted that the bill passed by the Senate of the United States at the last session of Congress, appropriating \$3,400,000 to defray the expenses incurred by the citizens of this Territory and Oregon in the late disastrous Indian war, failed to become a law. It is true, the amount appropriated falls far short of that found due by the Commission appointed under the act of Congress of August 18, 1856, and that the provisions of the bill limiting payment to the persons who actually performed service, or from whom purchases were made, would have worked much injustice and delay to parties, who had in good faith purchased the scrip. The commission appointed under the act of 1856, was composed of gentlemen, who, from their long residence on this coast, were familiar with the resources of the Territory and the prices ruling at the date of the war. In communicating their report to Congress, the Secretary of War, states: "I have examined this report very carefully, and conclude that from the data they have adopted for their guide, as to the prices for stores and subsistence, and time of service of the men, it is not probable a more just or accurate result could be obtained, than these gentlemen have arrived at. The amount ascertained to be due is a very large one, and Congress will have to make provision for its payment, if it is intended they shall be liquidated, of which, I presume there can be no doubt."

The amount actually due to each individual for services and supplies, could only be ascertained by dispatching a commission to the seat of hostilities. This

was done. The commission have made their award, and it has been approved by the Department familiar with such subjects. Justice demands the immediate liquidation of the debt to the full amount found due by the commission.

In conclusion, I would respectfully suggest that, as the present session of Congress will terminate on the 4th of March next, such matters as may require the action of our Delegate should receive the early attention of the Legislature.

HENRY M. MCGILL.

EXECUTIVE OFFICE, Olympia, December 6, 1860.

L. JAY S. TURNEY

L. Jay S. Turney of Illinois became secretary and acting governor of Washington Territory in the summer of 1861. A personal friend of President Lincoln, he was appointed to succeed Henry M. McGill. At the same time William H. Wallace was named governor but he resigned the office without qualifying, when nominated (and later elected) by the Republicans as territorial delegate to Congress. Turney therefore held the executive position until Governor Pickering arrived in June, 1862. Following his retirement from office, Turney continued in territorial politics and himself ran for the office of delegate to Congress in the election of 1863. He was, however, defeated by George E. Cole.*

*Snowden, *History of Washington*, IV, 140, 144, 173.

Acting Governor L. Jay S. Turney to the Ninth Annual Session of the Legislative Assembly, December 19, 1861.

*Gentlemen of the Legislative Assembly of the
Territory of Washington:*

Custom requires the infliction of a "speech" on this occasion. A temporary and accidental occupancy of my present position, and my opportunities for becoming familiar with the geography, topography and history of our Territory having been limited, this requirement is somewhat onerous. I hope, therefore, you will not expect minute details in the thoughts now to be submitted.

From what I have heard, seen and read, however, I believe there is a bright, a glorious future, for the Territory of Washington. She lies between, and in the thoroughfare of populous and mighty nations; a large part of the world's commerce must ultimately pass over her bosom. She borders upon the majestic Pacific, and has within her limits an inland sea, sufficiently capacious to furnish safe anchorage for all the shipping now built, and it is filled with clams, crabs, oysters, salmon, and all the best varieties of fish. She is drained by the great Columbia and its beautiful tributaries. There is on these rivers the finest water-power on the globe, and enough to propel all the machinery in use. She has the thickest, largest and tallest timber that grows, and is undoubtedly the best lumbering country on earth; and yet she contains many beautiful and lovely prairies. Her coal, iron, copper, *silver* and GOLD fields, bid fair to equal, if not surpass, any yet discovered. Her fertile soil produces apples, pears, plums, and all the berries to perfection. Wheat, rye, oats, peas, beans and barley grow admirably. Her yield of hemp, flax and the grasses is unsurpassed; and in the production of cabbages, turnips, POTATOES and vegetables generally she is unequalled. Besides, her valleys are blessed with a mild pleasant climate—a climate neither too hot nor too cold, too dry nor much too wet!

Everything considered, Washington Territory certainly possesses greater natural advantages, more of the elements of wealth and true greatness, than are found in any other Territory or State on this continent. There is found nowhere else so many facilities for acquiring all the staples which supply the wants of life, and make a people prosperous, independent and happy. Here agriculture, commerce, manufacturing, MINING, lumbering, fishing, and all the various employments of industry may be profitably and successfully pursued. No other people are equally blessed with pure, clear cold water from snow-capped mountains, and at the same time breathe the pure air and enjoy the gentle breeze from the great ocean—consequently no people are in a greater degree blessed with the best of earthly blessings, good health; a health that invigorates, cheers and completes true greatness and produces perfect enjoyment. With a proper development of her illimitable natural advantages, who shall predict the future greatness, or assign limits to the brilliant destiny of the Territory of Washington?

Let it never be forgotten, however, that these great advantages and blessings bring with them corresponding duties and responsibilities—duties we *must* perform, responsibilities we *cannot* shirk.

School-houses, college edifices and temples in which to worship Almighty God, must be erected and sustained, public highways opened and kept in repair; bridges built and kept up; and public morals established and maintained; for no people can be truly prosperous and happy who do not duly appreciate and properly guard public and private morals. With a view to the proper and permanent establishment of morality, I commend to your favorable consideration the common school—the poor, though intellectual and honest boy's college. Legislators who would establish the liberties and happiness of the people, must not neglect their education. Experience demonstrates the perfect success of the common school system—that the masses can be educated, and that it is cheaper to educate the people than to punish the vices and crimes incident to ignorance. History shows that those communities having the largest number of well sustained schools, colleges and churches, need fewest jails and gibbets; therefore, I earnestly recommend the enactment of liberal laws on the subject of common schools—laws which will put them on a permanent basis, and thus secure to all our children a liberal education.

In warmly urging you to take under your fostering care our free schools, I would by no means have you forget or neglect the great interests involved in our present and future seminaries and colleges. Our munificent donations of lands for educational purposes, should be carefully watched and guarded, and no part of them suffered to be squandered under any pretext. In all cases, those intrusted with the selection or sale of these lands, or with the management or disbursement of funds arising from their sale, should be held to a strict and scrutinizing accountability.

In my judgment, you should consider well what powers and privileges are conferred over these lands by existing laws of Congress, and should not transcend them yourselves nor suffer others to do so. I cannot advise a ratification of illegal acts in relation to them. Their safety depends upon a rigid and faithful observance of the law *as it is*. A want of such observance may, and I fear will lose us a part, if not the whole of these lands, and wreck all our hopes based upon them. All wrong doers who would squander any part of these lands, should be frowned down by an enlightened and patriotic public sentiment.

A conviction of duty compels me to say in this connection, I regard the acts of the last Legislative Assembly in relation to the UNIVERSITY LANDS, as illegal and void; and the action of the Commissioners hasty and unwarranted. It is for you to determine, after a careful examination of the law and the report of

the Commissioners, what legislation, if any, should be had; and in any that may be, you should consider the public good and that only.¹

I also regard the acts of last winter, in relation to the Capital and Penitentiary, as very *unfortunate*. A careful consideration of all the facts inclines me to think wisdom and fairness require the relocation of the Capital, *at the place* the voters of the Territory may designate at the next general election. A law can be framed which will make such place the legal Capital. I do not make this suggestion to appease our Vancouver friends, for I think their action, since the decision of our Supreme Court, improper and in very bad taste, to say the least—I make it that this vexed question may be honorably and satisfactorily settled—settled to the satisfaction of the people.

A site having been selected and cleared, and the title thereto approved at Vancouver, and it being more central than Port Townsend, a due respect to the public interest and wishes requires the relocation of the Penitentiary at that place, and that too, without legislative trading.²

It is a matter of profound regret that subjects of public concern should ever be made to yield to private interest, and that the public mind should be harrassed and, distracted with the settlement of questions which should have had no existence; yet when such do exist, I know of no better way to settle them than that pointed out by equal and exact justice to all parties and sections. The adoption of these recommendations will, it is believed, do that justice, and give general if not universal satisfaction. These location questions must sooner or later be settled by the LAW of population, and the sooner they are settled the better for all concerned.

The universal experience of mankind proves the necessity of laws on the subject of usury. No country can permanently prosper without them, for no country is without its Shylocks—those who have no scruples of conscience in preying upon the wants and necessities of their fellow men—those who “get all they can, and keep all they get.” The argument that such laws are always violated, would apply with equal force to the laws against perjury, larceny, murder or other crime. Because bad men will violate the laws, should they therefore be repealed? Such argumentation would insult common intelligence. Wary traders and speculators are always able to hold their own with, and get from, the honest and unsuspecting all they should have, with every legal restraint thrown around them. Be-

¹ During the session 1860-1861 the assembly created a board of commissioners empowered to receive the title to a site in Seattle, if it were donated, and to locate and sell the lands reserved by Congress for University purposes. On December 20, 1861, the commissioners reported having sold more than 20,500 acres at \$1.50 per acre, the minimum price allowable. Much of it, they said, was “worthless except for timber.” The statement of sums expended on clearing and construction at the Seattle site caused those who studied it critically to wonder whether various people had not been paid too generously for materials or services. *Session Laws of the Territory of Washington, Eighth Regular Session of the Legislative Assembly, held at Olympia, 1860* (Olympia, James Lodge, Public Printer, 1861), 4, 16-18; Report of the Commissioners is printed in the *Journal of the House of Representatives of the Territory of Washington, Ninth Session, 1861-1862*, Appendix, pp. 40-47.

² The acts referred to provided for the establishment of the seat of government at Vancouver, and for the location of the penitentiary at or near Port Townsend. *Session Laws, 1860-1861*, 3-6.

sides, high rates of interest cripple trade, and prevent honest legitimate investments of capital, by tempting the usurer to hoard for the purpose of preying upon the unfortunate poor.

High interests beget a desire to become wealthy, and cause hundreds to violate that wholesome injunction "hasten not to be rich." Exorbitant interests fearfully increase the anxiety to make a pile quick, and hurry back to the States. That desire, I fear, tempts many to evil acts—acts which were scorned prior to becoming so influenced. The unholy desire for sudden riches has ruined thousands. I am in favor of every just measure that has a tendency to restrain that desire, for I regard it as the great evil of our age and nation. Having examined the terrible effects of usury from various stand-points, I feel constrained to recommend a passage of a stringent law against it.

All good citizens acknowledge and respect the sanctity of the marriage relation. Yet, the interests of society are often stabbed and stricken down, and public sentiment outraged and insulted by disregarding that sanctity in severing those who have been united in wedlock's holy bands. Those ties should be sundered only by courts of competent jurisdiction, and only for *one* cause—the scriptural ground "for a writing of divorcement." I sincerely hope you will scrupulously abstain from granting a single divorce during your present session.

There should be some legislation to protect our youth from the baneful influences of intemperance, sabbath breaking, gambling, idleness, and their accompanying vices. If men will keep tippling houses and gambling hells, they should be compelled by law to do so privately.

Our villages and public thoroughfares should be cleared of the poor, miserable and degraded savage, to protect the youth of both races from contamination by contact.

As enlightened men, and Christian legislators, you should make suitable provisions for unfortunate fellow beings, either deaf and dumb, blind, idiotic or insane. Such provisions for such unfortunates would gladden the hearts of all true philanthropists, and be hailed as an omen of that true and genuine religion which "boasteth not itself," but delighteth in doing the will of "our Father who art in heaven,"—a religion that should characterize the conduct of all who enjoy the many blessings of the nineteenth century "at high twelve."

Many important considerations influence me in this connection to urge the election of Chaplains for each house of this Legislative Assembly. The representatives of freemen in this day and age of the world should not be afraid nor ashamed to acknowledge publicly their dependence upon the God of nations, and ask His blessing daily upon themselves, their country and their labors. If you follow this suggestion, I hope to get the Government to make such Chaplains reasonable remuneration for their services.

A revision of our laws is badly needed and should be provided for at the Territorial expense.

It is to be hoped you will adopt some suitable means to secure a fair representation of the Territory at the next World's fair to be held at London.

Laws providing a fair and equitable apportionment for the next Legislature and the re-assignment of our judges, should be passed—that all our fellow citizens, and all the varied interests of our Territory may be properly represented, and that all our people may enjoy equal facilities and advantages in our courts of justice.

The unequalled richness of our silver and gold mines will cause the eastern portion of our Territory to settle with unprecedented rapidity. Bold, hardy, enterprising miners, by thousands and tens of thousands, will locate among us within the next six months. They will expect to be greeted and welcomed by our Judges and other civil officers, and to enjoy the rights and blessings which flow from an enlightened and liberal government. That they may not be disappointed, I respectfully urge upon your consideration the propriety of dividing the Territory into three judicial districts, equalizing the labors of the judges, as nearly as may be, and giving to suitors every possible facility for obtaining justice in our courts.

I am aware of difficulties attending such districting, and that any plan which can be submitted will be subject to objection, yet I venture to propose the following districts:

1st District, the Sound section.

2d District, the Columbia river region.

3d or Mining District, all that part of the Territory east of a point fifty miles east of Walla Walla. I also propose that each of our judges be required to hold court in at least two places. Say, for example, at Olympia and Port Townsend in the first or Sound District; at Vancouver and Walla Walla, in the second or River District, and at Pierce City, and Smithville, or such other place as the judge assigned to that district may designate, in the Third or Mining District. This arrangement will accommodate citizens of all parts of our Territory, and notwithstanding the judge assigned to the Third or Mining District will have much the largest share of labor, it is, in my judgment, as near an equitable distribution of judicial duties as can be made at this time. It provides for three courts on each side of the mountains, and although the weight of population is even now, before the accession of the spring emigration, greatly in favor of our brethren the other side of the Cascades, yet it is believed they will be satisfied with this arrangement, at least for the next year, but it would be unreasonable to ask or expect them to be content with less than half our courts, when they have at least two-thirds of the population, and will certainly have nine-tenths of the litigation.

I suggest the propriety of setting apart by law, the first week of each term of our District and Territorial Courts for pleading and making up issues; and that jurors, parties and witnesses be required to commence their attendance the second, instead of the first week of each term. Such a law would be a great saving to the public, and would very materially lessen the burthens, delays and hardships of litigation.

In this connection, it is proper to call your attention to the necessity of a code of miners' laws, for the benefit of our citizens engaged in that the great controlling interest of our Territory. Those laws should be liberal and just; such as have

been found by experience to work well in California and other mining districts. The General Government should be immediately informed of our rich discoveries, and warmly urged to secure to us, and those who may come among us, by treaty stipulations, the right to work the mines throughout the entire gold-bearing region of our Territory. Without such treaties, we have no legal or moral right to enter upon or work any of the mines in those vast regions, covered by the improvident and unjust treaties made with the Nez Percés and other Indian tribes, and included within boundaries which were improperly assigned to said Indians. The attention of the General Government must be called to this subject to prevent hostilities with the Indians, which will grow out of encroachments on our part, unless something is speedily done in the premises.

In this connection, I cannot too warmly and earnestly urge upon you the necessity for a prompt, efficient and thorough organization of the militia of this Territory. War—a stupendous war—actually exists in our beloved country, and before it closes, for “the end is not yet,” we may have trouble with the savages, and quite as likely, difficulties with the Mormons, friends of a Pacific Republic, and other traitors, all combined. The adage tells us “in time of peace prepare for war.” Although the citizens of the Pacific coast are not now actually engaged in war, I feel it my duty, as a sentinel upon the watch tower, to sound the tocsin of alarm, and call upon you, the Senators and Representatives of a brave, honest and chivalrous constituency, to prepare for their common safety by providing means for their common defense.

There are in this Territory not more than six thousand men, between the ages of sixteen and sixty, capable of bearing arms, while there are at least twelve thousand Indian warriors, and those east of the Cascades fine horsemen—a fair forest cavalry.

There are about two hundred and fifty thousand Indians west of the Mississippi river; of these fifty thousand are warriors. Strike a line north and south through Omaha City, in Nebraska Territory, and west of that line there is not today a single United States soldier to protect the population from the incursions of this formidable foe. I do not call attention to these notable facts, and thus warmly urge a favorable consideration of this recommendation, to produce a panic in the public mind, but to convince *you* of the necessity for action, prompt and energetic.

By a law of Congress, approved August 5th (last), our Territory is called upon for “seven thousand, seven hundred and fifty-five and one-third dollars.” Both patriotism and pride require us to meet that call promptly. You can save our tax-paying people fifteen per centum of this amount by assuming its collection and payment. If the General Government has to collect it, our people will have the whole amount to pay, and the public treasury will be little benefitted; therefore, both duty, interest and patriotism require you to provide for its prompt and faithful payment.

If you make this necessary and reasonable provision, you will have to give the Secretary of the Treasury notice of your action. The adoption of this sug-

gestion will secure for you the confidence and respect of our Government, and will be proof that you understand and appreciate the important and peculiar relation existing between Territorial Legislators and the General Government, and will command for your memorials and requests, respect and consideration.

And here, I may remark, nothing would give me greater pleasure than for this honorable Legislative Assembly to adopt some resolutions, calling the attention of our patriotic citizens to the National Loan for the purpose of raising funds to sustain our Government as our fathers made it. There certainly are citizens in this Territory who would subscribe to this loan.

I should also like to see resolutions passed, calling upon Union-loving men to stand by Union-loving men in all things, and at all times, and resolving not to trade with, or in any manner countenance, those who are base enough to oppose the Administration in its laudable and patriotic efforts to sustain the Government. For men who can distinguish in this crisis between the Administration and the Government, are, to say the least, of doubtful loyalty; and such men are sure to be blind to the fact that the leaders of the rebellion have in no single instance since its inauguration, appealed to the people for their approval, but have carefully, constantly and despotically abrogated the people's rights. They have proved themselves enemies of a republican form of government—tyrants of the first water. They have ruled their negroes and poor white neighbors until they have ruined themselves, and now wish to ruin the free North.

Your attention is respectfully called to the statements, reports, memorials, &c., herewith filed, and numbered from one to twelve inclusive.

Agriculture, the great employment of the masses of our country, should be encouraged. This can be done in an eminent degree, by paying liberal bonuses out of the Territorial Treasury to agricultural societies. This plan has been found to work well wherever it has been tried.

The copies of memorials in the archives of this Territory convince me you have generally passed too many; that you have been in the habit of asking too much, and relying too little upon your own strength. It is time we should depend upon our own resources for many if not most of our wants. Our patriotic people will cheerfully contribute to the common fund for the common good. They will not grumble at being reasonably taxed for free schools, for roads, for revision of our laws, for the support of the unfortunate and afflicted, for the *proper organization of the militia*, for RAISING THE AMOUNT DUE THE UNITED STATES by act of Congress approved the 5th day of August last, or for any other reasonable purpose—especially *now*, when our Government is being tried most sorely, and needs all its resources to put down the gigantic rebellion. I would recommend, therefore, few memorials. You might, perhaps, select two or three subjects of most importance, and concentrate your whole strength and have reasonable hope of success; but spread out all over space, ask for everything you fancy agreeable, and you will get nothing. Besides we should not *now* ask for anything which would in the least weaken the General Government, however important to us; for All our future depends upon its perpetuity.

For myself, I think of but one thing I would willingly ask at present; it would be for authority to hang traitors—men who with long faces cry peace, *peace*, in this time of their country's greatest war and greatest peril. Our Government has always dealt too leniently with men who oppose it in times of war. I would rejoice to know that such men would speedily receive the punishment their treason merits.

For, call the course pursued by them "Southern rights," call it "States Rights," call it "Secession," call it "Rebellion," call it "Revolution," call it what you will, and then sugar-coat and ornament its name in the most artistic manner by the use of high-sounding words, arranged and marshaled into well rounded sentences and paragraphs, and it is *Treason* still. Treason against the Government, Treason against our glorious Constitution, Treason against the rights and hopes of philanthropists throughout the world—Treason against everything near and dear and sacred to an American freeman,—Treason against religion and religion's God. Yes, fellow citizens, the course pursued by certain peace men, is Treason—pure and unadulterated Treason. Treason in all its hideous and loathsome deformity; and all the leaders of this unholy rebellion in the South, and their aiders, abettors and sympathizers in the North, who cry peace, peace, when there is no peace, are traitors and deserve a traitor's punishment here, and will receive a traitor's curse hereafter. No matter whether they call themselves Douglas-Democrats, Breckenridge-Democrats, Union-men, Americans, Know-Nothings, or friends of *Peace*, PEACE! There was a peace party in this country in the days of the American revolution; there was a *Mexican* peace party in our country a few years ago, and notwithstanding the ignominious fate of all these peace parties, and of all the peace men of which they were composed, we have a large peace party in this country now. A peace party! A peace party, when the Constitution of our country, the last best hope of the philanthropist is being stealthily stabbed! A peace party, when the enemies of civil and religious liberty, the dearest rights of man, are known to be abroad with arms in hand; a peace party, when our country's Capitol, bearing the name of Washington! is menaced; a peace party, when a part of the public purse and property of the people are in the possession of public and private plunderers. May the members of this peace party be *not* forgiven, they *do* know what they do!

Fellow-freemen, notwithstanding our country's troubles, and the dangers by which we are surrounded, yet ours is a highly favored community. If we are true to ourselves—true to the great trusts confided to us—true to the instincts of *Liberty* and the *rights* of man, we shall soon be a great, a glorious State—an integral part of a great and glorious nation, living under and protected by one great and glorious Constitution, shielded and animated by the same glorious flag, without the diminution of a single star or the rending of a solitary stripe, that waved over and animated our fathers while they fought for freedom. Glorious old star spangled banner—"long may you wave o'er the homes of the free and the land of the brave."

L. JAY S. TURNEY.

Dec. 19th, 1861.



Governor William Pickering
1862-1866

WILLIAM PICKERING

William Pickering of Illinois received his appointment as territorial governor from President Lincoln, whom he had known for some thirty years. He was born in England in 1798 and was graduated from Oxford in 1820. The following year he settled in Illinois where he became a prominent Whig leader. For ten years, 1842-1852, he was a member of the Illinois legislature. In 1860 he was selected chairman of the Illinois delegation to the Republican convention, where he played a part in securing Lincoln's nomination as presidential candidate. Trained as a civil engineer, he took an active interest in the improvement of roads and the development of railroads.

Although he was more than sixty years old when he was appointed governor, he discharged the duties of the office creditably and continued in office until President Johnson removed him in November, 1866, presumably for political reasons. The legislature memorialized Congress against his removal, and the United States Senate refused to confirm the appointment of George E. Cole as his successor, but Pickering was forced to yield, and he retired to a farm in King County. Soon afterward he returned to Illinois where he died April 22, 1873.*

*Meany, *Governors of Washington*, 27-28; Bancroft, *Works*, XXXI—*History of Washington, Idaho, and Montana*, 219, 266.

Governor William Pickering to the Tenth Annual Session of the
Legislative Assembly, December 17, 1862.¹

*Gentlemen of the Council and House of Representatives of the
Territory of Washington:*

It is well known to your honorable body, that by the organic act, the Governor exercises no part of the law-making power of this Territory, therefore there is not the same reason for the Executive to give his views of policy to the assembly, as would seem to be justified in those States and Territories, in which that Department has the duty to perform of assenting to, or disapproving, legislative enactments, notwithstanding it is expected the Executive will give his views annually to the Legislative Assembly, upon matters pertaining to the prosperity and general welfare of the people.

The first subject of public interest, to which I desire to call your attention, will be the codification and republication of our Territorial Laws.

This is the tenth session of the Legislature of this Territory, and its statutes are spread through as many pamphlets as there have been sessions. Of the laws passed shortly after the organization of the Territorial Government, few copies were printed; because at that early period, such was the sparseness of our population, a greater number were not needed. Since then, emigration has greatly increased our population, and widely extended our settlements, where several new counties have of late years been organized, thus greatly increasing the number of public officers; hence, the copies of the early session laws, have long since been exhausted. In the large area of country comprising the counties of Walla Walla, Shoshone, Nez Perce and Idaho, there are very few complete sets of the laws to be found. Practicing attorneys are unsupplied, and are unable to procure them at any price. Even the copy now in the Executive office, from necessity, was recently purchased from a private library. Indeed the scarcity is such as to render it impossible to procure copies for the use of members of the Legislature, Courts, Federal, Territorial and County officers; especially, should all the officers elected in the newly created counties, be immediately provided with the laws, to guide them in the performance of their respective duties. The people should not be kept ignorant of the laws under which they live. Should you think it necessary to direct a republication, it will also be advisable to provide for a proper codification, or revision of all of said acts, in order to render them less complicated. The various alterations which have at different times been made in our statutes, have increased the difficulty of ascertaining what laws remain unimpaired by subsequent enactments. The presence of a large mass of printed matter contained in these several pamphlets, many of which have been so changed and amended, that great confusion has been thereby produced. In revising and reprinting these laws, all obsolete and repealed acts, or parts of acts, should be carefully excluded, that the new compilation of the statutes may consist of such laws only as remain in force.

¹ Published as a pamphlet by order of the House of Representatives, Olympia, A. M. Poe, Public Printer, 1862.

DECISIONS OF SUPREME COURT.

Appended to the said new code, or in a separate volume the decisions of the Supreme Court should also be published; thus would our public officers, the courts and the people, be afforded the opportunity of becoming acquainted with the law and its construction, without which information many good and worthy citizens may innocently become the violators of statutory enactments, the existence of which they are not informed. Convenience, necessity and justice to the people require proper Legislative action at this time, and I trust your honorable bodies will not close your labors without adopting suitable measures upon this subject.

DIVORCES.

I should be recreant to the duties I owe to society, if I failed to call your serious attention to the sad and immoral effects growing out of the readiness with which our Legislative Assemblies have heretofore annulled that most solemn contract of marriage. Let me earnestly invoke you to stay the evils which result from the Legislature granting divorces, thereby destroying the sacred responsibilities and duties of husband and wife, merely upon the request or petition of one of the parties.

Without intending to trespass upon your law making province, permit me to suggest for your consideration the fact that the present laws declare marriage to be a civil contract; therefore, all breaches or violations of its conditions, are proper subjects for the Judiciary alone, and not for Legislative enactment, upon one sided, or *ex parte* statements. The law as it stands upon the statute books of the Territory, has conferred full jurisdiction upon the courts in all cases belonging to divorces, which is the only tribunal that can deliberately hear and examine all the witnesses on both sides of those unfortunate domestic difficulties of the parties applying for a dissolution of the marriage contract. The Legislature seldom has the opportunity of hearing any witnesses, even on the side of the complaining party, and never can have before them all the witnesses connected with both parties, especially so necessary to the proper adjudication of these cases. It will also be well to remember, that in divorces the Legislature cannot decree, or enter judgment for alimony, division of property belonging to the married parties, nor legally decide whether the separated husband or wife shall lawfully continue the possession, care and control of their children.

The Courts alone have full power to render final judgment and decree for alimony, division of family property, and direct who shall have the care and control of the minor children. Many of the Legislatures of the States, for several years past, have positively refused to grant any divorces. Eminent lawyers are agreed in the opinion, that all divorces granted by Legislatures are entirely unconstitutional, and therefore null and void, for the reason that, no act of a Legislature can destroy, annul, violate, or set aside the said civil contract, nor the sacred and religious bonds and mutual obligations entered into by man and wife at the solemnization of their marriage. It is at all times a very serious and deli-

cate matter for any person or persons to interfere, in any manner, in the unhappy quarrels and family difficulties of man and wife. There are few subjects brought before the Courts of our country requiring to be treated with more deliberate care and caution than divorces. Whenever a legislative body takes any action in cases of divorces, it is not improperly regarded as an infringement upon the legitimate province of the Courts. For these reasons, I trust your honorable body will firmly refuse to interfere with the rights of husband and wife. Applicants seeking separation should be directed to the Courts of our Territory, where they can receive all the relief and remedy for their grievances which the laws of our country afford.

MAIL ROUTES.

Our Territory is rapidly filling up with population; the number of settlements are constantly increasing, and extending over localities, but a short time ago familiar only to the red man. This renders increased mail facilities absolutely necessary to supply the growing wants of our people. You are best aware what new mail routes are needed—what are the postal necessities of the districts and counties you represent: this as a subject of memorialization to Congress, is well worthy of your early attention.

SURVEYS.

In reply to enquiries for statistical information, the Surveyor General's statement shows that since the organization of that office nearly three millions of acres of the public lands have been surveyed, which is scarcely one-sixtieth part of the area of the Territory. During the past year very little progress has been made in the prosecution of the work in extending the public surveys, owing to the meagre appropriation of only five thousand dollars, this being the whole sum allowed by Congress for defraying the expenses of this branch of the public service in this Territory, for the past year.

Many of you are advised that some of the oldest and most thickly settled localities of our Territory are yet on unsurveyed lands, amongst which may be mentioned Boiseport, the Willapaw valley, and the rich bodies of the bottom lands upon the Puyallup and White rivers.

The large emigration of the past year will, of necessity, induce the occupancy of a large portion of the public domain yet unsurveyed. This fact, together with the earlier settled lands before referred to, requires at your hands an earnest memorial to Congress for an increased appropriation, to continue and extend the surveys of such public lands as will secure to all settlers a full and fair opportunity of perfecting their titles. To prevent our present necessities from being a further drain on the Treasury at this time, when every dollar is needed by the nation in its glorious struggle to perpetuate its existence, would it not be well, in connection with this subject, to memorialize the proper department to bring the public lands into market.

The revenue derived from such sales would be paid into the Treasury sufficiently soon to anticipate the accounts of the various surveyors, who would be engaged upon that labor.

PAY AND OFFICE.

By an act of Congress, approved 30th of May, 1862, the salaries of the Registers and Receivers of our land offices were reduced from two thousand five hundred dollars to five hundred dollars and fees per annum, which together, I am informed, will not make their compensation under said law more than about six hundred and fifty dollars per year. The great distance between a large portion of our people, and the location of the land offices of the Territory, causes a large amount of written applications for various information, respecting their donation and preemption claims, for all of which useful and unavoidable correspondence no fees whatever are allowed; such services on the part of the officers, are entirely extra official, and constitute no part of their respective duties. The legitimate duties of Registers and Receivers are well known to be burdensome, and laborious; these are positions of weighty responsibility, evidenced by the fact that the Receiver at Olympia gives approved bonds to the large amount of one hundred and thirty-five thousand dollars. It may readily be perceived that the small compensation of six hundred and fifty dollars per annum is entirely inadequate and disproportionate to the amount of services and responsibilities required of them.

To the people it is of vital interest that our land offices should be continued in charge of competent and responsible persons, whose pay should be sufficient to reasonably compensate them for their services.

I respectfully ask your attention to this subject, for the purpose of memorializing Congress, to provide such suitable relief as the case requires.

INDIAN TITLES.

It is highly important to the people of the eastern and south eastern portion of our Territory that the Indian title to all lands between South Pass and the Columbia river should be extinguished. A treaty with the Indians effecting this very desirable object would be the best means of averting the terrible calamity of an organized Indian insurrection, [which] if once brought about, would be far more terrific in its consequences than the late sudden and unexpected uprising of the Indians in Minnesota, where it appears about eight hundred white people were cruelly slaughtered, and a large amount of property was destroyed. Were an Indian war to break out in the valley of the Snake River, or in any other part of our mining region where the land is yet owned by the Indians, it would operate as a signal fire that would rouse to arms other Indians of this and neighboring Territories. Our thinly settled population would be as suddenly surprised, and as entirely unprepared to resist a general outbreak, as were the unsuspecting people of Minnesota. Should such an unfortunate war of the races be again forced upon the people of our Territory, in all probability the conflict would assume that of a bloody character, resulting finally in the extermination of the savages.

The news is daily coming to us that our exploring miners are penetrating further and further, searching for gold, in these hitherto unfrequented places.

The occupancy of these lands, the Indian title to which has not yet been extinguished, induces them to consider our miners and farmers as intruders. There is great danger that such reasoning upon the part of the Indian may at any day be considered sufficient cause for the commencement of hostilities. Protection to our miners, developing the mineral wealth of this region, requires the immediate attention of the national Government. The passage of an act by Congress providing for the extinction of the Indian title to these lands will be the best course to preserve the blessings of peace to our Territory. I have no doubt your application to Congress on this subject will meet with success.

AGRICULTURAL COLLEGE.

The establishment of an Agricultural College would secure permanent benefits to the people of the Territory, the importance of which must be apparent to all. I would therefore urge the adoption of a memorial praying Congress for a grant of land in aid of such an institution.

MILITARY SCHOOL.

The current history of the mighty events now transpiring teach us the importance of providing our people with military education, to prepare them for any exigencies which may arise, from invasions without, or civil war within. The formation at this time, of a suitable school for military instruction, would be of material advantage to the Territory, and the future State; to aid in such an object, Congress would undoubtedly be willing to make a grant of land.

I commend the subject to your favorable notice, as eminently entitled to a strong memorial to that body.

RAILROAD.

The Act of Congress approved July 1st, 1862, providing the necessary means to secure the construction of a Pacific Railroad and Telegraph line, merits the warmest congratulations of the people of the United States, and more especially is it a matter of vital importance, to the future convenience, prosperity and general welfare of the population [of] the States and Territories West of the Rocky Mountains.

Whatever action your honorable body may think proper to take in memorializing Congress to provide similar aid for the construction of a branch Railroad to the Columbia River, or in favor of a Northern Road from Minnesota to Puget Sound, will doubtless meet with the approbation of the people you represent.

FORTIFICATIONS.

Land Fortifications, together with an iron-clad Monitor, so necessary to the protection of our fast increasing commercial business, Shipping, Towns, Lumber-manufacturing, and Coal-mining establishments on Puget Sound, and the Columbia River, requires the immediate attention of the United States Government. They are, therefore, a proper Subject for your early consideration for a memorial to Congress.

TELEGRAPH.

The advantages arising from the transmission of information across this continent by the means of a Telegraph, is duly appreciated by the people West of the Rocky Mountains, who take a lively interest in the mighty contest going on in the Eastern States, as well as in commercial intercourse. A branch Telegraph line will in a few months, be in practical operation from Sacramento to Vancouver, on the Columbia River. Thus the Southern border of our Territory will soon be placed in direct connection with our National Capital, and all parts of the United States. The convenience, and commercial advantages, to be derived from direct Telegraphic communication with all parts of our country, may easily be secured to the people of this Territory, by the passage of an act granting a charter for the extension of said line from Vancouver to our Northern boundary, there to connect with a line from British Columbia, and Victoria. Another charter will also be necessary for a line from Vancouver through Walla Walla to the Eastern part of the Territory.

The convenience and interests of the people, would be greatly promoted, by Telegraphic lines being extended through the Territory, and I have no doubt your favorable action on this subject will be duly appreciated by your constituents.

INSANE HOSPITAL.

The last session of our Territorial Legislature very wisely and humanely passed an act to provide for the safe keeping of Insane and Idiotic persons, wherein it is made the duty of the Governor and Auditor of the Territory to provide by contract for the clothing, care, medical attendance and safe keeping of all such persons in our Territory.

In fulfilling the duties, in accordance with the requirements of said act, it affords me great pleasure to be able to inform you that with the co-operation and praiseworthy assistance of R. M. Walker, the Territorial Auditor, a favorable contract has been made with the good Sisters of Charity at Vancouver, for the safe keeping of all such unfortunate persons.

The short distance between the most westerly bend of the North Fork of the Columbia river and the navigable waters of Puget Sound is so well known that it needs only alluding to in order to secure your attention to the propriety of asking Congress for a reasonable appropriation, to construct a Military Road on the shortest practicable line connecting said water courses.

The most important subject that claims your attention, is the necessity of adopting the best method of stopping at once and forever the atrocious murders, robberies and plunderings that have been committed annually by the Snake and other tribes of Indians, upon our valuable and enterprising miners, their pack trains, conveying goods and provisions to them, while engaged in their arduous labors at a great distance from our frontier settlements. More particularly has it become a positive necessity to protect the vast numbers of men, women and children of our overland emigrants, from the savage brutality of Indians along the road from South Pass, down the valley of the Snake to the Columbia river.

It is a standing disgrace to ourselves and our country, that for the last twelve years the Snake and other tribes of Indians, with their wicked associates and accomplices of white men, have every year committed the most outrageous robberies and murders upon our overland emigrants. White females have been carried into Indian captivity, and are yet held in bondage by these savages. For the honor and credit of our race, those white women ought to be immediately rescued. If a correct list of the names could be obtained of all the white men, women and children that have been murdered, and those carried into captivity, during the last twelve years, with a list of the thousands of horses, mules, cattle, money and other valuable property, consisting, in many instances, of everything the emigrants owned, such a frightful statement of crimes would startle every good man in our country; all would promptly enquire, when are all these wrongs and cruelties to be finally stopped? When is our traveled road to be made free from molestation? When are these murderers and robbers to be punished for their past crimes? When are the large herds of stolen horses, mules and cattle, with all other valuable property, to be rescued from the thieves, and restored to their rightful owners, their widows and children? Few of these murderers have yet been punished, and none of the property has yet been recovered. The great question now is, How are the lives of future emigrants, and their property, to be protected during the next ensuing years and for all time to come? From the most reliable information, it seems generally believed, that the surest remedy will be found in the Government of the United States to establish a line of military posts along the road leading from the South Pass of the Rocky Mountains (near the South-east corner of this Territory), down the Snake river valley to the Columbia.

To secure the establishment of said line of military stations I hope your honorable body will unanimously memorialize Congress for this purpose.

While on this subject, it is proper I should state that during the past season General George Wright, the commanding officer of the Pacific Department, very considerably issued an order directing all the military forces that could be spared, to be sent up the Snake river road to meet and protect the overland emigrants. Gen. B. Alvord, with Col. Justin Steinberger, of Walla Walla, promptly executed the said orders, by forwarding Lieut. Col. Maury, with a portion of Oregon Cavalry, who vigilantly and successfully guarded said emigrants past the Salmon Falls, and other dangerous places.

It is highly gratifying that these officers have harmoniously and vigorously acted in concert, and by their united exertions, large numbers of emigrants, with their property, have been protected. Notwithstanding the caution and diligence used by the officers and men of the escorts, it is to be lamented that several emigrants, whose great hurry to get to the Salmon River and other gold mines, induced them to rush onward at a distance from these military escorts, some of whom were murdered and robbed by the Indians.

GOLD MINES.

The operations in the gold districts of our Territory during the season just closed have resulted in a manner most gratifying. Experienced and skillful miners are convinced that our gold bearing region is rich with treasure. A large number of those engaged in the mines did not arrive until late in the season, many of them only in time to begin to prospect. In the preparations necessary to a proper commencement of the work, in some diggings, many obstacles of serious hindrances, were met with, frequently causing vexatious delays; notwithstanding these, and other disadvantages incident to the opening of new mines, the yield of gold has been astonishingly large.

The amount taken this year from the mines on the tributaries of the Columbia River is estimated between eight and ten millions of dollars. Many promising mines were discovered late in the season, some of which are of the richest character. A large number of persons are wintering in the mines, where new and thriving towns are springing up. These facts, in connection with the fruits of this year's labor, furnish the strongest evidence of the great value of the mines.

It is fair to presume that as eight or ten millions have been gathered in this year's operations, under such unfavorable circumstances, more than double that amount will be collected next season, and the annual yield hereafter will continue to increase at that ratio for years to come.

FELLOW CITIZENS—I leave these views with you. It will be my duty as well as pleasure to co-operate with you in furthering the interests of the people of this Territory. Let us unite to elevate their moral, social and political virtue. Let us teach the youth to revere him whose name she bears, that they may ever be loyal to that Government which he contributed so largely to establish. Let us frown down treason, or sympathy with it, by our steady adherence to the Government in its every effort to suppress this rebellion. Let each one of us stand by the Constitution and Union, as the only harbor of national safety, thanking God we are yet exempt from the ravages of war, but feeling none the less the pangs of woe at our country's affliction. She will yet ride successfully through the storm of treason and rebellion, and survive the great crisis now being undergone. Out of this war America must emerge brighter, more powerful, and dearer to every lover of human rights than ever. God grant that our most anxious hopes may be realized. In Him we trust and our prayers cannot be in vain.

WILLIAM PICKERING.

Governor William Pickering to the Eleventh Annual Session of the
Legislative Assembly, December 23, 1863.

Gentlemen of the Council and

House of Representatives:

The striking events of the brief period which has passed since the adjournment of the last session, and circumstances now surrounding us, furnish abundant reasons for a sincere expression of our gratitude to Almighty God.

The progress of the arms of the United States has been marked by a series of brilliant and important victories, justifying the hope of the patriot that ere long the authority of the National Government will be re-established in all the rebel States, and our country enter upon a brighter and more glorious career of prosperity than ever before known amongst the most powerful nations of the earth.

The people of this Territory, by their remoteness from the scene of open rebellion and actual conflict, have been spared the immediate and dreadful consequences of the wicked treason and rebellion against the Government and Union of our beloved country.

Here our homes have not been made desolate by the absence or death of fathers, brothers or sons called away to aid in defending and maintaining the honor, integrity and perpetuity of the Government of the United States.

Here no assassin raids have murdered the peaceable inhabitants, nor robbed, plundered or burnt down their towns, villages or dwellings. The great mass of our citizens are loyal; and while we as a community of fellow-citizens have enjoyed all the blessings of peace, universal good health and prosperity has prevailed,—the earth has yielded abundant harvests, and many new sources of vast mineral wealth have been unfolded.

Let us not, however, in the midst of our prosperity, be forgetful of the duties we owe to our country, but let us, by every means within our power, aid in striking down the infamous hand of treason and rebellion, as the only method of securing to ourselves and our children a permanent and honorable peace.

MILITARY PROTECTION TO EMIGRANTS.

It affords me sincere pleasure to announce that the prudent and energetic measures adopted by Generals Wright and Alvord for the protection of the frontiers and the overland emigrants along their dreary and dangerous route, have been crowned with entire success.

During all the emigration across the plains for the last fourteen years to the gold fields of California, Oregon, and Washington Territory, great damage has been done, and many lives lost every year, but this is the first year the emigrant trains have all arrived safely and [have] been fully protected against the wild, Arab-like savages west of the Rocky mountains.

For this gratifying result, the thanks of the country are due to Generals Wright and Alvord, and to all the officers and men of this Military Department.



Entered according to Act of Congress in the year 1860 by S. Mitchell, printed in the Census Office of the District Court of the U.S., for the Editors, Office of the Publisher.

Reproduced from *Mitchell's New General Atlas*, Philadelphia, S. A. Mitchell, Jr., 1860.

LEGISLATIVE APPORTIONMENT.

The organization of the new Territory of Idaho by act of Congress of March 3d, 1863, will render necessary a new apportionment of the representation in the Legislative Council and House of Representatives.

PACIFIC RAIL ROAD AND TELEGRAPH.

Gratifying progress has already been made under the act of Congress to aid in the construction of the Pacific Rail Road. The Telegraph line has already been finished across our continent, from the Atlantic cities to San Francisco, and a branch thereof will soon be completed to Portland, Oregon. I trust that one of your earliest acts will be the adoption of a memorial to Congress praying a grant to aid in the construction of a Northern Rail Road to some one of the points already designated as a proper terminus in this Territory.

DISTRICT COURTS, &C.

Your attention is also called to the act of Congress, approved Feb. 9, 1863, entitled an "Act concerning the District Courts of Washington Territory," by which provision is made for the holding of District Courts, in addition to those already authorized, at such times and places, not exceeding three places in each district, as the Legislative Assembly shall determine.

INDIAN TREATY.

By the Treaty concluded with the Nez Perces, on the 9th day of June last, the Indians have relinquished to the United States nearly nine-tenths of their former reservation, which embraced an area of about ten thousand square miles. The area of the new reservation includes about twelve hundred square miles, and is situated wholly within the Territory of Idaho.

I am informed by the Superintendent of Indian Affairs, that our relations with the Indians are of the most peaceful character.

PUBLIC LANDS.

The following information relative to the progress of the surveys of Public Lands in Washington Territory, during the present year, has been furnished by the Surveyor General:

Number of miles under contract at the beginning of the present surveying season.....	1,211
Number of miles surveyed.....	681
Number acres surveyed during the year.....	161,280
Number acres surveyed in the Territory.....	3,091,875

The surveys finished during the present year have been chiefly East of the Cascade Mountains, on the Tukannon, Pataha and Yakima rivers; also, near Seattle, Port Angelos, and on the lower Chehalis.

The following Military Reservations have also been surveyed:

Penn's Cove Military Reservation, on Whidby's Island.

Port Townsend do. do. near Port Townsend.

Port Angelos, a Naval and Military Reserve.

Two tracts of 640 acres each, near Walla Walla.

And Port Angelos Town Site.

The estimate for surveys for the next year includes 3,000 miles.

The reports received from the Land Offices in this Territory, exhibit the following amount of land sold, and taken as homesteads during the past year:

Olympia Land Office:

	<i>Acres</i>	<i>Amount</i>
Amount of land sold at public sale.....	2,056	\$ 2,570.50
Amount of land—private entry.....	12,994	16,243.25
383 homesteads taken, are.....	58,892	
Number of acres disposed of.....	73,943	
Amount of Gov't revenue on homesteads.....		3,830.00
		<hr/>
Total amount accrued to Gov't for lands.....		\$22,643.75

Vancouver Land Office:

	<i>Acres</i>	<i>Amount</i>
Land sold at public sale.....	708	\$ 912.85
do. do. private entry.....	15,192	18,990.22
333 homesteads taken, amounting to.....	52,938	
Number of acres disposed of.....	68,638	
Government revenue on homesteads.....		3,330.00
		<hr/>
Total amount accrued from Government lands,		\$23,233.07

Recapitulation:

	<i>Acres</i>	<i>Amount</i>
Total amount of lands sold in W. T.....	30,000	
Total amount of lands located as homesteads.....	111,000	
	<hr/>	
Total number of acres disposed of.....	141,000	
	<hr/>	
Total amount of revenue accruing to Govern- ment from public lands disposed of in Washington Territory, during 1863.....		\$45,876.00

FORTIFICATIONS.

By act of Congress of February 20th, 1862, one hundred thousand dollars were appropriated for defences at the mouth of the Columbia river, the work has been commenced, but I am not advised of the progress made.

No provision has yet been made for the defence of Puget Sound, the great artery of ocean navigation into the central part of the Northern portion of the Territory. I am informed by Gen. Alvord that he has urged upon the Government the importance of sending iron clad vessels, for the defence of Columbia river and Puget Sound.

In addition to vessels of war, there should also be land fortifications on the Sound. This important subject of national defences, necessary for the protection of Admiralty Inlet and Puget Sound, should at once be brought to the attention of Congress.

EMBARGO.

Under circular instructions from the Secretary of the Treasury, of May 19th, 1863, to Collectors of Customs, issued in pursuance of a general order from the President, of November 21st, 1862, to prohibit the exportation of arms, ammunition and munitions of war from the United States to any of the States in open rebellion, the Collector of Customs for the District of Puget Sound, in June last, prohibited the exportation of live stock from this Territory to Victoria and British Columbia.

The original order of the President was manifestly rendered necessary by the exigencies of the rebellion, and was designed to prevent the possibility of army supplies being carried from the United States into the States in rebellion.

When, however, a proper representation was made of the injurious effects of said circular upon the interests of this Territory, closing as it did, our only market, and at the same time disarranging the commercial reciprocity and friendly intercourse heretofore existing between the people of this Territory and those of Vancouver's Island and British Columbia, its continued enforcement on the whole Pacific Coast was promptly revoked by the President.

Thus our citizens were relieved from the serious losses and embarrassments which an extended operation of that embargo would have produced, and our business relations were again happily restored and re-established with the English Provinces of Vancouver's Island and British Columbia.

DIVORCES.

In my last annual Message, I called attention to the sad and immoral effects growing out of the readiness with which our Legislative Assemblies have annulled the solemn contract of marriage, by granting divorces to every applicant.

My views upon that subject remain unchanged, and I cannot too earnestly urge upon you the propriety of refusing all applications for divorces and referring the parties to the courts of the Territory.

In connection with this matter, I beg leave to call your attention to an act passed by the Legislative Assembly on the 14th January, 1861, and still in force, by which it is provided that the party applying to the Legislature for a divorce, must give three months previous notice, by publication, of such intended application. I trust this law will not be disregarded and violated during the present session.

WAGON ROAD.

The most important subject at this time, requiring your careful consideration, is the great measure for preserving the integrity and unity of Washington Territory, and for securing the immediate benefits and blessings of convenient internal communication and transportation between all the several parts thereof, and to mutually bind together the various and diversified interests of our widely spread population—the construction of a passable Wagon Road on the most practicable route that can be selected, across the Cascade Mountains, to be commenced in good earnest, during the earliest and most favorable season in 1864.

The construction of this road across the Cascade Mountains will immediately and permanently benefit the population in every part of the Territory, and remain a lasting monument to the credit of every member of your honorable body, whose patriotism prompts him to aid in passing an act that will secure the completion, at an early day, of this necessary and praiseworthy enterprise.

AGRICULTURAL COLLEGE.

On the 2d of July, 1862, an act was passed by Congress, entitled “An Act donating Public Lands to the several States and Territories, which may provide Colleges for the benefit of Agriculture and the Mechanic arts.”

No action has yet been taken for the purpose of securing to this Territory any part of the benefits and assistance provided by said law, to aid in the establishment and support of an Agricultural College. And as the 5th section thereof expressly provides the following rigid limitations, that—“No State shall be entitled to the benefits of this act, unless it shall express its acceptance thereof by its Legislature, within two years from the date of its approval by the President.” I therefore recommend a careful examination of the title and provisions of said law, and the adoption of the most suitable and efficient measures for securing to this Territory, all the benefits that can be derived from said act, agreeably to the wise and liberal intentions of Congress.

INSANE HOSPITAL.

By an act of the Legislature, passed January 29th, 1862, entitled “An Act to provide for the safe keeping and treatment of Insane and Idiotic persons,” it is made the duty of the Governor and Territorial Auditor to provide, by contract, for the safe keeping, care and medical treatment of all insane persons. In compliance with the requirements of said law, a contract for that purpose was made on the 22d day of October, 1862, with the Sisters of Charity, at St. John’s Insane Hospital, Vancouver, since which time the insane and idiots of this Territory have been sent there.

During the past summer I visited that asylum, and was highly gratified to find the benevolent intentions of the Legislature are very properly carried out.

There are at present six patients in the asylum, and your attention is respectfully called to the report of the Institution herewith submitted.

MAIL ROUTES.

The necessity for increased mail facilities is suggested for your consideration, and in this connection it may be proper that I should bring to your attention the irregularities in the mail service between Olympia and Portland.

GOLD MINES.

The gold mines of the Territory have been worked to good advantage and great profit during the past season.

The gold bearing region, embracing the Eastern part of Oregon, the Eastern part of Washington Territory, and all of Idaho, West of the Rocky Mountains, yielded in 1862, from eight to ten millions of dollars. It is generally estimated that in 1863, from the same gold fields, the astonishing amount of eighteen to twenty-five millions have been collected. And the great preparations made during the present year for future operations, produces a popular expectation that the enormous sum of forty to fifty millions of the precious metals will be gathered therefrom in 1864,—and it is fully believed by many who have been at the various mines of Oro Fino, Elk City, the Salmon River mines of Florence and Warren Diggings, at Boise, Owyhee, John Day's, Powder River, the Okanagan, Spokane, Beaver Head, Deer Lodge, Bitter Root, Fort Colville, and the Bars of the Columbia and Snake Rivers, that the annual harvests of gold will constantly increase, year after year, in a rapidly progressive ratio for many years to come, until the aggregate annual collection will become fabulous in amount far exceeding the richest seasons of the gold bearing history of California.

Miners claims are regulated by miners laws and customs, but it is apprehended there is one impediment to their successful working by our citizens which these laws cannot reach. The large number of Chinese who have collected in several of the mining regions on the Pacific Coast, in some instances almost to the exclusion of our own citizens, is a source of serious complaint. I would recommend that some protective measures be adopted by the Legislature to abate or remove the evil complained of.

WILLIAM PICKERING.

Governor William Pickering to the Twelfth Annual Session of the
Legislative Assembly, December 12, 1864.

*Gentlemen of the Council and House of Representatives
of Washington Territory:*

The close of another year having brought you together for the purpose of deliberating upon the welfare, and to enact laws for the government of the Territory, it becomes me to welcome you to the Capitol, and to congratulate you upon the favorable circumstances under which you are providentially permitted to assemble together.

During the year which is now closing, the population of this Territory have

received manifold favors from the hand of an overruling and ever merciful Providence—the blessings of health, the blessings of plenty, with all the blessings of peace throughout our borders. For these, and all other mercies continually bestowed upon us, we ought, cheerfully and sincerely, to render unto Almighty God, the homage of our grateful hearts.

It would have afforded us all much pleasure if we could have been able to say that peace had been fully restored throughout the whole of our beloved country; but unfortunately this intestine and devastating war, of the most wicked, causeless, and inexcusable rebellion ever known in the history of mankind, against the best, most equitable and benificent Government ever organized and established by wise and good men, and sustained and supported by brave and patriotic citizens of the most enlightened and christianized population of our gloriously successful and prosperous Republic, has not yet been closed. Still, although the terrible and wide spread rebellion of the slave holding States against the Government and the Union of the United States, has not yet been entirely subdued and crushed out, all our thanks are justly due to the Omnipotent Ruler of the Universe, for the wonderful success of the brave armies and gallant navies of the United States. Our land and naval forces have been steadily gaining ground. The area of rebellion, has been narrowed to less, far less than one-half of its original extent and our time-honored and dear old Flag has been planted again, and now waves triumphantly on the breeze, where a year ago the banner of traitors was unfurled.

The result of the Presidential contest just closed, gives encouraging evidence of a United sentiment both North, East and West, to maintain the honor of that National Flag, which, before the breaking out of this rebellion, was not only revered and loved at home, but honored and respected abroad by every nation upon earth.

Another year, we trust, will see the rebellion annihilated, and the United States Government once more established upon a basis so firm, and upon principles so broad, just and enduring, as will again place our country in advance of the most powerful nations of this globe, and enable her, by her benign and peaceful influence, to proclaim liberty to the world.

The Surveyor General has kindly furnished information relating to the present state of the surveys in this Territory, from which it appears that at the beginning of the present surveying season, there were under contract 1782 miles; of which there have been surveyed, 1378 miles or 380,124 acres. The total number of acres of surveyed lands in this Territory, is 3,471,999. Most of the surveys finished during the present year, were east of the Cascade Mountains. Estimates for the fiscal year ending June 30, 1865, include 500 miles of base, meridian and parallel lines, and 3,000 miles of exterior and subdivisional lines. Of the contracts already made, there remain but 404 miles unsurveyed. These extensions, especially in the direction in which they have been made, will add greatly to the facilities of settlement under the liberal provisions of the Government, secured by the Pre-emption and Homestead Acts of Congress.

The Registers and Receivers of the two Land Offices have also furnished statements of the amount of land sold in their respective offices, from Nov. 1st, 1863, to Nov. 1, 1864.

At the office at Vancouver, including Homesteads, Donations and Pre-emp-tions, 42,977 acres were disposed of, 20,068 acres of which were sold at the ordi-nary rates, realizing for the benefit of the Government \$25,072.75.

At the office in Olympia, the total amount of acres disposed of amounted to 59,269; of which 26,766 94-100 were sold for the sum of \$38,837.27, including \$5,378.60, the proceeds of the sales of the Port Angeles town property.

At the office at Vancouver, 35 declaratory statements have been filed on Pre-emption claims; 75 Homesteads taken, which amount to 11,389 57-100 acres, and 29 certificates for Donation claims, embracing 11,520 acres.

At the office in Olympia, upwards of 10,000 acres have been located with land warrants; 85 Homesteads covering 13,267.92, and 26 Donation claims amounting to 9,170 87-100 have been completed.

Thus it will be seen that the amount of land entered, located &c., is 102,240 77-100 acres, and the total amount realized by the Government, exclusive of fees for the sale of land in the Territory during the year, is \$63,910.

No report has yet been received from the Sisters of Charity at Vancouver, stating the number of patients, condition and affairs of the Assylum for the In-sane during this year. As soon as it may be received I shall take pleasure in lay-ing it before you.

Your attention is respectfully requested to the want of Prisons for the con-finement of criminals; and the insecure and insufficient condition of the Public Jails now in the Territory.

A certainty in the enforcement of the laws, and the infliction of its penalties, is the only security the people can have for the protection of their lives, their per-sons and their property.

In the present lack of suitable and secure places for confining criminals, the conviction and sentence of the lawbreakers to imprisonment, is entirely an idle ceremony; and that wholesome restraint upon the lawless class of the community, which can only be found in the proper infliction of the penalties of law, is almost entirely wanting in our Territory.

That the public good requires something to be done in this matter is evident to all. In most of the counties there are no Jails or other places of confinement; and nowhere in the Territory is there a suitable and secure Jail.

If the resources of each county are sufficient to erect a secure Prison, there ought to be a cheap, strong and substantial Jail constructed at the county seat of each county. Or if owing to the sparseness of the population in some of our coun-ties, this should be impracticable, there ought at least to be a secure Jail construc-ted at each of the several places of holding District Courts, which should be open to the several counties transacting business at such Courts, and which should be built by a tax assessed upon the several counties in said District.

A tax sufficient to construct these district Jails, it is thought, would not be oppressive, and by a greater certainty of infliction of the penalties of the law, we might reasonably expect a diminution in crime; the saving to the counties in costs now incurred in criminal prosecutions, would be quite as much as the tax they would have to pay for the construction of these prisons, to say nothing of the other gains not to be computed in dollars and cents, to be found in the general improved condition and security of the people, arising from a proper enforcement of the laws. What measures will be the most efficient, is submitted to your wisdom; but I earnestly urge upon your attention, the great necessity and importance of some positive action by your honorable body, for the immediate correction of this glaring evil.

I trust I shall not be considered as speaking unadvisedly, in paying a just tribute of respect for the very proper conduct of the Legislature of the last session, in its refusal to grant Divorces, which tended to redeem the character of the Territory from that obloquy which had become attached to it, by reason of previous Legislatures granting Divorces so readily to all applicants.

The conduct of the last session was pre-eminently just and proper, in steadily refusing to grant any Divorces. And I would here express the earnest hope that your honorable body will pursue the same course, and leave the subject of Divorces to the Judicial Tribunals of the Territory, where it properly belongs.

There are many affairs of importance relative to the interests of the Territory, which might be properly represented for your consideration, but as you, gentlemen, have just come from your respective constituents, and are acquainted with their wishes, and what is most likely to promote and protect their best interests, I do not propose to enlarge the number of recommendations at this time.

I beg leave to assure you, it will be my earnest desire to co-operate with you in all the measures adopted to promote the welfare and prosperity of the whole population of the Territory, and I will be ready to furnish you at any time, with such information as may be in my power, should you desire it.

Trusting that your deliberations will be marked with that courtesy and forbearance, which is always required in the discharge of the arduous and responsible duties which devolve upon you, I would respectfully solicit your counsel and co-operation in the promotion of such measures as shall be calculated not only to promote, but to protect and secure the material growth and prosperity of the Territory of Washington.

WILLIAM PICKERING.

Governor William Pickering to the Thirteenth Annual Session of the
Legislative Assembly, January 1, 1866.¹

*Gentlemen of the Legislative Council and House of Representatives of the
Territory of Washington:*

I beg leave to present my sincere congratulations to each and every one of you, and feel it to be my first duty to state, that it properly belongs to us all at this

¹ Delivered January 10, 1866.

time, to remember with heartfelt gratitude to Almighty God, the goodness and mercy of His all-wise and overruling Providence that have so manifestly protected us, and have greatly blessed us as a population inhabiting this Territory, so that neither war, pestilence nor famine have planted their terrible footsteps amongst us within our borders; but the richest of his earthly blessings to mankind have been most bounteously showered upon us, so that good health, peace and plenty, smile upon us on every hand, and the blessed Gospel of our Lord and Saviour Jesus Christ has been peacefully and uninterruptedly preached by the ministers of every Christian denomination throughout every part of our Territory.

But while we have been thus highly and specially favored, we must all deeply lament that it has not been so throughout our beloved country, for we cannot forget that when you last assembled for legislative purposes, the most terrific thunderings of determined war, violence, rapine, and brutal murderings of vast numbers of peaceful citizens, were heard in many portions of the land, and all the horrors and dreadful calamities and devastations of internal war, were brought upon the peace loving population of the United States, by the malignant treason and rebellion of the slaveholders against the United States Government, which was in fact, most especially their own government, for under the power thereof, despotic slaveholders, who became the traitors, rebels, and wholesale murder[er]s of about one million of their fellow-citizens, had always been protected from 1789 to 1861, in the quiet and peaceable possession of all their lives, of all their civil and religious liberties and rights as citizens, of all their property, and especially defended, sheltered and secured to them the legal ownership of their four millions of black, yellow and white human beings as their slaves, agreeably to their own made slave State laws, institutions and daily practices.

And while the United States Government was continuing to protect the slave owners in their most horrible, detestable and hateful traffic and trade in raising human beings as slaves, of every hue and shade of color, between black, yellow and white, and constantly selling them at all ages, as articles of commerce, and particularly when old enough and physically strong enough to perform field labor, at an average market price of from five to ten dollars per pound. This debasing and degrading system, together with the vast amount of wealth produced and collected every year into the pockets of their owners by the unpaid toil of these millions of slave laborers, in annually producing the tremendous crops of cotton, rice, tobacco, sugar, &c., until at length their vast accumulations and their unchecked power over the black and white population of the slave States so filled and inflated their hearts with the enjoyment and exercise of such great power, that their aristocratic pride, like that of Lucifer, who rebelled in heaven against omnipotent Jehovah, so the slave holders in imitation, from the culminating pride of their hearts, studiously and designedly through many long years past, have been establishing and cherishing amongst themselves a secret under current agreement, ripening and spreading year after year more widely into deep rooted conspiracy to break out into open war and rebellion against the United States Government, to overwhelm and destroy this best Government on earth, under the fos-

tering protection of which, they had gathered all their wealth and all their power; and their conspiracy, treason and rebellion were begun by them openly boasting and proclaiming their fell and determined purpose of building upon the ruins of the United States Government an empire of aristocratic power throughout this continent, whose chief corner stone was to be based upon human slavery.

Thus, there can be no mistake about the fact, that slavery, human slavery, and its brutalizing effects upon the minds, hearts and souls of the men who owned and held the bodies of four millions of slaves within their grasp and power while on earth, this, and this only, was the whole and sole cause of the beginning and of the long continuance of the whole rebellion.

The slave owners and their myrmidon rebel forces, bid open defiance to every known law of God and man, from the beginning to the end of their rebellion; and they openly violated every oath they had previously taken to support and defend the Constitution of the United States. Happily, however, the tumultuous scenes of destructive and desolating war of the slave owners' rampant treason and rebellion, after all the tremendous struggles and efforts made by them during four years continuance, in which more than one million rebel soldiers were desperately engaged, at length, through the mercy and the power of God, the deadly strife has been finally terminated by the total defeat of the rebel armies, and thereby the power and the integrity of the Government of the United States has been most gloriously upheld and strengthened, agreeably to the prayers of all real lovers of universal liberty, and contrary to the wishes of the self-deceived aristocrats, both at home and throughout the world.

And by this great and grand result of the triumph of the United States army and navy in their rightful and truthful defence of the Constitution, the Government and the laws of our common country, we are again, under the blessings of God, one people and one nation, under the same good National Government, having the same good old flag of the forefathers of our country, proudly waving over all our heads, and over the heads of the whole population of the United States without any single star being lost or obliterated.

Yes, through the mercy of God we may mutually exchange congratulations because the unholy rebellion has been crushed, and we may all join our prayers that never more may such another wicked and atrocious rebellion be witnessed.

But while we rejoice over the defeat of this terrible rebellion, we are called to mourn the loss of five hundred thousand Union, and an equal number of rebel soldiers, and the loss of our revered and beloved President, Abraham Lincoln, who was stealthily and foully murdered by one who was the instrument and pliant tool and hireling ruffian of the traitors and rebels, just as the contest was about to close, and at that particular moment when the generous heart of the President was earnestly intent upon the exercise of the largest possible degree of mercy towards those who had raised their parricidal hands against the Government of their own country.

The deliberate murder of President Lincoln, and the desperately fiend-like plot and effort made the same evening, to murder that ever praiseworthy and good man, who so ably and nobly sustained President Lincoln in all his efforts to put down the rebellion, the Hon. W. H. Seward, Secretary of State, were the culminating acts of the rebellion, exhibiting and clearly showing the malignity of the miscreant, his aiders and abettors, who were all lost to every sense of honor, humanity and justice. For a long period before the murder was completed it had been published regularly as a standing advertisement in the Southern newspapers, that the enormous bribe of one million dollars would be paid as a reward for the murder of President Lincoln, which must have been seen and known by every prominent officer both civil and military of the so-called Southern Confederacy, and yet nothing was ever said against it, or in any way denouncing it, by any of those officials; the strongest possible proof that the unpardonable crime of offering that tempting bribe met with and received their sanction and support.

Alas, for Southern chivalry! Once Southern chivalry was but another name for all that was noble, brave, generous, just and good; but now it has become characterized by all that is ignoble, morally cowardly, treacherous and brutally inhuman. Nothing can ever palliate the foul deeds which have brought such lasting disgrace and infamy upon the rebellious States. Not one paltry excuse can be brought in defense of that foulest of all human crimes, the studiously, designedly, with malice aforethought murder of our great, and good, and ever kind hearted President, Abraham Lincoln.

It is but a small act of common justice that I should bear testimony to his never failing goodness of character, for during the last thirty years I have been intimately well acquainted with his active, industrious, noble, generous and strictly moral conduct, in every position of his eventful life, both as a private citizen and a public officer, and he always enjoyed the most unsullied confidence of every person who had the pleasure and the satisfaction of his personal acquaintance. Terrible as this rebellion has been, still it has produced one wonderful and unexpected result, for our country now stands purified from the curse of human bondage.

PUBLIC LANDS.

By information received from the Surveyor General's Office it appears that the amount of public lands surveyed in the Territory during the fiscal year ending June 30, 1865, amounted to 204,799 79-100 acres, and the total amount that has been surveyed within the Territory is 3,676,798 acres.

The maximum price allowed at this time by the Government for surveying the public lands, is eight dollars per mile, which is too small, and not a fair and reasonable compensation for the great amount of labor required to survey the heavily timbered lands west of the Cascade Mountains, especially during the depreciated value of the National currency during the last few years, hence nearly all the surveys that have been made the past year have been on the prairie lands

east of the Cascade Mountains, which in all reasonable probability will neither be purchased, nor occupied by actual settlers for many years to come; while on the rich soiled farming lands bordering upon the numerous rivers which empty into Puget Sound, the Straits of Fuca, and the Pacific ocean, and also the valuable tracts of timber lands bordering on many parts of the navigable waters of Puget Sound and Hood's Canal, but little has been surveyed for some time past, and I am informed that no surveyors can now be found willing to take surveying contracts for such land at the present prices.

The welfare of the Territory requires that the rich agricultural lands bordering on the rivers, and the timberlands adjacent to the waters of Puget Sound and Hood's Canal, should be surveyed and brought into market at the earliest day practicable. The price for surveying these lands ought to be raised sufficiently to enable the surveyors to receive a just compensation for their services. I earnestly recommend this surveying business to your serious consideration as a suitable subject for a proper memorial to Congress.

From the report received from the Registers and Receivers of the two Land Offices, it appears that at the office at Vancouver the following amount of public land has been sold and located, from the 1st of December, 1864, to the 31st of December, 1865:

	<i>Acres</i>	<i>Amount</i>
Number of acres sold at \$1.25 per acre.....	14,249 87-100	
Amount received therefor.....		\$17,612.34
Number of acres entered under homestead act	22,676 34-100	
Five land warrants located.....	760	
Seventeen donation certificates issued, embracing.....	5,927 22-100	
	<hr/>	
Making a total of land sold and located of...	37,686 43-100	
Twelve homesteads changed into pre-emptions.		
Twenty declaratory statements filed.		
Eight pre-emptions proved up.		

At the office at Olympia, from September 30th, 1864, to December 31st, 1865:

	<i>Acres</i>	<i>Amount</i>
Number of acres sold at \$1.25 per acre.....	29,432	
Amount received therefor.....		\$31,765.00
Twenty-four land warrants located, including	3,760	
One hundred and twenty-three homesteads located, including.....	19,368 65-100	
Number of acres entered under pre-emption	960	
	<hr/>	
Total of acres, bought and located.....	53,620	

Total amount of land sold and located in the Territory within said period, up to December 31st, 1865, 91,206 acres; realizing for the benefit of the United States Government, \$52,602.

UNITED STATES TAXES.

As it is a matter of interest to all patriotic citizens to know the material support they are giving to the General Government, as well as to know the condition of our Territory, I submit the following statistical report respecting the United States tax collected, as shown in the report received from the office of the Collector of Internal Revenue:

The United States Internal Revenue tax collected in this district, including Washington and Idaho Territories, during the fiscal year ending June 30th, 1864, amounted to..	\$22,409.74
During the fiscal year ending June 30, 1865.....	76,783.21
Of that amount there was derived under the head of Special Income tax	20,719.84
Leaving the Internal Revenue tax from June 30, 1864, to June 30, 1865.....	56,668.37
Increase during the fiscal year up to June 30, 1865.....	33,659.63

Last winter the Territory of Idaho was made into a separate Collection District; but the Assessor of Internal Revenue has estimated the prospective amount to be collected in this Territory alone during the present fiscal year, at not less than sixty thousand dollars. The cost of assessing and collecting the United States Internal Revenue in this Territory is about sixteen thousand dollars per annum.

It is gratifying to know that the United States taxes are cheerfully and promptly paid, and the large and steady increase of revenue indicates a highly prosperous condition of the business and industrial interests of the country.

INSANE ASYLUM.

There are at present eleven Territorial patients in the St. John's Lunatic Asylum, at Vancouver, under the care and safe-keeping of the Sisters of Charity. The total amount of the cost of boarding, clothing, washing, medical attendance, nursing, &c., from the 1st of January to the 31st of December, 1865, was \$3,057.10.

Your attention is respectfully called to the full and complete report lately received at this office from the Sisters of Charity, with the names and condition of every one of the insane patients whose expenses are paid by the Territory.

GOLD MINES.

From late discoveries it is believed that rich gold fields are deposited in the mountains within our Territory. Every encouragement ought to be extended to all who are endeavoring to explore and develop them.

WAGON ROAD.

One of the greatest objects to be desired for the future welfare of the whole Territory is a good wagon road across the Cascade Mountains, to connect the eastern portion of the Territory with the navigable waters of Puget Sound. I commend this very important subject to your serious consideration.

I trust that all your acts may be governed by a desire to promote the general welfare, and I hope that a spirit of concord and amity may exist through all your deliberations.

WILLIAM PICKERING.

Olympia, Jan. 1, 1866.

Governor William Pickering to the Fourteenth Annual Session of the
Legislative Assembly, December 11, 1866.

*Gentlemen of the Council and House of Representatives of the
Legislative Assembly of the Territory of Washington:*

I cheerfully give to every one of you a most hearty welcome to the Capital. Another year has rolled round, and you are again summoned to the duty of legislating and adopting the best possible plans for the promotion of the future welfare and prosperity of every part of this Territory, which bears the name of the illustrious Washington. Our earnest thanks are due to our Maker and Benefactor, who has blessed us by crowning this year with his goodness, and favored us above many other portions of our beloved land, in saving us from "the pestilence that walketh in darkness." Before all other works, let us unite in returning our sincere thanks to Almighty God, for his merciful preservation of our lives during the past year, and for the manifold blessings He has bestowed upon us.

I respectfully invite your most serious attention to the very startling fact that the permanent population of the Western half of Washington Territory, from the summit of the Cascade Mountains to the Pacific Ocean, is about as sparse at this day as it was ten years ago, and what is still more startling, from past experience we have every reason to believe that the inhabitants of this region cannot and will not materially increase in numbers for many years to come, because the farming immigrants cannot bring their families across these tremendously high, broad, and rugged mountains, unless a good and safe road is made at an early day entirely through the Cascade Range.

The Cascade Mountains extend the whole length of Washington Territory; they are from forty to sixty miles wide at their base, and have an elevation ranging from five thousand to seven thousand feet. They stand as an impassable barrier, over which immigrants cannot travel, and have stopped and prevented multitudes of families year after year from coming into and settling upon the good farming lands of the Puget Sound country, between the Cascades and the Pacific Ocean.

The large extent or aggregate amount of rich soil, well adapted for all agricultural purposes, located in the Western half of this Territory, is not generally known even to our own citizens, for many parts yet remain undeveloped, and are rarely visited by white men. Let me invite your attention to a few statistical facts regarding it, most of which from personal observation I know to be true, and the remainder I have from the most trustworthy and reliable sources of information.

Beginning at the Northern boundary, and coming South along the meanderings of the coast and of Puget Sound, the Nootsack river has rich lands on both sides for 30 miles; the Lummie, 6; the Samish, 20; the Skagit, 50; the Stuliguamish, 25; the Snohomish, 20; the Skykomish, 40; the Snoqualmie, 40; (the Prairie and Pass, 20); the Cedar river, 25; the rich lands lately discovered between the Cedar and Snoqualmie river, 50; White river and branches, 40; streams emptying into Washington and Squak lakes, 20; the Dwamish, 12; Puyallup, 20; Nesqually, 55; Deschutes, 20; Chehalis, 70; Wynuchia, Satsop, Black river and lake, Skoocumchuck, and other tributaries, 65; Johns river, Umptulah, Quichcum, Whiskhah and other tributaries of Gray's Harbor, 55; North river, Willopah and other tributaries of Shoalwater Bay, 35; Columbia river, 100; Cowlitz, 65; East fork and Comeman, 20; Lewis and its forks, 30; Washougal, 10; Salmon river, 20. On the Pacific coast, Quenault, Raft, Queetes, Ohahlat, Quilleheutes, Tsooyess, and other streams, 90; Okeho, Clallm, Fiske, Elwha, Dungeness, Squim Bay, and Port Discovery, 80; Chimmicum and branches, 30; tributaries of Hood's Canal, 100; making an aggregate length of 1,318 miles of rich river bottom lands, ranging from two to five miles in width, together with numerous small creeks with equally rich soil on their banks, averaging about a mile in width, making about 400 miles in length, altogether sufficient to furnish upwards of twenty thousand farming families with one hundred and sixty acres each, and in addition to all this, there are innumerable tracts of good farming soil upon the table lands.

To render this vast extent of rich farming lands available, it is necessary that immigrants should be enabled to reach the Western half of this Territory, by their usual method of land travel. And if you should devise and carry into effect some practicable plan by which this can be done, you will merit not only the good will, the confidence and the gratitude of your constituents, but of the thousands who will yet, under the good Providence of Almighty God, occupy these fertile valleys, that are as rich, much less liable to inundation, and are in every way as well fitted to sustain a large population as any in the United States.

It also becomes my duty to present for your consideration, one material fact belonging to this important subject of providing for the future increase and general welfare of the population of this Territory, that from frequently repeated explorations, it has been reliably ascertained, that very near the true geographical centre of Washington Territory, there is a deep and broad valley clear through the whole width of the Cascade Mountains, not a mere pass or trail over them, but a wide and deep opening, entirely through the range, and known as the "Snoqualmie Pass," which nature appears to have formed as if for the express purpose of facilitating uninterrupted intercourse between the Eastern and the Western sections of our Territory.

Either a wagon road or a rail road can be easily constructed through this valley, in which even in the coldest winters, the snow would offer no greater impediments to travelers than in the New England States, if indeed as much, and floods could never interrupt the travelling or transportation for one moment.

With great satisfaction I beg leave to recommend the full consideration of this whole subject to your most earnest attention, hoping that your wisdom, patriotism, and high minded desire to improve the present and future condition of this part of our beloved country, now placed under your especial care, will enable you to devise some means of opening this "Central Wagon Road" through the Cascade Mountains, now become so necessary for furnishing an immediate and convenient link of connection between the valuable and extensive pasture lands in the Eastern half, and the fine timber and rich farming regions in the Western half, thus insuring a more rapid increase of our population, and more securely providing for the future welfare and general prosperity of every portion of this Territory.

For the more effectual preservation of the public peace, the prevention of quarrels, and the consequent retaliatory acts of violence and murders being revengefully committed between the Indians and the enterprising pioneer whites, it is considered by every intelligent man of experience, to be necessary to have the Indian title to all the lands in this Territory extinguished at the earliest day practicable, and to have the public lands surveyed as soon thereafter as convenient, wherever our citizens settle upon them, to enable all resident claimants to obtain proper titles thereto without unnecessary or unreasonable delay. Large numbers of persons have settled in the neighborhood of Colville and other places where the Indian title has not been extinguished, and I recommend to your consideration the propriety of your memorializing Congress, praying for the necessary legislation.

Every country in Europe, Asia, Africa and America, has been pressing invited to send specimens of its best natural and artificial productions to the World's great Fair to be held at Paris during the next year, and called the "Paris Exposition of 1867." Pamphlets in relation to the subject, were sent to me by the Hon. W. H. Seward, United States Secretary of State, and by Hon. — Derby, of New York, United States Commissioner for the fair, all of which I distributed, published an advertisement thereof, and made special application to a number of persons, in particular to the several proprietors of our saw mills, recommending them to forward samples of our lumber, &c.

In August last, I had great satisfaction in aiding Mr. Thomas Cranney, of Utsalada, to make arrangements with Captain Hurrol of the ship "Belmont," to take from the lumber mills of Messrs. Grennan & Cranney, a flag-staff, one hundred and fifty feet long, twenty-four inches in diameter at the largest end, sixteen inches in the middle, and eleven inches in diameter at the top. It was originally two hundred feet in length, but unfortunately the ship could only carry it one hundred and fifty feet long. Thus it will be impossible for us to convey to the hundreds of thousands and millions who will congregate in Paris between March 1st to December, 1867, a true idea of the magnitude of our timber trees, but shorn of its fair proportions as it is, by its being shortened full fifty feet, the glorious flag of our beloved country, will float from its top, to the admiration of all visitors, far above the emblems and banners of any other nation.

The credit of practically carrying out the plan of sending our native grown National flag-staff from the Territory of Washington to the World's greatest fair ever held on earth, the "Paris Exposition of 1867," which doubtless will be gratifying to every loyal hearted citizen of the United States, both at home and abroad, is due to Mr. Cranney.

The Registers and Receivers of the two Land Offices at Olympia and Vancouver have furnished me with an abstract of the amount of business done at their respective offices during the past year, from which it appears that from the 1st day of December, 1865, to the 30th day of November, 1866, the following amounts of public lands have been purchased or settled upon under the pre-emption and homestead acts:

AT VANCOUVER

No. of acres sold at \$1.25 per acre.....	7,940	45-100	\$ 9,925.06
No. of acres under homestead act.....	16,034	75-100	
No. of acres entered with military land warrants	2,400		
No. of acres entered under pre-emption act..	3,680		
			<hr/>
Total lands disposed of.....	30,055	20-100	

AT OLYMPIA

No. of acres sold at \$1.25 per acre.....	10,788	60-100	\$13,492.51
No. of acres entered under homestead act...	9,309		
No. of acres entered under military land warrants	2,852	60-100	
No. of acres entered under pre-emption act..	6,283	95-100	
			<hr/>
Total number of acres disposed of.....	29,234	15-100	

From the Surveyor General's Office I have received the following statement of the steady progress of the surveying of the public lands:

Total number of acres surveyed in the Territory of Washington, up to the close of the fiscal year ending June 30th, 1866	3,873,541
Estimated amount surveyed and under contract, exclusive of townships not subdivided, or to be subdivided, for the fiscal year ending June 30th, 1867.....	506,880
	<hr/>
Total surveyed and under contract.....	4,380,421
Number of miles surveyed and under contract, for the fiscal year ending June 30th, 1867.....	1,715
Estimated cost of surveys including standard, for year ending June 30th, 1867.....	\$18,250

The Assessor and Collector of Internal Revenue, have given the following information :

Assessed during the fiscal year ending June 30th, 1866.	\$63,854.48
Amount of U. S. Internal Revenue collected during the fiscal year ending June 30th, 1866.	59,492
Estimated amount for the fiscal year ending June 30th, 1867	75,000

In conformity with a memorial from the last Legislative Assembly, an act was passed by Congress, entitled "An act amendatory of the Organic Act of Washington Territory," approved June 30th, 1866, in which it is provided that the sessions of the Legislature shall hereafter be held biennially. Suitable legislation will become necessary during your present session, to properly carry into effect the requirements of that law, and probably you may be enabled to dispense with the necessity of holding general elections every year as heretofore, and it may become advisable to establish a new system of biennial elections.

I would respectfully call your attention to the condition of the insane and idiotic persons within our borders. For several years past they were under the good care of the Sisters of Charity at Vancouver, who had contracted according to law for their safe keeping and proper treatment. To insure their payment every three months, special legislation became necessary, and an act was passed for that purpose.

At the expiration of their contract, a new contract was entered into by Messrs. James Huntington and W. W. Hays of Monticello, at a lower rate, under the belief that the law which secured a quarterly payment to the Sisters of Charity, would also insure the quarterly payment to the present contractors, but some doubts are entertained, and without further legislation on your part, they may be deprived of their payments for an indefinite period, which would be such a violation of their contract as would finally result in compelling them to abandon it, which would be much more expensive to the Territory than ever. I commend this subject to your early attention.

The removal of the insane patients from Vancouver to Monticello occasioned the necessity of having a new board of inspectors, when agreeably to the law creating said offices, I appointed Benjamin Huntington, Judge of Probate of Cowlitz County, A. R. Burbank and R. C. Smith, residents of Monticello, as inspectors. The report of the board of inspectors of the insane asylum, is herewith submitted :

To his Excellency Wm. Pickering, Governor of the Territory of Washington:

Benjamin Hooper, entered asylum July 20, 1866; former residence, Kitsap county; age, 45 years; no improvement in mental health; bodily health, good.

Paul Patterson, entered asylum July 19, 1866; former residence, Kitsap county; age, 42 years; mental health, improving; bodily health, good, and treated with a view to dismissing at an early day.

Charles Moore, entered asylum July 19, 1866; former residence, Lewis county; age, 23 years; mental health, no improvement; bodily health, good.

Junius Hunt, entered asylum July 19; former residence, Sawamish county; age, 31 years; mental health, no improvement; bodily health, good.

Augustus Kruber, entered asylum July 19, 1866; former residence, Pierce county; age, 41 years; mental health, no improvement; bodily health, good.

Margaret Comito, entered asylum July 19, 1866; former residence, Clarke county; age, 37 years; mental health, no improvement; bodily health, good.

Mrs. P. Schruble, entered asylum July 19, 1866; former residence, Walla-walla; age, 40 years; mental health, no improvement; bodily health, poor, under medical treatment.

Eliza Pilscher, entered asylum July 19, 1866; former residence, Walla-walla county; age, 13 years; idiotic; bodily health, good.

Pelagra Kimberland, entered asylum July 19, 1866; former residence, Clarke county; age, 50 years; mental health, no improvement; bodily health, feeble; under care of physician.

Maria Lane, entered asylum July 19, 1866; former residence, Walla-walla county; age, 36 years; mental health, no improvement; bodily health, good.

Minerva Fulkerson, entered asylum July 19; former residence, Clarke county; age, 30 years; mental health, no improvement; bodily health, good.

Mary C. Spinning, entered asylum August 8, 1866; former residence Pierce county; age, 32 years; mental health, no improvement; bodily health, much better.

JAMES HUNTINGTON,
W. W. HAYS.

And your Inspectors would also further report that they have made a careful examination of the house and adjoining grounds of the Asylum. They are situated on the north-east bank of the Cowlitz river, about one half mile above Monticello. The buildings are sufficiently large to accommodate the present number of patients. They are unfinished: the rooms well ventilated: the beds warm and clean. The patients appear to be well cared for, with medical attendance by a competent physician once per week, and oftener when necessary. The grounds are in an uncultivated State, being newly cleared up from woodland, with one yard 40 by 60 feet square, with eight feet walls, but we have the assurance of the proprietors of the asylum that the buildings will be finished, and the adjoining grounds cleared up as fast as the work can conveniently progress. We also find that the patients have suitable food, sufficient clothing for the season of the year, and have plenty of out-door exercise in open ground. All of which we would respectfully report.

September 18, 1866.

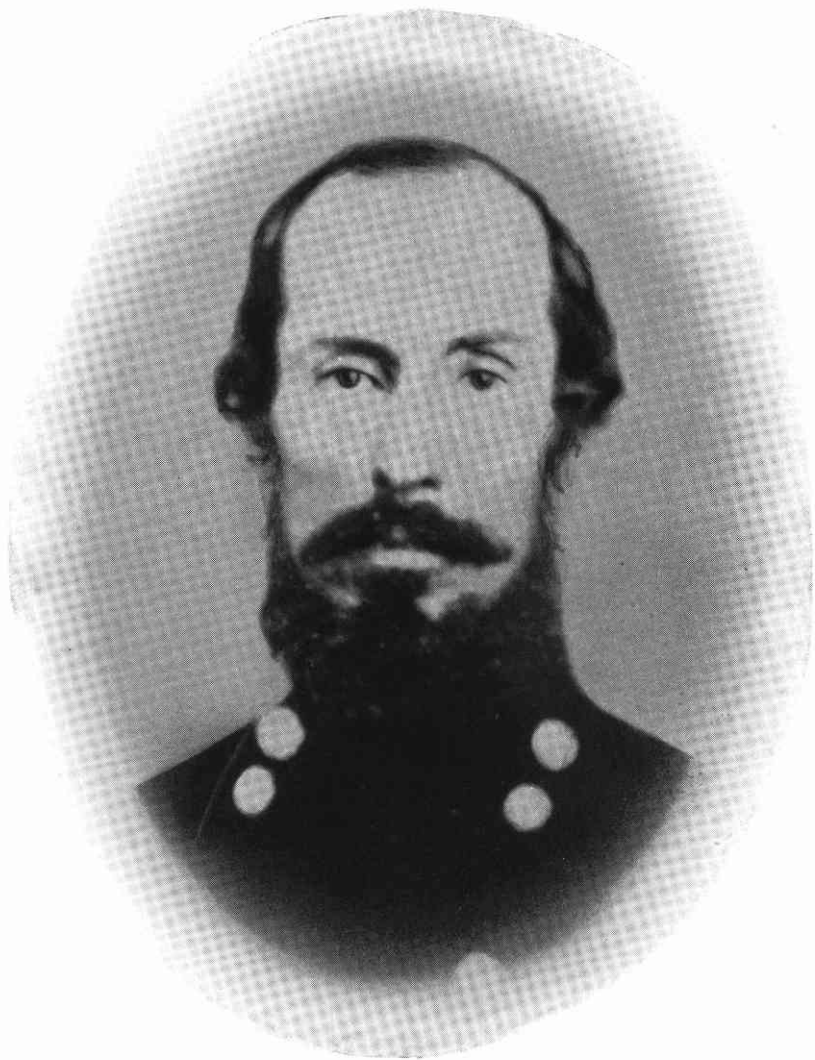
BENJAMIN HUNTINGTON,
Judge of the Probate Court.
A. R. BURBANK,
R. C. SMITH,
County Commissioners.

Were a suitable reward offered to any one who might succeed in discovering gold or silver mines within the limits of our Territory, which would return a fair compensation for labor expended, it would be an encouraging stimulus to the adventurous portion of our community, and would induce them to search for the hidden minerals, so generally believed to be deposited in many portions of our domain.

I sincerely trust that your labors may have a wholesome and salutary influence upon the public prosperity of the Territory, and that peace and harmony may pervade your councils.

WILLIAM PICKERING,
Governor of Washington Territory.

Olympia, Dec. 11, 1866.



Governor Marshall Moore
1867-1869

MARSHALL MOORE

Marshall Moore, territorial governor 1867 to 1869, was born in Binghamton, New York, February 12, 1829. After graduating from Yale College, he entered upon the practice of law first in New Orleans, later in Sioux City, Iowa, where he became prosecuting attorney and judge of the court of common pleas. He removed to Ohio and upon the outbreak of the Civil War he enlisted in the army and made a brilliant record in his service with McClellan and Sherman, rising to the rank of major-general. He served acceptably as governor for two years, but in 1867 campaigned unsuccessfully against Selucius Garfield for the position of delegate to Congress. He died in February, 1870, from the effects of wounds received during the Civil War.*

*Meany, *Governors of Washington*, 35-36; Snowden, *History of Washington*, IV, 152, 185; Bancroft, *Works*, XXXI—*History of Washington, Idaho, and Montana*, 266-280.

Governor Marshall F. Moore to the First Biennial Session of the
Legislative Assembly, December 9, 1867.

*Gentlemen of the Legislative Assembly of the
Territory of Washington:*

The duty that devolves upon the Executive, of making suggestions or recommendations to the Legislative branch of Government, is at all times a delicate one.

When, as in my own case, the incumbent is a comparative stranger in, and has had, consequently, but limited opportunities of becoming familiar with the wants, conditions, and resources of the territory within his jurisdiction, this duty becomes exceedingly embarrassing. I trust, however, that you will duly appreciate the difficulty of my present position, and be disposed to look with forbearance upon an imperfect performance of this, as well as other duties.

I may congratulate you, gentlemen, and the people whom you represent, upon the present prosperous condition, as well as the auspicious prospect for the future of our Territory. Health, peace, and plenty prevail everywhere within her borders.

While many portions of the country have been visited by fatal epidemics, which have more than decimated their population, we have been blessed with health to an extent unknown elsewhere. In other sections the total or partial failure of crops has well-nigh produced famine. With us the farmer has been uniformly rewarded for his labors by abundant harvests. Indeed, actual want is unknown among our people.

From the Indian wars, by which the people of other territories are being sorely scourged, we are now happily free. From the immediate effects of the late civil war which desolated a large portion of our common country, and brought mourning to almost every household in the old States, we were comparatively exempt.

The vote cast at the last election indicates a rapid increase in our population. The public lands within our Territorial limits are being taken up and improved by actual residents; and settlements extended into regions hitherto uninhabited by white men.

In agriculture, manufactures, commerce, and the development of our mineral wealth, we are steadily progressing; while our exports of flour, grain, stock, fruit, vegetables, lumber, and coal are yearly increasing. During the present year steamers have been placed upon and are now plying two more of our navigable rivers—the Chehalis and the Cowlitz—thereby opening to settlement and furnishing an outlet for the surplus produce of the rich valleys of these streams. In short, evidence of prosperity, progress and thrift, are apparent on every hand.

RUSSIAN AMERICA.

Since the last session of her Legislative Assembly, Washington Territory has ceased to be the extreme north-western portion of the United States' dominions. The acquisition, by treaty, of Russian America and the Aleutian Archipelago, gives her a comparatively central position, with respect to our entire possessions on this slope, and adds materially to her geographical importance. This extension of the national boundaries will give a new impetus to the commerce of the Northern Pacific, and open a new market to our productions. The change in the nationality of that portion of the Pacific coast will have the effect, also, of stimulating the whale and cod fisheries in that region. In these fisheries our people have a direct interest, since, in the nature of things, the fleets engaged in them must draw their supplies largely from our Territory, and establish their depots in our waters.

TREATY WITH THE SANDWICH ISLANDS.

A reciprocity treaty has been negotiated between our general government and that of the Sandwich Islands, and only awaits ratification by the Senate to go into effect. The treaty provides that the products of each country shall be entered at the ports of the other free of duty. This is an important change in the commercial relations of the two countries, and will greatly augment the trade between them, but more especially that between this coast and these islands. Their sugar and other staples will come to us, under the treaty, if ratified, at a greatly reduced price, while the demand for our lumber and other products will be largely increased.

CODIFICATION OF THE LAWS.

The codification of our laws cannot be longer deferred without serious detriment to the interests of the Territory. It is impossible now to supply even the public officers with copies of all the laws. The efficiency of public servants, as well as the proper administration of justice, requires that they be put, as early as may be, in a shape that will place them within reach of all. I would recommend, therefore, that commissioners, "learned in the law," be appointed to revise and codify all the statutes of the Territory now in force—that they be instructed to report the result of their labors to the Legislative Assembly, either at this or the next session.

MAIL ROUTES.

With the wants of different localities, so far as regards new mail routes, or increased service on those already established, you are more familiar than I am. I would, however, invite your attention to the fact, that while there is a tri-weekly mail from Portland to Olympia, there is a weekly service only from the latter place to other points on the Sound. At most of these points there is a large and increasing business—including the United States revenue and custom house business. The delay of the mails at Olympia operates as a hardship to the people of

the Sound, and is a serious prejudice to their business interests. There should be at least a semi-weekly mail on this route.

The Government is paying annually, for the transportation of the mail from Victoria to the little post on San Juan Island, where there is perhaps one company of United States troops, six thousand dollars in coin, and for the service from Olympia to Victoria, and the intermediate points, nine in number, only ten thousand dollars in currency. The subsidy in the two cases is greatly disproportioned to the amount of service performed. The disproportion would be still greater, were the service performed, which, in justice to the people of the Sound, should be. I would suggest this as a proper subject for memorial.

PORT TOWNSEND TO SITKA.

A permanent mail route will be established from some point on the coast, below British Columbia, to Sitka—the point selected will probably be San Francisco, Portland, or Port Townsend. There is at present a regular mail service from San Francisco *via* Portland, and all intermediate points, to Port Townsend. From the latter place to Sitka, the distance is less by six hundred miles than from San Francisco, and less by from two to three hundred miles than from Portland. The continuation of the route from Port Townsend will not only be the most speedy, and, for the Government, the most economical, but will best accommodate all the people of the coast.

I would suggest this, also, as a subject for memorial.

PUGET SOUND TO YAKIMA AND WALLA WALLA VALLEYS.

A mail route from the Sound to the Yakima and Walla Walla valleys direct is much needed by the people of both sections. I am advised that parties have proposed to perform this service, providing the line be established, and a road practicable either for carriages, or trail on horseback, be made over the Cascades.

WAGON ROAD OVER THE CASCADES.

At the last session of the Legislative Assembly, the sum of two thousand dollars was appropriated towards opening a wagon road from Black river bridge, in King county, by way of Snoqualmie Pass, to the Yakima valley. This, with a like sum raised by the people of King county, has been expended, and a portion of the road cut out. What additional sum is necessary to complete this work, I am not informed, and consequently, do not know what further legislation, if any, is needed in the premises.

It is important, however, nay, almost indispensable, that one direct, available wagon road, connect, by one of the passes of the Cascades, the two great divisions of the Territory. I commend this subject to your consideration.

INSANE ASYLUM.

I would specially call your attention to the importance of making some different provision for our insane and idiotic. The present system of providing for the care of this class of unfortunates by contract, let to the lowest bidder, is wrong in principle and cruel in practice. Those who take the contract, do so, it is presumed, for the purpose of pecuniary gain. As the contract, under existing laws, is let only for a limited period, and may be annulled, for cause, at any time, the contractors would hardly be justified in making permanent accommodations of such character as these patients require. But even were this done, the party or parties who become their custodians, unless by chance, will be found to be utterly incompetent to the proper discharge of the duties they have assumed.

The primary object of placing persons of unsound mind in an asylum is their permanent cure. Any system which has not this end in view is radically defective. In order to [secure] their permanent restoration to sanity, it is essential that they should have a cheerful, attractive home; one supplied, at least, with the conveniences and comforts of civilized life—that they should be provided with the means of amusement, and, when practicable, with employment. It is still more important that those who have them in charge should be competent not only to see to their general sanitary condition, but also to direct their mental and moral treatment as the phases of each individual case may require. In other words, this class of patients should be constantly under the supervision of a person who has made their treatment a specialty, and who can treat them intelligently. It would hardly be considered proper to place in charge of a hospital for the treatment of all types of physical disease a person who professed no skill in medical science. How much more important is it that he who is called upon to “minister to a mind diseased” should understand, so far as may be, the nature of and proper remedies for the various mental maladies that come under his care. Experience has shown that in a majority of cases, insane patients may be restored to reason; but this result can only be expected where reasonable means are employed for their restoration. I would recommend that a permanent site for an asylum be purchased by the Territory, embracing sufficient land for a moderate sized farm; that a building be erected which will answer present wants, and which may be enlarged as circumstances require and we have the ability to meet them. Above all, that a competent person be employed to take charge of the institution. The immediate expenditure need not be great. No citizen would, it is presumed, complain of a little extra taxation for an object that appeals so strongly to his sympathies. Those who, in the Providence of God, are deprived of reason, the distinguishing attribute of man, not only have stronger claims upon the sympathy and charity of a community than any other class of unfortunates, but they are peculiarly the wards of the local government under which they live. For the credit of our Territory, then, if for no other reason, let us not fail in our duty as guardians, or disregard the claims of common humanity.

SISTERS OF CHARITY.

I herewith submit a circular from the Sisters of Charity at Vancouver, also a communication from the Sister Superioress, in regard to their claims upon the Territory for keeping the insane. These papers speak for themselves. There is no doubt that the sisters performed, as they always do, their part of the contract strictly and conscientiously. I am confident that you will be disposed to do in the premises whatever is necessary to discharge the legal and equitable obligations of the Territory to them.

I submit also the last report of the Inspectors of the present asylum.

HOMESTEAD AND PRE-EMPTION LAWS.

My attention has been called by J. M. Fletcher, Esq., Register of the Land Office at Vancouver, to certain requirements of the homestead and pre-emption laws which operate as a great hardship to the settlers, and in which particulars these laws should be amended. The substance of the amendments required, in Mr. Fletcher's own language, are: "1st. That a settler should be permitted to make *any* and *all* necessary affidavits, without being forced to appear in person at the Land Office. 2d. That in availing himself of the homestead act, he should be permitted to count his residence, &c., whether before or after the survey." Although this has been the subject of memorial once, its importance to our citizens is such that it should again be brought to the attention of Congress.

PUBLIC LANDS.

Information furnished by the Register of the Land Office at Vancouver, and by the Register and Receiver of the office at Olympia, show the amount of lands disposed of respectively at these offices during the year ending Nov. 30th, 1867:

AT VANCOUVER.

No. of acres sold at private entry.....	3,590	26-100
No. of acres sold under pre-emption act.....	320	
No. of acres commuted under 8th sec. of the homestead act of 1862.....	1,650	51-100
No. of acres entered under homestead act.....	23,449	30-100
No. of acres located with land warrants.....	320	
No. of acres embraced in 18 donation certificates issued..	6,875	26-100
Total number of acres disposed of.....	36,205	33-100

AT OLYMPIA.

No. of acres by homestead entry.....	6,837	19-100
No. of acres by land warrants.....	321	99-100
No. of acres by donation certificates.....	5,926	32-100
No. of acres by declaratory statements.....	5,440	32-100
By private entry, (at \$1.25 per acre).....	7,535	74-100
Total	26,061	56-100
Total of lands disposed of in the Territory.....	62,266	89-100

The following communication, received from the Surveyor-General of the Territory, indicates the progress of the surveys of the public lands in the Territory:

SURVEYOR-GENERAL'S OFFICE,
Olympia, W. T., Nov., 19, 1867.

SIR—In compliance with your request of the 18th inst., I have the honor to submit the following statement showing the condition of surveys of public lands in the Territory of Washington up to this date, viz:

Total number of acres surveyed in the Territory up to the close of the fiscal year ending June 30th, 1867, or now reported to this office.....	4,484,805	41-100
Estimated number of acres surveyed and under contract (exclusive of township lines) for the fiscal year ending June 30, 1868.....	326,400	
Total surveyed and under contract.....	4,811,205	41-100
The surveys in lineal miles during the past year are as follows:		
Sub-divisional or section lines, (in miles).....	1,653	05-100
Township and meander lines ".....	888	34-100
Standard parallel lines ".....	109	08-100
Total in lineal miles.....	2,650	45-100

Very respectfully,
 Your ob't servant,
 S. GARFIELDE,
Surveyor-General, W. T.

GENERAL GOVERNMENT.

The present aspect of the domestic affairs of the country at large is not, unfortunately, all that could be desired. The new and complicated questions of policy which grew out of the late rebellion have not been fully adjusted. It is hoped, however, that in dealing with these momentous questions, the course of both the Executive and Legislative branches of the General Government will be characterized by that wisdom, moderation, and pure patriotism which will result in a speedy and satisfactory settlement of all our internal troubles, which will have the effect of bringing back to loyalty to the Government, and to harmony and fraternity among themselves, the people of all sections of the country.

PUBLIC DEBT.

The immense debt incurred during the late war necessarily makes the weight of taxation oppressive to all. With strict economy in the administration of the Government, an increasing development of our national resources, and with a full revival of the industrial interests of the entire country, we will find nevertheless, that our "burden is not greater than we can bear."

FOREIGN RELATIONS.

So far as regards its foreign relations, the present attitude of the country is most auspicious. While a war which threatens to involve all the great powers of Europe is imminent, our Government is, fortunately, upon terms of peace and cordiality with all the nations of the earth.

LATE WAR IN MEXICO.

The late war in Mexico, which originated in an attempt, on the part of certain European monarchies, to force upon the Mexican people an imperial government, and place upon its throne a sovereign belonging to the reigning dynasty of Austria, has ended by the entire success of the Liberal Party, after the French troops had been withdrawn, through the intervention of our Government. The signal failure of this—to use the mildest terms—*ungenerous* attempt to violate, while we were involved in a great civil war, the known policy of the United States, in what is termed the “Monroe Doctrine,” cannot be otherwise than gratifying to our national pride; although we may sincerely regret that the interposition of our Government in his behalf did not save the life of the unfortunate Maximilian, who fell a martyr to the ambition of others.

RESOURCES.

In the extent and variety of her resources, Washington Territory is unrivalled. Her agricultural advantages are, to say the least, not inferior to those of either of several of the wealthiest and most populous of the Atlantic States. A large proportion of her entire area is made up of either arable or grazing lands. Most of the former are of unequalled fertility, producing in abundance and perfection, fruits, vegetables, and the cereals. Upon the natural grasses of the latter, all kinds of stock thrive during the entire year.

AGRICULTURE.

The great Walla Walla valley has the capacity, were all of its tillable lands brought into thorough cultivation, and all of its grazing lands into requisition, to supply with subsistence a populous state. Walla Walla county alone, with a population of only forty-five hundred, produced last year nearly one and a quarter millions of bushels of grain, besides other staples, and a large amount of stock.

MANUFACTURING.

An unlimited supply of water power is distributed throughout our limits. The numerous streams by which the Territory is watered are fed by copious rains in the winter, and in the summer by the melting of the perpetual snows of the mountains in which they have their sources; as a consequence, the power they furnish is unfailling. Owing to our mild winters, they never become frozen so as to render them unavailable. Timber, coals and other materials for manufacturing

are at hand in inexhaustible supply. Wool of superior quality is easily and cheaply grown.

In excellence and abundance of material, favorable climate, and harbors suitable for ship building, Puget Sound is unequaled. The vast merchant marine which the mighty Pacific will, in a very few years, bear upon her ample bosom, must have its origin here.

COMMERCIAL.

It would be difficult to overestimate our commercial advantages. In addition to three hundred miles of Pacific coast proper, and two thousand miles of navigable rivers, on our borders and within our boundaries, we have in Puget Sound the finest inland sea in the world. With sixteen hundred miles of coast line, it is entirely free from rocks, shoals, and obstructions of every description. With sufficient depth of water, in all of its parts, to float the largest ships of the line, it is yet so locked in and protected that it may be regarded as one immense harbor.

There is nothing comparable with it on the Atlantic coast of this continent, or of the eastern continent, unless it be that sea of so many historic memories, which once divided the mighty empires of Caesar and Hannibal. Nature has made this body of water the key to more than fifteen hundred miles of the north Pacific ocean, and it will, in obedience to nature's laws, sooner or later gather within its grasp not only the coast trade for this distance, but also a large portion of whatever of commerce is carried on between the two hemispheres upon this ocean.

COAL.

One vast coal field underlies all that part of the Territory west of the Cascade mountains. Heavy veins of pure coal have been discovered at various points on the Sound, on the Straits of Fuca, on the Chehalis, Columbia and other rivers, as well as near the base of the mountains. The mines at Bellingham Bay are now largely worked, and, under the direction of the present wealthy and enterprising proprietor, will soon be made to yield three hundred tons per day. That at Clallam Bay is also being developed.

The rich veins of very superior coal near Lake Washington, in the vicinity of Seattle, are at this time deservedly attracting a good deal of attention, and will probably be made to yield, in the course of the ensuing year, from one to two hundred tons per day. These as well as other deposits of coal in the Territory are of excellent quality, and suitable for all purposes.

Governor Stevens, in his message in 1854, said: "If our coal should be found suitable for ocean steamers, as an element of national strength it will rival the gold of California, and will at once settle the question of steam communication with the east." It has been thoroughly tested, and found to be suitable not only for ocean steamers, but, what is equally important, for manufacturing purposes.

Iron and copper exist here, and, it is believed, in ample supply.

LUMBER.

Our inexhaustible forests of pine, fir and cedar, now the most extensive and the most accessible in the United States, must soon supply the place of those in the Atlantic and Western States, which are rapidly becoming exhausted.

The lumber manufactured on the Sound alone, including spars, piles, laths and shingles, amounts to more than four hundred millions of feet annually. The effect of this heavy draft upon one section of our lumber fields is scarcely perceptible.

FISHERIES.

Added to her other resources, the cod, whale and salmon fisheries, will be a great source of wealth to our people. Besides her advantages already enumerated, our Territory has a climate of unequaled salubrity. But very few fatal diseases are known here, and from these, even, the mortality is very light. The heat of summer is rarely oppressive, while our winters are so mild that the growth of vegetation is scarcely checked by them.

In a degree almost unprecedented, are combined within our limits all the sources of wealth, prosperity and power to a State or Nation, as well as extraordinary facilities for successfully prosecuting every branch of human industry.

All that is requisite to make our Territory a great Commonwealth is *population*, and its inseparable concomitant, *capital*. These we must soon have under the inevitable laws which govern the expansion and progress of our country.

PACIFIC RAILROAD.

The grand enterprise of connecting by railroad Puget Sound with the upper Mississippi and the great Northern Lakes,—an enterprise which was projected more than sixteen years ago, and which has been the cherished dream of those who have had the forecast to see the future destiny of our country,—has at last assumed a tangible shape, and its speedy consummation has become almost a *certainty*. The people of the country have come to regard this road as a *necessity*,—as necessary to give scope to the legitimate growth and expansion of our Republic, and to open one of the great natural channels of the commerce of the world; necessary to the Government for postal and purposes of national defense, as well as to the opening to settlement and development an area of public domain rich in agricultural, grazing and mineral resources, and equal in extent to all the Atlantic States.

Since the first inception of this grand project, great changes have taken place in our country—changes the magnitude and effect of which are not generally appreciated. Within this period fifteen millions have been added to her population. This vast accession has been thrown into the Mississippi valley, on the Pacific slope, and into the intermediate country.

Out of thirty-seven thousand miles of railroads in the United States, twenty-eight thousand have been built—fourteen thousand in the North Western States,

within this time. In the meantime, the system of railroads, of which the Northern Pacific will be a continuation, has been extended fifteen hundred miles further west, thereby diminishing the distance yet to be overcome by more than two-fifths. Other changes equally startling and significant have occurred. The seat of empire of our Republic has been transferred from the Atlantic States to the valley of the Mississippi. Railroads have given to the cities of the great west the advantages of sea-port towns, and made them centres of manufactures and commerce.

It is not alone true that an immense expanse of territory, in what is termed the "West," then scarcely settled at all, now teems with population, but it is also true that the entire extent of country between the Upper Mississippi and the Pacific has been largely settled.

The territories of Dacotah, Montana, and Idaho, embracing all the country from Minnesota to Washington Territory, have been organized, and largely populated. Cities of considerable magnitude have grown up between the head of navigation on the Missouri and that of the Columbia. These changes have paved the way for the Northern Pacific Road, and rendered it not only indispensable, but certain. It is not probable—it is not possible that the westward tide of emigration and march of empire shall be checked now, or that the advance of the great lines of railroads shall be stayed before they have spanned the continent. Is it not probable, rather, is it not certain, so far as regards our country's progress, that the future is pregnant with events even more wonderful, and changes more important, than those to which the past few years have given birth?

The company which has control of this road is the strongest, both as representing capital and railroad interests, ever organized in the United States. The present board of directors comprise the ablest and most prominent railroad men of the country. Corps of engineers are engaged on both sections of the road.

Congress has made a liberal grant of lands to aid in its construction. All that is now asked or needed, is the same aid from the general Government that was given to the Central road. The Legislatures of several States have instructed their Congressional Delegations to vote for this subsidy. The delegations, in whole or in part, of other States, are known to be favorable to the measure. The just claims of this road, the widespread interest that is felt in and the great influence that will be brought to bear upon it, leave but little doubt that the result will be as its friends desire. In which event the work of construction will be commenced the ensuing year and vigorously prosecuted.

Of the entire practicability of the Northern road, so far as construction and working are concerned, there is now no question. The only question heretofore has been as to the feasibility of crossing the Cascade mountains. The recent reconnoissances made by Gen. Tilton, in behalf of the company, have demonstrated that the transit of this range, by railroad, is practicable by at least, three of the Passes, besides that *via* the Columbia river. That through either of these passes the grade would be much less than that used in the Central road over the Sierra

Nevadas, and at a maximum altitude less by four thousand feet. By the Columbia river, the descent to the ocean is so gradual as to be scarcely perceptible.

The advantages of this over any other proposed route, may be briefly stated as follows: It is opposed by fewer obstacles, whether of climate or topography. An abundance of the best material for construction is distributed along the entire line.

The distance across the continent, from the Pacific to the great cities of the east, or of the west, is less than by any other route. The distance from either New York or Liverpool to the principal cities of China or Japan, using on both oceans the usual and necessary track of ocean travel, is less by more than one thousand miles. It is more directly on the great thoroughfare of the world's commerce, in both hemispheres, on the Atlantic and the Pacific. Almost the entire region through which it will pass is well watered and well timbered—as rich in mineral, and by far richer in agricultural resources, than that traversed by any other proposed road. If we except one hundred and fifty miles, occupied by mountain ranges, this whole belt of country has a capacity for sustaining a heavy population.

Lastly, its western terminus will be on by far the finest and most capacious harbor on this coast.

Of the effect of this road upon this Territory, no adequate conception can be formed. We have seen that, in the short space of a few years, railroads have accomplished in our country what would, without them, have been the work of centuries. They have made the broad prairies and boundless forests of the great West teem with population and wealth—and caused mighty cities to spring up as by magic. Wherever the iron track has been laid, and the whistle heard, “the wilderness has been made to bud and blossom as the rose.”

In this country, at this day, railroads, are not a mere convenience to local population, but a vast machinery for the building up of empires.

They are the true alchemy of the age, which transmutes the otherwise worthless resources of a country into gold. What then must be the effect to a territory so rich in undeveloped wealth as ours is, of having within it the terminus of a trans-continental road, a road that will form an important section of the great highway of trade and travel, extending from Liverpool and Havre to Hong Kong and Yokohama—more than two-thirds of the earth's circumference?

This road will be built, and at no distant day. Then will Washington Territory take the position to which her geographical position and superior natural advantages entitle her.

TRIBUTE TO GOV. STEVENS.

I cannot forbear alluding, in this connection, to one whose name is inseparably identified with the history of this road and this Territory—I may add, of the country. I allude to the late lamented Gov. Stevens. It is no disparagement to the claims of the living to say that he was the ablest and most efficient Governor and

Delegate that this or any other Territory ever had. With a clear, vigorous intellect, and attainments of no ordinary character, were united in him indomitable energy and great executive ability. His entire life, with his rare gifts and varied acquirements, was devoted to the service of his country, and this, his adopted Territory. In the latter capacity, his services cannot be overestimated. Whether in the performance of the ordinary duties of Governor and Superintendent of Indian Affairs—in urging upon Congress and the Departments her just claims—in exploring the then trackless regions of country, and bringing to the notice of the Government and the public her latent resources and capabilities—or in organizing and directing troops for her defense, when a protracted Indian war threatened her with depopulation, his labors in behalf of this Territory were indefatigable, and his ability always conspicuous. When his country, in her hour of sorest peril, needed his services in the field, he again drew his sword, and fell in her defense. He died as he had lived—for his country; and now fills a soldier's and a patriot's grave.

Would that he had lived to gather the fruits of his labors in this field, where he spent the best energies of his useful life—to see the realization of the bright dream he so fondly cherished—a dream which, to his prophetic vision, was almost a reality. But this was not permitted to him.

Many of us now regret that his ashes do not sleep here, among the people he loved so well and served so faithfully, that they might show that their greatest benefactor was not forgotten. Yet no monument which they could erect would add to his imperishable fame, which will survive the perennial verdure of our forests and the eternal mountains which stand as mighty sentinels on our borders.

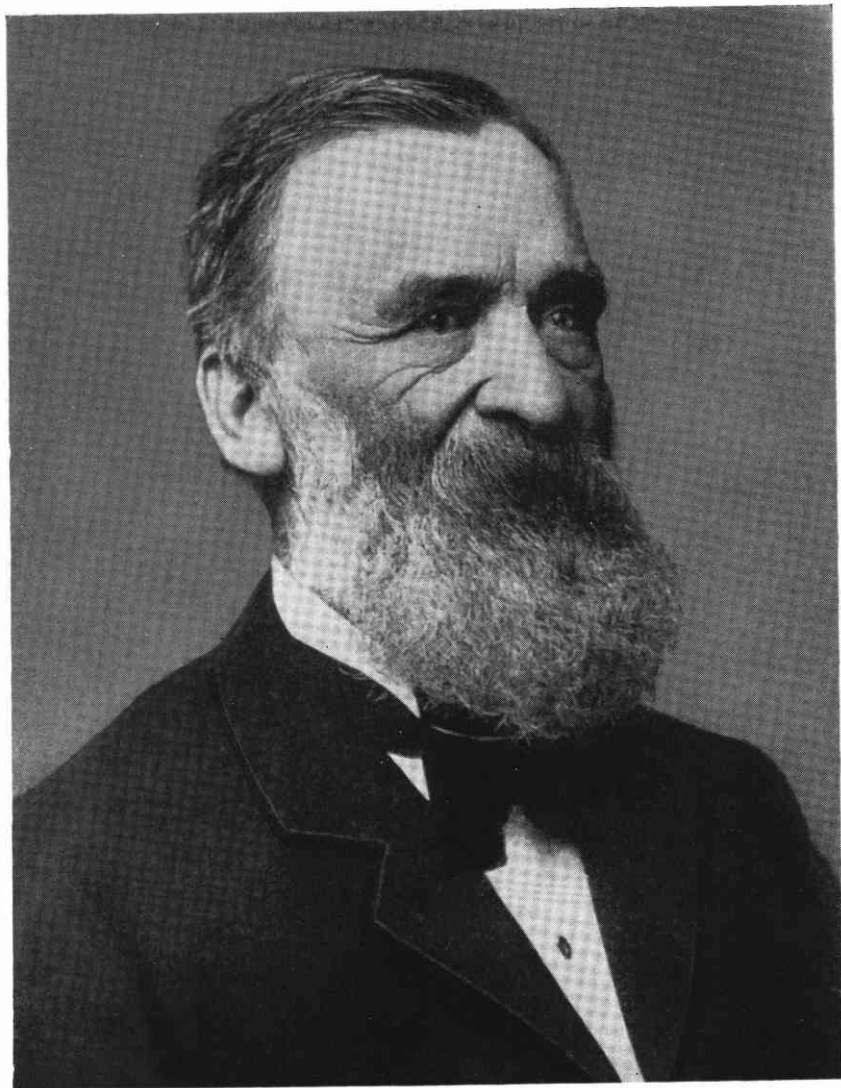
By a change in the Organic Act, the sessions of our Legislature are now biennial instead of annual, as heretofore.

It will be well if you see to it that no needful legislation is omitted, and that the laws which are enacted at this session be of such a character as will bear the test of time, and of practical application.

In closing this communication, let me express the hope that your present session may be a pleasant and harmonious one—that a spirit of forbearance and liberality may be cherished; that while each member looks to the interests of his own immediate constituency, neither party animosity nor local jealousy may deter any from favoring such measures as will contribute to the well-being of the people at large, and advance the prosperity of the Territory as a whole, or even any portion of it, when that can be done without prejudice to other sections.

I assure you, gentlemen, that you will at all times have my hearty co-operation in your efforts to promote the common good and further the interests, whether local or general, of our beloved Territory.

MARSHALL F. MOORE



Governor Alvan Flanders
1869-1870

ALVAN FLANDERS

Alvan Flanders, born in Hopkinton, New Hampshire, August 2, 1825, learned the machinist's trade in Boston. In 1851 he moved to San Francisco where for several years he engaged in the lumber business. He became interested in politics, was elected to two terms in the California legislature, helped to found the first Republican club in San Francisco, and was one of the founders and editors of the *San Francisco Daily Times*, a Republican paper. At one time or another he held positions in the mint and in the land office at Humboldt. In 1863 he came to Washington Territory and went into business at Wallula. During the years 1867-1869 he served as delegate to Congress.

In 1869 he planned to run for re-election but apparently was dissuaded from doing so by the promise of the governorship, which office he filled for only one year. In later years he returned to San Francisco where he died March 14, 1894.*

*Meany, *Governors of Washington*, 39-40; Snowden, *History of Washington*, IV, 144-145.

Governor Alvan Flanders to the Second Biennial Session of the
Legislative Assembly, October 7, 1869.

*To the Council and House of Representatives of the
Territory of Washington:*

Gentlemen:—

For the present prosperous condition of the States and Territories which form our Federal Union, for the steady and unparalleled advancement in National greatness; for that wonderful development of the vast resources of our country; for that cordial union and harmony that now exists between all the States and Territories of the Nation, we can but acknowledge the guiding hand of an overruling Providence, which has averted the danger which recently threatened the existence of our free institutions and the overthrow of the Republic, as formed by our Fathers.

It is a matter of profound gratitude that all the States are again practically restored to their proper places in the Union, and that thirty-seven States and ten Territories will be fully represented in the Forty-First Congress of the United States. It is also a matter of congratulation that our Territory, whose wants have been, to some extent, overlooked by Congress for the last nine or ten years, is now attracting, from men in official position, from men of material power and influence, and, indeed, from the people of the States, that attention and interest to which our geographical position, our vast and varied resources, our genial climate and unparalleled scenery, so justly entitle it. And it is not too much to hope that Congress, at its approaching session, will at least make the necessary appropriations for the erection of the public buildings that we so much need, and which, in justice to our Territory, can be no longer neglected.

It is not without a feeling of much delicacy, and a consciousness of the responsibility which rests upon me, that I make such suggestions and recommendations, as is the duty of the Executive of the Territory. In the performance of this duty, your attention will only be called to such matters of public interests as, in my judgment, demand your careful consideration. Believing that, as the Representatives of the people, whose wants you fully know, you will enact only such laws as their wants demand, and such, as in your judgment, will conduce to the social, material and political well-being of our Territory.

FINANCES.

The accompanying statement[s] from the Territorial Auditor and Treasurer show the financial condition of the Territory:

OFFICE OF THE TERRITORIAL AUDITOR,
OLYMPIA, W.T., Sept. 23, 1869.

HIS EXCELLENCY, GOV. ALVAN FLANDERS:

In reference to your verbal inquiries, I beg leave to state: That the total valuation of the assessed property in the Territory, as indicated by the returns to this office, amounts to \$7,844,242, yielding an annual revenue, at four mills, of \$31,376.96. The increased valuation of the present year is about twelve per cent. over the aggregate returns of 1868, and fifteen per cent. over that of 1867, a most gratifying evidence of thrift and prosperity.

I am, sir, very respectfully,

Your obedient servant,

JOHN M. MURPHY,
Territorial Auditor, W. T.

OLYMPIA, W. T., Sept. 24, 1869.

HIS EXCELLENCY, GOV. ALVAN FLANDERS:

In answer to your inquiry as to the amount of warrants unpaid, the amount of cash in the Treasury, and the amount due the Territorial Treasury, I have the honor to inform you that the amount of Territorial warrants issued since January 1st, 1868, and unpaid at this date, is \$19,463.38. Cash on hand,———. Amount due from all the counties of the Territory, \$43,647.90.

BENJ. J. HARNED,

Territorial Treasurer, W. T.

From these statements it appears that on the 24th of September, there were outstanding warrants to the amount of \$19,463.38. There was due the Territorial Treasurer on the 27th of the same month, from the different counties of the Territory, \$43,647.90, showing a balance of \$24,184.52. It is estimated, by the Treasurer, that the amount received from the different counties will be within five per cent. of the whole amount due. If then this five per cent. be deducted, there will still remain, after paying all the outstanding warrants, a balance of \$22,002.12.

By act of the Legislature, approved January 22d, 1858, it was enacted, that upon the presentation of any Territorial warrant or warrants to the Territorial Treasurer, "It shall be his duty if there be no funds in the Territorial Treasury, to endorse on said warrant or warrants, 'not paid for want of funds,' with the date of presentation, and said warrant or warrants, from the said date,

draw legal interest until paid." This provision for the payment of interest on Territorial warrants, when there are no funds in the Treasury, with the very favorable showing of the financial condition of the Treasury, should keep Territorial warrants always at par. The only reason that they are not so is, in my judgment, the fact that there is a class of preferred warrants, made "payable out of any funds in the Treasury." I would recommend that this provision in the law be repealed, and that in all appropriations hereafter made, warrants be made payable in the order in which they are drawn. This plan of preferring any class of indebtedness to another, is wrong in principle, and, in its practical effects, injurious to the credit of the Territory. I would also recommend that a special fund for the care of the insane, be created, which shall be applicable to that purpose only. The amount of the fund so created should be fixed by careful estimates of the necessities of the case, and should be raised by deducting for that purpose a per centage from all moneys received into the Treasury, to be set apart and designated as "special fund for care of the insane." Great care should be taken that our expenses do not exceed our income. Every proposed appropriation should be scrutinized with the utmost care, and with respect to the most rigid economy, avoiding Territorial indebtedness on the one hand, and burdensome taxation on the other.

PENITENTIARY.

An appropriation of ten thousand dollars was made by Congress more than two years ago, for the purpose of building a Territorial Penitentiary, under the direction of the Secretary of the Interior. A site was selected near the town of Steilacoom, and ten acres of land were donated for that purpose, but nothing further has been done, and the money is still unexpended. The reason of this delay is the fact that the title of the land is in the Territory of Washington, and the Secretary of the Interior refuses to erect the building until a deed shall be made to the United States. I would therefore recommend that the land be conveyed in fee to the United States, and that the Governor be authorized to certify to the Secretary of the Interior that a good and sufficient title to the land has been made to the United States, and to request him to commence as soon as possible the erection of a Penitentiary, in accordance with the law making the appropriation for that purpose.

It is notorious that the building now used for a Territorial prison is wholly unfit for that purpose, and that the utmost vigilance, of the officers in charge, cannot, and does not, prevent the escape of convicts; and that escapes have become so common, that consigning men to prison there is regarded as almost a mockery of justice. I would, therefore, urge that action be taken in this matter as early in the present session as practicable.

INSANE ASYLUM.

There are, at present, nineteen patients in the Territorial Insane Asylum. The place at which the Asylum is located, near Monticello, is not considered the best location that could be chosen for that institution. Near the close of the session of the last Congress, I presented a petition to that body, asking that Congress give to the Territory the buildings at Fort Steilacoom, (the government does not own the land on which they are located) recently abandoned for military purposes, to be used as an Insane Asylum. I also introduced a bill making this donation which was referred to the Committee on Military Affairs. The bill was not reported by that Committee for want of time; yet I have reason to know that the Committee were favorably disposed, and would have reported in favor of giving the buildings, to be used under the direction of your honorable body, for the purposes named. I would, therefore, recommend that a memorial be sent to Congress, by your honorable body, asking that a grant be made, and that in view of a probably favorable result, that you make provision by law for the purchase of the ground on which the buildings stand, including in the purchase, a tract of land sufficiently large, for the purposes of an Insane Asylum. And also that you make provision for the removal of the patients to Steilacoom as soon as practicable. The Fort at Steilacoom is, perhaps, as desirable a location as can be found in the Territory for the Insane Asylum. It is known to be a place of beautiful surroundings, easy of access, dry, healthful and pleasant, situated less than two miles from the wharf at Steilacoom.

Should Congress make this donation, (as there is good reason to believe it will) the change which I have recommended can be made at a very small outlay of money. I am of the opinion that some change should be made, not only in the location of the Asylum, but that for the present plan taking care of this unfortunate class of persons should be modified, and that some competent person be appointed to take charge of the institution. And although I have heard no complaint of the present contractors who have the care of the insane, yet I think it your duty to provide for the care, comfort and cure of the insane, and remove, as far as possible, all temptation to neglect or ill-treatment.

TERRITORIAL UNIVERSITY.

The condition of the Territorial University should receive your careful attention. The history of this institution, of its management, and of the management of the lands donated by Congress for the endowment of a Territorial University, is a calamity and a disgrace. Everything connected with the management of the University lands up to 1867, can be correctly described only by saying that it was characterized by gross extravagance and incompetency, if not by downright fraud. Forty-six thousand and eighty acres of land were donated by Congress for the founding of this institution. Nearly all of this land has been sold, forty-three thousand, nine hundred and twenty-eight acres, (43,928) and there is nothing at present to show for this munificent donation but a building

possibly worth fifteen thousand dollars, which appears better fitted for a monument to the folly and extravagance of the persons under whose direction it was built, than the purposes for which it was intended. I would recommend that the Regents appointed by the Legislature, January 25th, 1867, be authorized to continue their investigations, and that a sufficient sum be appropriated to enable them to procure the attendance of such witnesses as they require, and to defray the other incidental and necessary expenses attending the investigation. Also to enable them to bring suits in the courts for the recovery of any moneys which they may find due the University, should they deem it expedient.

This is in accordance with the recommendation of the select committee of your honorable body, "on the report of the University Regents," made to the Council at the last session of the Legislature. This committee in their report say, "It is now, however, too late to remedy the errors of the past. All that remains for us, is to gather up what is left of the wreck, and ascertain what means may be still available for the purpose of carrying on the University."

It is a source of profound regret that an institution designed to accomplish so much good for our Territory, has been so badly crippled and defeated of the high ends contemplated by the gift made for its endowment. Should you decide to ask Congress for a further grant of land to aid the University, as was recommended by the select committee before alluded to, let it be shown that a safeguard will be cast about the gift to protect it from waste and from diversion from the true purpose for which it is bestowed.

PUBLIC LANDS.

The following statement of J. P. Clark, Esq., Register of the Land Office at Olympia, and J. M. Fletcher, Esq., Register of the Land Office at Vancouver, show the amount of land disposed of at these two offices, respectively, from the first day of January, 1868, to the 27th day of August, of the present year. These statements show that there has been a much larger quantity of land sold and taken for Homesteads in the last twenty months, than has [been] ever before disposed of in the same length of time. It is particularly gratifying to note the amount taken under the Homestead and Pre-emption laws, as indicating clearly the rapid settlement of the Territory. Much of the land sold will be used for agricultural purposes, yet, undoubtedly, more has been purchased by lumbermen for the sake of the timber:

REGISTER'S OFFICE,
OLYMPIA, W. T.,
September 27, 1869.

Hon. Alvan Flanders,
Governor of Washington Territory:

SIR—In compliance with your request, I have the honor of forwarding you a statement of the amount of land disposed of at this office, under the several

acts of Congress, from the first of January, A.D. 1868, to the 31st day of August, A.D. 1869, inclusive, as follows:

Land entered for cash.....	118,860.00
Land entered under the Homestead law.....	38,117.00
Land located with Military Bounty Land Warrants.....	3,553.00
Land located with Agricultural College Scrip.....	7,196.00
Final certificates issued to claimants under Donation law....	12,533.00
Total.....	180,249.00

Hoping that the above will prove satisfactory,
I am, very respectfully, your ob't serv't,

J. P. CLARK,
Register.

REGISTER'S OFFICE
Vancouver, W. T.,
September 23, 1869.

HON. ALVAN FLANDERS,
Governor of Washington Territory:

DEAR SIR—Pursuant to your request of the 18th inst., I have the honor to enclose herewith a statement of the public lands disposed of at this office, from the first day of January, 1868, to the 15th of September, 1869, both days inclusive:

Number of acres sold for cash at \$1.25 per acre.....	28,840.87
Number of acres entered under the Homestead Act.....	36,334.53
Number of acres embraced in sixteen Donation Certificates...	4,660.43
Number of acres located with Land Warrants.....	1,398.10
Number of acres located with College Land Scrip.....	2,240.00
Total.....	73,473.93

JOSEPH M. FLETCHER,
Register.

The following communication from the Surveyor General, shows the amount of land which has been surveyed in the Territory. Most of the land surveyed within the last few years [is in the area] lying east of the Cascade Mountains, and in the open country along the Columbia River. But a very small portion of the land has been sold or taken for homesteads. Nor is there any prospect that it will be taken up for a long time to come. Contracts cannot be let for the survey of the timber lands lying west of the mountains for the present rate of compensation allowed by the Government. It is a matter of regret that Congress has not made some provision for the survey of these timber lands. The memorial of the last Legislature on this subject was laid before the Commissioner of the General Land Office, and received his approval. It was then presented to Congress, but

failed to obtain action of the body upon it. The attention of Congress should be again called to this subject.

SURVEYOR GENERAL'S OFFICE,
OLYMPIA W. T., Sept. 24, 1869.

HIS EXCELLENCY, ALVAN FLANDERS,
GOVERNOR WASHINGTON TERRITORY:

SIR: I have the honor to acknowledge the receipt of your letter of this date, requesting information in regard to the number of acres of public lands surveyed in Washington Territory, up to the close of the fiscal year ending June 30, 1869. In compliance therewith, I herewith respectfully submit the following statement, viz:

Number of acres surveyed east of the Cascade Mountains..	2,537,388.34
Number of acres surveyed west of the Cascade Mountains.	2,721,305.34
Total public lands surveyed west of the Territory-----	5,258,694.10

Very respectfully,

Your ob't servant,

E. P. FERRY,
Surveyor General, W. T.

WAGON ROADS.

One of the most immediate and pressing wants of our Territory is roads, and there is no place in the Territory where a good wagon road is more needed than between Monticello and Olympia. Neither is there any road in which more of the people of the Territory are interested than in this. Over this road passes all the mail to and from the Sound country. In the best weather it is bad, and in bad weather it is well nigh impassible. Your attention is especially called to this matter with the hope that you will be able to devise some means for greatly improving this road and keeping it in repair.

There has been granted to the State of Oregon, by the general Government, to aid in the construction of wagon roads, one million two hundred and fifty-six thousand and eight hundred (1,256,800) acres of land. I do not think it too much to hope that Congress will grant to Washington Territory if not as much as has been given to Oregon, yet enough to enable us to build at least two roads from Puget Sound to Columbia river. One over the present mail route already spoken of, the other over the Cascade Mountains from Seattle to Wallula. And also to build two good wagon roads, one from Walla Walla to Colville, and one from Spokane bridge to Pen d'Orille Lake. I would respectfully suggest that you ask of Congress a grant of land for building these roads, all to be done under the control of the Territorial Legislature.

CODIFICATION OF THE LAWS.

In conformity with an act approved January 29th, 1868, to provide for a digest and codification of the Statute Laws of Washington Territory, which authorized the Governor to appoint three Commissioners to revise, digest and codify the laws of the Territory, Governor Moore appointed to that duty the following gentlemen as Commissioners, viz: Hon. J. H. Lasater, First Judicial District; Hon. Elwood Evans, Second Judicial District; Hon. B. F. Dennison, Third Judicial District. I am informed by one of the Commissioners, Mr. Evans, that the work has been performed, and that a report of the same will be read to your honorable body at an early day in the present session.

MAIL FACILITIES.

Our Territory is but illy supplied with mail facilities. A mail route was established more than two years ago, from Walla Walla to Seattle, via Yakama over the Snoqualmie Pass. A contract was awarded for carrying a weekly mail. But the bidder failed to perform the service. Since that time the route has been advertised, but the Post Office Department has not awarded the contract. The Department should provide for carrying the mail on the route. Additional mail service is also much needed between Olympia and Port Townsend. A weekly mail is entirely inadequate to the continually increasing business between these two important points, and the intermediate towns. We should have at least a tri-weekly mail. A daily mail is also much needed between Olympia and the Columbia river. As this increase of service does not require the action of Congress, it is to be hoped that the proper representation of your honorable body will be made to the Post Office Department that this much needed mail service will be supplied.

LUMBER AND MANUFACTURES.

As yet lumber is the principal commodity manufactured in the Territory. This branch of business for the past two years has been in a very prosperous condition. Although I have not the statistics to show the amount manufactured and reported, yet it is much greater than ever before in the same length of time.

We are accustomed to speak of our supply of lumber as inexhaustible, yet unless some means can be devised to protect our forest from the ravages of fire, such as we have experienced during the last two summers, it will not be many years before the whole lumbering business will be crippled for want of timber. This subject deserves your careful consideration, for connected with the lumbering interest is almost every other business interest of our Territory. Our forests of fir, cedar and pine, are inviting shipbuilders to our Territory, and offering inducements unequaled any where else. This Branch of business has made a good beginning with us; let everything be done that can be done to foster and encourage it.

COMMERCE.

The rapid growth of the commerce of Puget Sound and of the North Pacific coast demands of the General Government that some steps should be taken to give protection to our harbors and shipping. We are now absolutely without any harbor defenses, and every town, every mill, every steamer and sailing vessel on the Sound would be at the mercy of any hostile ship which should choose to enter the Straits of Fuca. Happily we are at peace with all the world. But should we from any cause, become involved in a war with any of the maritime powers of the world, this Sound would certainly be an inviting field of operation for a hostile fleet. As harbor defenses and forts require much time and care in building it does seem that works of this kind which have been projected on Puget Sound should be no longer neglected. The attention of Congress should be again called to this subject. Additional Light Houses are also needed. Six points have been selected where Light Houses are needed and where lands have been reserved by the officers of the United States Coast Survey, between Admiralty Head and Olympia. The building of Light Houses on the points selected will be a great benefit to the shipping of Puget Sound.

STATISTICS [STATUTES] AND JOURNALS OF THE LEGISLATURE.

Some provisions should be made for furnishing copies of the statutes of Washington Territory, and also copies of the journals, of the Council and House of Representatives to the different States and Territories, and also the several heads of the departments of the Government at Washington. There has been received from many of the States, copies of Legislative enactments, Supreme Court reports, etc., which have been placed in our Territorial Library. In some instances an exchange has been asked for; but this it has been impossible to furnish. There is not at present a complete set of Statutes of Washington Territory in the Congressional Library, or in the libraries of either the Senate or House of Representatives. This is an omission that should be remedied.

I would recommend that a sufficient number of copies of the statutes of the Territory, and of the council and House of Representatives be placed at the disposal of the Secretary of the Territory, to enable that officer to send copies to all the States and Territories, and to the libraries of Congress; also to the heads of the several departments of the Government at Washington. And I also recommend that an appropriation of money sufficient to pay the postage on these books, be made, and placed in his hands, and he be requested to forward them as above stated, or in such number and in the manner you may direct.

SAN JUAN ISLAND.

The treaty for the settlement of the San Juan difficulty, and to establish the water boundary between the United States and Vancouver Island, was sent to the United States Senate last March. The consideration of this treaty was postponed by the Senate until next "December."

As this treaty provides for the reference of this boundary question to the

Swiss Republic, it is to be hoped that the treaty will be promptly rejected by the Senate. The title of the United States to this Island is so just and undoubted, that its reference to the Swiss Republic or any other European power, ought not to be approved by the Senate, and will not be approved by the people of the United States. Our own Government should at once give notice to the Government of Her Brittanic Majesty, of our intention to terminate the joint occupancy of San Juan Island, (an arrangement that never ought to have been made) and that the laws of Washington Territory will be enforced on that Island.

The pretext upon which the British Government claims San Juan Island, or rather upon which they claim the entire De Haro group of Islands, 22 in number, having a combined area of about one hundred and thirty-five square miles, is a palpable misconstruction of the letter and spirit of the treaty of June 15, 1846, which treaty provides for carrying the boundary line through the channel which separates the Continent from Vancouver Island, claiming that it was intended to give the British Government all the islands, and our Government only the continent, when it is known and was well understood at the time, that it was intended only to give the British Government all of Vancouver Island, and nothing more. The only question was whether the boundary line should be run across that Island to the ocean, as in justice it should have been, or whether our Government should concede the whole. This claim of the British Government to the De Haro Archipelago, and their offer to compromise that claim, if our Government would give up San Juan was an after thought. As the people of Washington Territory feel a deep interest in the correct and speedy settlement of this question, I would suggest that a memorial relating to this matter be sent to the Senate of the United States by your honorable body.

NORTH PACIFIC RAILROAD.

It is not too much to say that railroads have had a greater influence upon the material development of our country than any other cause whatever. There is now in operation in the States east of the Mississippi river, not less than forty thousand miles of railroads, and the facilities they give for transportation and travel, has not only built up our cities along the Atlantic Coast, but towns and cities have sprung up along the lines of these roads. Railroads have built up that mighty empire, "The Western States," have made available and valuable millions of acres of land which but for them must have remained, if not unknown, at least unoccupied and unimproved, for an indefinite period of time.

The completion of one Pacific railroad makes apparent the necessity for two more. The advantage of the Northern Pacific railroad to our Territory, as also to the other territories lying directly east of us, to all the Northern and Eastern States and its entire practicability have been so often and so clearly stated, that I need not reiterate them here. It was hoped and expected at the time of your last meeting, that Congress would be extended to [sic] the Northern Pacific Railroad Company a subsidy of money or bonds, if not equal in amount to that given to the Union Pacific Railroad Companies, one that would enable them to com-

mence the building of road before this time, with a prospect of its speedy completion. No subsidy of money or bonds has been given, and the road is not yet commenced. It is, however, to be hoped that Congress will at least guarantee the interest on the bonds of the company to an extent which will enable them to go on with the prosecution of the great work so eminently National in its character, and upon the prosecution of which such varied and vast interests depend. That this road will be built by private enterprise should Congress refuse its aid, appears now to be settled; but its speedy completion cannot be looked for in the absence of aid from the Government. I would recommend that you again memorialize Congress on this subject.

CONCLUSION.

Having the best interests of our Territory at heart, being identified with its material development, and with its future prosperity, I have no doubt but in your deliberation you will be guided by these considerations of patriotism, of justice, and of prudence which will lead only to the enactment of such laws as the present interest of our Territory demands, and such as the future will justify. Avoiding, so far as possible, local and special legislation, which fill the statute books of too many States and Territories with a mess of Legislative enactments, often contradictory and seldom wise or beneficial! Although I do not fully endorse the statement that the "wisest legislation of the present, is that which repeals the legislation of the past," yet I am decidedly of the opinion that altogether too many laws are enacted, and that wisdom in legislation will make every law, as far as possible, general in its provisions and application, and that legislation for the benefit of districts, counties, towns, corporations or individuals, should as far as possible be avoided.

In the discussion of the various questions which will demand your consideration, I would counsel moderation and forbearance, and hope that your present session may be harmonious and pleasant. In all measures which may be devised by your united wisdom, which will tend to increase our material wealth or promote our political tranquility, you will have my cordial co-operation.

For our Territory there is a bright future; everything points to this. If our progress heretofore has been comparatively slow, our advancement has been steady and certain. Here has been laid the sure foundation of what is hereafter to be a rich and prosperous State. A steady and rapid increase in population and wealth will be sure in the immediate future. Manufactures will spring up, our agricultural resources be developed, towns and cities will be built, and our Territory become the home of a dense and prosperous community. On Puget Sound will be built a city from whose wharves ships will sail to every ocean, and whose steamers will connect with every port on the coast, with the Pacific Islands and with Asia. A city that will compete successfully with San Francisco for the commerce of the Pacific, when that commerce shall be a hundred fold greater than now. It is your duty to foster and encourage every enterprise of capital and labor which will tend to produce this result, and by wise laws to secure to every individual the largest liberty possible, and to all equal protection and exact justice.

ALVAN FLANDERS.



Governor Edward S. Salomon
1870-1872

EDWARD S. SALOMON

Edward S. Salomon, a German Jew born in Schleswig-Holstein, December 25, 1836, received his education in Europe. Upon coming to America he settled in Chicago where he became alderman in 1860. During the Civil War he rose to the rank of brigadier general and won the admiration of General Grant by his conduct at Chancellorsville, Gettysburg and Chattanooga. Grant found him after the war, clerk of Cook County, Illinois, and appointed him governor of Washington Territory in April, 1870. His veto of a reapportionment bill is cited as evidence of political courage; Hamilton Fish's complaints of his attempted bribery of a treasury official throw light upon the prevailing standards of conduct in public affairs during the Grant administration.

Salomon served as governor two years, 1870-1872. After his retirement he moved to California where he served two terms as a member of the state legislature and became district attorney of San Francisco. He died in that city July 18, 1913.*

*Meany, *Governors of Washington*, 43-44; Allan Nevins, *Hamilton Fish, the Inner History of the Grant Administration* (New York, 1936), 593.

Governor Edward S. Salomon to the Third Biennial Session of the
Legislative Assembly, October 2, 1871.¹

*To the Council and House of Representatives of the
Territory of Washington:*

Gentlemen:

The favorable auspices under which your honorable body assembles are cheering and encouraging, and it is with satisfaction and gratitude that we look back upon the progress of the past two years. While the furies of war have been raging in and devastating the most beautiful parts of Europe, the people of the United States have enjoyed the blessings of peace and prosperity, of which this Territory has received a liberal share. The increase of our population, the great progress made in the development of the countless resources of the Territory, the constant growth of our commerce and manufactures, the improvements of our agricultural interests during the last two years, fully justify us in the expectation of a bright and prosperous future.

According to the census of 1860, Washington Territory had a population of 11,594, of which about 9,000 lived within the present boundaries of the Territory. The census returns of 1870 show a population of 23,450. The increase during and since the taking of the census has been great, and I have no doubt that the population of the Territory is now quite 30,000. As the work on the Northern Pacific Railroad rapidly progresses, and the resources, climate, soil, advantages and importance of the Territory become more generally known in the States and Europe, we may expect a great influx of people within the next few years. This makes the necessity for good and wise legislation imperative. Believing that you fully appreciate the importance of your responsible duties, and knowing that you have the interests of your constituents at heart, I am sure that you will enact such laws only as will redound to your own credit and be productive of the greatest benefit to the citizens of the Territory.

FINANCES.

The financial condition of the Territory is not encouraging, as will be seen from the following statements of the Auditor and Treasurer:

OFFICE OF TERRITORIAL AUDITOR,
Olympia, W. T., Sept. 29, 1871.

SIR: In obedience to your request asking information as to the amount of assessable property in the Territory last year, in comparison with the preceding year, also the amount of Territorial taxes raised, the amount of delinquent taxes, and which counties have not paid up, I have the honor to refer you to the accompanying statement which I hope will be satisfactory. The columns will show first, the taxes assessed for the year 1870; second column ditto for the year 1871; third column the delinquent taxes due exclusive of the last year's assessment; fourth

¹ Delivered October 5, 1871.

column, the amounts now due including the assessment of 1871, which cannot be considered properly delinquent. At the bottom you will find the aggregate amount of all taxable property for each year.

Yours respectfully,

JOHN G. SPARKS,

Territorial Auditor.

To His Excellency E. S. Salomon, Governor of W. T.

	Taxes assessed for 1870	Taxes assessed for 1871	County delin- quency, 1870	Resources, includ- ing the assessment of 1871
Chehalis Co.....\$	296.16	\$ 563.67	\$ 142.87	\$ 706.54
Cowlitz	797.76	857.18	97.76	954.94
Clalm	296.16	350.75	444.05	794.80
Clark	2029.77	2678.68	744.28	3422.96
Island	1098.80	1649.81	34.99	1683.80
Jefferson	1402.64	1807.46	338.05	2145.51
King	2468.38	3077.01	518.51	3595.52
Kitsap	2270.66	1943.86	1834.80	3778.66
Klikitat.....	612.76	722.60	420.48	1143.08
Lewis	1042.27	1420.03	328.82	1748.85
Mason	370.00	565.13	681.74	1246.87
Pacific	653.98	846.30	2.50	848.80
Pierce	1308.10	1674.47	3077.11	4751.58
Skamania	475.77	470.19	10.97	481.16
Snohomish	415.71	454.58	1210.09	1664.67
Stevens	428.80	881.43	332.85	1214.28
Thurston	3517.41	3908.69	1046.60	4955.29
Wahkiakum	139.23	165.96	000.00	89.45
Walla Walla	7046.49	9305.37	1680.50	10985.87
Whatcom	531.46	819.02	744.69	1563.71
Yakima	570.16	799.40	5.63	805.03
	<u>\$28,377.47</u>	<u>\$34,961.59</u>	<u>\$13,697.29</u>	<u>\$48,458.78</u>

	1870	1871
Total value of all assessed property.....	\$9,459,056.66	\$11,582,890.00

OFFICE OF TERRITORIAL TREASURER,

Olympia, W. T., Sept. 30, 1871.

E. S. SALOMON, GOVERNOR OF WASHINGTON TERRITORY:

SIR: In compliance with the request contained in your letter of this date, making inquiries relative to the outstanding indebtedness of this Territory, and also of status of the claims of the Sisters of Mercy for keeping the insane, I have the honor to submit the following report:

Whole amount of outstanding warrants unpaid..... \$27,889.41

The original amount due the Sisters of Mercy for keeping the insane was \$4,143.80, on which was paid March 1, 1871, interest to that date and \$1300 of

the principal, leaving a balance still due of \$2843.80, which is included in the above statement of outstanding warrants.

The amount of interest paid on outstanding warrants.....	\$ 1,738.19
The amount in Treasury.....	3,205.70
The amount due, the Territory from all the counties, including the assessment of 1871.....	48,458.78

Very respectfully,

Your most obedient servant,

HILL HARMON,

Territorial Treasurer.

The statement of the Auditor shows an increase in the value of assessed property of 1871 of \$2,123,733.34 over the assessment of 1870. The total amount of taxes assessed in 1870 was \$28,371.47, a large portion of which is still unpaid. The Auditor's report shows that the amount of delinquent tax, exclusive of the tax of 1871, is \$13,697.29. This is a large amount, and it is necessary that some means should be devised to compel county collectors to settle promptly with the Territorial Treasurer. The amount of outstanding warrants unpaid is \$27,889.41, nearly as much as the whole amount of taxes to be collected this year. The reports show that the whole amount due from all the counties to the Territory is \$48,458.78, but you must deduct from this \$13,697.29, the amount of delinquent tax, the payment of which is very doubtful. On these outstanding warrants the Territory pays interest. The interest paid on the warrant which the Sisters of Mercy hold against the Territory for keeping the insane, alone amounts to \$1,738.19, while the whole amount of the warrant originally was only \$4,143.80. Something should be done to reduce the debt of the Territory. The paying of interest and the present system of collecting our taxes must steadily increase our debt and make its payment more difficult. It ought to be made the duty of the Auditor and Treasurer to lay before the Legislature bi-ennially, a careful estimate of expenditures, thus enabling the Assembly to make the appropriations accordingly. The Treasurer should be guided in his payments of warrants by these appropriations, and the taking of money out of one fund to pay claims against another, should be prohibited unless there is money in the treasury not otherwise appropriated. In my opinion an entire revision of our revenue laws is necessary. I respectfully call your attention to the official reports of the Auditor and Treasurer, and I believe that from their statements and figures you will concur in this opinion.

PUBLIC LANDS.

The following letters from the Registers of the different Land Offices in the Territory show the number of acres of public lands disposed of under the several acts of Congress during the last two years:

REGISTER'S OFFICE,

Olympia, Sept. 18, 1871.

TO HIS EXCELLENCY EDWARD S. SALOMON,

Governor of Washington Territory

SIR:

In reply to yours of the 16th inst., I have the honor to submit the following as a report of all the lands disposed of at this office, under the several acts of Congress, from the first day of Sept. 1869, to 31st day of August, 1871, inclusive:

No. of acres sold for cash.....	200,197.00
No. acres entered under the homestead law of May 20, 1862.....	70,688.00
No. acres final proof made under homestead law of May 20, 1862.....	16,160.00
No. acres located with Agricultural College scrip.....	32,000.00
No. acres located with M. B. L. W. act, Mar. 3, 1855.....	7,360.00
Certificates issued for lands under donation law.....	13,822.00
No. acres filed on under pre-emption act, Sept. 4, 1841.....	75,082.00
<hr/>	
Total No. of acres.....	425,309.00

Very respectfully,

Your obedient servant,

J. P. CLARK,

Register.

LAND OFFICE AT VANCOUVER, W. T.,

September 25, 1871.

TO HIS EXCELLENCY EDWARD S. SALOMON:

SIR: The following is from the records of this office:

No. of acres sold at private entry.....	45,430.62
No. of acres entered under pre-emption act.....	8,534.14
No. of acres entered under homestead act.....	69,378.05
No. of acres commuted under homestead act.....	6,835.20
No. of acres located with College Land Scrip.....	2,399.12
No. of acres located with Bounty Land Warrants.....	1,247.47
No. of acres certified under donation act.....	3,780.34
Total number of acres disposed of from Sept. 15, 1869, to Sept. 16, 1871.....	137,604.94
Number of declaratory statements filed on unoffered lands.....	102
Number of declaratory statements filed on offered lands.....	83

Your obedient servant,

ENOCH G. ADAMS,

Register.

LAND OFFICE, WALLA WALLA,
September 23, 1871.

HON. E. S. SALOMON,

Governor of Washington Territory, Olympia, W. T.:

SIR: In answer to your letter of the 16th inst., addressed to Hon. Anderson Cox, I take pleasure in informing you that from the opening of this office, on the 17th of July to the 15th of September, the public lands were disposed of as follows:

Homesteads commuted and pre-emptions paid for with cash and warrants	4,200
Homesteads proved up.....	960
Homestead applications.....	2,878
Pre-emption filings.....	2,998
<hr/>	
Total	11,036

Very respectfully,
Your obedient servant,
WILLIAM STEPHENS,
Register.

These statements compare very favorably with those of two years ago. The total number of acres disposed of during twenty months from January 1, 1868, to August 31, 1869, were 253,722 acres, while the number of acres disposed of during the twenty-four months following were 563,949, an increase of 100 per cent. 270,155 acres, or nearly one-half of that amount, have been taken up under the homestead, pre-emption and donation laws, while of the land disposed of during the preceding twenty months, only 91,644 acres were taken under those laws.

The following communication from the Surveyor General shows the amount of land surveyed in the Territory:

SURVEYOR GENERAL'S OFFICE,
Olympia, Sept. 18, 1871.

HIS EXCELLENCY E. S. SALOMON,

Governor of Washington Territory:

SIR: I have the honor to acknowledge the receipt of your communication of the 16th inst., requesting a statement showing the number of acres of public lands surveyed in this Territory since the close of the fiscal year ending June 30, 1869, and in compliance therewith, present the following statement:

Total number of acres surveyed during the year ending June 30, 1870.....	304,483.67
Total number of acres surveyed during the year ending June 30, 1871.....	391,259.57
Number of acres returned and approved since the close of the fiscal year.....	176,429.35
Total surveyed since June 30, 1869.....	872,172.59
Amount previously surveyed.....	5,258,694.10
<hr/>	
Total surveyed and approved.....	6,130,866.69

Very respectfully,
Your obedient servant,
E. P. Ferry,
Surveyor General, Washington Territory

From this statement it appears that not one-seventh of the whole area of the Territory has been surveyed.

INSANE ASYLUM.

In accordance with an act of the Legislature entitled "An act to authorize the purchase of the Government Buildings at Fort Steilacoom for an Insane Asylum," approved December 2d, 1869, the Board of Commissioners, consisting of the Governor, Territorial Secretary and Territorial Auditor, purchased said buildings on the 15th day of January, 1870, for the sum of \$850. Section 4 of this act provides that said commissioners shall turn over said buildings to the commissioners for the care and custody of insane and idiotic persons, to be prepared and used by them as an Insane Asylum at the expiration of the present contract for keeping the insane. The contract of Messrs. Huntington & Son, of Monticello, expired July 15th, 1871. The patients could not be removed at the expiration of the contract, as the buildings at Steilacoom were not completed. We were compelled to leave them at Monticello until Aug. 17th. Mr. Huntington, the former contractor, offered to transfer the insane for \$750. The stage proprietors offered to do it for \$375, and the contract was awarded to them, but they failed to comply with their bid. Mr. Harmon transferred them to Steilacoom, his bill for doing so amounting to about \$550 currency. The Commissioners advertised for bids and awarded the contract for keeping and clothing the insane, to Mr. Hill Harmon, for the term of five years, he being the lowest responsible bidder. It was of course, necessary to make preparations and alterations of the buildings to adapt them to that purpose. This was done under the direction and superintendence of the contractor. Mr. Harmon deserves great credit for the work done. The Asylum is complete in all its appointments, and the unfortunates who are compelled to live there will be greatly benefitted by the neat and clean apartments and the cheerful surroundings. While the former contractors, Messrs. Huntington & Son, did all in their power to make their house a home for the patients, and while the good and humane treatment they received at the hands of these gentlemen and their ladies,

did much to alleviate their distressing condition, it cannot be denied that the change to the present institution, it being better adapted for that purpose, has already had a beneficial influence upon the inmates. In order to assure them the treatment demanded by justice and humanity, the commissioners thought it necessary to provide medical aid at the Asylum, and appointed Dr. Stacy Hemenway, an experienced and trustworthy physician, as medical adviser.

The bills for preparing the buildings at Fort Steilacoom have not yet been audited, as the act authorizing and ordering the Commissioners to prepare and use said buildings as an Insane Asylum, does not provide for the payment of the expenses necessary to be incurred in making such preparations. The bills will be laid before you and I would recommend that at an early day the Legislature visit Fort Steilacoom and inspect the Asylum, in order to fully appreciate the work done and the expenses incurred. There are at present twenty-three inmates in the Asylum. For other particulars, I beg leave to refer you to the annexed statements of the contractor, and the very complete and able report of the attending physician.

PENITENTIARY.

At the last session of the Legislature, Messrs. John McReavy, Fred A. Clark and L. F. Thompson were appointed a board of commissioners to locate the site for the Penitentiary, to have the lands selected, deeds recorded and to submit the papers to the Secretary of the Interior at Washington. The commissioners so appointed have complied with the orders of the Legislature. The title to the land so selected was found good and sufficient by the Attorney General, and Wm. E. Boone, Esq., was appointed Superintendent of Construction of the Penitentiary. Agreeably to instructions from the Secretary of the Interior, Mr. Boone advertised for bids and submitted them to the Secretary. The following letters will explain to you the present status of the proposed building:

DEPARTMENT OF THE INTERIOR,

Washington, D. C., Sept. 1, 1871.

SIR: I have the honor to transmit herewith, for your information and consideration, a copy of a letter addressed this day to Wm. E. Boone, Esq., Superintendent of Construction of the Penitentiary proposed to be erected on McNeill's Island, Washington Territory, where in this Department directs a suspension of the work until Congress shall have made an additional appropriation adequate to the purpose. The disappointment will not be so great, I trust, in view of the fact that very little of the work could be done before winter sets in, if a contract were made at this time, and it is deemed advisable to have the whole work completed in one season. The Department will represent to Congress, at its approaching session, the expediency and necessity for providing more money for the erection of the Penitentiary.

I am, Sir, very respectfully,

Your obedient servant,

B. R. COWEN,

Acting Secretary.

His Excellency the Governor of Washington Territory,

Department of the Interior,

Washington, D. C., Sept. 1, 1871.

SIR: I have received your letter of the 17th ultimo, transmitting, for the consideration of this Department, three several proposals, made by John T. Jordan, Robert Foster and Robert Frost, and F. A. Sproehnle, for the construction of one wing of the Penitentiary building proposed to be erected on McNeill's Island, Washington Territory.

By the proposal of Mr. Sproehnle, which appears to be much the lowest of the three, he agrees to erect one wing of the Washington Penitentiary, furnishing all material and labor, and in accordance with plans and specifications, including floors and one tier of cells for the sum of \$26,000. He also proposes to do the work, omitting the cells and brick floor, for the sum of \$21,000, and omitting the cells, floor and wharf, for \$19,985. This latter sum is the only one named which is within the amount of the appropriation, but it is apparent that making a contract for the erection of the mere shell of the building would not be carrying out the intent of Congress in appropriating twenty thousand dollars for the erection of Penitentiary buildings, as without cells such a building would be of no utility to the Territory of Washington as a place for the reception and safe-keeping of convicts. This, however, is not the only consideration touching the acceptance of any of these bids. Congress enacted, in an appropriation bill approved March 2, 1861, that "no contract or purchase shall hereafter be made unless the same be authorized by law or be under an appropriation adequate to its fulfilment," &c.

As it appears in this case, that a building, such as was contemplated by Congress to be erected for Penitentiary purposes, cannot be built for a sum within the amount of the appropriation, and being debarred by the provisions of the above-quoted law, from making a contract involving a greater sum than that appropriated for the purpose, I must decline accepting any and all of the bids proposed for the work. Nor can I authorize any further steps to be taken looking toward the erection of the Penitentiary, until an additional appropriation, adequate to the purpose, shall have been made by Congress. Application to that body for such additional appropriation, will be made at its approaching session.

You are hereby directed, therefore, to suspend operations in this matter, and will forward to this Department, for examination and settlement, such accounts as you may have contracted in this connection, for advertising, &c., and also your own account for salary, at \$1,500 per annum, from the date of your appointment, viz: April 6, 1871, to the 15th inst., inclusive. Allowance of your salary will be resumed whenever Congress shall appropriate an additional sum, sufficient to justify the Department in directing the further prosecution of the work, should Congress make such appropriation.

I am, Sir, very respectfully,

Your obedient servant,

B. R. COWEN,

Acting Secretary.

Wm. E. Boone, Esq., Sup't of Construction, &c., Olympia, W. T.

There are at present 12 inmates in the jail at Steilacoom, which has been used as a Penitentiary so far. The place is entirely unfit for that purpose. But as you will observe from the foregoing letters, that at an early day we will have a safe and substantial Penitentiary building, I deem it not necessary to say any more on the subject. Attached to this communication you will find a report of pardons granted by me since May, 1870.

TERRITORIAL UNIVERSITY.

By the tenth section of the act of Congress approved Sept. 27, 1850, usually known as the donation law, and while this Territory was an integral portion of the Territory of Oregon, two townships of land, west of the Cascade Mountains, one to be located North and the other South of the Columbia river, were granted to Oregon to aid in the establishment of a University in said Territory of Oregon. By section four of the amendatory act approved July 17, 1854, in lieu of said grant, there was reserved to each of the Territories of Washington and Oregon, for Universities, two townships of land of thirty-six sections each, to be selected for University purposes under the direction of the Legislatures of said Territories respectively. At the session of 1860-61 the Legislative Assembly of this Territory passed two acts: the first locating the University at Seattle, and directing that the proceeds of sales of said land be applied to the support and endowment of said University, (p. 4 laws W. T., 1860-61.) The second (p. 17, laws 1860-61) created a Board of Commissioners to locate lands, sell the same and contract for the clearing and improving of the University site. With these powers conferred, the University lands have been sold, and I am informed but a single fraction remains, if any. By act of Congress approved March 18, 1864, the sales of the Commissioners were approved and the title to said land vested in the Territory and its *bona fide* vendees. It is not my purpose to inquire as to the policy of these acts nor their legality. The land has been disposed of, a building is erected upon the site well adapted to educational purposes. But it is our duty now to see what can be done to render useful the action of Congress, as also the acts of our predecessors. Would it not be well to memorialize Congress for an additional grant of land to aid in carrying on the University, the income alone of the funds derivable from the sale, to be used from time to time in the support of such institutions? It would probably be best to have the grant in the form of a reservation, until we shall have become a State. There is a vast amount of land valueless now, or comparatively so, which, if selected and reserved, would in a very few years be the basis of a fund which would be most valuable to our successors and their children. And surely there could be no better appropriation of the public domain than in fostering and aiding the cause of education. I submit this matter to your earnest consideration as the subject of an early and urgent memorial to the National Legislature.

TERRITORIAL LIBRARY.

The Territorial Library contains about 2000 volumes. Books have frequently been taken from the Library by parties who have never returned them, and thus some of the most valuable sets have been broken. Our courts and attorneys are often in need of these missing volumes, and some of the more important works should be completed. By the catalogue of books appended to the report of the Librarian, you will find what volumes are missing, and you are to judge which of them ought to be replaced. Under the efficient management of the present Librarian, the Library has been kept in excellent order, and no books have been lost.

EDUCATION.

I have endeavored to obtain some statistics in regard to education, from the different county superintendents of common schools. Only a few have replied to my inquiries, and I am therefore unable to lay before you such a statement as I desired to make. I deem it, however, of the utmost importance that a suitable person should be appointed Superintendent of Public Instruction, whose duty it should be to bring uniformity into our public school system, and who should have the necessary powers vested in him to exercise a control over the county superintendents, compelling them to report, and thus enable him bi-ennially to lay before the Legislature an intelligent statistical report, with such recommendations as his experience and observations would suggest.

I have received a great number of letters from all parts of the Union, requesting information about this Territory, its soil, climate and resources, but the first and most important question invariably asked is: "What are the facilities for educating my children?" These facilities are not what they ought to be, and I could only answer that the Legislature would undoubtedly give this question due consideration. It is true, our taxes are heavy, but no citizen who can appreciate the value of a good education will object to pay for procuring it for his children. I hope this subject will receive your careful attention.

IMMIGRATION.

One of the obstacles in the way of immigration to this Territory has been the difficulty of getting here; but nevertheless, there has been an unusual influx of population during the last two years. Numerous reports have been written and published on the resources of this Territory, many of which have been too highly colored. People, misled by these representations, have come here with great expectations and found themselves sadly disappointed. Our Territory offers inducements enough to settlers, and it is entirely unnecessary to state anything but the truth. From many letters I have received, it seems that the people have lost faith in these voluntary statements, and I would therefore recommend that a Board of Immigration, consisting of three or five good citizens, be appointed, and that this Board be provided with the necessary means to furnish officially such information as is desired by parties contemplating settlement in the Territory. This Board ought to keep a careful record of its correspondence, and report bi-ennially to the

Legislature. Many of the Western States and Territories have adopted this plan of furthering immigration, and when properly managed, it has proved very successful.

REPORTS OF CASES IN THE SUPREME COURT.

I respectfully submit to you whether the time has not fully arrived to secure the collection of the reports of cases tried and determined in the Supreme Court of the Territory. That tribunal commenced in 1854, and has held, with possibly one or two exceptions, an annual term. Probably six cases have been passed upon annually, settling the practice and the law of the Territory, and rendering adjudications in some instances upon very important principles of law. No attempt has been made to render valuable these decisions, if we except the publication of the opinions rendered up to 1864 and printed as an appendix to the Journal of the Council of the session of 1864-65. A collection of opinions, however, is not sufficient. It is thought that from the briefs of arguments, the assignment of errors and the transcripts, statements of the cases determined can be presented, and thus render our judicial history not only intelligible, but most valuable to the people who must entrust, more or less, their most vital interests to attorneys.

The office of Reporter of the Supreme Court might be created, with requisite authority to receive the records in these cases, have the briefs of counsel placed in his hands, with leave to use the opinions after their rendition. You have to settle whether the Territory is able and should authorize the publication of his labors, and provide the means therefor. It would be out of my province to suggest details. I have been impressed with the necessity and importance of the subject, as an aid to our people, its courts and officers, and I earnestly request you to give it shape, if you concur with me in its utility and benefit.

SPECIAL TERMS OF COURT.

It would be a great convenience to suitors in the Courts of this Territory, if provision were made by law for a reasonable number of Special Terms of Court, at which defaults, settlement of issues, and all matters except trial or hearing of causes on their merits, could be attended to and disposed of. Now the space between terms is so great that creditors are in danger of losing their claims in the interval. Whether such provision be made or not, there should, in justice, be some law which would enable the District Judges to attend to judicial business at places distant from their residences, without having to defray the expense out of their salaries. Such a law would be well calculated to promote the convenience of suitors, and would dissipate the delicacy which is now felt in asking the Judge to leave his residence to attend to business in vacation.

LUMBER AND MANUFACTURES.

Our mills and factories are in a flourishing condition as the following figures will show. Lumber is the principal article of manufacture, especially on Puget Sound, and ships of all nations can daily be seen at the different ports of the

Sound to transport this great commodity to all parts of the world. Thirty-seven saw mills of this Territory have, during the last year, used 139,357,927 feet of logs and manufactured 130,421,927 feet of lumber. Of this number, twelve mills on Puget Sound have used 125,460,815 feet of logs, and manufactured 117,067,927 feet of lumber. Although our supply of lumber seems almost inexhaustible, it becomes necessary to devise some effective means to check the destruction of the most valuable parts of our forests by fire. The damage done during the last three or four summers is alarming, and some law ought to be passed and rigidly executed to protect this most important branch of our industry.

No part of the United States offers greater facilities and better material for ship building than Puget Sound, and as our population increases this will become one of the most important branches of business. During the year there were built on Puget Sound nine vessels as follows:

	TONS.
One sloop	5.94
Two steamers	122.78
Five schooners	149.42
One ship	1099.02
	<hr/>
Total.....	1,377.16

COMMERCE.

The commerce of the Territory is steadily increasing, and the following statistics of the commerce and shipping of Puget Sound, as gleaned from the Custom House reports for the year ending June 30, 1871, are very gratifying:

	VALUE.
Dutiable imports entered direct.....	\$ 33,797.94
Exports to foreign countries.....	393,048.06
	<hr/>
Excess of exports.....	\$359,251.00

The value of exports in American vessels was \$302,584; in foreign vessels, \$90,464.

Passengers arrived from foreign countries.....	4,000
Departed for foreign countries.....	3,681
	<hr/>
Excess of arrivals.....	319

Belonging to the District of Puget Sound there are 98 vessels, with an aggregate of 24,552 73-100 tons, as follows:

	NO.	TONS
Sail vessels	70	21,617 69-100
Steam	22	2,843 73-100
Barges	6	91 31-100

The following vessels arrived and cleared during the year :

	VESSELS.	TONS.	MEN.
American, from foreign ports.....	116	39,487	1,538
Foreign, " " " "	92	25,486	1,060
In coastwise trade, entered.....	71	43,609	1,297
CLEARED.			
American, for foreign ports.....	140	58,763	2,161
Foreign " " " "	98	28,093	1,164
Coastwise " " " "	24	13,988	340

The above entrances and clearances include all vessels arriving from and departing for foreign ports. Foreign vessels from and for domestic ports are not included in the coastwise arrivals or departures. As but few vessels (probably not more than one-sixth) from or for San Francisco are required to report at the Custom House, the coastwise trade appears in the above table much less than it really amounts to.

The number of vessels arrived in coastwise trade is about 426, of 261,654 tons, and the number of vessels cleared about 144 of 83,928 tons.

The value of the products of fisheries from October 1st, 1870, to June 30th, 1871, is \$33,195.

THIRTEENTH LIGHT HOUSE DISTRICT.

The Light Houses belonging to the United States are comprised within thirteen districts, all under control of the Light House Board. The thirteenth district commences with the light at Cape Arago, on the Pacific, and includes all the light houses north of it. An officer of the United States navy is detailed to take charge of each district. He has at his command a suitable vessel for his tour of inspection, and controls all work and repairs on light house buoys and other appliances of the service. The disbursements made by this officer amount annually to about seventy-five thousand dollars. All but two of the light houses in the thirteenth district are on the Capes, Headlands, and Islands of this Territory. Some two years ago, the inspector in charge of this district was relieved and his duties have since been performed by officers of the twelfth district stationed at San Francisco, and the disbursements for this district have been made in that city. The rapidly increasing commerce of Puget Sound, both coastwise and foreign, demands an increase of light houses on our coast and at the mouths of several of our bays and harbors. An inspector stationed at Port Townsend would not fail to see this, and his official recommendations would be of service in securing these additional safeguards to the commerce of the Sound. The thirteenth district was created by an act of Congress which has never been repealed. The power of appointing a resident inspector for it is vested in the Light House Board at Washington, of which Admiral Shubrick is chief. I would respectfully recommend this important subject to your consideration.

OUR MINERAL WEALTH.

No geological survey of this Territory has ever been made. Miners prospecting our gulches and mountain streams for the precious metals, have found frequent indications of iron, manganese, galena and other valuable ores, which constitute more substantial sources of prosperity than mines of silver and gold. The existence of coal formations of superior quality, in quantities practically inexhaustible, has been demonstrated by the enterprise of our people. Supplies of lime, ample for building and smelting purposes, have been discovered. These stores of coal and lime, if supplemented by large deposits of iron ore, will furnish a vast field for the employment of labor and capital, and contribute a new and important element to our prosperity.

The employment of a competent geologist in the western portion of our Territory would facilitate the discovery of these useful ores, and hasten the introduction of this branch of industry. The financial condition of this Territory would scarcely justify the Legislature in providing for the employment of a competent geologist. A large proportion of the land within our borders belongs to the general government. Congress every year makes liberal provisions for scientific explorations of the public domain under the direction of the Secretary of the Interior. A memorial from your honorable body to Congress, requesting an appropriation for a thorough scientific exploration of this Territory, would unquestionably receive favorable consideration, and accomplish the desired result.

NORTH PACIFIC RAILROAD.

This enterprise, which has attracted so much attention in the United States and Europe, has made great progress since the last session of the Legislature. The work on the road in this Territory was begun last spring and is prosecuted with vigor and an earnest determination on the part of the directors of the Company to complete the branch connecting the Columbia River with Puget Sound at an early day. The people of the Territory have waited long and patiently for this road, and have to a great extent built their hopes and expectations of a prosperous future upon the realization of this project. They will at last be compensated for their patience and perseverance. The whistle of the locomotive and the rolling of the cars will soon re-echo through the forests of the Territory. With the completion of this road a new impetus and encouragement will be given to commerce and manufacture, and the husbandman will double his exertions, knowing that by these means of transporting his products to market he will receive such compensation for his labors as will stimulate him to further efforts to prosecute his noble calling with profit and success. I am not aware that the directors of the road desire or need any legislation to facilitate their work, but if they do, I doubt not that anything reasonable and in the power of the Legislature, will cheerfully be done to further this project from which the people of this Territory justly expect such beneficial results.

CONCLUSION.

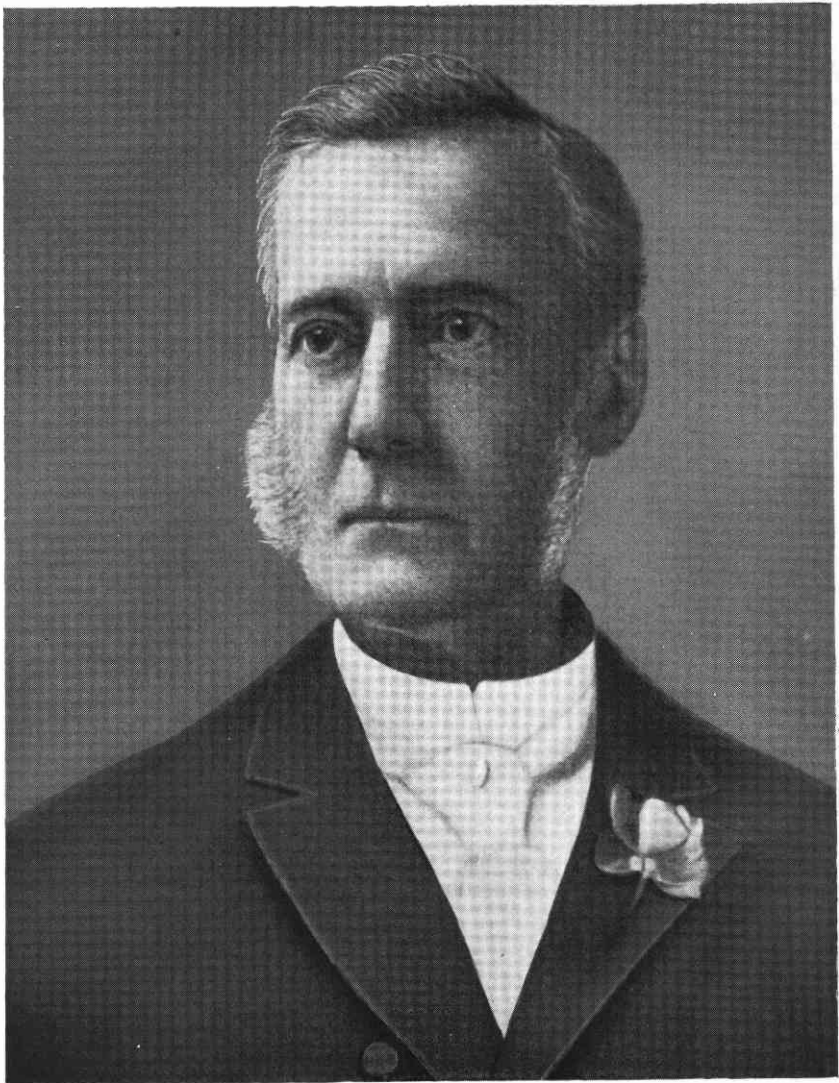
I am aware that you are thoroughly identified with the best interests of our Territory, and that you are fully cognizant of the wants and demands of the people. The great confidence placed in you by your constituents in electing you to the most responsible positions in their gift, justifies me in the belief that your deliberations and work will be distinguished by wisdom and patriotism.

I will not make any further suggestions as to the laws to be passed or the work to be done, but take pleasure in assuring you that you will have my hearty co-operation in everything that may tend to the benefit of our people, and conduce to their prosperity. Upon your labors depends to a great extent the future welfare of our Territory.

If you are guided in your legislation by impartial justice and the true interests of the people, you cannot fail to fulfil the mandates of your electors. Let us hope that your deliberations will be conducted in a spirit of harmony, good will and charity, and that your work will entitle you to the gratitude and respect of your constituents.

EDWARD S. SALOMON.

Executive Office, Olympia, Oct. 2, 1871.



Governor Elisha P. Ferry
1872-1880

ELISHA P. FERRY

Elisha P. Ferry, territorial governor from April, 1872 to April, 1880, and the first governor of the State of Washington, was born in Monroe, Michigan, August 9, 1825. In 1846 he moved to Waukegan, Illinois, where he built up a successful law practice over a period of twenty-three years and served as first mayor of the city. He interested himself mildly in politics there, was chosen presidential elector in 1852 and 1856 and in 1862 was a member of the Illinois constitutional convention. For two years, 1861-1863, he was a bank commissioner; the war years saw him serving also as assistant state adjutant general with the rank of colonel. In 1869 President Grant appointed him surveyor-general of Washington Territory. Three years later he was promoted to the position of governor.

Ferry's earlier administrations were not disturbed by wars or sensational political changes but were marked by the increasingly rapid development of the territory. In 1880 he removed to Seattle where he practiced law and in 1887 became the president of the Puget Sound National Bank. In September, 1889, he received the Republican nomination for governor. The election saw him victorious by a majority of 8,000 votes, a fitting acknowledgment of the esteem in which he was held in the territory.*

**Dictionary of American Biography*; Meany, *Governors of Washington*, 47-49; Clarence B. Bagley, *History of Seattle from the Earliest Settlement to the Present Time*, 3 vols. (Chicago, 1916), III, 534-537.

Governor Elisha P. Ferry to the Fourth Biennial Session of the
Legislative Assembly, October 9, 1873.¹

Fellow Citizens of the Council and House of Representatives:

It affords me unfeigned pleasure to meet for the first time, the Representatives of the people, who have convened for the purpose of adopting such measures as will best advance the material interests of the Territory and promote the welfare and prosperity of the whole people. You have assembled at an important period in our history. At no time in the past have such grave and responsible duties devolved upon the Legislative branch of the government, as will devolve upon you. We are about to emerge from a state of comparative isolation, into more enlarged commercial and business relations with other portions of our common country. The construction of railroads, the organization of corporations for commercial, manufacturing, mining and other purposes, and the increase of capital and population naturally resulting therefrom, may render necessary many important amendments to our present laws, or the enactment of others adapted to the new and changed condition of affairs. Many causes are rapidly combining to give us in the immediate future a large increase of wealth and population. Among these may be mentioned the construction of the Northern Pacific Railroad and the prevalence elsewhere of more correct conceptions in relation to our climate, resources and agricultural productions than those which were formerly entertained. The growth of the Territory has been very much retarded in the past, by the existence of erroneous opinions of our climate. Looking only at the parallels of latitude which pass through the Territory, those who were not personally cognizant of the facts, and were not aware of the natural causes which produce, on the Northern coast of the Pacific Ocean, a mild and equable temperature throughout the year, assumed, that our climate and agricultural productions were similar to those in the same latitude on the Atlantic. They inferred, that our climate was extremely cold and rigorous for many consecutive months, and that our agricultural capacity was limited mainly to those productions found outside of the temperate zone. These views are, however, gradually being changed by the dissemination of facts, through the public press and otherwise, and by the exhibition in the larger cities, of the Western and Atlantic States, of specimens of our remarkable agricultural productions. Public attention throughout the whole country is now strongly directed to this Territory, and we may reasonably expect in the future a larger share of prosperity than we have experienced in the past.

NORTHWESTERN BOUNDARY.

Since the close of the last session of the Legislative Assembly an important international question which had for many years been pending between the United States and Great Britain has been finally settled by an amicable arbitration. I refer to the boundary line between this Territory and British Columbia. The first article of the treaty concluded at Washington on the 13th of June, one thousand

¹ Published by order of the assembly, Olympia, Bagley and Harned, Printers, 1873.

eight hundred and forty-six, between the United States and Great Britain, stipulated, that the line of boundary between the territories of the United States and those of Great Britain should be continued westward along the forty-ninth parallel of North latitude, "to the middle of the channel which separates the continent from Vancouver's Island, and thence Southerly through the middle of said channel and of Fuca Straits to the Pacific Ocean." There being two channels, the Government of Great Britain claimed that Rosario Straits, or the Eastern channel, was the one referred to, and the United States claimed that the Canal de Haro, or Western channel, was the true boundary line fixed by the terms of the treaty. Commissioners were appointed by the respective Governments to settle the boundary line, who were unable to agree. San Juan, one of the islands lying between the two channels was, in 1859, occupied by the military forces of the United States, which act threatened, for a time, to disturb the friendly relations existing between the two governments. Subsequently an arrangement was entered into for a joint military occupancy of the territory in dispute, until a final settlement of the line of boundary should be arrived at.

By the XXXIV article of the treaty concluded at Washington, May 8th, one thousand eight hundred and seventy-one, it was agreed that the respective claims of the Government of the United States and of the Government of Great Britain should be submitted to the arbitration and award of the Emperor of Germany. After a full examination and consideration of the question, on the 21st of October, 1872, he decided that the boundary line contemplated in the treaty of 1846, was the Canal de Haro, thus sustaining in full the claims of the United States. Immediately after receiving notice of this decision, I caused civil authority to be re-established over the islands lying between the two channels, and I am pleased to be able to inform you that these islands now form, indisputably, a part of the county of Whatcom, in the Territory of Washington. I suggest the propriety of forming these islands into a new county.

FINANCE.

The financial condition of the Territory during the past two years has been steadily improving, and with the present rate of taxation, prompt payment of taxes and economy, the Territory may be free from indebtedness, its credit fully restored, and a balance left in the treasury at the close of the coming fiscal year. Many counties are delinquent for taxes due the Territory for the years 1871 and 1872, and several for previous years. According to the books of the Territorial Auditor, the aggregate amount due from these counties is \$12,738.81. This with \$56,033.76 remaining unpaid of the taxes of 1873 is apparently sufficient to liquidate the entire indebtedness of the Territory and leave a balance in the Treasury of \$41,860.05. It is quite probable, however, that many counties are entitled to credits which they have not claimed nor received. These, when allowed, will reduce this balance to some extent. By the delinquency of these non-paying counties, those counties not in default are compelled to pay interest on the amount due from delinquent counties. This of itself is wrong and unjust. Should however

these counties remain in default, an additional burden of taxation will be imposed upon those counties not in arrears, to meet the indebtedness already existing, and thus the prompt paying counties will be punished instead of rewarded for their strict and punctual compliance with the revenue laws.

I especially call your attention to this subject, and suggest the enactment of such laws as may be necessary to compel the counties in default to liquidate their indebtedness without delay; and to prevent, in the future, a recurrence of these defaults. The reports of the Auditor and Treasurer, which will be laid before you, will give in detail the financial situation of the Territory on the 30th ultimo. From them, and from preceding reports I have obtained the following summary:

Assessed value of property, 1871.....	\$11,582,890.00
Assessed value of property, 1873.....	14,125,160.00
Increase	2,542,160.00
Indebtedness of the Territory, including interest, Nov. 1, 1871.....	38,586.72
Indebtedness Sept. 30, 1873, including interest.....	29,717.77
Cash in Treasury.....	3,805.25
Decrease of indebtedness, including cash in the Treasury	12,674.10

BOARD OF EQUALIZATION.

The 6th section of the act of Congress "to establish the Territorial government of Washington," provides that "all taxes shall be equal and uniform; and no distinction shall be made in the assessments between different kinds of property, but assessments shall be according to the value thereof." To give full effect to this provision it must be evident that assessments of property in each county must be fully up to the value thereof, or in each county, the assessed value must bear the same proportion to the true value. Assessments according to the actual value are plainly and clearly contemplated, but experience has shown, in this Territory and elsewhere where similar laws exist, that assessments are seldom made on this basis. Under present laws, the whole subject is left with the commissioners in the several counties; and although great disparity may exist in one or more counties between the actual and the assessed value of property, no remedy is provided. This being the case, it must be obvious that a revisory board is necessary, to equalize assessments in the several counties in order that taxation may be equal and uniform throughout the Territory. If real and personal property is assessed in one county at its full value, and in another at one-half its value, the tax-payer in the former will pay his just proportion of territorial taxes, while the latter will pay only one-half. I would, therefore, recommend that a Board be created to equalize assessments in the Territory. The number of which the Board shall consist, and the manner of their election or appointment, I leave for your consideration.

AGRICULTURE.

The belief exists very generally abroad, and to some extent at home, that the Territory of Washington, especially that portion lying West of the Cascade Mountains, is not adapted to agriculture, and that the Territory is far behind other Territories in agricultural development and productions. This belief is not well founded. Washington, in the year 1870, ranked every Territory in the United States in the number of acres of improved land, and in the aggregate value of farms, as will be seen from the following taken from the last United States census reports:

Territories	No. of Farms	Acres of Land		Value
		Improved	Unimproved	
Arizona.....	172	14,585	7,222	\$ 161,340
Colorado.....	1,738	95,594	224,752	3,385,748
Dakota.....	1,720	42,645	259,741	2,085,265
Idaho.....	414	26,603	50,536	492,860
Montana.....	851	84,674	54,863	729,193
New Mexico.....	4,480	143,007	690,542	2,260,139
Utah.....	4,908	118,755	29,606	2,297,922
Wyoming.....	172	338	4,003	18,187
Washington.....	3,127	192,016	457,123	3,978,341

When it is recollected that New Mexico has almost four times the number of inhabitants that Washington has; Utah more than three times, and Colorado nearly double; that Washington is the smallest in area of all the Territories, many of them having twice the number of square miles that we have, the advanced position occupied by our Territory in agriculture will be still more apparent. It is not probable that the Territory has lost this pre-eminence since the last census.

During the past two years there have been taken by homestead and pre-emption claimants:

	Olympia Land Office.	Vancouver Land Office.	Walla Walla Land Office.
Homesteads	524	261	190
Pre-emptions	1,537	156	617

Making a total of three thousand, three hundred and eighty-five claims within two years. In addition to these settlements on public lands, the Northern Pacific Railroad Company has made extensive sales to actual settlers. I have no means of ascertaining what portion of the lands settled upon during the past two years has been improved.

Not for the purpose of comparison, but to correct wrong impressions, a few statistics taken from the census reports, are submitted :

Number of farms West of Cascade Mountains.....	2,310
Number of farms East of Cascade Mountains.....	817
Number of acres of improved land West of Mountains.....	135,407
Number of acres of improved land East of Mountains.....	56,609
Average number of acres of improved land per farm.....	61 4-10

The major proportion of agricultural products raised in the Territory during the year referred to, except wheat, was raised West of the Mountains.

Thus it appears that the portion of our Territory lying west of the Mountains, which has been by many supposed to be almost destitute of agricultural land, had at the time referred to, a greater number of acres under cultivation than any other Territory except New Mexico, and only 7,600 acres less than that. These facts should forever set at rest the question of the agricultural capacity of Western Washington.

Since the last census the relative proportion of agricultural products, particularly wheat, raised East and West of the Mountains, has undergone a very great change. From reliable information and from personal observation, I am fully warranted in stating that the product of wheat in Walla Walla county alone, the present season, is three fold greater than the entire product of the Territory in 1870. The average quantity raised per acre, the present year, is estimated to be forty bushels, and it is also estimated that the county has a surplus for exportation of 500,000 bushels. Not only this county, but many others East of the Mountains, cannot be surpassed for wheat raising, either as regards quantity, quality, or certainty of production. When adequate and cheap transportation is provided for their productions, this part of the Territory will be speedily occupied by an agricultural population, and become one of the richest and most prosperous portions of our country.

PENITENTIARY.

By act of Congress of February 22d, 1873, the proceeds of the Internal Revenue collected in this Territory in the fiscal years 1866, 1867 and 1868, to the amount of forty thousand dollars, were set aside and appropriated for the purpose of erecting, under the direction of the Secretary of the Interior, a Penitentiary building in the Territory upon the site designated by the Legislative Assembly in 1869, and subsequently approved by the Secretary of the Interior. The amount appropriated being found inadequate for the completion of a suitable Penitentiary building, William E. Boone, Esq. Superintendent of Construction, on the 28th of April 1873, in pursuance of instructions from the Secretary of the Interior, entered into a contract with Isaac C. Ellis, Esq. for the erection of one wing of the building, with forty-two cells complete, for the sum of thirty-seven thousand eight hundred dollars, he being the lowest responsible bidder therefor. The work is now progressing, and will be completed before the 28th of November next, the time specified in the contract. By an act of Congress approved January

10, 1871, the Penitentiary, when ready for the reception of convicts will be placed in the custody and control of the Marshal of the United States, for this Territory, under such rules and regulations for its government, and for the subsistence and employment of offenders against the laws of the United States and of this Territory as may be prescribed by the Attorney General of the United States. Persons convicted under the laws of the Territory and sentenced to imprisonment, may be confined in the Penitentiary at the cost and expense of the Territory.

If Territorial convicts are to be confined in the Penitentiary it will be necessary for you to provide by law for the removal of prisoners now confined in county jails, and for the payment to the United States of the compensation which may be fixed by the Attorney General for the subsistence of convicts imprisoned under the laws of the Territory.

The General Government, having by act of Congress, approved January 24th, 1873, transferred to the Territories of Montana, Idaho, Wyoming and Colorado the Penitentiaries, respectively erected therein, I presume that the same course will be pursued in relation to the Penitentiary in this Territory if it is deemed advisable to have the same under the care and control of the Territory. I submit this matter to your consideration.

POPULATION.

The increase of population in the Territory during the past three years, taking into consideration our remoteness from the great centers of population, and the difficulty and expense attending immigration, has been fully equal to reasonable expectations. According to the last United States census, we had a population in June 1870 of 23,995. The Territorial census of 1873 shows 31,037 inhabitants, being an increase in two years and nine months of 7,042, and a rate of increase for that period of thirty per cent.

We cannot expect a large immigration until we have full and direct railroad communication with the East. We may, however, before that time arrives, add materially to our population, by adopting plans similar to those adopted by many States and Territories to procure immigration. And in this connection I call your attention to and earnestly renew the recommendation of my predecessor, for the appointment or election of a

BOARD OF IMMIGRATION.

The great advantages resulting to those States and Territories which have organized systems to induce immigration, furnish us strong reasons for following their example. The manifest want of our Territory is population, and one of the best instrumentalities to secure this, is through a Board, especially charged to make known throughout the Eastern States and Europe the exhaustless resources of our Territory, and to procure cheap transportation for all those who desire to come hither. We may have direct railroad communication with the East, yet if other Territories avail themselves of organized efforts to secure immigration and we do not, we will certainly fail to receive that full share of immigration to which

we are entitled. No objection occurs to my mind against the appointment of such a Board. The powers which should be conferred upon it, and the means placed at its disposal, are of primary importance, as on these will mainly depend its efficiency and success.

INSANE ASYLUM.

The reports of the Board of Inspectors of the Insane Asylum show that this institution is humanely and prudently conducted. I can also from personal inspection, bear testimony to the excellent condition in which the grounds and buildings are kept, and the kind and considerate manner in which the unfortunate inmates are treated. Additional accommodations for patients will soon be imperatively necessary. The number of patients in the Asylum at the date of the last report to the Legislative Assembly was twenty-three; now there are thirty-six. For full information in relation to the Asylum and the improvements required, I refer you to the reports of the Superintendent in charge, and of the attending Physician.

CENTENNIAL EXPOSITION.

The one hundredth anniversary of American independence will be celebrated in the city of Philadelphia, in the year 1876, by an international exhibition of arts, manufactures and products of the soil and mine. The President of the United States, in accordance with the act of Congress providing for this exposition, has appointed Commissioners from each State and Territory to prepare and carry out plans for the exhibition. Hon. Elwood Evans has been appointed Commissioner, and Hon. A. S. Abernethy alternate Commissioner from this Territory. The former attended the annual session of the Commission in the city of Philadelphia, in May last. Considerable progress has been made by the Commission, and from the plans adopted and the general interest manifested, we have reason to believe that this exhibition will surpass in magnitude and importance every other that has ever been held in this or any other country.

Washington Territory and its productions should be fully represented at this exhibition. No better opportunity can ever be offered, to enable us to show to the world the products of our mines, our forests, our fields, our orchards, our gardens, and the progress we have made in arts and manufactures. The Exposition will open on the 19th of April and close on the 19th of October, 1876. I earnestly recommend that a liberal appropriation be made to defray any necessary expense that may be incurred to secure a representation at the annual session of the Commission, and a full co-operation by this Territory with the other Territories and States in this grand and patriotic undertaking.

EDUCATION.

The report of the Territorial Superintendent of Common Schools will probably be laid before you, showing the condition of education matters in the Territory, and the results of the school law adopted by the last Legislative Assembly. As I have not been furnished with a copy of the report, I am unable to make any

suggestion based thereon. I cannot, however, refrain from referring to a subject which should be not only with you, but with every citizen, one of paramount importance.

A free government cannot long exist unless general instruction is provided for the masses by means of common schools and other educational institutions. Our government is of the people. Their judgment will control and decide its future destiny. The judgment of an ignorant people is as liable to be wrong as right. They are liable to be governed by prejudice and passion, and will be the dupes of intrigue and the tools of demagogues. The intelligent citizen is qualified to consider and decide, and will generally decide correctly, the many questions which may arise affecting the best interest of his country. Aside from these general considerations, there is another affecting us locally. The emigrant when looking for a new home, will prefer to settle where his children can have educational advantages. The existence of good common schools in every locality in our Territory, and of graded schools in the cities and larger towns will aid materially in securing us an intelligent and enterprising population in the future.

TERRITORIAL UNIVERSITY.

The Territory has had for a number of years, a fine, commodious University building, but owing to the very limited means at the disposal of the Board of Regents, it can hardly be said that we have a University except in name. Experience has fully demonstrated that with the present endowment it is impossible to conduct the institution on a University basis. I would therefore urgently recommend that a sufficient appropriation be made to enable the Board of Regents to establish and maintain a course of instruction, equal at least to that provided in first-class seminaries and academies.

CONCLUSION.

We have reason to feel profoundly grateful to the Divine Ruler for the general prosperity that has existed in the Territory during the past year. While other portions of our common country have been visited with pestilence in various forms; with violent storms on sea and land, destructive of life and property; with conflagrations, sweeping from existence in a few hours the accumulations of years, we have been happily and fortunately exempt.

Our growth in wealth and population may not have been commensurate with the hopes and expectations of many, yet we have reason to be thankful for the large measure of prosperity that we have experienced, and for the healthiness that has so generally prevailed.

GENTLEMEN:

You will have my willing and hearty co-operation in every measure calculated to develop the resources of the Territory and promote the well-being and happi-

ness of the people. And I sincerely trust that your sessions may be harmonious and that all your acts may meet the approval of your constituents.

ELISHA P. FERRY.

EXECUTIVE DEPARTMENT,
Olympia, October 9, 1873.

Governor Elisha P. Ferry to the Fifth Biennial Session of the
Legislative Assembly, October 5, 1875.¹

Gentlemen of the Council and House of Representatives:

During the two years which have elapsed since the meeting of the last Legislative Assembly, our Territory has been favored with a fair measure of prosperity. Every branch of productive industry engaged in by our people, has generally proved remunerative. The farmer, the merchant, the mechanic and the manufacturer have received reasonable returns from the investment of their capital and labor. Baseless anticipations of immediate, unlimited wealth, indulged in by speculators and others, may not have been realized; but all faithful and honest efforts, in legitimate lines of business, have been fully rewarded.

Our commerce and manufactures are steadily increasing, and the aggregate of production for exportation has been largely augmented. The excitement in relation to real estate, which recently prevailed at many points, has fortunately subsided, without entailing the ruinous consequences usually resulting from wild and visionary speculations. We have special reason for gratitude towards the Great Ruler of the Universe, Who has in so marked a manner, protected us from the many misfortunes which have befallen other portions of our common country.

The recent financial disasters, in several of the great commercial centers of the nation, have not seriously affected us. We have not suffered, as many other localities have, from excessive cold in winter, nor blighting drought in summer, nor from disastrous floods, causing wide spread desolation, and lamentable destruction of life and property. Our bountiful harvests have been gathered without molestation from that insect scourge, which elsewhere, by myriads, devastated counties and States, leaving them barren wastes, and their inhabitants suffering the pangs of hunger and starvation, which our people nobly assisted to alleviate. Our exemption from these calamities, and especially from climatic extremes, furnishes gratifying evidence of the superiority of the agricultural advantages possessed by our Territory; and when we can also refer to our production of all the cereals, fruits and vegetables, indigenous to the temperate zone, unsurpassed in quantity and quality, we feel fully warranted in saying, that our Territory presents inducements to the agriculturalist, equal to those of the most favored State or Territory.

¹ Delivered October 6, 1875; published by order of the assembly, Olympia, C. B. Bagley, Public Printer, 1875.

POPULATION.

I am unable to lay before you with accuracy, any definite statement of the present population of the Territory. In one of the largest counties, unavoidable causes, prevented the taking of a census the present year. From others, no reports have yet been received by the Territorial Auditor, and the returns from many are obviously incorrect and unreliable. My estimate of the present number of inhabitants is thirty-six thousand, showing an increase in two years of nearly five thousand.

This is exceedingly gratifying, when we take into consideration, that during this period, no systematic nor vigorous efforts have been made to secure immigration; that influences have been operating to keep population away from us, and that many of our people, becoming disheartened by the remoteness of the prospect of the completion of the N. P. R. R., removed elsewhere. The tide has now evidently turned, and we see many of those who left us under those depressing influences returning to their old homes, fully impressed with the knowledge acquired by experience and observation, that our Territory, for health, climate and opportunities for profitable business, is unequalled. Within the past year we have received a considerable accession to our population both east and west of the mountains. This can be very largely increased in the future, by the use of those means which have proved successful in other Territories.

BOARD OF IMMIGRATION.

I deem it a matter of the highest importance that provision be made for the appointment and organization of a board of immigration, and that an adequate appropriation be made, to enable them to inaugurate and put into successful operation the measures necessary to secure a largely increased immigration to the Territory. The benefits which will result from the efforts of such a board, must be obvious, and are apparent in those States and Territories where this instrumentality has been made use of to secure population. Before emigrants coming from the East can reach our Territory, they are compelled to pass through many States and Territories where efficient boards of emigration and their agents are industriously and actively at work, not only in placing before the emigrant the advantages possessed by their respective localities, but in disseminating false information in regard to our climate and productions, and as a consequence, a large proportion of those who have started with the intention of making our Territory their homes, have been diverted to other places. This can be prevented by the employment of an agent to be stationed on the principal route of travel to this coast, and by the circulation, through pamphlets and otherwise, of correct and reliable information in relation to our Territory.

An association, composed exclusively of ladies, was formed, about a year since, to promote immigration, by collecting and promulgating valuable statistics, by answering letters of inquiry, and in other ways conveying to those seeking knowledge, facts, showing the favorable character of our climate and our agricultural, manufacturing and commercial facilities. The members of this association

are entitled to great credit for their zealous and disinterested efforts. I am informed that a statement of the character and extent of their labors will be laid before you.

FINANCES.

The financial condition of the Territory will fully appear from the able reports of Territorial Auditor and Territorial Treasurer, which will be submitted to you, and from which I make the following summary:

Assessed value of property, 1875.....	\$14,569,156.00
Territorial tax levied, 1874.....	57,862.25
" " " , 1875.....	58,295.33
Amount received by Territorial Treasurer from Oct. 1, 1873 to Sept. 7, 1875.....	90,680.43
Amount paid on Warrants, same period.....	77,631.76
Cash in treasury Sept. 7, 1875.....	13,048.67
Amount of Warrants outstanding Oct. 1, 1873 and interest	29,717.77
Amount issued from Oct. 1, 1873 to Sept. 7, 1875.....	65,042.49
Warrants outstanding, Sept. 7, 1875.....	17,128.50
Decrease of indebtedness, including cash in treasury, since Oct. 1, 1873.....	19,263.42

It is to be regretted, that, with no territorial debt, except for current expenses, and with the revenue amply sufficient to cover these expenses, the Territory is paying interest at the rate of ten per centum per annum for an average period of eighteen months on all unpreferred Treasury warrants, and that the market value of these warrants is from 15 to 25 per cent. below par. The loss to the Territory during the past four years by reason of payment of interest has been \$13,721.03. The loss by depreciation cannot be accurately ascertained, but is estimated at \$8,000, making the actual loss in this short period \$21,721.03.

Aside from this, our financial affairs are prosperous and improving. Measures should be devised for the payment of all warrants on presentation to the Treasurer, and thus avoid the payment of interest, and restore fully the credit of the Territory. The defect in our financial system is, that the entire expenses of the Territory for one year accrue, before the revenues for that year are collected. The taxes for the year 1875 will be due on the first day of January, 1876. Before any portion of the taxes for 1875 can be made available, the expenses for the year will have been all incurred, audited and warrants drawn on the Treasury therefore. Warrants for all claims not preferred, will bear interest at the rate of ten per cent. per annum after presentation. Judging of the future by the past, no portion of the unpreferred warrants will be paid within eighteen months from the time of their issue. In other words, a debt for the entire amount of the current expenses for the year is created, before any taxes for that year are received to liquidate it. To remedy this defect in our financial system, I would recommend either, that the time for the assessment and collection of taxes, and their payment into the Territorial Treasury be changed to a much earlier period in the year; or

if this be deemed impracticable, then I would recommend that the rate of taxation for territorial purposes, for the year 1876, be fixed at six mills, and for the year 1877 at two mills, which, in the aggregate for the two years, will be the same as is now levied under existing laws. The first plan will bring about the desired result during the year 1876, the second during the year 1877.

Our revenue laws provide for the assessment of all property in two classes: "real property" and "personal property." To obviate legal questions which may arise in regard to the assessment of improvements on real property, when the land and the improvements are owned by different persons, or when the land is exempt from taxation, I recommend that for the purposes of taxation, property be assessed in three classes: "real property," "personal property" and "improvements."

BOARD OF EQUALIZATION.

I renew the recommendation made in my biennial message to the last Legislative Assembly, and especially call your attention to the necessity for the creation of a Board of Equalization to review and correct the several county assessment rolls. The burden of Territorial taxation should rest equally upon all the counties in proportion to the value of property respectively therein. If property is assessed in each county at its full value, this would be the result; but it is well known that while some counties assess property according to the full value thereof, others do not. The latter, therefore by their own act, avoid the payment of their just proportion of Territorial revenue.

The assessed value of property in fourteen counties is \$896,335 less in 1875, than it was in 1873. It is possible that in some of those counties the actual value of property has declined; but it is not probable that this is the case in all.

In eight counties the assessment of 1875 is \$1,283,739 greater than in 1873. It cannot be claimed that all the progress, improvement and enhancement of value in the Territory has been confined to these eight counties! The conclusion is therefore inevitable, that certain counties are reducing their assessments in order to reduce the amount of territorial revenue to be paid by them. I am aware of no remedy for this, except a Board of Equalization. The expense attending the operations of such a board should not be regarded for a moment. It is unjust that one county should pay its full proportion of territorial tax, while another indirectly avoids the payment of its just quota, and no pecuniary considerations should prevent the enactment of necessary remedial laws. Looking at the subject only in a pecuniary light, the Territory will be benefitted by an equal and just assessment. The loss to the Territory during the past year, by the reduction of assessments, was \$3,585.34, a sum more than sufficient to defray all the expenses of a Board of Equalization.

COMMERCE.

The commercial advantages possessed by Washington Territory cannot be overestimated. Situated midway on the shortest line of communication between the Atlantic seaboard and Asia, with our unrivaled harbors, our facilities for ship-building and our capacity for immense agricultural productions East of the mountains, and for manufacturing and coal mining in the West, the prediction can be confidently made, that at no distant day, our Territory will embrace one of the great commercial centers of the world.

The extent of our commerce and exportations cannot be definitely ascertained. The records of the custom house show only our foreign commerce. From those it appears that for the year ending July 31, 1875, the value of exports from Puget Sound District to foreign countries was:

In American Vessels.....	\$559,060.00
In Foreign Vessels.....	200,170.00
	<hr/>
Total.....	\$759,230.00

The Exports in American vessels consisted of:

20,340,000 feet assorted Lumber.....	\$230,575.00
Live stock, grain, provisions, etc.....	328,485.00
	<hr/>
Total.....	\$559,060.00

The exports in foreign vessels were:

13,567,000 feet assorted Lumber.....	\$121,935.00
Live stock, grain, provisions, etc.....	78,235.00
	<hr/>
Total.....	\$200,170.00

The countries to which exports were made:

British Columbia	\$375,000.00
Sandwich Islands	61,000.00
Society Islands	11,300.00
Peru	84,000.00
Chili	90,000.00
San Salvadore	10,660.00
Australia	70,170.00
New Zealand	10,000.00
New Caledonia	15,000.00
Japan	15,000.00
South Africa	9,000.00
England	8,000.00
	<hr/>
Total.....	\$759,230.00
Value of Foreign Imports.....	\$ 49,125.00

Vessels built during the past year: 3 steamers; 5 barkentines; 10 schooners. Aggregate tonnage, 3,986. Total tonnage owned in District, 26,548. No. vessels, 108.

Vessels entered and cleared and vessels entered foreign:

	No.	Tonnage.
American Vessels entered.....	258	93,112
Coastwise	132	75,215
Foreign Vessels entered.....	57	23,950
	<hr/>	<hr/>
Total.....	447	192,277
American Vessels cleared for foreign countries.....	273	107,369
American Vessels Coastwise.....	51	22,123
Foreign Vessels for foreign countries.....	75	27,137
	<hr/>	<hr/>
Total.....	399	156,629

These statistics convey a very inadequate idea of the extent and value of our commerce and exports. They do not include the exportation of grain and other commodities from the eastern part of the Territory, and only a small portion of the exports from Puget Sound. Our domestic commerce, of which no official record is kept, chiefly with San Francisco, exceeds the foreign, at least four fold. My estimate of the total value of our exportations during the past year, will approximate \$5,000,000. This result, with a population of only thirty-six thousand, affords a creditable exhibit of the enterprise and business ability of our people.

MANUFACTURES.

Many branches of manufacture are carried on in the Territory to a limited extent; but the great manufacturing industry is that of lumber. The immense forests of fir and cedar trees, west of the Cascade mountains, especially those contiguous to the waters of Puget Sound, are sources of incalculable wealth in the future. Even at present, the value of lumber manufactured and exported is about three million dollars; and its production and transportation, directly and indirectly, afford employment to several thousand men. Carefully prepared statistics, furnished me by seven mills on Puget Sound, show the aggregate production of these mills during the past year to be one hundred and ninety-three million, three hundred and twenty-five thousand, four hundred and nineteen feet of lumber, thirty-four million four hundred thousand laths, and large quantities of pickets, spars, piles, ship-knees, poles and shingles. Estimating the quantity manufactured by other mills and reducing to feet, the entire production of the Territory cannot be less than two hundred and fifty million feet.

The fires which annually sweep over our forests destroy vast quantities of valuable timber. Little attention is now given to this subject; but the time will arrive when we will deplore the loss of this indispensable material which cannot be replaced. The origin of these fires, in all cases, cannot probably be ascertained. Carelessness is the too frequent cause. I would recommend that a stringent law, with severe penalties, be enacted to prevent, if possible, this unnecessary destruction and waste of undeveloped wealth.

COAL.

Our coal interests are rapidly becoming an important element in our prosperity. Until recently, the opinion was very generally entertained that the coal of Washington Territory was of an inferior quality, and that it could not successfully be placed in competition with other coal found on the Pacific Coast. Late discoveries have shown the fallacy of these opinions and the existence of inexhaustible supplies of anthracite and bituminous coal, of excellent quality. The location of many of these coal fields, particularly those of King and Pierce counties, several miles distant from Puget Sound will retard, for a period, their full development; but when means of transport are provided to tide water, the value of our coal exportations will before many years equal or exceed all others. The average daily exportation is now 500 tons, and the supply is not equal to the demand.

PENITENTIARY.

The Penitentiary erected by the United States on McNeil's Island is completed, and ready for the reception of Territorial convicts if it is deemed advisable to confine them therein. The Revised Statutes of the United States, Section 1895, provide that any person convicted by a court of competent jurisdiction in a Territory for a violation of the laws thereof and sentenced to imprisonment, may, at the cost of such Territory, on such terms and conditions, rules and regulations as may be prescribed by the Attorney General of the United States, be received, subsisted and employed in such penitentiary during the term of his imprisonment, in the same manner as if he had been convicted by an offense against the laws of the United States. In reply to a communication addressed by me to the Attorney General, inquiring on what terms and conditions Territorial convicts would be received and subsisted in the Penitentiary, the Solicitor General, acting for the Attorney General, states that, before Territorial convicts can be confined in the Penitentiary, the Territory must enter into a contract with the United States, providing for the payment by the former, to the latter of a *per diem* of one dollar and a half, for the confinement, food, clothing and medical attendance of each Territorial prisoner, to be paid monthly at the close of each month; the duration of the contract to be limited to one year subject to renewal. The expense to the Territory under these terms, will be little if any greater than under the present system. A *per diem* of one dollar, or in case the prisoner is put to labor, two dollars, is now paid for keeping and subsistence only. In addition to this, the Territory now pays for medical attendance and clothing of prisoners, for their recapture in the event of escapes, and sundry other incidental matters. These, with the *per diem* now allowed, in my opinion, will be equal to the amount *per diem* charged by the United States, which includes expenses of every nature. An additional reason for their confinement in the Penitentiary is the comparative security which will result therefrom. Escapes are now of too frequent occurrence. This is owing chiefly to the insecure character of the county jails, which without exception, are unfit for the purposes for which they are used. If the terms proposed

by the United States are accepted, it will be necessary to provide by law for the removal to the Penitentiary, of the prisoners now confined in the county jails and for the payment to the United States of the stipulated compensation.

In the event that you deem it advisable to continue the present system of confining prisoners in the several county jails of the Territory, I would recommend the repeal or modification of that portion of Section seven of the Act in relation to Territorial convicts, approved November 28, 1871, which allows to the sheriff or keeper of the jail a *per diem* of two dollars for each convict when at work. The manifest design of the act referred to, was that the labor of the convicts should be remunerative to the Territory; and it was clearly contemplated by the framers of the law that the proceeds arising from such labor would be in excess of the additional *per diem* of one dollar allowed for keeping the convict when at work, and that such excess would form a fund out of which the expense of keeping convicts could, in part at least, be defrayed. Experience has demonstrated that the law has not so operated. In many cases where convicts have labored, the additional allowance received by the sheriff has been greater than the entire amount received by the Territory. In one instance, in a single quarter, the amount charged to the Territory was \$1,837.00 and for five hundred and ninety-eight days' labor, the Territory received only three hundred and ninety-four dollars and ninety-two cents. The system itself is pernicious in its tendencies, leading to corruption and peculation and should be repealed or materially modified.

INSANE ASYLUM.

The system of contracting for the keeping of the Insane and Idiotic and their treatment and management at the Insane Asylum have for some time past been subjects of public discussion and comment. Over the former I have no control. The present contract was entered into by my predecessor, and is in strict conformity with law. When, however, charges in writing, of a grave and serious nature, relating to the treatment of patients, were presented to the Territorial Auditor and myself by members of the Medical Association, alleging various instances of maltreatment of patients by employes at the Asylum, we deemed it our imperative duty, although not legally authorized to do so, to order an investigation. We, therefore, appointed Hon. J. M. Lowe, and Dr. N. Ostrander of Thurston County; Hon. Stephen Judson of Pierce county; Dr. J. C. Kellogg of King county and Dr. A. M. Ballard, of the Oregon Insane Asylum, special commissioners to make a thorough investigation into the charges preferred. After an investigation occupying five days, they arrived at the conclusion that the charges were not sustained. From the high standing and integrity of the gentlemen composing the commission, I am fully satisfied that the charges were carefully and impartially investigated and that their report, which will be submitted to you, is in strict accordance with the facts. I refer you to the accompanying reports of the physician and contractor for full information in relation to the Asylum.

DEAF MUTES.

My attention has been called to the fact, that there are several deaf mutes in the Territory, who, from the pecuniary inability of their parents, are receiving no instruction. The condition of this unfortunate class, even with all the knowledge that can be imparted to them through the various systems of education which have been devised, naturally awakens our deepest feelings of sympathy and commiseration. But when they are allowed to grow up ignorant and unenlightened, except as to those things within the range of their vision, their situation is sad and lamentable in the extreme. We should therefore afford every facility for the education of these unfortunates, and to supply, to some extent, at least, the important senses, of which they are deprived. The limited number of this class now in the Territory will not justify the erection and support of an Asylum at present. We can, however, provide for their education at the Asylum for deaf mutes in Oregon, on very reasonable terms, and I recommend such an appropriation for this purpose, as may be necessary.

EDUCATION.

The importance and necessity for the maintenance of an efficient and liberal free school system is so clearly axiomatic, that I deem it necessary only to refer to the subject, believing that you will not fail to give it a full and careful consideration. The Territorial Superintendent of Common Schools will report to you the situation and progress of educational affairs, and will suggest such amendments to the school law as experience has demonstrated to be necessary.

The salary of the superintendent should be increased. Three hundred dollars per annum is a very inadequate compensation for the discharge of the duties which should be performed by a competent superintendent. Our school system of which he is the head, has not as yet been fully inaugurated, owing in part at least, to the fact that the present and former Superintendent could not afford to devote the requisite time and attention to the duties of the office. In lieu of a fixed annual salary, I would recommend that the Superintendent be paid a certain amount *per diem* for the time actually employed, and traveling and incidental expenses; the maximum amount to be fixed at such sum as may be deemed just and proper.

TERRITORIAL UNIVERSITY.

The Territorial University at Seattle has been in successful operation during the past year under an efficient and competent Board of Instructors. This institution is entitled to and should receive the fostering care of the Territory. The grounds and buildings which are now to some extent dilapidated, should be immediately repaired. A small annual appropriation is imperatively necessary to place the institution on a permanent basis. The report of the Board of Regents contains many valuable suggestions, to which I call your attention.

PUBLIC LANDS.

The total area of Washington Territory is 44,796,160 acres, of which 11,700,952 acres have been surveyed. During the two years ending June 30, 1875, there have been surveyed 3,213,141 acres of public lands and 264,144 acres of Indian Reservations. There is comparatively little public land obtainable by direct purchase from the General Government. No lands have been offered for sale by the United States since 1863, and the settled policy, now appears to be, to dispose of the public lands only to homestead and pre-emption settlers. If this policy had been adopted several years since, before so large a portion of the public domain had been donated to Rail Road companies, the best interest of this and future generations would have been materially promoted. If subsidies were actually required for the construction of great national thoroughfares, it would have been better to have made them directly from the public treasury.

The entries of public land for the two years ending June 30, 1875, have been as follows:

LAND OFFICE	Homesteads		Pre-emptions		Private Entries		Coal	Timber Culture	
	Entries	Acres	Entries	Acres	Acres	Entries	Acres	Entries	Acres
Olympia.....	420	44,971.26	381	48,428.11	358.25	25	4,084		
Vancouver.....		17,972.27		10,322.64	1,031.56				
Walla Walla.....	128	16,096.00	442	53,040.00				55	6,146

The Northern Pacific Rail Road Company has also sold one hundred and eighty-one thousand five hundred and ninety-seven acres during the same period.

ELECTION AND APPOINTMENT OF OFFICERS.

The Revised Statutes of the United States, approved June 22d, 1874, prescribe the mode, applicable to all the Territories for the filling of the several Territorial offices therein. The laws heretofore in force in this Territory regulating the election of certain officers have been changed to some extent by sections 1856 and 1857.

Hereafter, Justices of the Peace and all general officers of the Militia, must be elected by the people, in such manner as the Legislative Assembly may provide. All township, county and district officers except justices of the Peace and general officers of the Militia, may be elected or appointed in such manner as may be provided by the Legislative Assembly. All other officers not otherwise provided for in the Revised Statutes, the Governor shall nominate and by and with the consent of the Council shall appoint. It will be necessary to provide by law for the election by the people of a Quartermaster General, Adjutant General and Commissary General. The election, or appointment of all other officers is now provided for, and no further legislation is required.

CENTENNIAL.

The attention of the people of the United States and of the world, is strongly directed towards the Centennial Exposition, which will be held in the city of Philadelphia, from the eleventh day of May to the eleventh day of November

next. The design of the exposition is to commemorate the one hundredth anniversary of the Declaration of Independence, and to exhibit to the nations of the world the wonderful and unparalleled progress of the great American Republic, in the short period of a single century. Whether Washington Territory is represented or not will be of little importance to the Exposition. If we do not avail ourselves of an opportunity which may never occur again to exhibit our productions, the loss will be our own. Every State, and every other Territory will probably unite in this celebration, and it will be a matter of deep regret to our people, if the space allotted to our Territory shall remain vacant. It is indispensably necessary that an appropriation be made in order to secure a full and proper representation of the products of our forests, our farms and our mines; and I earnestly commend this subject to your consideration.

REVISION OF THE LAWS.

The necessity for a full and complete revision of the Statutes must be apparent to all who have had occasion to examine them. To ascertain the law in relation to many subjects of a general nature requires a careful and critical examination of the statutes enacted during the past twelve years, and after the closest scrutiny, doubts will arise, whether certain laws are in force or have been repealed. The partial revisions of 1869 and 1873 were doubtless intended to remove to some extent, the difficulties referred to; but they have added new complications, instead of obviating those already existing. The laws prescribing the duties and powers of the various county officers especially need revision.

CONCLUSION.

The future of our Territory can not be doubtful. Its growth and prosperity may not be so rapid for several years to come as many hope for and desire. But with our agricultural advantages, our commercial and manufacturing facilities and our mineral resources, we can confidently predict a certain and steady advancement in wealth and population, the extent of which will be determined mainly by the efforts we put forth to secure it. Indications of increasing prosperity are plainly manifest. The feelings of despondency existing in the minds of many, after the suspension of work on the N.P.R.R., have passed away. Our people are becoming more self reliant, more energetic, more enterprising. This is one of the hopeful signs of the present. Many have learned by the experience of more than twenty years, the practical lesson, that little dependence can be placed upon foreign corporations or foreign capital to build up and develop our Territory, and that human life will probably have to be materially extended, to enable them to realize any substantial benefits from those sources. Many are also learning that the inexhaustible resources of our Territory can be gradually and profitably developed by active and energetic personal efforts, without through railroad connection, and our position as one of the most prosperous and favored of the Territories can be fully maintained.

A Railroad from Lake Superior to Puget Sound would, doubtless, be of incalculable benefit; and with it, our progress and development would probably be unprecedented. We cannot, however, look with confidence, to any definite period of time in the future when this road will be completed. Let us, therefore, place no reliance upon it. We have too long depended upon others, let us hereafter rely upon ourselves to advance the material interests of the Territory and a state of prosperity which we have long hoped for will be the certain and gratifying result.

E. P. FERRY.

EXECUTIVE OFFICE,
Olympia, October 5, 1875.

Governor Elisha P. Ferry to the Sixth Biennial Session of the
Legislative Assembly, October 3, 1877.¹

Gentlemen of the Council

and House of Representatives:

No event of an extraordinary character has transpired within our Territory since the adjournment of the last Legislative Assembly. Our people have enjoyed uninterrupted health. Our progress in wealth and population has been as rapid as could have been expected and, under the circumstances, must be regarded as eminently satisfactory. Our isolated position and the great distance to be traveled, and the large expense incurred by immigrants will necessarily operate to retard our advancement until a continuous line of railroad to the Eastern States is secured. Our agricultural, manufacturing and mining industries have been unusually prosperous and, when we contrast our financial condition and business prosperity with that of other localities, we can realize how highly we are favored. Here, the laborer has received remunerative wages; capital has been profitably employed; manufactures have increased; the earth has yielded abundant harvests and all departments of business have been successfully prosecuted; while in other portions of our country wide spread financial trouble, embarrassment and distress have prevailed. Manufactures have ceased operations; capital has been withdrawn from the usual avenues of investment and has lain idle; the laboring classes have been unemployed or engaged at diminished wages and thousands have been reduced to destitution. Capital and labor, which should be joined in the closest bonds of union, have been arrayed against each other in deadly hostility. A conflict which recently occurred between these forces, extending over many states, reaching almost to the proportions of a civil war, requiring the combined power of the national and State governments to suppress, occasioned the loss of many valuable lives and the destruction of millions of dollars of property. From like calamities we have been happily exempted; for which we should be profoundly grateful to Him who governs and controls the destinies of nations and individuals.

¹ Published by order of the assembly, Olympia, C. B. Bagley, Public Printer, 1877.

FINANCES.

One of the most important subjects that can occupy your attention is that of finance. The people generally have a direct interest in this subject. Our prosperity will be materially promoted by the adoption and continuance of a sound financial policy. A Territory, which is free from debt and which imposes a low rate of taxation, will possess great attractions for the capitalist. It will be a strong inducement to immigrants to come hither if they can be assured that our financial affairs are conducted prudently and economically and that taxation will be at the lowest rate compatible with the best interests of the Territory.

It is not necessary that needful appropriations should be withheld, or that expenses should be reduced merely for the sake of reduction, without regard to the necessities of the case and only for the purpose of making an economical showing. This would be both unwise and injurious. Appropriations, in addition to those for ordinary expenses, can be made for several special objects, from which we can reasonably anticipate, in the immediate future, substantial and lasting benefits.

There are several defects in our revenue laws which have annually deprived the Territory of a portion of its revenue, and occasioned the loss of many thousand dollars. No portion of the revenue for a given year is paid into the Territorial Treasury until after the expiration of that year, and after all the expenses for the year have accrued and warrants therefor drawn upon the Treasury. This has necessitated the payment of interest on those warrants, in some instances, for a period of more than two years. It would be a violation of the simplest principles of political economy for an individual to allow his current expenses for a year or longer to remain unpaid and pay interest on the same for one or more years, while an amount not drawing interest, more than sufficient to pay those expenses was due him, which he could collect at any moment. And yet, this is what has been and is being done under our present revenue system. The plain remedy for this is an earlier collection of the revenue and prompt payment of the same into the Territorial Treasury. County treasurers are required to pay over Territorial revenue only three times each year, on the first day of February, July and November. It must therefore frequently occur that Territorial revenue remains in the hands of county treasurers several months. If payments were required to be made at shorter intervals, the Territory would be enabled to pay outstanding warrants at an earlier period and thus materially reduce the interest account. Monthly payments of all balances in the hands of county treasurers would decrease the amount of interest which the Territory is compelled to pay, and would remove any temptation which may now assail county treasurers or other officers to use public funds for private purposes for a few months.

The Territory credits each county annually with the amount of delinquent territorial tax therein, but no provision is made for the payment to the Territory of the amount so credited, should it be subsequently collected by the county, by sale of lands or otherwise. The amount equitably due to the Territory by reason of the subsequent collection of delinquent taxes by the several counties cannot be ascertained without an examination of the several county records. For the year

one thousand eight hundred and seventy-five, credits for delinquent taxes to the amount of seven thousand, three hundred and thirty dollars and fifty-two cents, were allowed. Of this amount only four dollars and sixty-four cents have since been paid to the Territory. There are other unadjusted accounts between the Territory and the several counties, many of them of long standing which cannot be settled without further legislative action. From careful estimates furnished me, I am of opinion that the aggregate amount due the Territory is more than sufficient to pay all the expenses of the Territory for the coming year. I therefore recommend that the Territorial Auditor or Territorial Treasurer be authorized to make just and equitable final settlements with the several counties and that the revenue law be carefully revised and amended.

Notwithstanding these serious defects in the laws, our financial condition for a few months past, has been in a better condition, than at any former period in our history. On the 22d day of February last, there were funds in the treasury sufficient to pay all warrants issued at that date, and the Territory was in like condition on the first ultimo. This, in a great measure, is due to the strenuous endeavors of the Territorial Auditor and Territorial Treasurer to secure payment of the territorial revenue at the earliest practicable moment and to the faithfulness and ability displayed in the discharge of their respective official duties. It is also due, to some extent, to the fact that for several years past the aggregate annual territorial revenue has been greater than the annual expenses. Owing to the causes before referred to, this financial condition cannot be maintained. From the first day of September last, until the month of July, next, the warrants which have been, and will be, drawn upon the Treasury will far exceed in amount, the receipts, and the Territory will again be compelled to pay interest on warrants issued for current expenses. The report of the Territorial Treasurer and Territorial Auditor, which will be laid before you, will exhibit the state of the finances in detail and will contain many valuable suggestions in reference to necessary amendments to the revenue law.

The following is taken from official records:

Assessed value of property, 1875.....	\$14,569,156.00
" " " " , 1877 (4 counties estimated).....	16,855,988.83
Increase	2,286,832.83
Territorial tax levied, 1876.....	60,556.31
" " " , 1877.....	67,423.95
Amount paid into Treasury from Oct. 1, 1875 to Sept. 1, 1877....	109,821.79
Amount disbursed, same period.....	108,158.79
Amount in Treasury Sept. 1.....	1,663.00
Amount of warrants paid from Oct. 1, 1875 to Sept. 15, 1877....	88,253.82
For Hospital for the Insane..... \$ 54,983.62	
For keeping convicts.....	17,366.04
For Pest-house	997.80
For Extradition expenses.....	743.69
Board of Immigration.....	857.00
For Territorial University.....	1,500.00
For Salaries	7,889.23
For Miscellaneous expenses.....	3,916.24
	\$88,253.82
Amount criminal expenses allowed to counties.....	5,547.57
Amount of interest paid on warrants.....	4,720.82
Warrants outstanding Oct. 1, 1875.....	21,840.22
" " Sept. 15, 1877.....	7,478.93
Decrease	14,361.19

AGRICULTURE.

The rapid development of our agricultural resources during the past two years is as remarkable as it is gratifying. Down to a very recent period, the opinion prevailed to some extent, even among our own people, that a very large proportion of the lands in the Territory were, and would always remain, unfit for cultivation. Experience has proven the fallacy of those opinions. Only ten years since, United States Deputy Surveyors refused to survey certain lands in the Eastern portion of the Territory for the reason that they were deemed worthless and uncultivable; yet these lands to-day produce an average of forty bushels of wheat to the acre. The tide lands on Puget Sound and in the valleys of the rivers flowing into the Sound, and a portion of the heavily timbered land, constitute an agricultural area capable of supporting a population as dense as that of any of the older states. The production of cereals and vegetables on these lands can be justly characterized as enormous. The obstructions to navigation existing in many of these rivers have prevented settlements upon lands above the obstructions. On some of the rivers these obstructions are being removed by private enterprise. This work should be performed by the general government. Surveys and estimates have been made by the government, of the probable cost of removal of obstructions, but no further action has been taken. This subject should again be brought to the attention of Congress by a memorial. A few thousand dollars expended in improving the navigation of those rivers would open to settlement several hundred thousand acres of unexcelled farming lands.

The character, quality and extent of the agricultural lands East of the Cascade Mountains must be seen and examined to be fully appreciated. From careful estimates, I am assured that the productive capacity of that region is fifty millions of bushels of wheat per annum, and it is not impossible that the present generation may witness this result. The production of wheat in the Eastern portion of the Territory, the past season, is estimated to be fifty thousand tons of which forty thousand tons will be exported.

When we take into consideration the extent of agricultural land, the immense yield per acre—forty to sixty bushels of wheat and other cereals in like proportion—that a serious drought is unknown, that a failure of crops never occurs, we may safely claim that Eastern Washington, for agricultural advantages, is unsurpassed by any portion of the world.

FISHERIES.

Among the large and important industries of the Territory are the salmon and other fisheries, on the Sound and on the Columbia river. Many of those which are in this Territory on the Columbia river appear to be claimed by a neighboring State, and annual productions which should be credited to our Territory figure largely in the statement of exports of that State. For several years past attention has been called by those interested in the subject, to the necessity of regulating by law the taking of salmon in the Columbia river. It is claimed that the number entering the river is annually decreasing, and that in a few years this important industry will be destroyed unless measures are adopted to limit the quantity which may annually be taken. These views are probably correct, and steps should be taken without delay to preserve and protect an enterprise in which a very large capital is invested. This can only be accomplished by concurrent legislation on the part of the State of Oregon and this Territory. One or the other must initiate this legislation, and, as the interests of Oregon and Washington are mutual, there can be no impropriety in our enacting the necessary laws. Any legislation by this Territory on this subject should take effect only when the same is re-enacted by the State of Oregon.

COAL AND LUMBER.

Coal and Lumber constitute the principal articles of export from Puget Sound. The quantity of lumber manufactured during the past year has been about the same as in former years—two hundred and fifty million feet, valued at two million five hundred thousand dollars. The lumber business is, at present, laboring under a slight depression, but it is hoped that it is only temporary.

The recent construction of Railroads from tide water to the coal fields of King and Pierce counties, will stimulate the production and transportation of coal, and the time is near at hand when the development of this element of our resources will reach a magnitude equal to any other of our productive industries.

The shipments of coal during the first seven months of the present year have amounted to more than eighty thousand tons, of which seven-eighths were from the mines in King county.

BOARD OF EQUALIZATION.

On two former occasions, I directed the attention of the Legislative Assembly to the advisability of providing by law for a Territorial Board of Equalization, which should be empowered to revise, equalize and correct the assessment lists of the several counties in the Territory. The causes which then induced the recommendation still exist. The assessment of property in many counties is far below; in others, probably at nearly its full value. Lands in one county are assessed at thirty per cent. less than lands of the same value in another county. Several counties return a smaller assessment the present year than was returned the last. The entire aggregate value of taxable lands in one county which has been organized fourteen years, is returned at two hundred dollars. One county adopted an assessment in which the territorial tax was levied and collected, and then to increase the county revenue the county adopted a higher assessment for county purposes. The mere statement of these facts alone shows that taxation for territorial purposes does not rest equally upon the several counties in proportion to the actual value of the property therein, and that the creation of a body to supervise and control the action of county authorities is imperatively demanded by every principle of equity and justice. The only objection that I am aware of that has been urged against the organization of such a board is the expense that would be incurred. This objection should have no weight. If it is true, that the burden of taxation rests unequally, that the tax-payer of one county pays more than his proportion of the taxes and another, less, a remedy should be provided regardless of the question of expense. But if we look at the matter from the stand point of economy, only, it will be apparent that the additional revenue which will be derived from fair and just assessments will far exceed the reasonable expenses of a properly constituted board.

TERRITORIAL LIBRARY.

The Territorial Library is in a very unsatisfactory condition. A large number of books have been lost or are in the possession of persons who have failed to return them. In many cases, valuable sets have been broken by the loss of one or more volumes. In other cases, whole sets are missing. The provisions of the law for the control and management of the Library are ample to prevent loss, and should be rigidly enforced. The Law Department is practically valueless to the profession. While there are many hundred volumes of law reports, there is not a complete set of any State or Territory. Without entering further into detail, I would recommend that the District Judges of the Territory be authorized to exchange for others any law books now in the library, or in their discretion to sell them and with the proceeds purchase others. By this means complete sets of reports of several States and late editions of standard text-books can be obtained without expense to the Territory. I would also recommend that a small annual appropriation be made for the purchase of law and other books.

PENITENTIARY.

The system now in force which makes each county jail in the Territory a penitentiary is neither economical nor wise. It must be apparent that fifty prisoners can be confined in one institution more cheaply than they can be in five or more. The expense for guards, for dieting, and medical attendance will be much greater in the latter, than in the former case. The discipline and government in the various county jails in which prisoners are now confined, cannot be of that character which experience has shown is requisite for their well being and reformation. It may not be advisable for the Territory at this time to build a Penitentiary, neither is it necessary. The general government has in several instances transferred to territories the United States Penitentiaries therein, and it is quite probable that the penitentiary on McNeil's Island will be transferred to this Territory if the Legislative Assembly desire it. Should this plan be disapproved, then measures should be adopted for the confinement of all convicts at one place, and by so doing save the Territory several thousand dollars annually.

COLUMBIA RIVER PILOT COMMISSIONERS.

I desire to call your attention to the peculiar features of an act of the Legislative Assembly approved November 29, 1871, creating a "Board of Pilot Commissioners and Pilots on the Columbia River and Bar." The act designated the persons who should constitute the Board. They were appointed for life, unless the law is modified or repealed, and they were empowered to fill all vacancies occurring in the Board. They were not required to make a report at any time, to the legislative Assembly, to the Governor, or otherwise.

In response to a communication sent to the President of the Board, he informs me that no pilots are now licensed, hence it is evident that the entire subject of pilotage on the Columbia river is under the control of the Pilot Commissioners appointed by the State of Oregon. The jurisdiction of this Territory over that portion of the Columbia river forming the boundary between us, being co-extensive with that of Oregon, we should adopt and carry out the necessary pilotage laws, for the benefit of commerce, and to enable our citizens to engage in this branch of business.

STATE GOVERNMENT.

By an act of the last Legislative Assembly it was provided that a proposition to form a State Constitution and a State Government should be submitted to the legal voters of the Territory at the last general election. At that election, the proposition was submitted to the people and eight-elevenths of the entire number of votes cast on the question, which constituted a majority of all the votes cast at the election, were in favor of a State Government. This affirmative vote imposes the duty, under the law, upon the present Legislative Assembly, "to provide for the calling of a convention to form a State Constitution and to do all acts proper and necessary to give effect to the popular will." The time when the elec-

tion for members of the constitution [convention] shall be called, the time when the convention shall assemble and the number of which the convention shall be composed, are important questions, and will doubtless be fully and carefully considered by you.

Congress has for several years past evinced a strong disposition to refuse admission to a new State unless the population in such proposed State was equal to the existing ratio for a member of the House of Representatives of the United States. This feeling found expression in the law of February 2, 1872, which expressly provided that no new State should be admitted to the Union, without having the necessary population to entitle it to at least one Representative. That law was repealed,—inadvertently, I presume—the year after its adoption, by the Revised Statutes of the United States. Nevertheless, the opinions of members of Congress have since probably undergone no change. The fact that such a law was adopted less than six years since, and has not been directly repealed, should be taken into consideration in determining the question of the probability of our admission as a State, until we shall have the requisite population prescribed by that law.

The movement for a State Government will necessitate the expenditure of a large amount of money, and in the event of a refusal of admission by Congress, this expense will have to be borne by the Territory, and will be an actual loss to our people with no accruing benefits. In view of this, and of the fact that our population at present is less than one-half of the existing ratio for a Representative, it may be advisable not to choose delegates to the proposed convention before the next general election. The convention could assemble in six months thereafter, and the constitution which might be adopted could be submitted to the people, and if ratified, could be presented at the first session of the forty-sixth Congress. At that time our population will have largely increased and will approximate much nearer the ratio for a member of Congress than it now does.

POPULATION.

By existing laws a complete census of the Territory is required to be taken biennially, but as no provision is made for compensating the officers whose duty it is to perform this work aside from their per diem as assessors, the duty is frequently neglected. Six counties the present year have failed to forward census returns. As the immigration to the Territory for the past two years has been larger and for the last six months greater than ever before, it is quite probable that the present population will reach fifty thousand, a gain in two years of fourteen thousand, being nearly twenty per cent. annually. There are plain indications that the tide of immigration now coming in will continue to increase.

Our superior agricultural, manufacturing, mining and commercial advantages are becoming widely known. The failure of crops for several years in some of the Western States, occasioned by the ravages of insects and other causes, and the extreme drought which has prevailed the past season in the largest grain producing State on the Pacific Coast, has discouraged the agriculturalists of those sec-

tions and many of them are seeking homes in this Territory, where the farmer is assured of a liberal and certain annual reward for his labor.

BOARD OF EMIGRATION.

The general dissemination of information in regard to our Territory referred to, can be attributed, in part, to the zealous and indefatigable efforts of the Board of Emigration, and particularly, of its President. The small appropriation placed at the disposal of the Board by the last Legislative Assembly was soon exhausted by the publication and circulation of five thousand pamphlets. This, however, caused no relaxation of labor. By means of private subscriptions secured by the President of the Board, one thousand maps of the Territory were obtained, and thirty thousand circulars printed which were sent to all parts of the country. The correspondence of the President, embracing one thousand four hundred and six letters received and answered, has extended into every State and Territory. These services have been performed gratuitously and furnish a marked instance of unselfish devotion to the interests of the Territory by one who has no voice in the administration of our political affairs. A liberal appropriation should be made to enable the Board to continue its work.

INSANE ASYLUM.

The Trustees for the Hospital for the Insane, not having furnished me a report in accordance with Section 11, of the act approved Nov. 12, 1875, I am unable to lay before you a statement of the condition of that institution. I presume a report will be prepared and submitted in time for legislative action thereon.

REVISION OF THE LAWS.

I again feel compelled to call attention to the great need of a codification and revision of the statutes. The laws now in force are to be found in the annual and biennial enactments of the Legislative Assembly, during the past fourteen years, and are contained in ten volumes of statutes. Many of these are out of print, and cannot be obtained by county and other officers, who are therefore unable to discharge their duties legally and correctly.

In addition to this, there have been, at various times so many amendments, often embracing repealing provisions, that it is quite difficult to determine what laws have or have not been repealed.

NORTHERN PACIFIC RAILROAD.

For nearly a quarter of a century, our people have been looking forward with anxious solicitude for the construction of a Rail Road from the waters of Puget Sound to Lake Superior. The route for such a road was surveyed by the first Governor of this Territory, General Isaac I. Stevens, during the year one thousand eight hundred and fifty-three. On the second day of July, one thousand eight hundred and sixty-four, a charter was granted by Congress to the Northern

Pacific Railroad Company to construct a railroad from a point on Lake Superior in the State of Wisconsin or Minnesota in a westerly direction to some point on Puget Sound, with a branch via the valley of the Columbia River, to a point at or near Portland in the State of Oregon. By an amendment to the charter, approved on the thirty-first day of May, one thousand eight hundred and seventy, the Company was authorized to construct its main road to some point on Puget Sound via the valley of the Columbia River, with the right to construct a branch from some convenient point on its main line, across the Cascade mountains to Puget Sound. To enable the Company to construct its main line and branch, a munificent grant of land was made to it, amounting to sixty millions of acres, the estimated value of which has been stated by the Company to be one hundred and fifty millions of dollars. More than thirteen years have elapsed since that charter was granted. During a large portion of this period an unexampled state of financial prosperity existed throughout the nation. At the present time only five hundred and fifty-five miles of road has been completed. Four hundred and fifty in the Eastern division and one hundred and five in the Western.

It is unnecessary to refer to the many causes which have operated to delay the completion of this road. If mistakes have been made, we can at least entertain the hope that in the future, governed by the experience of the past, they may be avoided. During the first session of the last Congress, a bill was introduced into the Senate, granting an extension of ten years' time for the completion of the road. It was subsequently amended by confining the extension to the main line. At that time the opinion generally prevailed that the Company had abandoned the project of constructing the branch line across the Cascade Mountains to Puget Sound. For this opinion there was at least semi-official authority. The bill passed the Senate but failed to pass in the House of Representatives.

I assume that the application for an extension will not be permitted to rest, but that another effort to secure it will be made when Congress convenes.

Our Territory is vitally interested in this question. That our advancement in wealth and population depends to a great degree upon continuous rail road communication with the East, has been so often demonstrated that I refrain from even a recapitulation of the benefits which we will derive therefrom. It is therefore, manifestly for the interest of this Territory, and also of those Territories lying between us and the Missouri River, to aid and assist the Northern Pacific Railroad Company by all legitimate means and to the extent of our ability in obtaining an extension of time. On this point I think there will be substantial agreement in opinion, but there are several subsidiary questions growing out of the main proposition, in which we also have a deep interest, and in regard to which different views may be entertained.

And first, should an extension of ten years or any other period of time be granted without imposing any conditions upon the Company? After a very careful consideration of the subject, I have arrived at the conclusion that certain conditions are indispensably necessary, and that no extension should be granted without imposing them. The request for an extension of ten years must necessarily be based upon an implied promise or obligation on the part of the Company to com-

plete the road within that period, and no valid reason can be assigned against making this implied obligation an express one and compelling the Company not only to complete the road within the extended period, but to construct annually a certain number of miles of road both in its Eastern and Western divisions. Without this, at a glance it will be seen that at the expiration of ten years or other period of time which may be granted, the road may be no nearer completion than it is to-day.

If the Northern Pacific Railroad Company has no reasonable expectation of completing the road within ten years, then it is its duty to declare this fact and surrender back to the government, or to transfer to some other Company its entire land grant except that portion to which it is entitled by reason of the construction of a part of the road. The grant was not made to enrich a few individuals, but for the benefit of the whole nation.

Another condition which should be imposed is that the Company should not be permitted to charge for its lands more than the maximum of two dollars and fifty cents per acre, except for coal lands. Many reasons might be urged in favor of this limitation, but I shall refer mainly to those which show that the best interests of the Company will be advanced thereby.

Should the price of railroad lands be fixed at the maximum charged by the government, the sales of lands will be largely augmented. The policy heretofore pursued, has retarded settlement, not only on rail-road, but on government land contiguous thereto. Within the land grant of this Company between Puget Sound and Lake Superior, there is an immense area of unsurpassed agricultural and grazing land, a large portion of which is in this Territory. Many years must elapse before these lands will be surveyed by the government. At present the settler is in a great measure precluded from occupying any of those unsurveyed lands. He is unwilling to make improvements which may when the lines of survey are extended be found to be on the lands of the Company, and instead of securing, as he desires and intends to do, a homestead or pre-emption claim, he may be compelled to pay the Company double or even four-fold the price of government lands, or lose his claim and his improvements. It would be obviously a wise policy for the Company to promote immigration to the lands adjacent to the line of the road; to encourage the cultivation of the soil, to foster every branch of industry and thus create a remunerative traffic for the road. The government is desirous that all unoccupied lands should be settled upon and improved, and the people are anxious to develop one of the finest regions for the production of all the cereals which is on the continent. All these desirable results can be promoted by fixing the price of government and rail-road lands at the same rate per acre. From these considerations alone if no others existed, I feel confident that the best interests of the Company, of the government and the people will be subserved by establishing equality of price for rail-road and government lands. The present is the opportune time to impose this condition upon the Company. The lands are now free from incumbrances. It could not have been done while the lands were incumbered by a mortgage, neither can it be done in the future should they be again so incumbered.

A rail-road across the Cascade Mountains, connecting the Eastern portion of our Territory with Puget Sound would be of incalculable benefit to our people. It would bind them closely together in business and other relations and would greatly facilitate the mutual interchange of the various dissimilar productions of the two sections. It will be recollected that the main line of the Northern Pacific Railroad, if it had been constructed in accordance with the terms of the original charter, from Lake Superior to Puget Sound, would have given us this connection. The route of the main line was however changed to the valley of the Columbia River, and thence to Puget Sound with permission to the Company to construct a branch road across the Cascade Mountains to Puget Sound. We have no assurance, that I am aware of, that the Northern Pacific Railroad Company will ever construct the branch road. What the intention of the Company is in this respect we are not informed; but whatever the Company may intend to do, it is quite probable that efforts will be made in the next Congress to make Portland in the State of Oregon the Western terminus of the main line, to deprive the Company of the lands granted for the construction of the branch; restore them to the public domain and on this, base a claim for a grant of land to aid another Company in the construction of a road to connect the city of Portland in the State of Oregon with the Union Pacific Railroad. It must be apparent that this movement is not designed to promote the interests of Washington Territory and it should receive no countenance or support from us.

Puget Sound is the only proper Western terminus for a Northern transcontinental road. This has been recognized by Congress, by the Railroad Company and by the American people for many years. The most powerful argument urged to obtain the original land grant and to effect a sale of the bonds of the company was, that the route of the road was the shortest that could be run between the Atlantic and the Pacific. This favorable feature was in a measure destroyed by changing the main line to the valley of the Columbia River and thence to Puget Sound, thus adding two hundred and twenty-five miles to the length of the road. The construction of the branch across the Cascade Mountains will still however give the direct railroad communication originally contemplated. But if the land grant for the branch is restored to the public domain, many years will probably elapse before the road will be constructed.

Should this be the case, and the Western terminus of the main line be established at Portland, the original design will be absolutely frustrated, and we will receive a check to our advancement and a blow will be struck at our prosperity from which we will not recover during the present century. The need for the branch road is greater to-day than ever before. If it was feasible in the past, it is now. Let, then, the Northern Pacific Railroad Company construct a road across the mountains, if it will. Let the time for its completion be extended, coupled with the conditions before referred to, as to the price of land and annual construction. Should, however, the Company refuse to prosecute the work under those conditions, the land grant should be transferred to the Territory, or to some other Company which will complete the work. And I feel assured that with the land grant

as an aid, there is sufficient ability and enterprise within our own Territory to construct the road within any reasonable time which may be prescribed by Congress.

This very important subject is submitted to your consideration, with the suggestion that Congress be memorialized, and the delegate from the Territory be instructed, in relation thereto.

CONCLUSION.

Permit me in conclusion to express my sincere desire that harmony may characterize our official intercourse, and that when our respective labors are concluded, they may merit and receive the approbation of our fellow citizens.

ELISHA P. FERRY.

EXECUTIVE OFFICE,
Olympia, October 3, 1877.

Governor Elisha P. Ferry to the Seventh Biennial Session of the
Legislative Assembly, October 6, 1879.¹

Gentlemen of the Council

and House of Representatives:

You have assembled, in compliance with the requirement of law, to devise and enact such measures as may be deemed advisable for the advancement and promotion of the best interests of our Territory; and custom has imposed upon me the duty of directing your attention to the condition of public affairs, and to such new or amendatory legislation as the experience of the past has proven to be necessary, or which is required by the exigencies of the present, or by the important changes which we anticipate in the immediate future.

During the two years which have elapsed since the adjournment of the last Legislative Assembly, our Territory has made rapid and gratifying progress in wealth and population. General health has prevailed; the seasons have been propitious; our agricultural interests have prospered; our fisheries have been productive; our commerce has been enlarged and extended; our manufacturing industries have been generally successful, and new branches have been opened; and there has been an increased development of our coal and other mineral resources.

One of our principal manufacturing interests has, for a short time, been somewhat depressed, from causes arising beyond our boundaries, but this has not seriously retarded the general prosperity, and the opinion is almost universally entertained, that this depression is of a temporary nature, and that this leading branch of industry will soon regain its former important and paramount position.

One of the surest indications of the prosperity of a people is, that the laboring classes receive steady and remunerative employment. Apply this test to our

¹ Delivered October 8, 1879; published by order of the assembly, Olympia, C. B. Bagley, Public Printer, 1879.

own Territory, and then to other localities, and the favorable condition of our financial affairs will be very apparent. Here, manual labor has been in continual demand and has received ample and satisfactory compensation, while in a large portion of our country the demand for labor has been so limited, that a class of men, heretofore unknown in our history, has grown up, composed of those unable to obtain employment, and others unwilling to labor, who, in many cases, resorting to lawlessness, violence and crime, have necessitated the enactment of severe and stringent laws for their repression and punishment. We, in this Territory, have had no personal knowledge of this class. Our forests, our mines, our fisheries, our grain fields, our rich agricultural lands awaiting cultivation, and our other branches of productive industry have furnished so many favorable openings that all who desired it have obtained immediate and constant employment. No better evidence than this can be required to show that our Territory has been, and is, largely exempt from the terrible financial pressure that has, for several years, weighed so heavily upon a large portion of our common country, involving tens of thousands in bankruptcy and ruin, and driving many to desperation and crime.

It is not too much to say, that our financial situation, although not so favorable as in former times, has been in marked contrast with the distress existing elsewhere, and that our people have enjoyed a state of prosperity not surpassed in any other portion of the United States. Wise and beneficent laws will tend to increase this prosperous condition of our affairs.

LEGISLATION.

Before proceeding to the consideration of any other subject, I desire especially to call your attention to the defective character of many existing laws and the causes which have produced those defects. Important measures, pending before the Legislative Assembly, have been postponed until a late period in the session and then crowded to a passage with undue haste. Within twelve hours, preceding the adjournment of the last Legislative Assembly, ninety-six bills, being two-thirds of the whole number passed, embracing a large portion of the legislation of the session, were presented to me for approval. This imposed upon me a duty which, obviously, could not properly be performed within this short period of time. The law contemplates that the Governor shall have five days for the examination and consideration of every bill. In addition to this, a large proportion of these bills were passed at so late an hour that it was found impossible to engross them. The original bills were therefore presented to me, in many cases, with erasures and interlineations, and with provisos and amendments attached, but not incorporated in the bills. These were apparent, but being unable to give them more than a very cursory examination, I was unable to determine what their effect might be. It was to be inferred that the interlineations and amendments were intended to perfect the bills. Two courses were therefore open to me: To withhold my approval from bills which had passed both houses, and which might be free from objections on their merits, and thus, absolutely defeat what was presumed to be proper and much needed legislation on many important subjects, or, on the

other hand, to approve the bills without having given them a full and thorough examination. Whether wisely or unwisely, I chose the latter, and I regret to be compelled to say that many of the acts are certainly very incongruous. I trust that I may not again be placed in this embarrassing position.

I am aware that the interests of the Territory are so diversified and the subjects of legislation so manifold, that it is quite difficult if not almost impossible, within the limited period allowed for a session of the Legislative Assembly, to prepare, present, perfect and enact the necessary legislation, on all the various subjects, which may be brought before it for consideration; but it is submitted to you to determine whether it will not be the better policy, in the event that you are not able to perfect and carry through all measures which may be presented, to confine legislation to the most important bills, and mature the same, rather than to cover all subjects, by the enactment of a crude jumble of conflicting and inconsistent laws, which are incapable of being intelligently construed, and which imperatively require amendments and revision by subsequent Legislative Assemblies.

FINANCES.

The finances of the Territory continue in a sound and satisfactory condition. The Territory is free from debt, and warrants upon the treasury are usually paid upon presentation. Interest to the amount of \$1,203.03 only has been paid upon warrants, during the past two years, a sum much smaller than during any equal preceding period. The payment of interest can be entirely obviated, by requiring territorial revenue to be paid into the treasury at an earlier date in each fiscal year and by the non-allowance of credits to counties for delinquent taxes.

On a former occasion I referred to these features of our revenue laws and suggested changes, and I renew the recommendations then made. Our entire revenue system, in fact, requires careful revision and amendment. Many material changes can be made, which will render it more perfect and be the means of saving a large amount annually to the Territory.

A credit is annually given to each county, for the amount of delinquent territorial taxes therein, for the current year. Ample provision should have been made for the subsequent collection of these taxes, by the counties, and the payment of the same into the treasury of the Territory. The experience of the past, however, has clearly demonstrated, that all legislation, heretofore enacted on this subject, has wholly failed to accomplish this result. A very small proportion of these delinquent taxes ever reaches the treasury of the Territory. From the records in the office of the territorial auditor, it appears that the amount now due the Territory, on account of delinquent taxes, for the years 1867 to 1878 inclusive, is \$61,509.79. Judging from the past, we can safely conclude that a very small percentage of this amount will ever be realized by the Territory unless further legislation is adopted to enforce its payment. Several counties return only a small delinquent list. These pay nearly their full quota of taxes to the Territory. Other counties return sixty per centum of the total taxes as delinquent and those pay only four-tenths of what is justly and legally due to the Territory. In other words:

A county that has no delinquent list, in a given year, collects, and pays over, the territorial tax at the rate of four mills upon the dollar, while another county, with a delinquent list amounting to fifty per centum of the total tax, actually pays only at the rate of two mills upon the value of the taxable property in the county. It will thus readily be seen that this system is not only unjust to those counties which fully discharge their liabilities to the Territory, but it involves an indirect violation of the organic law, which requires all taxation to be equal and uniform.

To further illustrate the point under consideration, I refer to one county which, at the present time is indebted to the Territory in the sum of \$10,322.32 for delinquent taxes, which have been accumulating during the past twelve years. Another county, with a larger assessment, is indebted only to the amount of \$78.36. In another county the territorial tax for the year 1877 was \$1,474.94. Of this amount \$870.64 was returned delinquent. In the year 1878 the tax was \$1,456.55, of which \$919.77 was returned delinquent. For the two years referred to, the delinquencies amount to more than sixty per centum of the entire tax. The territorial tax paid by this county for that period has been at the rate of one and six-tenths of a mill upon the dollar. Many counties appear to regard the credits allowed for delinquencies as absolute and permanent payments upon their indebtedness to the Territory. The true interpretation of the law is, that these credits should apply temporarily upon the indebtedness of the county to the Territory, for the current year, and that subsequently the amount credited should be collected and paid into the treasury of the Territory. Here is where the difficulty arises. In the absence of positive compulsory provisions, counties have either failed to collect delinquent taxes, or, having collected them, have neglected to pay them into the treasury of the Territory. An ample and complete remedy for this manifestly unjust and unequal system can be provided, by requiring each county to pay into the treasury of the Territory the full amount of territorial tax which may annually be levied in such county.

This will also enable the Legislative Assembly intelligently to adopt a rate of taxation for territorial purposes, which cannot be done under existing laws. Take, for example, the present fiscal year. The aggregate value of taxable property is \$21,021,832. A tax of three mills upon the dollar will apparently yield a sufficient revenue for all territorial purposes, for the current year and leave a surplus of several thousand dollars; but allowance must be made for delinquencies, and, therefore, the rate must be fixed at four mills. Hence, it will be seen, that this serious defect in our revenue laws, of allowing credits to the several counties for delinquencies, renders it necessary to impose a higher rate of taxation than would otherwise be required.

In the past this was not always done, and the result, mainly attributable to this cause, was, for many years, an annual deficiency in the treasury of the Territory, a depreciation in the value of warrants and the payment of interest, annually, to a large amount. These results, under present laws, may occur again in the future. No definite estimate can be made in advance, of even the probable amount of delinquencies which will have to be allowed to the several counties,

and should they, at any time, largely exceed what they are at present, we will again have an empty treasury before the close of the year, the credit of the Territory will be impaired and the bad practice of paying interest upon warrants will again be resorted to.

Should these credits not be allowed, in the future, the rate of taxation for territorial purposes can be immediately reduced to three mills upon the dollar. In the event that the present system is continued, then some measures should be devised under which the Territory can realize, within a reasonable time, the credits which are annually claimed by the counties for delinquent taxes.

The payment, by the Territory, of the costs and expenses attending the conviction of criminals for felonies, is a very doubtful policy. After a thorough consideration of the question, I have arrived at the conclusion that it will be better for the Territory, the counties and the tax payers, and that it will be far more economical for the several counties in which crimes are committed to defray these expenses. The practical effect of the present law is, that one county having no criminals, or only a few, is called upon to pay the expenses of another county which has a large number. If there are any sound reasons to support this policy, I am not aware of them.

The bills presented to the Territory in criminal cases separately, and in the aggregate, have assumed very large proportions, and are constantly furnishing questions of disagreement between the territorial officers and the counties in which they accrue. During the past two years cost bills have been presented amounting to \$11,096.38. The largest bill was \$1,047.35, the smallest \$6.80. The total amount for the two preceding years was \$5,547.57. This shows an increase of these cost bills in two years of \$5,548.81, or more than one hundred per cent. If the counties in which these bills accrue were required to liquidate them, I am inclined to the opinion that they would, in many cases, be very much reduced in amount.

Should it not be deemed advisable to relieve the treasury of the Territory from the payment of these bills, then I suggest that this branch of our revenue laws be thoroughly revised and made to harmonize with other branches of the system.

The cost bills referred to, after approval by the Judge of the District court, are paid by the respective counties in which they accrue. They are then transmitted to the territorial treasurer, who is required to allow credits to the respective counties for the amount of the bills, to be applied in payment of the taxes, due from such counties, to the Territory. This is the only instance where money can be drawn directly or indirectly from the public treasury, without a warrant issued by the territorial auditor, and is in violation of sound fundamental principles on which every financial system should be based.

All territorial revenue should actually be paid into the treasury of the Territory, and should be disbursed therefrom only by warrants drawn by the auditor. All accounts against the Territory should be presented to the territorial auditor and audited by him. These financial maxims are, and have been, entirely disre-

garded, and as a consequence, territorial officers have been embarrassed in the discharge of their duties; settlements with counties have been retarded and prevented and, in many cases, no settlements have been made, from the time of the enactment of the law, authorizing the payment of these bills by the Territory, down to the present moment.

The embarrassment alluded to, is owing to the fact that it is an open, unsettled question, whether the District Judge performs the functions of territorial auditor, when he approves these bills, or whether the territorial treasurer is authorized to examine and pass upon them, after they have been approved. The latter course has generally been followed, but its legality has not, in all cases, been conceded by the county authorities, and accounts have therefore been left unadjusted from year to year, to the great detriment of the revenue of the Territory.

If the Territory, in the future, is required to pay these bills, then I recommend that all territorial revenue be paid into the treasury; that all bills for costs and expenses be presented to the territorial auditor, for examination, and if the same are found to be correct, and a legal charge against the Territory, that he be authorized to draw the necessary warrants upon the treasury, in favor of the persons entitled to the same.

The report of the auditor, and the treasurer, exhibiting in detail the financial operations of the Territory, for the past two years, are herewith submitted. They contain many valuable and pertinent suggestions and recommendations which should be carried out by appropriate legislation.

The following comparative statement will show the condition of the finances of the Territory on the first day of September, 1877, and on the first day of September, 1879:

Assessed value of property, 1877.....	\$16,855,988.83
Assessed value of property, 1879.....	21,021,832.00
Increase	4,165,843.17
Territorial Tax levied, 1878.....	75,956.22
Territorial Tax levied, 1879.....	84,087.33
Balance Cash in Treasury, Sept. 1, 1877.....	1,663.00
Total receipts up to Sept. 1, 1879.....	110,703.30
	<hr/>
	\$112,366.30
Amt. disbursed from Sept. 1, 1877 to Aug. 31, 1879	\$109,487.98
Cash in Treasury, Sept. 1, 1879:—	
General Fund	\$ 2,706.32
Notarial Fund	152.00
Com'r of Deeds Fund.....	20.00
	<hr/>

\$112,366.30

Warrants drawn and paid for same time, as follows:—

Hospital for the Insane.....	\$ 52,255.72	
Territorial Convicts	21,359.45	
Prosecuting Attorneys	8,589.25	
Constitutional Convention	6,920.46	
Printing and Advertising.....	4,998.24	
Territorial University	2,151.80	
Supt. Pub. Inst. and Board of Education.....	1,574.87	
Library and Librarian.....	1,157.47	
Miscellaneous	6,402.50	
		\$105,409.76
Salary of Auditor and Treasurer.....		4,078.22
		\$109,487.98
Amount of Criminal Expenses allowed to Counties	\$ 11,096.38	
Amount of Interest paid on Warrants.....	1,203.03	
Amount of Decrease.....	3,525.79	
Warrants outstanding, Sept. 15, 1877.....	7,478.93	
Warrants outstanding, Sept. 1, 1879.....	2,024.74	

BOARD OF EQUALIZATION.

The inequalities in the assessed value of taxable property, in different counties, which exist, should be remedied by the creation of a board of equalization. The views, on this subject, presented by me to former Legislative Assemblies, have undergone no change, and have been confirmed by the official returns from many counties. The expense attending the labors of the Board, if this is deemed an obstacle, may, in a large measure, be obviated by devolving the duties of equalization upon certain territorial officers. Legislation on this subject is earnestly recommended.

PENITENTIARY.

In pursuance of the authority conferred upon me, by an act of the Legislative assembly, approved November 9, 1877, I entered into a contract with William Billings, Esq., on the 23rd day of January, A. D. 1878, for the custody and maintenance of all territorial convicts, for the period of six years. By the terms of the law and the contract, Mr. Billings was obliged to erect, at some suitable place in the county of Thurston, at his own expense, prior to the 30th day of June, A. D. 1878, a strong, substantial, safe and secure building, with all the necessary appurtenances, to be used as a penitentiary. The contractor selected, as he had a right to do, by the terms of the law, a point in the county of Thurston, on the line of the Northern Pacific Railroad, now known as Seatco, for the erection of the penitentiary building. On the 29th day of June, A. D. 1878, the board of penitentiary commissioners examined the building and appurtenances which had been erected at Seatco, and also caused the same to be examined by two skillful and disinterested builders, and found that there had been a substantial compliance with the terms of the contract, by the contractor, and on the 13th day of July, A. D.

1878, the terms of the contract having been fully complied with, they accepted the building, issued the certificate required by law, and thereupon it became the penitentiary of the Territory. This new plan for the keeping of convicts has been in operation for so short a period that we are unable to determine fully what the ultimate results may be. It has, however, already been demonstrated that it is a great improvement upon the old system, and far more economical. I am not aware of any legislation that is necessary on this subject.

BOARD OF IMMIGRATION COMMISSIONERS.

The annual amount placed at the disposal of the board, to cover all expenses is only one hundred and fifty dollars, a sum so manifestly inadequate that the mere reference thereto is all that is deemed necessary. The board have been compelled to call for voluntary contributions from citizens, to supplement the amount appropriated, and without the aid derived from this source, they would have been compelled to suspend their labors. Their services have proven, even with the limited means at their command, of great benefit to the Territory. The president of the board has been indefatigable in her efforts to disseminate reliable information in regard to our resources, climate, productions, etc., and to these efforts can be traced a considerable portion of the immigration to the Territory. The members of the board receive no compensation, and if they are willing to render valuable gratuitous services to the Territory, it would appear to be wise policy to provide adequate means to enable them to continue their labors and to enlarge the sphere of their operations.

EDUCATIONAL.

The progress made in our educational interests are exceedingly gratifying. The common school system provided by the last Legislative Assembly is being carefully and zealously carried out by those entrusted with its management, and many beneficial results are already manifest.

TERRITORIAL UNIVERSITY.

This institution now gives promise of permanency and usefulness. The limited assistance rendered to it by the Territory, during the past two years, has borne abundant fruit, and we now find within its walls students from a large majority of the counties in the Territory. Let the causes which have operated to retard its growth in the past be what they may, they cannot relieve us from the duty of fostering and maintaining it in the present and in the future. An annual appropriation for its support is indispensably necessary; and should this be made for a few years, we will have an institution creditable to the Territory, affording the highest educational advantages to all who may desire them, and thus rendering it unnecessary for us to avail ourselves of institutions of learning in neighboring States.

liquors, in less quantities than one gallon, except for medicinal or mechanical purposes. And the legislature shall pass, at its first session, such laws as will carry into effect this article, if adopted.

These articles were rejected by the people. The constitution was, however, adopted by a majority of all the votes cast at the election; and on the 28th day of December, A. D. 1878, in conformity with the provisions of the law, I issued my proclamation declaring the fact.

A bill was introduced at the last session of the forty-fifth Congress, by Hon. Orange Jacobs, for the admission of the State of Washington with this constitution. The bill was referred to the committee on territories, but no further action was taken on the bill during that Congress.

Although the bill was introduced at the earliest practicable moment after the ratification of the constitution, by the people, was officially declared, definite action was not expected at that session, owing to the fact that its introduction was so near the final adjournment of that Congress.

A similar bill was introduced at the first session of the forty-sixth Congress, by Hon. Thos. H. Brents. This bill was also referred to the committee on territories, where it is now pending. I have no knowledge or information on which I can predicate an opinion as to the result of this movement, in the present Congress. That our people desire admission as a state, is clearly evidenced, by the result of the election three years since, on the question of calling a constitutional convention, and the election last year, at which the constitution was ratified. Five states have, in the past, been admitted with a population less, respectively, than we have. Our population is permanent, and, in this respect, dissimilar from the population of many other territories. The aggregate value of taxable property in this Territory is amply sufficient, with a moderate rate of taxation, to support the additional burdens which statehood will impose. This is an important point. Our ability to sustain a State government depends more upon the amount of our taxable property than upon the number of inhabitants. Our manufacturing, mining, agricultural and commercial resources are being rapidly developed, and our population is rapidly increasing. Whether these considerations, or any others which may be offered, will induce the present Congress to consent to our admission as a state is a question which the future only can determine.

REPORTS.

The reports of the Superintendent of Common Schools, Regents of the University, Trustees of the Hospital for the Insane, Fish Commissioner, Board of Pilot Commissioners for the Columbia river, and Librarian, which will be laid before you, will give full and complete information, in reference to the operations of their departments and in regard to the needed legislation therefor.

SALMON FISHERIES.

The question of the validity of an act entitled "An Act to encourage the establishment of hatching houses on the waters of the Columbia river for the propagation of salmon," approved November 6th, 1877, has been raised before the Judge of the District court in the Second Judicial District, and the act has been declared void.

The objects in view in the enactment of this law can be attained by the passage of an act, omitting those provisions which rendered the former act invalid. The report of the fish commissioner which will be presented to you will give reliable information in reference to the importance and magnitude of salmon fisheries in this Territory, on the Columbia river, the products of which have annually been claimed by a neighboring State and embraced in its tables of exports.

STATE GOVERNMENT.

In order to carry out the wish of the people, expressed at the preceding general election, the last Legislative Assembly made provisions for a Constitutional Convention to assemble at the city of Walla Walla on the 11th day of June, A. D. 1878, to frame a constitution for the State of Washington and for the submission of the same to the people of the Territory, for ratification or rejection. At a special election held on the 9th day of April, A. D. 1878, fifteen delegates to this convention were chosen from this Territory, and one from the counties of Idaho, Shoshone and Nez Perces, in the Territory of Idaho.

The convention assembled at the time provided by law, and after a session of forty days adopted a constitution and three separate articles, which were submitted, for ratification or rejection, to the legal voters of this Territory and of the counties of Idaho, Shoshone and Nez Perces, in the Territory of Idaho, at the general election held on the 5th day of November, 1878.

The separate articles referred to were as follows:

SEPARATE ARTICLE, NO. 1

No person, who is otherwise a qualified elector, shall be denied the right to vote in this State, on account of sex, anything in this Constitution to the contrary notwithstanding.

SEPARATE ARTICLE, NO. 2

No person shall be denied the right, on account of sex, to vote or hold office in this State; nor shall such right be, in any manner, abridged on account of sex.

SEPARATE ARTICLE, NO. 3

It shall be lawful for the electors of any county, municipal corporation or precinct, not included within the corporate limits of any municipality, at any general election, to prohibit, by a majority vote, the sale or disposal of spirituous

LEGISLATIVE APPORTIONMENT.

An act of Congress, approved June 19th, 1878, imposes the duty, upon the present Legislative Assembly, of dividing the Territory into Council and Representative districts, according to the provisions of the act. It also changes the number and per diem of members and officers of each House. The following extracts from the law are presented for your guidance in the discharge of the important duty of redistricting the Territory:

That from and after the adjournment of the next session of the several territorial legislatures the council of each of the territories of the United States shall not exceed twelve members, and the house of representatives of each shall not exceed twenty-four members, and the members of each branch of the said several legislatures shall receive a compensation of four dollars per day, each, during the sessions provided by law, and shall receive such mileage as the law provides; and the president of the council and the speaker of the house of representatives shall each receive six dollars per day for the same time. And the several legislatures at their next session are directed to divide their respective territories into as many council and representative districts as they desire, which districts shall be as nearly equal as practicable, taking into consideration population, except "Indians not taxed": *Provided*, the number of council districts shall not exceed twelve, and the representative districts shall not exceed twenty-four in any one of said territories, and all parts of sections eighteen hundred and forty-seven, eighteen hundred and forty-nine, eighteen hundred and fifty-three, and nineteen hundred and twenty-two of the Revised Statutes of the United States in conflict with the provisions herein are repealed.

That the subordinate officers of each branch of said territorial legislature shall consist of one chief clerk, who shall receive a compensation of six dollars per day; one enrolling and engrossing clerk, at five dollars per day; sergeant-at-arms and door keeper, at five dollars per day; one messenger and watchman, at four dollars per day each; and one chaplain, at one dollar and fifty cents per day. Said sums shall be paid only during the sessions of said legislature; and no greater number of officers or charges per diem shall be paid or allowed by the United States to any territory.

The Treasury Department of the United States has decided that all these provisions are applicable to the present Legislative Assembly, except the one prescribing the number of members of which each House shall be composed. This construction, in the absence of judicial interpretation to the contrary, is binding upon the Territory and must be followed. It will therefore be seen that after the present session of the Legislative Assembly the number of members of the Council cannot exceed twelve and the number of members of the House of Representatives cannot exceed twenty-four; that certain offices of the present Legislative Assembly are abolished and others consolidated, and that the per diem of officers and members is reduced. The number of districts need not conform to the number of members of the Council or House of Representatives, respectively, but may consist of any number not exceeding the number allowed to each House.

In the division of the Territory into districts, and in the apportionment of members, population alone, excluding Indians not taxed, should be taken into consideration, and the districts should be as nearly equal in population as is practicable.

CONCLUSION.

The present is an important epoch in our history. The railroads now in process of construction within the Territory, when completed, will give an increased impetus to all branches of productive industry. Our superior agricultural, manufacturing and commercial advantages, the excellence of our climate and the favorable openings that are here presented for profitable investments, are becoming widely known, and we may reasonably expect that in the near future, immigration and capital will flow in upon us in a constantly increasing tide. And if to these natural advantages we present a system of just laws, wisely and impartially administered, finance honestly and economically conducted, a common school and university system, adequate for the education of the rising generation, we will retain those who are now here or may hereafter come, and will soon be fully prepared to enter upon the honors, duties and responsibilities of statehood.

E. P. FERRY.

October 6th, 1879.



Governor William Newell
1880-1884

WILLIAM NEWELL

William Newell, governor of Washington Territory during the years 1880-1884, was a member of a New Jersey family. He went to school in New Brunswick and was graduated from Rutgers College in 1836. Combining a medical practice with an active political life, he was elected three times to Congress (1846-1850, 1864-1866) and served a four-year term as governor of New Jersey, 1857-1861. Affiliated successfully with the Whig and American parties, he labored to unite the American party with the newly formed Republican party, and was sent as a delegate to the Republican convention at Chicago in 1860. Administrative and humanitarian interests led him to take part in the establishment and maintenance of the life-saving service on the New Jersey coast, and the federal agricultural bureau. In 1875 he was chosen president of the New Jersey state board of agriculture.

Although he was sixty-three years old when he came to Washington Territory he still enjoyed physical vigor and served a full four-year term as governor. Upon the expiration of his term of office he was appointed Indian commissioner for two years, following which he practiced medicine in Olympia for a number of years and acted as resident surgeon for the Soldiers' and Sailors' Home. His last years were spent in his old home city, Allentown, New Jersey.*

**Dictionary of American Biography; Meany, Governors of Washington, 53-55.*

Governor William A. Newell to the Eighth Biennial Session of the
Legislative Assembly, October 5, 1881.¹

Gentlemen, of the Council, and House of Representatives:

I welcome you as Representatives, chosen by the people of Washington, to be their Legislators, and wish for you all the success, and satisfaction, which can attach to conscientious and intelligent discharge of public duties.

Appointed by the General Government, and vested thereby with Executive and Legislative power, I will cheerfully co-operate with you in the enactment of wise and beneficial laws for our guidance and obedience. Let us rigorously discard all considerations, save such as will plainly conduce to the general welfare.

Our Territory is replete with all needful elements of material prosperity and greatness, with agricultural resources of great magnitude; various and valuable minerals; forests of timber unsurpassed in quality and extent; facilities for manufacturing; natural advantages on Puget Sound, and other inland seas and on rivers for leading the commerce of the Pacific Coast. The full development of all these gifts of Providence, so far as it can be effected by legislation, requires the inspiration of a lofty patriotism, and the utmost wisdom and sagacity of which man is capable.

Abundant harvest and prosperous business, ready sales for our productions, and profitable returns, conspire to make us a happy people, and call for thanks to the Giver of all Good.

One astounding event grieves and humiliates the public heart. An atrocious fiend, disguised in human shape, has murdered, in hot haste, the President of the United States, and a patriot, soldier and statesman, advanced by his countrymen to be the Chief Executive Officer of the Government, fills an early, and honored sepulchre.

All civilization bewails the untimely death of James A. Garfield, and generations to come will linger upon his virtues as a Chieftain, whose only aspirations were for the welfare of his country. No character more illustrious in all the a[t]-tributes of upright manhood and Statesmanship ever adorned the world, or claimed the contemplation, and admiration of mankind.

“He being dead, yet speaketh.”

Within two decades of years two chief magistrates, the elect of the people, intent upon public duty, have been slaughtered by miscreants stealing from behind, with concealed deadly weapons; a mode of assassination compared with which the assault of the brutal savage with bludgeon, tomahawk and scalping knife arises to the dignity of honorable warfare, in the notice which it conveys of intended deadly purpose. The beast stands and growls before he springs; the viper halts and hisses that his victim may escape his fatal fangs. A solemn duty falls upon you to aid in arresting the sacrifice of life which concealed weapons involve.

Our country has been subjected to many severe surges and strains, but has gallantly weathered the storms. Presidents have passed away in peace, and by

¹ Published by order of the assembly, Olympia, C. B. Bagley, Public Printer, 1881.

violent hands, but their constitutional successors have quietly assumed their office. Civil war has placed sections in hostile array, made sacrifice of blood in fratricidal war, and for a time disrupted all bonds of government, but the Republic lives on. A God of Justice and Mercy governs the affairs of men. Private sins bring personal retribution; national sins bring national calamities. May not then true righteousness, and humiliation, avert angry judgments. Let the people consider, and apply themselves to wisdom. Afflictions soften and subdue the heart into forgetfulness of wrongs, and oppressions, so this overwhelming bereavement has made manifest, a well spring of human affection, and of patriotic devotion to country, which gladdens mankind.

Washington is free from debt, and holds a net balance in the Treasury of \$22,217.94. I present a statement of its operations from 1st of October, 1879, to 1st of October, 1881.

Aggregate receipts	\$129,163.95	
Balance on hand.....	2,392.93	
Total disbursements		\$131,566.88
		108,840.97
Aggregate balance		\$ 22,715.91
Outstanding warrants unpaid.....	\$ 497.04	
Interest unpaid93	
		\$ 497.97
Net balance in Treasury.....		\$ 22,217.94

The Territorial Auditor states that the total assessed value, and territorial tax levies to have been for two years:

Assessed value of all property, 1881.....	\$23,708,587.	
Territorial tax levy on all property, 1880.....		\$ 71,127.25
Assessed on all property, 1881.....	25,786,415.	
Territorial tax levy on all property, 1881.....		77,351.19
Total for two years.....	\$49,495,002.	\$148,479.44

It is quite certain that the gross amount of Territorial tax for the next two years at three mills to the dollar, which is the present rate, will reach the sum of \$150,000.

Deficiencies in collections of taxes and other causes may reduce the amount received, to a sum which may be estimated at...	\$125,000.00
Which with balance stated.....	22,217.94
Will make estimated receipts.....	\$147,217.94

The auditor estimates the disbursements for the coming two years as follows:

Insane	\$ 52,000.00
Prison	27,500.00
Prosecuting Attorneys	9,000.00
Auditor and Treasurer.....	6,000.00
Printing and advertising.....	6,000.00
University	3,000.00
Superintendent of Public Instruction.....	1,600.00
Library and Librarian.....	1,600.00
Incidental expenses appropriated.....	10,000.00
Total.....	<u>\$116,700.00</u>

I consider these estimates to be very liberal and it is not probable, if the strict economy in appropriating public moneys is observed, which characterizes prudent legislation, that the sum designated will be expended, and if it be used as anticipated, there will still be left on hand, at the close of the coming two years, thus:

Estimated receipts	\$147,217.94
" expenditures.....	116,700.00
Estimated balance.....	<u>\$ 30,517.94</u>

The rate of assessment for territorial purposes, which is now three mills on the dollar, may therefore be safely reduced to two mills. It is for you gentlemen to provide for the disbursements from the Treasury, and I doubt not, but that you will be governed by careful considerations, in performing this most important public trust.

The increase in the assessed valuation of property in 1878 over 1877 was $10\frac{1}{4}$ per cent; 1879 over 1878, $10\frac{3}{4}$ per cent; 1880 over 1879, $12\frac{3}{4}$ per cent; 1881 over 1880, $8\frac{1}{3}$ per cent.

It will be observed, by reference to the Auditor's report, that there has been a material diminution in the returns from some of the most fertile and productive counties, which is unaccountable. The report of that officer is full of valuable and practical statements and recommendations, to which I direct your attention.

There is oft-times remaining in the possession of the Treasurer, a much larger amount of the public money than the sum for which he gives security. I advise therefore, that a material increase be required, by law, and that a Judge of the Supreme Court approve the bond.

The revenue law adopted by the last Legislature requires material alterations to make its operations just and successful, or to give satisfaction to the people. The law is very voluminous, and the special points of which it treats so numerous, and the whole subject of assessments, and collections of taxes so important, involving lengthy consideration and detail that I will not discuss it at this time but make it, at an early day, the subject of a special communication to your bodies. The power to provide for "Ways and Means" is one of the most important functions of government, and your best endeavors will be required that equity and

efficiency may prevail in the assessment and collection of the taxes which constitute the chief source of Revenue to the Territory.

I submit to you the Report of the Territorial Board of Equalization, which contains a full account of their transactions and is accompanied by a system of rules and regulations for the government of county assessors and auditors and county boards of equalization, which are based upon prospective legislative concurrence in their recommendations; also a blank form to ensure uniformity in the method of conducting assessments, together with certain amendments which they propose, to make the Revenue law consistent and effective. The board was unable to perform the chief duty for which it was convened, in consequence of a vital defect in legislation, which rendered it impossible to proceed in the process of equalizing the taxes of the Territory, between the various counties. The law declares that "the Board may examine the original assessment rolls in the office of the Secretary of the Territory" when no provision for placing them with that officer exists. Supplemental legislation is necessary to remedy this incongruity. I commend to your consideration the carefully prepared amendments given by the Board.

Your attention will be called to taxation of church property as a means of revenue. Property used habitually only, for religious services might, with propriety, be exempted. True religion calms the passions of men, promotes good citizenship, diminishes crime and tends to make people a "law unto themselves." Churches and school houses, are the temples of education and alike conduce to the cultivation of peace, happiness, and prosperity. Churches enhance the value of contiguous property which, were they abolished, would be of less value and return less revenue. It is wise and proper to encourage the erection of churches as promotive to the public welfare.

Fifty-two convicts are confined in the Penitentiary. The cost of their support has been \$25,012.05, for two years. In company with the Auditor, the Treasurer, and the Judge of the Second Judicial District, who with the Governor, constitute the Board of Commissioners of the prison, and at times alone, I have visited the prison and held unrestrained intercourse with the prisoners. Their apartments are spacious, and comfortable, and the food and clothing good and sufficient. The contractor makes effort to render their condition as free from distress as their unhappy surroundings will permit. The conduct of the prisoners is good. They are in a state of subordination and punishment is seldom required or administered. The comparatively insecure condition of the prison and stockades, and the system which permits labor to be performed outside of the prison inclosure, has seemed to necessitate the use of the permanent shackles, provided by the Territory, on many of the prisoners, who justly complain of the pain and personal injury thereby inflicted. The contractor is averse to their use. I therefore recommend the substitution of moveable irons to be used when necessary, so that they may be removed during the night time and on Sundays. Your early and earnest attention is invited to this important subject.

The report of the visiting and regular physicians will acquaint you of the sanitary state of the prison and of the physical condition of the convicts. No moral instruction whatever is afforded to the prisoners, which is a plain omission of duty.

I have used the pardoning power sparingly, and only strong cases, established innocence, or failing health, likely to terminate fatally, or other important considerations will induce in me, the exercise of Executive clemency. Imprisonment is inflicted not only as a punishment for specific crimes, but also to deter the wicked from invading established rights. Government is a compact which bargains for protection to life and property, in return for allegiance and support. When Government fails in this duty it engenders contempt, and the right of self defense reverts to the citizen.

A rebate of five days on each month of sentence, contingent upon good behavior, and the recommendation of the Superintendent, should be provided for by law.

The bi-ennial Report of the Trustees of the Hospital for Insane, which includes the reports of the Superintendent, and the Accountant will inform you, in detail, of the condition of that institution. I have made several visits thereto and cheerfully testify to the efficient manner in which these officers have performed their duties. The inmates receive skillful medical, and kind attentions and are as contented as it is possible for human beings to be, in whose minds the light of reason has become impaired or extinguished.

The following is an annual summary of patients received and discharged from August 16th, 1879, to August 15th, 1880:

Summary	Males	Females	Total
Number of patients in Hospital, Aug. 16, 1870...	62	13	75
Number admitted during the year.....	25	8	33
Number under care and treatment during the year	87	21	108
Number discharged recovered.....	8	1	9
Number discharged improved.....	3	1	4
Number died	9		9
Total vacancies created.....	20	2	22
Number of patients, Aug. 15, 1880.....	67	19	86

From August 16, 1880, to August 15, 1881.

Summary	Males	Females	Total
Number of patients, Aug. 16, 1880.....	67	19	86
Number admitted during the year.....	31	13	44
Number under care and treatment during the year	98	32	130
Number discharged recovered.....	23	4	27
Number discharged improved.....		2	2
Number died	3	2	5
Total vacancies created.....	26	8	34
In Hospital, Aug. 15, 1881.....	72	24	96

The cost of maintaining the Institution and making all improvements for the past two years has been as follows :

Net cost of improvements.....		\$ 7,543.90
Expenses	\$40,750.66	
Minus pay patients.....	3,400.30	
		37,350.36
Total cost to Territory.....		\$44,894.29 [sic]

The Trustees ask for the following apportionments :

Current expenses each year, for two years.....	\$26,000.	\$52,000.00
Draining lake and water supply.....		1,500.00
For new building.....		10,000.00
Total.....		\$63,500.00

Or, if the appropriation for new building, as suggested, is not made, then, they ask for \$2,000 for additions to the present buildings, which will reduce the appropriation as stated, \$8,000 and make the sum required \$55,500.00.

The last appropriations made were \$26,000, for each year, and \$1,000 for purchasing land; of the former \$3,705.44 were not expended and of the latter \$500, both of which sums have been paid into the Treasury.

The Asylum is filled with inmates and the Trustees recommend that " a commencement be made toward a larger structure, arranged solely for Hospital for the Insane, with the necessary appliances for the care of patients," and ask for an appropriation of ten thousand dollars; or should you deem it wiser to use the present buildings, by repairing and making addition to them, they ask for two thousand dollars. The Superintendent also recommends "the erection of a substantial structure, beginning with the wing of a permanent building capable of holding at least one hundred patients. After a few years, or when required, the other wing could be built, and finally the central building connecting the two wings." I cannot concur in advice which involves the erection of extensive and costly buildings, and consequent expensive management for the Insane. The

Hospital is public Charity, and the patients are mainly beneficiaries. The people should not be taxed for their support beyond the requirements of humanity. Good medical treatment, comfortable apartments, substantial, plain food, kind guardianship, are all they require or can appreciate, and with these necessaries they are now amply provided, with the exception of business accommodations. The increase in numbers will neither be rapid nor large. The tables quoted show an increase of ten only during the last year. Sufficient room may be made by dismissing some patients, who are not insane; one, or both of the two buildings, now out of repair, might be rendered habitable; or, the recommendations of the Trustees for new additions might properly be recognized.

It may be the will of the people, when the Territory becomes a State, and when the public buildings shall be permanently located, to provide new accommodations for the Insane, at some other place and contiguous to the seat of Government. If the appropriation is allowed it will be just and wise to consider the interests and convenience of all portions of our extensive domain alike, and afford to Eastern Washington some of the advantages which attach to the location of public institutions.

Doctor Rufus Willard performed the duties of Superintendent for a period of fifteen months, covered by the Report, faithfully, capably and economically. No cause is assigned for his removal.

The sum of \$687.50 has been disbursed for the education of mutes at the institution provided for that purpose by the state of Oregon; which payment liquidates our entire indebtedness on that account. It is proper that suitable provision be made for instruction, at the public expense, for that afflicted class of our fellow creatures who can neither speak nor hear.

I submit to you a communication from a blind female who asks for the passage of a law to restore taxes and exonerate her from future assessment, alleging that she has no benefit from the school money, and has barely the means of subsistence. I favor the application.

I have not received a report, which I regret, concerning the Public Schools, and therefore cannot present to you any statement, nor make any recommendation upon that important subject. I believe their condition to be satisfactory.

The Territorial University continues to dispense the benefits of higher education and presents a prosperous aspect. The Regents, President and Professors give suitable attention to its requirements and afford an Institution where all the teachings of normal, classical, scientific, and commercial learning may be readily acquired. The Regents ask appropriations, which I hope will not be withheld. Education is the bulwark of freedom, and of free government. Money expended for its advancement tends only to the promotion of all good, and to the suppression of all evil.

The Secretary of War telegraphs to me that there stands to our credit, at the war department, the sum of \$2,582.72, and that to that extent my requisition for arms will be honored. We have loaned to the State of Oregon 1144 rifle muskets, 50 ammunition chests, 41,665 ball cartridges; also arms and accoutre-

ments to various counties of the Territory, a full account of which I have not been able to obtain. A well regulated militia, encouraged and patronized by the State, is useful and necessary at times when civil authority is powerless to prevent, or to redress national, or minor wrongs. I notice, with much satisfaction, the existence of a proper military spirit in various sections, the outgrowth of a patriotic sentiment, infused by veterans of the war for the Union, who have found homes in our midst, and express the hope that it will lead to the formation of companies—infantry, artillery and cavalry—in addition to such as are already so well established and maintained. A bill will be presented to you for action, the leading features of which command my approval, and which I commend to your favorable consideration. The report of the Quartermaster General will state to you the present condition of the arms, and accoutrements belonging to the Territory.

An apprehension exists that the military forces of the United States are to be withdrawn wholly, or in part, from Camp Colville, and Camp Spokane, which I trust is not well founded. The settlers require the protection they give and have located in these regions, and made improvements, in view of the safety to their families and live stock, and the market for their productions which these military establishments afford. A suitable protest and memorial to the Secretary of War, from you, will no doubt receive satisfactory attention.

The Territorial Library is crowded to its fullest capacity and additional space must be supplied for the reception, of an increase, if it be contemplated. Many sets are broken by failure of borrowers to return, as required by law, and many books are valueless to the lawyer or general reader. Congressional papers and other works of great bulk, and not used, fill the shelves to the exclusion of more useful material. It has been suggested to me that the Library of the University has room for them on deposit, and that the President would carefully guard them if committed to his keeping. I recommend the transfer, which will provide for the present emergency. I present a report of the commission.

My distinguished, immediate predecessor in the Executive chair, was appointed to codify the laws of the Territory. I am not informed that he contemplates presenting a report at this session, or at any future time. Suitable arrangement and classification of the laws will simplify the administration of justice and conduce to a large reduction of the cost of litigation to the citizens. Their codification should not be abandoned.

The Executive department has no volume of the Statutes, a deficiency, which necessity requires, should be supplied.

The Report of the Board of "Pilot Commissioners for the Columbia River and Bar" presents a satisfactory reference to the manner in which Washington Pilots discharge their important duties. They have the confidence of shipmasters and maintain a full share of the river pilotage. Conflicting interests have at times excited controversy with Oregon pilots, but the wisdom of establishing the Board, and of issuing Washington branches, is fully established by the success which attends our Pilots, and the benefits which inure to the commerce of the Columbia. The present Pilot laws, relating to Puget Sound are very defective and require

revision. The Commissioners will present to you a report, in which suitable suggestions are offered, for your action.

The seal fishery at Cape Flattery is a most important interest to our people, which must greatly increase. The Fish Commissioner of British Columbia has reported to the Dominion Government suggesting that the Canadian and American Governments should have some mutual agreement relative to the fur seal fishery, providing the same rules which apply to the seal and other fisheries in the Northern Atlantic waters. The treaty of Washington, also, between Great Britain and the United States, relating to Fish and Fish oils, of the Dominion of Canada should be extended over the waters of British Columbia. Our citizens suffer in consequence and the government loses a collection of duties on oil, which is now smuggled in large quantities in Indian canoes.

Congress should be memorialized to have the provisions of the Treaty of Washington extended along the whole line of the Canadian boundary from the Atlantic to the Pacific ocean.

The great value of our undeveloped fisheries on Puget Sound, the Columbia River and other waters, call for your earnest endeavors to bring these elements of wealth into fuller requisition. Puget Sound presents a fishing interest totally dissimilar to the fresh waters of the Territory and requires special attention for its full development. The protection of our own, and the introduction of Eastern oysters and lobsters, the hatching and breeding of salmon, and all fish distributed by the General Government; the supervision of canning, and barreling, and other proper duties, demand the supervision of a competent commissioner.

The Health officer reports that more than three hundred steam and sailing vessels have been inspected; also that the Pest House is in good repair and always ready for the reception of patients. The Quarantine law is essentially defective in not assigning adequate punishment for its violation, and no compensation is provided for the laborious and oftentimes dangerous duties which devolve upon the officer. These defects will properly claim your attention.

The numerous navigable waters of the Territory are of such value and extent as public highways, that we will never require so much of Rail Road facilities for travel and transportation, as would be necessary in a like space of country in any other portion of the world, nevertheless we are in possession of five hundred miles of rail tracks and more are soon to be constructed. The roads, already in operation, are of inestimable advantage, and the accommodations which they afford are fully appreciated by our people, but we can not be content, nor can our best interests be fully subserved until a Rail Road is afforded across the Cascade mountains, connecting Washington East with Puget Sound, and the Atlantic with the Pacific ocean. The people have been repeatedly assured it will be soon accomplished. The spirit, if not the letter of the compact between the great corporation, to which we look for its completion, and the government, demands it, and justifies us in the expectation of its early construction. No transcontinental system, north of California, can be complete, nor fully profitable, which does not make its western termination on Puget Sound as the centre to which the trade

of Eastern Asia and Alaska must enter our continent, on its way to the Atlantic seaboard and to the maritime states of Europe.

There are about thirteen thousand Indians of various tribes in Washington, and much of our best land is appropriated by the Government, as Reservations, for their use, for strolling, fishing, hunting and farming. The Chief Moses, Colville, Yakima and other Reservations in Eastern Washington, alone, contain five millions of acres of the best agricultural, grazing and mineral lands of the Territory, with not more than four thousand tribal occupants. The Indians are decreasing in numbers, are very peaceable, some of them advancing in civilization and cultivating the arts of peace.

The Indian question, which so vexes the public mind and strains the public purse, is easy of solution in this Territory. Abolish Reservations, conceding liberal homesteads, which shall be inalienable for a period of years; dissolve tribal relations and subject Indians to the same authorities and laws by which other people are governed, then predatory and hostile excursions will cease.

Privileged classes are not consistent with the genius of our government. The claim that the aborigines hold exclusive right to the public domain might be made applicable to the entire hemisphere. The right of individuals to acquire, hold, and transmit property is not denied, but it is also true, that the Earth is provided by a benevolent Creator for the support of the children of men, to be used by them, in usufruct, as they appear upon its surface. Much benefit has inured to the Indians by the moral, religious and other educational instructions which they have received at the expense of the government and such teachings are yet to be continued, but that will not justify the retention of public lands for hunting parks, when they might be more profitably utilized by the production of bread.

The evils of intemperance multiply from year to year, and its votaries and victims are conveyed in hecatombs to destruction and to death. Wise statesmanship; sound political economy; your obligations to promote the personal prosperity, wealth, and happiness of your constituents; the prevention of crime, the reduction of the expenses of government, the prolongation of life to mankind, high moral considerations, all these influences will constrain you to the adoption of laws, however stringent, which will suppress, and, if possible, extinguish this curse, which brings only affliction and deterioration to the race.

The advantages which will be contingent to our Territory, when introduced as a State, are manifold, and manifest. Our people will become possessed of all the rights enjoyed by the citizens of States, obtain full representation, and the right to vote in both branches of Congress and thus be more likely to secure appropriations for the improvement of our harbors and rivers, the erection of light houses, buoys, life-saving stations and other adjuncts to commerce. We will have power to use the school sections of the public domain, so as to reduce taxation for the support of public schools, and if the same liberality is exercised by Congress which has been extended to some other territories, we will have donated to us five per cent. of the proceeds of the sale of the public lands in the Territory, five hundred thousand acres of the public domain, ten sections for state buildings, all the tide and swamp land and salt springs, within our borders; our productions

would not be so easily diverted, as now, to swell the importance and increase the wealth of neighboring States, and by representative influence, a navy yard might be secured for Puget Sound. This accomplished, capital and people would come to our borders in abundance.

Our people are intelligent, hardy, industrious and prosperous, and are abundantly able to conduct for themselves the affairs of a state. The citizens of the counties of Nez Perce, Shoshone and Idaho, in the Territory of Idaho, concurred with but thirty-four dissenting votes in the adoption of the Constitution presented by the people of Washington, preparatory to admission, and they are still anxious for the association. Idaho North is similar to Washington East in physical features, in productions, and the characteristics of its people, who, with our large and rapidly increasing population, will answer all reasonable expectations upon that requirement. The disparity of the present relative population, on either side of the mountains, as compared with that which existed at the time of the adoption of the Constitution involving proportionate representation, with other now objectionable features of that instrument, may be corrected by congressional adjustment.

The Board of Immigration has been industrious and successful in distributing circulars and giving information personally to such persons as have made inquiry of the office concerning our resources and advantages. A more extended and thorough system for promoting immigration hither is desirable, and must be introduced, if we expect to secure a proper portion of the people who are seeking new dwelling places in the western world, and especially upon the Pacific Coast. We have seventy thousand square miles, forty-five millions of acres of territory, two-fifths of which produces fir and other timbers from which are cut and sent to foreign markets two hundred and fifty millions of feet annually. The main body of Puget Sound basin is underlaid with anthracite, bituminous and lignite coal, a trade in which is now being established which will require the use of nine sea steamers of three thousand tons capacity each, some of which are now regularly on the lines and others of which are building and soon to be placed upon the waters, for regular voyages. Gold, silver, copper, lead, zinc, tin, cinnabar and plumbago; gypsum, mica, marble, granite, limestone, sandstone, fire and pottery clays, iron, bog, hematite, and magnetic, abound in inexhaustible quantities. Over twenty millions of agricultural and grazing lands produce prodigious crops of wheat, of which an eastern field of a thousand acres, this year, produces fifty thousand bushels, and an island of the Sound, a still larger proportion, rye, oats, barley, flax, hops, tobacco, vegetables and fruits, and afford pasturage for innumerable horses, cattle, sheep and swine. Two thousand square miles of tide waters—with two thousand miles of coast and shore lines—great water powers—two thousand miles of navigable waters, afford ample means for navigation, and give life to an immense supply of salmon, cod, trout, halibut, oysters and other fresh and salt water, scale, and shell fish. The climate is mild, salubrious and healthful, and the scenery of the Territory is unsurpassed in beauty and grandeur.

The University, Schools, Churches and public journals and libraries diffuse religion and intelligence to an enterprising and advanced people. Material for manufacturing wooden, woollen and iron wares, and for tanning are abundant and convenient. Washington is central to the Pacific Coast of the United States; central between Maine and the Aleutian Islands, and Alaska and the Gulf of California. We are a *maritime State*, possessed of all the advantages in the highest sense, which that term implies. All of the bold and safe harbors, north of the Golden Gate, are located on our Pacific coast, whilst the Straits of Fuca and Puget Sound provide safe, and deep waters, sufficient to float at once the navies of the world. These argue commercial opportunities, so apparent that they cannot be ignored, and the commerce of the Indies will soon lie at our feet. To avail ourselves of these great opportunities and privileges is the part of wisdom for ourselves and our posterity. To this end I propose a Bureau of Immigration, with facilities established, East and West of the mountains, to induce the introduction of population, and capital into our country. All other states adopt this necessary course, and reap substantial benefits, in the increased value of property and the general prosperity which attaches to thickly populated regions. The American inheritance is passing rapidly into the possession of strangers, and the closing of this century will witness the closing of all the public land offices in the United States. Let us therefore draw hither, as best we may, a free and an enlightened immigration, that we may not fall behind in the prosperity which awaits the Great Pacific North Western Empire.

Congress has provided that your session may be extended to sixty days, which is a longer period than can be necessary for the proper performance of your public duties as legislators; and there can be no cause for the delay in the presentation of bills to this department, which my predecessors have experienced. I cannot give my official consent to any measure, which is not presented in time for a full consideration of its provisions.

I have been embarrassed in the preparation of this communication by the delay experienced in receiving reports from various departments, and commissions. These are indispensable to a full comprehension of the interests to which they relate and their proper presentation to the Legislature. I recommend the passage of a law closing the business year of the Territory on the 30th day of June, and requiring that reports be forwarded to the Governor on or before the 15th day of August, of the years in which the Legislature convenes in regular session.

The Capitol building and ten adjoining acres of land have been donated to us by the Government. There is no lawful custodian for the property and injury ensues. I advise that it be placed under the guardianship of the Secretary of the Territory, and that suitable appropriations be made for its better preservation.

And now gentlemen, I have presented to you a statement of the condition and requirements of our Great Territory. Let us cordially co-operate in all measures which will promote the best interests of the people, and may *Almighty Wisdom* inspire and guide us in our deliberations and conclusions.

Governor William A. Newell to the Ninth Biennial Session of the
Legislative Assembly, October 3, 1883.

Gentlemen of the Legislative Assembly:

Conforming with established custom, I come before you, in person, to present the biennial Executive address, concerning the condition of the Territory, and to make such recommendations as my observation and manifestly necessary requirements, compel.

The people have confided to you the high trust of making laws by which they are to be governed. Upon the Executive has been imposed the duty of considering, not only the welfare of your constituents, the people of Washington, but also such concern as the General Government, representing the people of all the States and Territories of the Union, who, with parental liberality, defray the expenses of your Executive, Legislative and Judicial departments, holds within your borders.

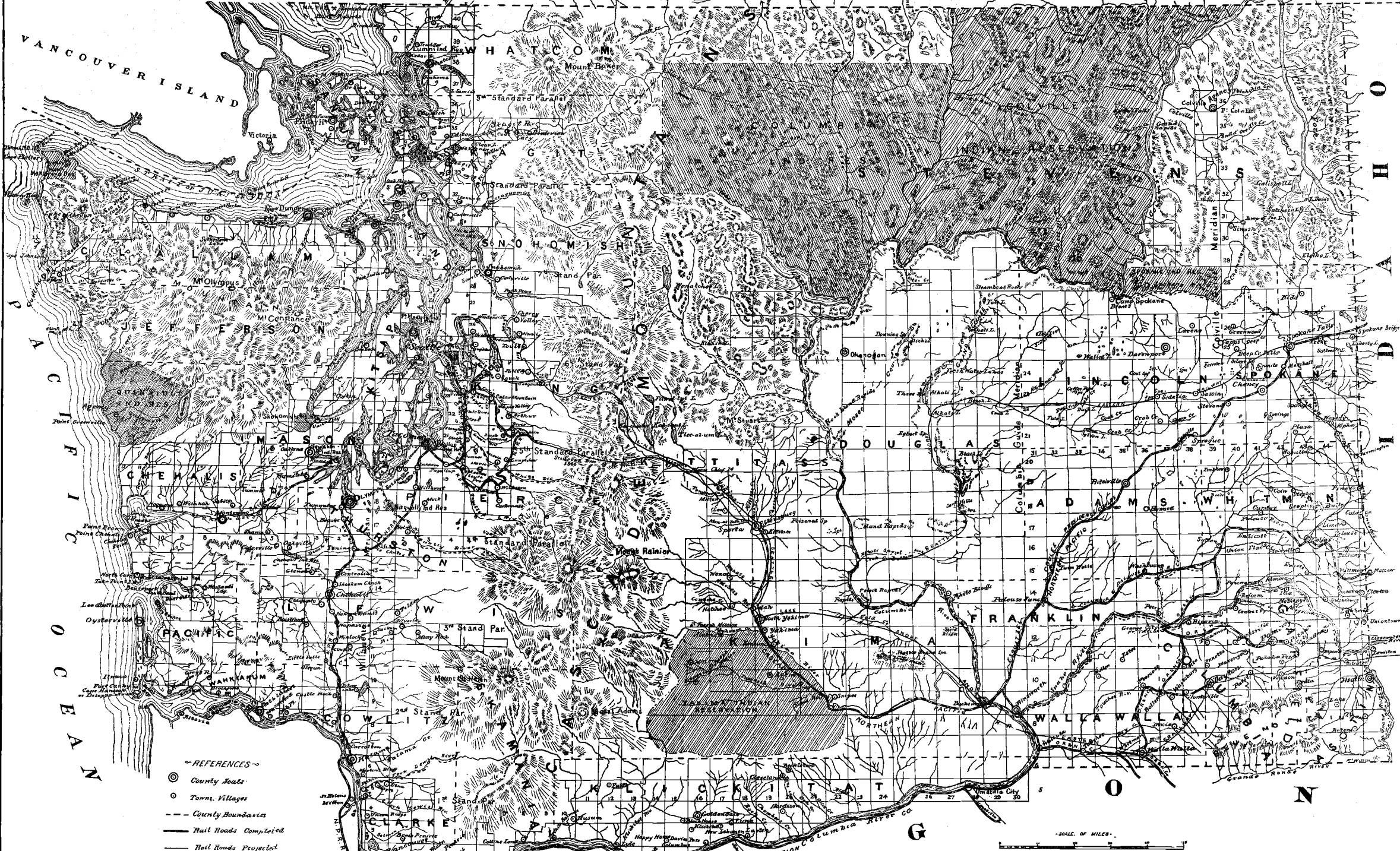
The interests of Washington are as diversified, and in many respects, as divergent, as are our resources and our physical conditions. Our people come from all States and Nations of the civilized world, are accustomed to different phases of society and forms of government; each strongly attached to the institutions, political and religious, of their respective countries.

For manifest reasons we are about to assume a foremost position in the affairs of the world. All of these considerations impose a weighty responsibility upon us, requiring an exercise of the utmost toleration, liberality, wisdom, conscience and courage which we can exert. Let us, therefore, rise to the highest attainable plane of patriotism in the discharge of our respective duties, and entertain only an ambition for the public good.

Upon such labors I devoutly invoke the favor of Almighty God.

Bountiful harvests, good health, freedom from all conspicuous afflictions oftentimes incident to mankind, extensive occupation and improvement of lands, building of towns, increase in manufacturing, commerce and navigation, and railroads, large additions to population, and general advancement give assurance of prosperity which is eminently gratifying to all people who foresee in this country happy homes for the present, and for future generations of mankind.

B R I T I S H P O S S E S S I O N S



- ~ REFERENCES ~
- County Seats
 - Towns, Villages
 - - - County Boundaries
 - Rail Roads Completed
 - Rail Roads Projected
 - ▨ Indian Reservations

Base Line

SCALE OF MILES

WASHINGTON TERRITORY

PUBLISHED BY AUTHORITY OF THE TERRITORIAL LEGISLATURE
LOWMAN & HANFORD STATIONERY & PRINTING COMPANY
SEATTLE, W. T.

1886

LOWMAN & HANFORD
STATIONERY & PRINTING COMPANY
SEATTLE, W. T.

FINANCIAL.

By the courtesy of the Territorial Auditor I am enabled to present an early account of our financial condition.

There was remaining in the Treasury October 1, 1881		\$ 22,715.91
The total receipts of funds to the Treasury for the two years ending Sept. 30, 1883, are as follows, to-wit:		
General Fund, 1881-2.....	\$64,313.82	
General Fund, 1882-3.....	67,419.04	131,732.86
Notarial Fund, 1881-2.....	660.00	
Notarial Fund, 1882-3.....	880.00	1,540.00
Commissioners of Deeds*.....		27.50
Aggregate receipts including balance.....		156,016.27
The particular source of receipts to the several funds are as follows:		
Tax on property valuation, real and personal.....	\$129,678.57	
Care of insane patients.....	1,917.60	
Notarial commission fees.....	1,540.50	
Commissioners of Deeds.....	27.50	
Sale of Codes.....	129.00	
Return of Legislative postage.....	5.00	
Costs of Clerk of District Court, 2d district.....	2.69	
Net cash receipts.....	133,300.36	
Add balance October 1, 1881.....	22,715.91	
		156,016.27

*The provisions of the law of 1877 (Stat. 1877, p. 257) in regard to Commissioners of Deeds, exacting a fee from appointees and creating a "special fund," in that relation were repealed by Legislative act 1881 (Secs. 2626 and 2627, Code).

Cash disbursements from the several funds and aggregate cash balance in Treasury at date hereof, as follows:

General Fund, disbursed by warrants.....	\$124,646.50
General Fund, disbursed other than by warrants.....	2,921.19
Notarial Fund, disbursed by warrant.....	135.75
	<u>\$127,703.44</u>

RECAPITULATION—FUND ACCOUNT.

Commissioners of Deed fund, total receipts.....	\$27.50
Amount transferred to General Fund.....	27.50
	<u> </u>
Notarial Fund, total receipts.....	1,540.00
Amount disbursed by warrant.....	135.75
	<u> </u>
Balance transferred to General Fund.....	1,404.25

GENERAL FUND—SUMMARY

Balance as per last biennial report.....	\$ 22,715.91
Total receipts General Fund account.....	131,732.86
Total receipts Notarial Fund account.....	1,540.00
Total receipts Commissioners of Deeds account.....	27.50
Aggregate	156,016.27
Total disbursements	127,703.44
Balance cash in Treasury October 1, 1883.....	28,312.83

Amount of outstanding unpaid warrants, the estimated amount of salaries of officers, and other accounts due and unpaid, and the approximate net balance in the Treasury October 1, 1883:

Aggregate cash balance as above.....	\$28,312.83
Amount unpaid warrants.....	1,538.76
Prosecuting Attorneys unpaid salary account.....	1,075.00
Hospital insane account reported and not paid.....	2,821.00
Miscellaneous	5,000.00
	10,434.76
Approximate net balance, cash over all outstanding claims to date	17,878.07

Estimated receipts and disbursements for the next ensuing two years, based upon the tax levies of 1882 and 1883, and the probable increase of population and property valuations:

The total assessed value and Territorial tax levy for this year may be summarized as follows:

Assessed value of all property, 1882.....	\$32,568,901.00
Territorial tax levy on the same.....	81,415.78

Notwithstanding strenuous efforts have been made to obtain complete returns of property valuations as assessed for the year 1883, the following counties up to this date have failed to make any returns, viz: Klickitat, Spokane, Thurston and Yakima.

The aggregate valuation returned by those counties which have reported up to this date is \$35,674,029.

The returns of the four delinquent counties above mentioned for the year 1882 aggregated the sum of \$5,985,359.

Assuming that there will be no falling off, but rather a relative increase in those counties, the probable total valuation upon full returns for the year 1883 will approximate the sum \$42,000,000. The total valuation returned for the year 1882 was \$32,568,901. Subtracting this sum from the approximate return of this year (1883) will show the increase for the present fiscal year to have been about \$9,400,000.

An increase of thirty-three per cent. for the next two years, would give an average property valuation of about \$50,000,000; it is safe to estimate the amount

at \$45,000,000. Upon that basis the present rate of taxation for Territorial purposes, 2½ mills on the dollar, would yield an average annual revenue of \$112,500. in gross amount.

Deducting from this sum the usual percentage returned delinquent, the amounts of cost bills, Treasurers' commissions and other abatements allowed under the present laws, the probable cash receipts into the Treasury for the next two years will approximate \$180,000.

This sum, taking into consideration the cash surplus now on hand, will be sufficient to meet the current expenses for that period. While this estimate for the current expenses is in excess of the estimate of the past two years, it must be remembered that expenses in nearly every department of the Territorial government are increasing almost in ratio with new population and increase of property valuations.

Estimate of amounts probably required to meet the current expenses for the next two years:

Hospital for the Insane.....	\$ 75,000.00
Transportation of the insane.....	15,000.00
Territorial convicts	50,000.00
Prosecuting Attorneys	9,000.00
Auditor and Treasurer.....	6,000.00
Printing and advertising.....	6,000.00
Supt. Public Instruction.....	1,800.00
Library and Librarian.....	1,200.00
Miscellaneous appropriations	10,000.00
Incidental expenses	3,000.00
Territorial University	3,000.00
	<hr/>
Total estimate.....	180,000.00

PENITENTIARY.

The Penitentiary at Seatco contains seventy-three persons. The cost of their maintenance for the past two years has been thirty-three thousand dollars.

The management is judicious and firm, very properly tempered with kindness. The prisoners have general good health, and but few deaths have occurred; when seriously sick they are placed in the hospital, have good accommodations, nursing, and excellent medical attention. They are provided with abundant food in suitable variety, ample clothing and ordinary sleeping cells. They are generally well disposed in conduct, and not a few of them give evidence of a desire to become good citizens. Moveable shackles have been introduced and used in many cases to the comfort, benefit and satisfaction of the convicts, who remove them at meal time, at night and on Sundays. In the out of door system of labor it is considered unsafe to dispense with the riveted shackles in view of the additional temptation and facilities for escape incident to the new irons, but in any cases where they can be safely used they are always applied.

A portion of the appropriation for their purchase remains unexpended, which I recommend shall be devoted to procuring as many of these shackles as can be

obtained therewith. Moral instructors have been appointed, and have discharged the duties imposed faithfully and with decidedly satisfactory effect. Reading matter also has been provided as directed by law, much to the entertainment and gratification of the prisoners. I have issued but few pardons save under the statute allowing rebate of five days to each month for good behavior upon the recommendation of the Superintendent. This law is most salutary, inspiring good conduct with hope of reward which is always recognized by the Pardoning Power.

The present contract for confining, guarding, boarding and general support of the prisoners will expire on the first day of August, 1884, and before your successors assemble. It will be necessary for you to provide for future contingencies at this session. This will be the most important of all your legislative duties. I therefore recommend that its consideration may be entertained by you so soon as may be agreeable to your honorable bodies.

The present contractor has fulfilled his obligations to the Territory honorably and efficiently, has been at much expense in building the prison and stockade, and providing other necessary appliances, has valuable experience and is worthy of your considerate attention, if he presents a proposition to renew the contract.

A law of Congress provides that all Territories, except Washington, shall have as a donation the United States prisons located within their respective domains upon their admission as States. In view of this remarkable exception against us I suggest that you petition Congress to give us the prison at McNeil's island at the proper time, which if secured will afford an economical solution of the subject for the future.

INSANE.

Personal observation and a study of the reports satisfy me that the affairs of the Hospital for the Insane have been managed in an intelligent, humane and economical manner, by the Board of Trustees, also that the medical and hygienic treatment have been eminently skillful and successful, and the general supervision careful and thorough.

The inmates, so many of them as are conscious of their true condition, and are capable of appreciating kind attentions and good household accommodations, are as well satisfied as can be expected from persons of their unfortunate and unsettled condition of mind. Our system is simple and comparatively inexpensive, but it is equal to the best in management and results.

The following extracts from the reports of the Board of Trustees, and the Superintendent of the Hospital, will acquaint you with its business condition, and include some of their recommendations for Legislative action:

ANNUAL SUMMARY FROM AUGUST 16, 1881, TO AUGUST 15, 1882.

Summary.	Males.	Females.	Total.
Number of patients August 16th, 1881.....	72	24	96
Number admitted during the year.....	48	7	55
Number under care and treatment during year	120	31	151
Number discharged as recovered.....	13	4	17
Number discharged as improved.....	2	1	3
Number discharged as unimproved.....	1		1
Number discharged as not insane.....	2	1	3
Number died—one not insane—.....	13	2	15
Total vacancies created.....	31	8	39
Number of patients August 15, 1882.....	89	23	112

ANNUAL SUMMARY FROM AUGUST 16, 1882, TO AUGUST 15, 1883.

Summary.	Males.	Females.	Total.
Number of patients in hospital August 16, 1882...	89	23	112
Number admitted during the year.....	50	16	66
Number under care and treatment during year	139	39	178
Number discharged as recovered.....	24	3	27
Number discharged as improved.....	9	1	10
Number discharged as unimproved.....	1		1
Number discharged as not insane.....	2		2
Number escaped	3		3
Number died	4	2	6
Total vacancies created.....	43	6	49
Number of patients in hospital August 15, 1883..	96	33	129
Total amount expenditures for the two years.....		\$57,106.52	
Amount received from pay patients and other sources.....		1,917.10	
Net expense to the Territory.....		55,189.42	
Net cost to the Territory per patient per week.....		4.89	

Deduct from total expenditure, \$57,106.52, the cost of repairs and improvements, \$7,389.18, and we have the actual current expenses, \$49,717.24.

The actual cost of maintenance per patient per week is four dollars and thirty and four-thirteenths of a cent.

The fact is self-evident from the foregoing tables, that the hospital feels the effect of the unprecedented immigration which is now pouring into the Territory, and which has, as yet, barely commenced.

Owing to the increase in the number of patients, the extreme age of the buildings constituting the hospital (necessitating constant repairs); the introduc-

tion of additional facilities for supplying water for the domestic use of the hospital, and the protection of the same and its inmates against the danger of fire; the necessity for the employment of additional assistance, we find the appropriation insufficient to meet the current expenses, and the Board has been sadly perplexed during the last quarter of the fiscal year to provide for these, the People's wards. The deficiency amounts to nearly \$1500, notwithstanding the most strenuous efforts to keep the expenditures under the amount appropriated for the maintenance of the institution, and we are gratified to state that the daily average cost per patient is less than at our last biennial report.

It is a deplorable fact that but a small portion of the large tract of land belonging to the hospital is susceptible of cultivation; nearly all that can be successfully cultivated has been cleared and is in use, but now the increasing population of the hospital demands a corresponding increase of acreage. Almost in sight of the main ward lies a body of land comprising about thirty acres, which is now covered with water to a depth of from two to twelve feet. If this water could be drained off, we would have a tract of excellent bottom land, upon which could be raised all the hay, oats and roots necessary for the use of the hospital, and be the means of greatly reducing the current expenses. We ask for an appropriation, and append herewith a plat showing the nature of the proposed improvement.

In view of all these facts, we earnestly and respectfully ask of your Honorable Body to make the following appropriations:

For current expenses of each year and repairs.....	\$35,000.00
For draining lake	2,000.00
For the construction of permanent hospital each year.....	25,000.00

Or so much of the above amounts as may be necessary.

With the rapid increase of population the number of the insane will also increase. We can count on having at least one insane person to care for, for every thousand of population; perhaps even a greater per cent. than this. By fitting up the second story of the new male ward, the second story of the annex to the female ward, and the only other building available for making into a ward, we will be able to accommodate 30 more patients. This will be our utmost limit without new buildings. From our present rate of increase the next two years will supply us with patients for all this increased room. It would seem then that there exists urgent necessity for the coming legislature to make increased and permanent provision for our insane. Our present hospital is composed of old and scattered, and for the most part one story buildings, five in number, the constant repair of which costs a large outlay of money, and is of no permanent value, and in fact they can scarcely be made secure enough to prevent the escape of restive patients, and are expensive in administration. In view of these facts I would recommend that the legislature be urged to take the matter of a new, substantial, and permanent building in hand. It is a good time now to begin this work while the Territory is out of debt, and before becoming a state when other appropriations will be needed. When a new building is erected it should be of brick with a metallic roof so as to be fire proof. All the brick necessary for building could be made with

hospital help, employing such of the patients as are able and willing to assist, and a brickmaker. Proper clay can be found near Steilacoom and the cost of making them this way would be small. On the score of economy both in building and administration after being built, it would be better to have a three-story building.

I recommend that the deficiency be paid, and in view of our increased and constantly increasing population, that the appropriation proposed by the Board "for current expenses each year" of "thirty-five thousand dollars," be allowed. That sum may not be fully needed but it is better to have an unexpended surplus than to provide for deficiencies, which establishes a precedent unwisely. Your committee will examine into the proposition to drain the lake and after personal inspection of the locality will report to you for proper action.

It will be necessary to provide for fitting the apartments designated in the report of the Superintendent to accommodate additional patients.

Your most deliberate and best matured judgment will be fully exercised in determining the policy of laying the foundation for an extensive, permanent establishment for the Insane of the Territory as proposed by the Board of Trustees and the Superintendent. That additional accommodations are necessary will be readily conceded.

Without application to the present proposition, for it is not stated what the proposed extent, or the ultimate cost of these buildings shall be, I have an aversion to huge structures for public purposes, not new born, but which is well understood in the state where I have at times hitherto conducted, and canvassed the affairs of the people. Such enterprises always involve an unexpected original outlay and a corresponding subsequent expense in their management, thus giving rise, universally, to dissatisfaction and opposition, in every department of the public service.

The Hospital is a Charity. Its indigent inmates are supported by assessments upon the capital and labor of others, and their accommodations need not be in advance of the average of the people who humanely provide for their maintenance, good medical treatment, and safe keeping. But few of them are in such a mental condition as to be able to appreciate their surroundings, be they ever so grand as in many of the states.

Our Territory has vast extent and it may be desirable to establish an Asylum beyond the mountains for the convenience of patients and their friends as well as to reduce cost of transportation, now very excessive.

Whilst we have elements of unbounded undeveloped wealth our people have but little ready money, therefore if a new departure is to be established, let it accord with our circumstances and be conducted with reference only to strictest necessity and the most rigid economy, and with a full understanding of all possibilities connected therewith at the present, and in the future.

My personal and professional record will absolve me from all imputation of deficiency in the possession of a proper liberality and sympathy for that most unfortunate class of our fellow creatures in whom an inscrutable Providence has permitted the light of reason to be extinguished or impaired.

EDUCATION.

The Superintendent of Public Instruction makes several important suggestions in his report to which I direct your attention with the recommendation that they receive your careful consideration as embodying improvements which may properly be engrafted upon our common school laws. Our system is simple, effective, inexpensive and gives general satisfaction.

I give a summary of Public School statistics for the year ending the 31st of August, 1883.

Eligible to instruction, between the ages of five and twenty-one years	32,000
Number of pupils enrolled.....	24,000
Number of school districts.....	700
Number of school houses.....	700
Number of teachers employed.....	650
Number of graded schools.....	15
Average length of time of schools maintained, in months.....	4½
Amount paid to teachers.....	\$ 97,000.00
Amount paid for buildings.....	60,000.00
Amount paid for furniture and apparatus.....	20,000.00
Amount paid for school purposes.....	177,000.00

The Board of Education have performed their duties assiduously and well.

Good, intelligent citizenship, freedom from crime, advanced standing of state, spring from a well constructed and well conducted system of Public Schools. I have pride in asserting, that no country, considering population, can truthfully claim a more advanced standing, or is better supplied with ordinary educational advantages than Washington. Within the last two years many extensive and expensive structures have been erected in every part of the Territory, for Public Schools, High Schools, Classical and Collegiate Institutes and Colleges, variously denominated as such, some with liberal endowments, and all well assured of success. I advise liberal enactments in behalf of Public Schools as being promotive of good government, and as antagonistic to crime and its concomitant evils and costs.

The general government has generously conceded to us sections sixteen, and thirty-six, of each township, not otherwise appropriated at the time of the donation, for Public School purposes, a gigantic and valuable inheritance. Extraordinary care must be exercised that it be used only for the public good which no individual claim or advantage shall be permitted to override. The organic law provides that "in all cases where sections sixteen or thirty-six, or either, or any of them, are occupied by actual settlers prior to survey thereof, the county commissioners of the county in which such sections so occupied are situated are authorized to locate other lands, to an equal amount, on sections, or fraction of sections, as the case may be within their respective counties in lieu of sections so occupied." I recommend the passage of a law directing county commissioners to enter immediately upon the duty of making such selections in townships where the law is applicable. The best selections are being rapidly made by other inter-

ests. These sections are "reserved for the purpose of being applied to Common Schools in *the Territory*." The law does not provide that we shall inherit them as a State. That Congress designed we should hold them without reference to a Territorial condition or statehood can hardly be doubted, yet the law is of uncertain construction and its application is debated and weakened. I advise that our Delegate in Congress be requested to have immediate ratification of the law as being equally applicable in either condition if he finds it necessary to take such action.

UNIVERSITY.

The Board of Regents of the Territorial University render a satisfactory report of the operations of that Institution. The Faculty are men of large mental cultivation and experience. Students can obtain under their instruction a finished education in all its departments as in the foremost and oldest schools of high reputation.

The Board asks for an appropriation towards its support. Up to the last session of the Legislature it was the invariable practice to give substantial aid. The University can be made a valuable adjunct to our system of Common Schools education by preparing teachers in the Normal Departments whilst the opportunities offered for classical, scientific and commercial advancement should not be withheld from our people who will be compelled to go beyond our borders to secure opportunities which might be obtained at home. The nucleus of a great University with all preliminary labor accomplished, is in our possession, certainly it would be unwise to permit so much effort to be sacrificed only to be repeated upon a new similar institution which our people will soon require. When admitted as a state we may secure new landed gifts from the government and thus in the future avoid the necessity of requiring legislative assistance. The gentleman who with rare liberality provided the grounds upon which the building is erected informed me, giving authority for official use, that the land belongs to the Territory so long as it is used for University purposes, clearly and indisputably, and that the donation could not, and would not be revoked. The property consists of ten acres of land in the most thickly settled and valuable part of the city of Seattle and is at this time of great value, constantly to be increased. I have reason to believe that permission can be obtained to sell such portion of the grounds as are not essential to educational purposes and an endowment fund may thereby be established.

I recommend that the appropriation sought be allowed and that enquiry be made of the gentleman upon the point to which I have made reference.

Five thousand and fifty-seven acres of University lands as donated by Congress have not yet been selected. This is a matter which is worthy of, and should receive your especial notice and action.

The report of the Board of Pilot Commissioners for the Columbia river and Bar shows a decided increase in the commerce of that great river. The pilots are uniformly successful in their hazardous occupation, and have the confidence of masters and owners. There is no longer any conflict with the Oregon Board or Pilots, many of whom take branches from the Washington Board. The laws of

this Territory and of the State of Oregon respecting the navigation of the Columbia, especially as relating to the rates and general supervision of the pilot service, should be harmonious, and indeed might well be identical. A conference upon this important matter with Oregon authorities may lead to the adoption of such improved and uniform laws and regulations as would promote the convenience of mariners and inure to the advantage of commerce on both sides of the river. The abolition of the Puget Sound system has not been injurious to commerce, which has been increased one hundred fold. If any new measure is enacted it will be well in view of the conspicuous and safe navigation of the Straits and the Sound, and the large coastwise commerce, that it be based upon the optional feature of pilotage.

The Inspector of coal mines reports that he has made twenty official visits during the first year of his appointment, has inspected all of the mines in operation that "in consequence of his suggestions and directions steady improvement has taken place in the manner of working them, particularly in measures for the comfort and safety of the employees."

The Librarian reports that the Library is in good condition and that there has been an accession of valuable law books thereto during the last two years. Thirty-two dollars from the appropriation of forty dollars for increased shelving have been expended on fitting up a new library room.

I recommend that the usual appropriation for contingent expenses be renewed.

We have an abundant supply of military arms and accouterments provided by the Government for our use whilst we have no vital militia system. I recommend that you consider the subject and, if found to be expedient, adopt a law adapted to our requirements. We have many brave soldiers drilled by the hard discipline and experience of war, and many young men, who desire the establishment of an effective military organization. Our country depends chiefly upon militia soldiers in all dangerous emergencies and it will be wise to provide for such contingencies in time of peace.

The law providing for the appointment of Notaries Public is ambiguous in phraseology leading to doubt as to its proper construction. I advise that the term "shall be appointed for the county in which he resides" be construed into an extension of the functions of a Notary Public to the entire Territory, and that the supplemental action shall be retroactive and enabling, as relating to former notarial transactions under the law as it stands.

I advise that the sum to be paid into the Treasury by a commissioner for a foreign state be advanced to the same amount as is required by law for appointment of Notary Public in this Territory.

Wagon roads are undergoing much improvement in every section, which is of inestimable advantage in the development of a new country. Good common roads enable the farmer to convey his own productions to market at such seasons as he may prefer, to take advantage of advanced prices, and save freight charges, thus retaining all profit and affording steady use for his teams. They are promo-

tive of good health by travel, and engender good neighborhood, giving convenience for interchange of civilities, no small consideration to isolated families in a new country.

A wagon road is projected and partly built from Yakima City to Seattle, which I hope with all other similar important enterprises, will receive your cordial encouragement, and have suitable appropriations to aid in their construction.

Many portions of Eastern Washington are passing rapidly from a nomadic, pastoral condition into the more advanced state of agriculture and horticulture, by reason of the gradual disappearance of the bunch grass, which is not reproduced when once exhausted, the great increase in population, and the more profitable practice of producing grains, vegetables and fruits as compared with raising stock upon the same area of land. Common law principle provides that herdsmen shall confine their cattle so that no injury shall come to others by their trespass upon private domains. At an early period in the history of this government the principle was reversed for convenience sake, when grain fields were scarce, and cattle ranges limitless, now, that condition is becoming changed, and in many of the States, stringent laws are enforced, even to preventing the use of the public highway for pasturage, and owners are compelled to keep domestic animals within their own enclosures, and incidentally to fence against outside intrusion. This might operate without especial oppression where large herds do not exist, where enclosures are small, and where fencing material is cheap and can be readily obtained, but with us the case is different. Large bands of horses and cattle can demolish any fence however strongly constructed, and the scarcity of lumber in the prairie regions is prohibitory of fencing by reason of great cost, so that by ranging into a field of cultivated crops, the results of labor and expense for an entire season may be ruined in an hour, bringing to the owner great inconvenience and loss of property which justice requires to be prevented. It is however impossible to make a restrictive law for universal, or even general observance on account of the extreme degrees of difference which exist in the relative amount of cultivated and pastoral land in different localities. The evil may be partly overcome by submitting the question of herding to the local option of the counties, or districts at an election, when the electors may determine which policy is best adapted to their requirements and the preponderating interest be allowed to prevail. Representing different regions, and being familiar with local conditions you will be qualified to decide the question for your constituents respectively. I trust to their satisfaction and profit. The subject is one of great importance at least prospectively, and I ask for it the exercise of your patient and liberal judgment.

After new laws have passed through the Legislature and received the signature of the Governor no method is provided for their official transmission to the office of the Secretary of the Territory for safe keeping.

I recommend that it be made lawful for the Governor to return new laws to the Secretary, or Clerk, of the House in which they originated and that it be the duty of such officers to forward them to the Secretary to be deposited by him in the archives of the Territory.

I recommend earnestly that the various departments, institutions and commissions created by Territorial law shall report to the Governor in ample time for him to consider their statements for proper representation to the Legislature, and that the time designated apply uniformly to each one of them.

The Code of Washington prepared by your predecessors with assiduous labor, and high intelligence, is printed, making a volume of five hundred and eighty pages, including the constitution of the United States, and the organic laws of the Territory.

It proves to be satisfactory to the people, and the members of the Bar and reflects great credit upon the indefatigable and capable gentlemen who effected the codification with so little draught upon our treasury. A large number of copies await disposal by your action.

My attention has been called by many good citizens, from all prevailing religious denominations, to the taxation of church property, which, when used exclusively for religious purposes, might properly be exempted at least to a reasonable maximum amount. Many of our congregations are poor; scarcely able to sustain church organizations and preachers. Churches inculcate morality, obedience to law, and oppose and discourage all evil, thereby eminently conserving the public welfare and diminishing the costs of government. They maintain the precise attitude of school houses as relating to education, and might properly receive at your hands the same liberal and beneficent consideration. The sacrifice, if any, would be inconsiderable, the advantage, great.

The several Sunday laws of the Code since 1866 are well received and are as well observed as such enactments are elsewhere. The exceptions in section 2067 might properly be extended in some manifest directions, and more latitude might be allowed on seaboard and at other places where the daily arrival of people without homes, or food necessitates purchases, but the abandonment of the principle upon which these laws are based would be to retrograde from the right direction which would be distasteful to, and opposed by, our communities who variously regard Sunday as a day of rest, recreation, or worship.

Intemperance in the use of intoxicating liquors is engaging the attention of philanthropists, political economists, deluded votaries, victims, and all tax-paying citizens, as a question of the highest magnitude and importance.

The fearful destruction of property and happiness which it occasions in its march of desolation, disease and death; its far-reaching, deteriorating consequences upon unborn generations; the withdrawal from the industries of mankind of the wealth of labor which it neutralizes and absorbs; the diversion into deadly channels, of breadstuffs, and the production of flesh food which it involves; the vice, degradation and crime which it engenders; the cost in varied forms incident to the administration of justice, to be paid from the labor of industrious and prosperous citizens; all these, with no redeeming or compensating influences for good, may well cause it to be a subject of greatest solicitude to our race.

The right of society to protection by suitable legislation from the effects of evils so manifest will not be denied. Indeed government is but a mutual compact for the preservation of person, life and property. The citizen cedes certain natural rights with the assurance, and agreement, that by giving of his means, as taxed, for its support, and venturing, if needs be, his life for its defence, he shall have all possible protection against danger and damage from any source.

The right to abate an evil clearly argues a right to effect its prohibition.

It will be your province as faithful guardians to protect by means however stringent, the public purse, to repress vice, to foster by all possible means the health, happiness and prosperity of our people. Intemperance is not excessive in this Territory. Some of our largest counties have few or no facilities for free indulgence in intoxicating liquors, and temperance is urged with quiet zeal and discretion.

Thirteen thousand Indians occupy fifteen reservations, which contain seven millions of acres of the best agricultural, grazing, timber and mineral lands of the Territory, using them variously for hunting, fishing, farming and strolling; besides the use of which, they receive liberal assistance from the government in the guardianship of agents, the benefit of physicians, medicines, hospitals, schools and teachers, with donations for food, clothing, and implements for forest and land.

They cannot make proper use of these vast domains, and do not appreciate their advantages, whilst its possession and occupation are lost to a large body of Americans, who, by cultivation, would make it highly productive. It would conduce greatly to the good of the people if the government would negotiate for the return of these valuable lands; abolish tribal relations; place Indians upon the same footing with other people in securing a share of the public lands, making their landed possessions inalienable for a proper period; abolish the present Indian system with all its complications and cost; remanding all Indians to the operation of the laws by which other people are governed.

The process will create no shock if properly administered, but will on the contrary be easy of operation, and ultimately inure to the good of the Indians by compelling them to labor for a living. Their wants are few and simple, they are astute and crafty in affairs and can fully take care of themselves, and as is demonstrated in numerous instances will glide readily from their present semi-barbarous state into a condition of civilization and usefulness.

Immigration is pouring in upon us and these lands are needed now for intelligent husbandry. The present plan requires the expenditure of much money, cultivates a lazy, vagabond life, incomprehensible to people who do not witness their manner of living, which is utterly inconsistent with American habits, and delays the rescue of the Indians from the abominations of his savage state. The public sentiment of the people of this Territory is unanimously in favor of the change as proposed.

Our commerce, world-wide and coast-wide now extensive, and greatly to be increased, demands liberal appropriations from the general government for all means and appliances which will tend to increase the area of navigation, and to diminish its perils.

Many of our rivers are obstructed by tree, and log jams, the removal of which would extend their usefulness, and value, many fold.

Additional light houses, beacons, and buoys, are required upon the Pacific coast, and upon our inland seas, conspicuously at several points. A light house is much needed at Peterson's Point, on Gray's Harbor. The commerce of that sea is largely increasing and is entitled to this recognition. Several smaller light houses are required also at various places on Puget Sound.

The two life saving stations are not located to the best advantage for the conveyance of the apparatus to wrecked vessels as likely to be located. Two more at least are needed; one at the south side of Gray's Harbor Inlet, and another at Loomis' beach. All of them should be supplied with the most approved conveniences for saving life and property, and also be provided with full crews to be paid as upon the Atlantic, and Lake Shores.

The life saving service was wholly devised and originated as a system by my individual and unassisted efforts during my membership of the thirtieth Congress at its first session in all its details, as will be seen by reference to Appendix to Congressional Globe, 3d August 1848, and was placed by the government upon the Atlantic coast of New Jersey and Long Island. Notwithstanding much improvement is claimed in its operations, and conceded, the first triumph was the greatest, when three hundred and one passengers and crew, the entire list, was landed upon Absecom beach, New Jersey, from the Scottish bark Ayreshire, during a blinding snow storm, in the night time, on Christmas, 1849. Twenty thousand human lives, and twenty millions of dollars worth of property have been saved by this instrumentality. One hundred and eighty-nine stations now supply the ocean and lake shores of the United States.

No government, nor Board of Underwriters, nor vessel owners, nor rescued passengers, nor masters, nor mariners have ever recognized my agency in originating and establishing the institution and therefore I am justified to place upon record, in this enduring manner, my sole agency in establishing a system which I denominate "the American system of saving life and property from shipwreck."

A Territorial Bureau of Immigration is a chief necessity to increase our population, and to provide those persons who seek a residence here with information directing them to what part of our vast domains they shall go to obtain suitable homes adapted to their inclinations and requirements. Many people come with but little means for continued travel. It is not right to invite them hither and allow them to spend their small possessions in searching for final settlement.

In many new countries it is of but little consequence where the pioneer may land for great similarity pervades the whole, here the reverse is quite true, and no man who comes uninformed can without much delay of time, and expenditure of money, reach a proper conclusion on the important subject of selecting his future place of residence.

A bureau should be organized upon an economical basis, extending its operations east and west of the mountains alike with sufficient means to provide for the distribution of papers; a burden which falls heavily upon a few persons who should not be expected to contribute extensively in such a direction.

Erminio Gionini lies in jail at Vancouver, under sentence of death for murder in the first degree, committed by him in the county of Skamania. At the urgent solicitation of citizens of the Territory, who allege that he is unsound of mind, I have with the approbation of the Judge who tried the case, postponed the execution for a brief period. The Swiss consul at San Francisco, and the Swiss Government through the Government of the United States have manifested deep concern in his behalf, for the same cause, and for other reasons. He was defended by an attorney appointed by the court at the very time of trial, and the plea of insanity was not offered. If it be the will of the Legislative Assembly to provide for the appointment of a medical commission to examine into his mental condition at the time of the murder, an opportunity is offered for that purpose. I am reluctant to have a capital execution take place in a case where the sanity and the responsibility of the convict are shrouded in doubt.

The appropriation placed in my hands for repairs to the Capitol has been expended in repairing gates and fences; tinning, glazing and stopping leaks in the cupola; taking down the gutters from the main building, shingling several courses of the roof, boxing and moulding the eaves and painting the woodhouse and the main building. The dried, porous, and dingy condition of the surfaces made many coats necessary. The best of Atlantic lead and Salem oil were freely used so that painting will not be required for years to come. The fences require to be repaired and painted.

The Territorial national flag is worn into shreds and is unfit for use; a new one is needed for the flag staff, to be raised upon patriotic, and other proper public occasions. A small appropriation should be made for a janitor to take care of the buildings and grounds.

The application of Washington Territory for admission into the Federal Union as a State, is attracting the attention of the country. Our ability to sustain a State government and our claim to admission based upon resources and population—which are the only reasonable requirements—are conceded. Our people are quite unanimously in favor of the measure, desiring to be possessed of rights and privileges exercised by other American citizens, in the election of President, Vice President, as well as Representatives in both branches of Congress, so that our welfare may be maintained, not only in debate but by votes, and also to choose our own officers of State. We are now discounted of proper importance by being made tributary to adjoining States, and dependent upon them for executive and legislative obligations. If there be any doubt as to the population required to entitle us to a member of Congress, a new census would solve the question.

As a State we shall hope to obtain absolute possession of the two sections of public land in each township set apart for public schools, thus saving much taxation in that direction, and if Congress bestows the usual donations, five per cent. of the sales of public lands within our limits, five hundred thousand acres of the public domain, ten sections for State buildings, and swamp and tide lands, and salt springs.

The people of the Territory have already adopted [a] State Constitution preparatory to admission, which instrument is generally regarded as being too volumi-

nous and cumbersome, containing many provisions which might properly be embodied in statutory enactments, and others not adapted to our present and advanced requirements. The propriety of providing for a new and unobjectionable organic instrument is submitted to your consideration without recommendation, in deference to your full information as to the wish of the people upon that subject. A convention would involve great expense, which might be avoided at this time by securing admission as a State contingent upon the adoption of a Constitution satisfactory to our people and the President of the United States, or of Congress, if in session.

The completion of the Northern Pacific Railroad from Lake Superior to Puget Sound, is an event of immeasurable importance to the entire Pacific coast country north, and especially so to the Territory of Washington.

It is the realization of hopes long delayed by insurmountable obstacles, which now find full fruition in the connection, by a new and direct channel of the Pacific with the Atlantic oceans, thus affording us easy and convenient access to States and to kindred hitherto almost inaccessible.

To Washington it brings assurance of early greatness, by placing us in the very van of commercial importance on this newly opened highway of nations including us in its circuit around the globe, and making our great waters the necessary counter parts of the seas of China and Japan, the North Sea of Europe; and the bays of Boston and New York.

Forty-five millions of acres of timber, coal, pasture and mountain lands; mines of precious metals, quarries of lime stone, marble, granite, slate, sand stone, and beds of mica; ocean front, and inland salt seas; many lakes and rivers affording thousands of miles of navigable waters, all alive with an hundred varieties of fish, some of them of great value; water powers; a climate of even temperature, and healthful; grand scenery of water and mountains, facilities for manufacturing the staples from our own material, wood, iron, wool and hides; maritime opportunities unsurpassed for internal, coast-wise, and foreign commerce; in a line to absorb the trade of Alaska in fish, fur, cedar, and gold; to obtain the largest share from Asia in coffee, teas, opium, porcelain, silks and ivory, all of these are our resources and advantages which will straight way place Washington Territory in the fore front along with the most prosperous countries on the globe.

We hope for an early completion of the Cascade division which will give us a more direct connection with the states, and enable the citizens of this Territory to effect a more convenient exchange of our many commodities with each other, east and west of the mountains; and also facilitate and promote that personal and friendly acquaintance and intercourse which are so indispensable to good fellowship, and to prevent estrangement amongst our people who have a community, and at the same time a contrariety of interests.

I have thus, gentlemen, endeavored to present to you a statement of the condition of the Territory relating to you as legislators, and made such recommendations as the public good appears to demand from me. I have much confidence in the patriotic purpose of the representatives of the people, and do not hesitate to believe that, inspired by a common impulse, we shall cordially co-operate in our endeavors to promote the general welfare.

WATSON SQUIRE

Watson Squire, born of New England stock, received his schooling in upstate New York and Wesleyan University, Middletown, Connecticut. He was for a time principal of Moravia Institute, Moravia, New York, but turned soon to the study of law and was admitted to the bar after graduating from the Cleveland Law School. During the Civil War he rose to the rank of colonel and served as judge advocate on General Rosecrans' staff.

At the close of the war he took a position with E. Remington and Sons and rose rapidly to an executive post which carried him to many parts of the United States and Europe, and acquainted him with important industrial and political leaders. In 1879 he came to Puget Sound, acquired extensive real estate holdings, and settled in Seattle. Convinced of the possibilities of development in the region he did what he could to interest Eastern capitalists, especially Henry Villard, in Washington Territory.

Squire was appointed governor by President Arthur in 1884. Although he was a "stalwart" Republican, he continued in office during the Democratic regime of President Cleveland. In 1887 he resigned to return to his business and Eugene Semple took his place. Squire's administration was firm and conservative. Several new public buildings were erected; the militia was built up; the University was somewhat improved; the movement for statehood was advanced. His handling of the anti-Chinese riots was the most dramatic episode of his term of service.

Squire's political career did not by any means end with the conclusion of his term as governor. In 1889 he presided over the constitutional convention at Ellensburg, and from 1889 to 1897 he represented the new state of Washington in the United States Senate. Here he studied problems relating to coast defense and inter-oceanic canals; urged surveys of resources in Alaska and the establishment of a national park to include Mt. Rainier; and secured appropriations for the Bremerton naval station and the Lake Washington canal. When in 1897 he failed of re-election to the Senate because of his views on currency problems, he returned to a life of leadership in business which ended only with his death in 1926.*

**Dictionary of American Biography*; Bagley, *History of Seattle*, III, 504-513; Meany, *Governors of Washington*, 59-61.

Governor Watson C. Squire to the Tenth Biennial Session of the
Legislative Assembly, December 9, 1885.¹

Gentlemen of the Legislative Assembly:

You are assembled at a time when the Nation has donned its emblems of bereavement, by reason of the death of Vice-President of the United States. Our offices are draped, and the flag of our Capitol is at half mast, in honor of the memory of Thomas A. Hendricks. As upon the Atlantic shore, so here, upon the great land-locked sea of the Northwest, the loyal American heart beats with patriotic and reverential sorrow at the sudden demise of that distinguished leader and statesman, who held the second place in the gift of the people.

Saluting you as the legislative body of the Territory, convened in pursuance of law, it becomes my duty to communicate to you the condition and comparative advancement of the Territory, and to suggest such considerations as may tend to promote the public welfare.

Looking back over the two years which have elapsed since the meeting of the preceding Assembly, we note much for which to be thankful to the God of Nations. In this short space of time our population has added forty per cent. to its numbers; railway building has nearly kept pace with the increase in population; our financial condition has improved; the acreage of wheat is vastly greater; and the yield per acre of this crop the present year is unparalleled in the world.

The most valuable veins of coal yet worked have been reached by railway, and the output of coal is rapidly increasing.

Important discoveries of iron and other ores have recently been made. Stock raising, dairying, fruit culture and hop-farming have all been successfully conducted.

Numerous manufacturing enterprises have been started; our great mills are sending cargoes of lumber to distant foreign ports; and commerce now lands the tea of China upon our shores for transportation by rail to the Atlantic States.

POPULATION.

The census returns of the Territory are notoriously incomplete and cannot be taken as a true and sufficient exhibit of the actual population. For example a communication signed by all the officers of Lincoln county claims that a correct census would increase the reported population of that county fully forty per cent. The law is manifestly imperfect because there is no penalty attached to non-compliance therewith. The census returns made by the Territory in 1883, show the total population at that time to have been 92,508. The returns of the census taken by the county Assessors in the Spring of 1885, show the census then to have been 129,438, an increase during the two years of 36,930.

The Territorial Auditor writes me as follows: "Had the census been properly taken, under an adequate law, the population for 1885 would have certainly been shown to be above 175,000."

¹ Published by order of the assembly, Olympia, Thos. H. Cavanaugh, Public Printer, 1885.

In corroboration of the Auditor's opinion it should be stated that the election tables of 1884 show a total vote of 41,842, of which 8,468 are females, leaving a total male vote of 33,474. By the census of 1880, (before the law enfranchising women was passed) it was established that the ratio of population to the voter was 4 7-10 (four and seven-tenths.) This would give us a population as expressed by the vote of 1884, of 157,356 at that time. And inasmuch as a constant stream of immigration has been pouring into the Territory for one year since that vote was taken, there is a strong probability that our present population actually amounts to 175,000 persons.

FINANCES.

The rate of taxation for Territorial purposes is 2½ (two and one-half) mills on the dollar, and the total cash revenue derived from tax on property for the twenty-one months ending June 30, 1885, is \$181,450.58; and total disbursements during the same period amount to \$137,166.44, leaving a net excess of receipts over expenditures of \$44,284.44, to which may be added the cash in the treasury on September 30, 1883, leaving on June 30, 1885, a cash balance in the treasury of \$72,597.27, exclusive of the sum of \$5,803.82, collected under a special tax levied for building a new Territorial penitentiary.

This exhibit of the financial condition of the Territory is certainly very gratifying, and indicates its assured prosperity.

Ten years ago the Territory was \$22,000 in debt, and paying a heavy rate of interest thereon. The revenues were then insufficient to meet current expenses and accumulating interest, and the rate of taxation at that time was four mills on the dollar. Since 1879 there has been no indebtedness. Liberal appropriations have been made for humane objects, and the proper administration of the laws.

Taking into consideration the amount of Territorial funds still in the hands of collectors, and the semi-annual installment of taxes reported from Railroad Companies and not yet paid over, the Territory may now be said to stand free from any financial obligation, and with an available surplus of nearly \$100,000 at its command.

The total assessed valuation of property in the Territory for the year 1884 was \$50,508,484; and for the year 1885 it was \$50,484,437. The decrease is caused by the shrinkage in property valuations, and by the non-listing and non-assessment of railroad property within the Territory. As for example, in the two counties of King and Thurston alone, there is a decrease, because of the above reasons, of about \$5,000,000, in property valuations.

The reason that railroad property was not assessed is because of the Territorial law passed in 1883, providing that railroad companies should be taxed on their gross earnings.

The Territorial Auditor estimates that were the total property in the Territory, (including railroads), listed at its true cash value, it would at a low estimate amount to \$115,000,000.

Our financial affairs are so clear and simple that you will not have difficulty in deciding upon a rate of taxation for the years 1886 and 1887.

It is believed that with the natural and inevitable growth of the Territory in wealth, the amount of assessed valuation of property (excluding railroads) during these years will, at a low estimate, equal if not exceed \$60,000,000. Therefore, if you continue the present rate of 2½ mills you will have a gross revenue of \$150,000.

By the present law the railroads pay a tax of two per cent. on their gross earnings. If these gross earnings amount to \$3,750,000 per annum (as estimated by the Auditor), the total revenue from this source will reach \$75,000; one third of which would inure to the Territory at large; thus making its total gross earnings \$175,000 per annum for the next two years.

Certain allowances and abatements must be deducted from this sum, on account of delinquent taxes, County Treasurer's commissions and the cost bills in cases of conviction for capital offenses. But, it is thought that the probable cash receipts for the next two years, under the present system of taxation will approximate the sum of \$290,000; thus showing an increase of about \$109,000 over the receipts of the last two years.

To meet the current expenses of the Territorial Government, (including an amount considered necessary toward the construction of new buildings for the Insane) the following estimates for the ensuing two years are submitted for your consideration:

For Hospital for the Insane.....	\$ 70,000
" Transportation of the Insane.....	15,000
" Territorial Convicts	50,000
" Prosecuting Attorneys	15,000
" Auditor and Treasurer.....	7,500
" Printing and advertising.....	5,000
" Superintendent of Public Instruction.....	2,000
" Board of Education.....	600
" Library and Librarian.....	1,400
" Incidental Expenses	3,000
" Miscellaneous appropriations	10,000
" Territorial University	3,000
" New Asylum Buildings for Insane.....	100,000
	\$282,500

PENITENTIARY.

The Legislative Assembly of 1883 passed a law which provided that "for the years 1884 and 1885 there shall be levied, assessed and collected upon all taxable property of the Territory of Washington, ¼ of one mill, to be used in constructing a Territorial penitentiary." The fund thus being raised has no relation to the foregoing estimates. It is expected that the aggregate receipts from this tax levy, when fully collected and paid in, will amount to the sum of \$20,000; \$8,503.83 has been already received by the Territorial Treasurer. Some provision should

be made by law for the investment of this fund, in a manner to secure the interest therefrom, without impairing the principal. Further legislation is necessary if this sum is to be increased to an amount sufficiently large to pay for the construction of a prison adequate to present and future requirements. Pursuant to law, three Commissioners were appointed by my predecessor, to select a suitable place to locate a penitentiary, and to report on the second day of the session of this body.

The penitentiary at Seatco is private property, and the convicts have been guarded and maintained on what is known as the "Contract system." The contractors receive from the Territory, as compensation, the sum of seventy cents per diem for each prisoner confined in this prison. The present contract expires by limitation on the first day of July, 1886; but it is subject to renewal by the Governor and the prison contractors, unless otherwise provided by law. The annual report of the warden contains the following memorandum :

Number of Convicts in Penitentiary July 1, 1884.....	71
" " " discharged from July 1, 1884 to July 1, 1885..	31
Number of escapes from July 1, 1884 to July 1, 1885.....	4
" who have died from July 1, 1884 to July 1, 1885.....	1
" received from July 1, 1884 to July 1, 1885.....	29
" in confinement July 1, 1885.....	64

PARDONS—ATTORNEY-GENERAL.

Although many applications for the pardon of convicts have been received, I have thus far granted none whatever, except the rebate for uniform good conduct, which was recommended by joint resolution of the Legislative assembly, approved December 1st, 1881.

In this connection I desire to call your attention to the recommendation of the Auditor, that the office of Attorney-General be created. I concur in his view and would suggest as an additional reason therefor, the necessity of thoroughly examining all applications for pardon, and the reasons adduced in support thereof. I would also suggest that an Advisory Board of Pardons be created, to which all appeals for executive clemency may be referred, with directions to investigate and report the opinion of its members thereon to the Governor, for his final action in the case. Should the office of Attorney-General be created, the Attorney-General, the Auditor and the Treasurer of the Territory (all purely Territorial officers), might be made ex-officio members of the Advisory Board of Pardons, without compensation other than their regular salary. The principal labor of investigation could be made to fall upon the Attorney-General, who should be a man learned in the law.

The great aim of penal law is evidently the protection of Society. The power of pardon is also bestowed by law for wise and beneficent purposes; but around its exercise should be thrown such safeguards in the methods of executive practice, as to not impair the efficiency of the courts, nor lessen the fear of exemplary punishment in the minds of evil doers.

Undoubtedly an economic administration of the financial interests of the Territory would be greatly promoted by a law creating the office of Attorney-General.

EDUCATION.

Settlers in this Territory should be assured of the brilliant future that awaits the school system of the future State of Washington.

In this Territory the sixteenth and thirty-sixth sections in every township are reserved for school land by the government. This heritage will aggregate over 2,000,000 acres, which at the low estimate of \$2.50 per acre would amount to \$4,500,000. A large portion of these lands, being valuable for timber or agricultural purposes and in close proximity to towns or settlements, is at the present time worth \$10 per acre.

By law, the interest on the principal of all moneys accruing to the Territory, from the sale of lands which have been or may hereafter be given by the Congress of the United States for school purposes, is to be applied in support of the public schools. This is indeed an ample endowment for the future; but it does not help us at present.

The people of the Territory take a just pride in their public school system, and support the same by a suitable rate of taxation, levied by the County Commissioners of each county. In addition to this the fines arising for breaches of certain laws are applied in support of the public schools.

The Board of Directors of any District may, when in their judgment it is advisable, submit to the qualified school electors of the District, the question whether or not a special school tax shall be raised to furnish additional school facilities for such district.

Under the provisions of the law last referred to many of the towns are supplied with large and expensive school buildings, constructed upon the latest modern plans for convenience and health of the pupils.

The laws provide for a Board of Education (to be appointed by the Governor) who prescribe rules for the general government of the public schools, grant Territorial certificates and diplomas and adopt a uniform series of text books throughout the Territory.

Each county has its Superintendent of common schools, and over all is the Territorial Superintendent who has general supervision of public instruction.

I append his condensed Report of Statistics of Public Schools for the year ended June 30, 1885:

Amount raised for school purposes.....	\$273,962.86
" paid for teachers' wages.....	194,787.29
" " rent of school rooms.....	1,077.85
" " repair of school houses.....	11,114.70
" " school furniture.....	11,818.09
" " fuel and other expenses.....	21,513.50
" " school house sites.....	2,562.73
" " buildings.....	35,889.65
<hr/>	
Total amount paid for school purposes during the year.....	\$287,029.33
Amount of school funds to credit of Territory at close of year	\$ 70,023.40
Number of children enrolled in public schools during the year..	26,497
Number of children enrolled in private schools.....	1,836
Number of children in Territory not attending school.....	8,923
Total number of children.....	37,256
Average daily attendance.....	17,504
Number teachers employed during the year.....	1,040
" " holding 1st Grade Certificates.....	258
Number teachers employed holding 2d Grade Certificates.....	453
Average number of months public school has been taught.....	4 3-5
Number of school houses built during year.....	102
Number of Teachers' Institutes held in Territory during the year	18
Estimated value of school houses and grounds in Territory.	\$470,328.50
Estimated value of school furniture.....	48,148.62
Estimated value of school apparatus.....	5,486.67
Average salary paid male teachers per month.....	45.38
" " " female " " " 	37.00
Number of school districts in Territory.....	858
" " houses in Territory.....	723
" " houses having school during the year.....	744
Number of Graded schools in the Territory.....	24
Number of schools furnished with Unabridged Dictionary..	96

In 1883 there were 15 graded schools in the Territory. Now, as will be noted, there are 24; and I believe that many of our graded schools will compare favorably with those of the larger cities on the Atlantic Coast. The growth of schools during the past two years has been rapid and healthful; as appears by the formation of 267 new school districts, the building of 189 school houses, and the raising of \$644,642.00 by voluntary tax upon the people of the Territory, for school purposes, during that short space of time.

The present school law seems adapted to our needs. A few minor changes are suggested in the report of the Superintendent of Public Instruction, which meet my approval. Especially do I concur in his suggestion that the law be so amended as to require a Normal Institute for each judicial district, to be presided over by the member of the Territorial Board of Education from the district.

PRIVATE INSTITUTIONS OF LEARNING.

There are 24 private institutions of learning, consisting of Colleges, Seminaries, Academies and other Institutions of the higher order; at which there are in attendance 1,836 pupils, under the instruction of 91 professors and teachers.

TERRITORIAL UNIVERSITY.

This institution, located at Seattle, is the only one of a higher grade supported by annual appropriations from the Territorial Treasury. Its curriculum of studies, while not fully up to the standard of the best eastern colleges, is sufficiently comprehensive to embrace nearly all of the branches of general knowledge. The University buildings, embracing the main building, and the buildings for quarters of faculty and students, are beautifully situated on a ten acre tract in the center of a thriving city and afford accommodations for a large number of students.

The University Library contains over twenty-five hundred volumes, with maps, charts, etc., well selected and adapted to the purpose of the school. A large supply of scientific, philosophical and chemical apparatus has been purchased to illustrate the sciences. A cabinet, containing over five thousand natural specimens has been secured, and constitutes an important adjunct in teaching the natural sciences.

The government of the University is vested in a Board of Regents, appointed biennially by the Governor, with the advice and consent of the Legislative council. This Board, consisting of five members, has a general supervisory control over all affairs pertaining to the institution, and appoints the President of the University and the different faculties.

There are three Departments in the University, each of them under the immediate charge of its faculty.

The Department of Art, Science and Literature has a faculty of ten regular professors and instructors. The courses of instruction in this department are four, namely, the classical, scientific, normal and commercial. A preparatory school is also maintained to fit students for either of the collegiate courses. A training school for the benefit of students in the normal courses has also been established in connection with the University.

During the last year, two hundred and nineteen students were in attendance in this department. Special instruction is also provided in music, painting and kindred arts.

The Department of Law is of recent creation. It has eight professors and one stated instructor in its faculty. The members of this faculty are ranked among the most eminent and able men of the legal profession in the Territory; most of whom give their services gratuitously.

The Territory is an attractive field for the legal profession and there is no reason to doubt the success of this school.

The Department of Medicine:—The same remarks apply to the School of Medicine, also recently established. The learned gentlemen composing the faculty have taken hold in earnest and propose to make the course of instruction as thorough as possible. Nine hospitals in Seattle furnish good opportunities for clinical instruction.

The laudable and intelligent public spirit so prevalent in this Territory will undoubtedly insure for the University continued growth and efficiency.

We have now the advantageous beginning of a real University. Let not local rivalries and petty antagonisms blind us to the great importance of conserving this institution, and of building it up, in due proportion to the growth and development of the Territory.

DEAF MUTES, THE BLIND AND THE FEEBLE MINDED YOUTH.

I have a list of 17 deaf mutes, 4 blind and 7 feeble minded youth, all residents of this Territory, and of school age. Three of the deaf mutes were in the Oregon school for a half term last year; and the Superintendent of that school has sent me a bill for their board and tuition, claiming the same under an Act of the Legislative Assembly of Washington Territory, approved December 1, 1881.

It is the conceded province and office of the Commonwealth to help educate and care for those of its youth who are thus afflicted. I therefore recommend that you consider the relative expediency of starting a suitable institution in the Territory for the future care and education of all these classes, rather than continue the policy of sending a few of them to schools already organized in certain states in our vicinity.

It is believed by those who have been engaged in schools for such defective youth, that a small institution of the kind can now be advantageously and economically established in the Territory.

HOSPITAL FOR THE INSANE.

The hospital for the insane is healthfully and conveniently located at Fort Steilacoom. This post having been abandoned as a garrison by the United States, the buildings and land were transferred to the Territory at a nominal price, for the purpose of an insane asylum. It was first occupied for this purpose in 1871. The garrison buildings have been converted into wards as fast as the increasing number of patients required, until now all the buildings are occupied; and improvements and extensions have, from time to time, been made. One hundred acres of land, in addition to that secured from the government, have been purchased in order to secure water privileges, making the total five hundred and eighty-three acres. The number of patients under care and treatment July 1, 1885 was 164. The average daily attendance for the term commencing August 16, 1883, and ended June 30, 1885, was 142 patients; and the total net expense of this hospital to the Territory for the same term has been \$49,626.16, or at the rate of \$3.61 per patient per week. During the last year of the term, deducting cost of improvements, the cost was reduced to \$3 per patient per week; which is believed to be a very favorable showing, when we take into consideration the liberality, humanity and carefulness of the management.

The counties bear the expense of proceedings for commitment and of return of the indigent after discharge; and the Territory pays the cost of taking patients to the hospital and caring for them while there. The traveling fees of Sheriffs,

and often of additional guards, in attendance upon the insane on their journeys to the hospital, form no inconsiderable item of expense to the Territory, and I would invite attention to the suggestions of the Auditor in his report, in regard to the changes necessary to be made in the law, to prevent abuses which have sprung up within his knowledge, as stated.

I concur in the recommendations of the Board of Trustees and Superintendent as to the propriety of adopting a statute similar to that of Wisconsin, concerning the manner of the commitment of insane. I also approve of their estimate of \$70,000 as the amount necessary to be appropriated for current expenses of the biennial term ending June 30, 1887.

The question of appropriating \$100,000 for construction of a new asylum is one of great magnitude. It is an admitted fact that present accommodations are far below the proper standard, and, that if not already, they soon will be, insufficient in capacity. Building can be economically commenced; and philanthropy calls loudly for the improvements. I would suggest that each member of this Legislative Assembly personally visit and inspect the hospital for the insane at an early date, and determine for himself the present necessity of a new, durable structure, to be built upon the best sanatory plan.

THE MILITIA.

Since the month of March, 1884, six companies of Militia have been organized and mustered into the service of the Territory; and the force consists at present of 16 commissioned officers and 301 non-commissioned officers and privates. They are armed with the Springfield breech-loading Rifle, 50 calibre, with metallic cartridges and with equipments of the latest pattern used in the U. S. regular service. The locations of these Companies are as follows: 2 at Seattle, 1 at Tacoma, 1 at Olympia, 1 at Walla Walla and 1 at Goldendale. There are four other Companies enrolled ready to be organized. The Adjutant General of the Territory is energetic in endeavoring to perfect the military organization. At considerable personal expense, he instituted a camp of instruction near Olympia, in the month of August, which was productive of improvement in drill, discipline and *esprit de corps*.

It is important that the Territory have an efficient military organization for the preservation of order in certain emergencies, when disturbances of the peace may be beyond the control of the civil authorities. The mere fact of the existence of a loyal, obedient, disciplined force, at a scene of portended disturbance, may serve in a time of excitement to allay undue apprehensions, and even to prevent outbreak, riot and bloodshed.

The element of reliability is all important on such occasions; and no amount of genteel display or holiday finish can make up for the lack of it.

The first duty of a soldier is obedience to law and to his authorized commanders. During the past few weeks we have seen the need of an organized military force in our midst. As our commonwealth matures and puts forth her claim

of fitness for Statehood and self-government, she must show her power to maintain the law and to preserve order.

The United States government cannot be expected to interfere, with its military arm, except in case of extreme necessity. It has announced its policy in this respect. Hence it will act only under circumstances of an aggravated character; and its decisions may come too late to avert trouble. Therefore we should lose no time in preparing to meet all such emergencies without calling upon the general government for assistance. The militia law under which we are now organizing was passed in 1863, and it is not well suited to our present requirements.

A new law should be devised, which may be framed with reference to economy and yet provide for the formation of an effective force, well drilled and well armed, with an allowance for pay when actually engaged in camp of instruction or in active service; and there should be a provision similar to that contained in the old law, providing for more generally calling out those subject to military duty in case of extraordinary emergency.

REPORTS OF TERRITORIAL OFFICERS.

I herewith hand you the reports of the Auditor, the Treasurer, the Superintendent of Public Instruction, the Regents of the University, the Trustees of the Hospital for the Insane, the Coal Inspector, the Pilot Commissioners, the Adjutant General, the Quartermaster General, the Territorial Warden and the Librarian; all of which, I trust, will receive the personal examination of each of you.

I notice that some disbursements by the Treasurer have been made without the authority of the Auditor's warrant. The Treasurer informs me that in this respect he has conformed to the practice of former years. I would respectfully advise you to enact that all moneys be disbursed by warrant and not otherwise.

Complaints have been made to me that the people have been grossly defrauded of their just rights, by worthless Insurance Companies; and it seems proper that a law should be enacted to protect insurers from imposition. This can to some extent be done by requiring statements to be filed in the office of the Territorial Auditor, showing the amount of capital stock, the assets and liabilities of each company, and such other information as may be required. If such statements are properly verified and published in the report of the Auditor, they may do much to correct the evil complained of. A reasonable tax should be imposed on the companies as compensation for office work and publication.

BOARD OF EQUALIZATION.

The Act of Congress to establish the Territorial government of Washington enacts that "all taxes shall be equal and uniform and no distinctions shall be made in the assessments between different kinds of property, but the assessment shall be according to the value of the property." At the present time, the Commissioners of the various counties appear to be the sole authority to regulate assessments, and there are great discrepancies in the rates of the different counties. It has

been found necessary in many of the older states to establish Boards of Equalization, so that the tax payers may all pay their just proportion of the taxes. I would therefore recommend that a Board be created to equalize assessments in this Territory. At the present time there are two assessment districts. In the first one, the assessment is required to be made between the first Monday in April and the first Monday in July. In the second one the assessment is to be made two months earlier, namely: between the first Monday in February and the first Monday in May. I would suggest that in order to strictly comply with the law of Congress, all assessments in the Territory should be made during the same period of time; inasmuch as the values of property are subject to fluctuation and liable to be changed, if distinction be made as to the time of appraisement.

This whole subject of assessment, including the method of levying taxes upon railroad property, merits your most careful consideration.

TERRITORIAL LIBRARY.

The law in regard to the Library seems to be sufficiently rigorous in respect to the improper abstracting of books and returning them when found; but for some reason I find many of the sets mutilated and many copies missing. I do not charge the fault upon the present librarian or any other particular person; but as at present conducted, it seems to me, this institution is not creditable to the Territory. If it is worth while to pay a librarian four hundred dollars a year for services, it is certainly proper to provide a more efficient method for storing and caring for valuable law books, that we are constantly receiving free of charge, except occasionally for freight, and to purchase from time to time, important works of reference for the general student. It is not necessary to purchase miscellaneous books, such as would be required for a circulating library; but there are certain standard works in the various branches of the Arts and Sciences, and of History and Law, which are usually too rare and expensive to be purchased by the ordinary student and are seldom to be found except in great public libraries. By proper care and at a small expense, the foundations can be laid for a valuable repository, such as will be exceedingly useful to the people of the Commonwealth.

A carefully prepared catalogue of the books should be published biennially, and an inventory should be taken and receipt passed whenever a new librarian is inducted to office. No person should be allowed to take books from the library without the personal knowledge and attendance of the librarian at the time, and unless receipt for the same has been given. I particularly recommend that authority be given to the Executive or to the Judge of the Court for the Second District, to discharge the librarian at any time, if he does not satisfactorily perform his duties.

BOARD OF HEALTH.

Although the people of the Territory have hitherto been comparatively free from epidemic and infectious diseases, yet, in view of the late scourge of small-pox in Canada, and of apprehensions that cholera may visit America during the next season, I would respectfully suggest the creation of a Board of Health, with powers and duties similar to those of like Boards as constituted in most of the States of the Union.

DISEASES OF ANIMALS.

In many of the States and Territories live stock is afflicted with various diseases; the most prominent of which is pleuro-pneumonia, which attacks the cattle in great numbers. In consequence of shipment of cattle to the grazing lands of the west, for the purposes of breeding and herding, these diseases have become introduced into the western territories.

Thus far, we have happily been exempt from this infliction; but for the purpose of guarding against the introduction or dissemination of diseases of cattle and horses, I would recommend suitable legislation. Inasmuch as the office of Veterinarian exists in several of the Territories, I would recommend the creation of that office in this Territory.

At the request of the officers of the Stockmen's National Conventions recently held at Chicago and St. Louis, I appointed representatives from the Territory to attend them. Dr. W. W. Day of Dayton, accepted the appointment and presumably has attended, with benefit to the Territory; but I have not yet received his report.

BOARD OF IMMIGRATION.

For many years it has been customary for most of the Western States and Territories to have Boards of Immigration. To this, the State of Kansas largely attributes her rapid growth in population. The neighboring States of Oregon and California have of late been greatly benefited by similar organizations. Our Territory is possessed of such a diversity in climate, soil, productions and resources, that in order to properly enlist the attention of the immigrant, and to save him unnecessary expense, we should not only provide suitable printed matter, but should see to its distribution; and in order to prevent the fear of deception, the information given should be well authenticated. At the expense of a few thousand dollars, the Territory can eventually be benefited to the extent of millions, by the introduction of capital for its development. I therefore recommend the creation of a Board of Immigration, with carefully defined powers; and I would suggest that the Librarian of the Territory might act as Secretary of such Board; and in such case the salary of the Librarian might properly be increased.

ANNUAL REPORT TO THE INTERIOR DEPARTMENT.

It has become the established usage of the Interior Department to request each year that the Governor of the Territory forward to Washington by the first day of November, a report of the development and resources of the Territory for the preceding year ended June 30th, together with any recommendations he may make for presentation to Congress. These reports are published by the general government and many of the copies are usually obtained by the Governor and others for distribution in answer to inquiries by intending immigrants and capitalists. When properly prepared, the official character of such reports gives them reliability and value, and occasions a constant call for them. Ten thousand pamphlet copies of the report of this territory with accompanying maps were circulated last year, principally from the Executive office.

It has been extremely difficult to obtain data from which to make up these reports; and for the purpose of facilitating their preparation in the future, I earnestly recommend that a law be passed making it the duty of each County Assessor to forward to the Territorial Auditor to be tabulated and delivered to the Executive, on or before the first day of October of each year, a full return of the necessary statistics; comprising complete reports of the acreage, value and distinctive character of all lands listable; of the farm-producing and stock-raising interests, in kind, number and values; of the commercial, manufacturing, mining, lumbering and fishing interests embraced within the county, in all their varied details as far as practicable. Uniform schedules would conduce much to the regularity and usefulness of these returns. The compensation of the Assessor should be adjusted to the work performed and a full compliance with the law be required.

THE EXPOSITION AT NEW ORLEANS.

I have appointed Mr. Ezra Meeker, Commissioner for the Territory at the North, Central and South American Exposition at New Orleans. He is well fitted for this position by his pioneering residence here, his persistent energy and his acquaintance with our resources and productions. He will make a display of such products as are readily obtainable, including sugar made from beets raised in this territory.

The sum of two thousand dollars has been appropriated by the managers of the Exposition, for the use of the Territorial Commissioner. Mr. Meeker will undoubtedly make a good use of this small sum, and will ask for an appropriation from the Territory as soon as he ascertains how much money can be judiciously used. Exhibitions of our products are necessary in order to attract thoughtful attention and satisfy the sceptical. In the words of the adage, "seeing is believing."

CLAIMS AGAINST THE UNITED STATES GOVERNMENT.

Under the Act of Congress approved June 27th, 1882, the duly authorized agent of the Territory of Washington has authority to file with the Secretary of the Treasury, abstracts of accounts, accompanied with proper vouchers and evidences, to establish claims for moneys alleged to have been expended, and indebtedness alleged to have been assumed by the Territory in organizing, arming, etc., etc. to repel invasions and Indian hostilities during the years 1877 and 1878. By consulting the statutes and corresponding with Ex-Governor Ferry, under whose administration the expenses were incurred, I have ascertained that a large number of the claims above referred to are still unsettled; and I have had applications by well accredited persons in Washington, who desire to undertake the collection of the claims upon a moderate commission. I therefore recommend the passage of a law authorizing the Executive to appoint an Agent in Washington for the prosecution and collection of these claims; the services and expenses of such agent to be without cost to the Territory, except the payment of five per cent. commission upon amounts collected and transmitted to the Territorial Treasury.

APPORTIONMENT.

It is well known that certain Counties of the Territory have been more favored than others with a rapid increase in population. Whether we consider the vote at the last territorial election, or the returns of the last census, it is evident that a new apportionment is necessary, in order to accord to each county its just representation and relative share of influence in the two bodies of this Assembly. I doubt not that a rearrangement of the basis of representation and of the districts to correspond therewith will receive your attention in due time.

LAW AND ORDER.

Stirring events connected with the Anti-Chinese agitation have recently attracted the attention of almost the entire world to a portion of our Territory, and have induced the general government to take vigorous measures for the preservation of order, and of respect for its treaty obligations.

It is to be regretted that the Legislative Assembly was not in session at the time referred to, so as to afford counsel and co-operation to the Executive. If desirable, I will, at a future time, lay before your honorable body a full statement of the action taken and the reasons therefor. Happily, at the present time the excitement has entirely passed away, and there is every indication of the continued preservation of peace and order. As legislators and citizens, we all recognize the necessity of correcting public evils in a lawful manner, and of building up that wholesome state of public sentiment, which discourages all appeals to illegal force or intimidation, and inculcates obedience to sovereign law, the "State's collected will."

MEMORIALS TO CONGRESS.

It is regarded as right and proper for the Legislative Assembly to memorialize Congress upon certain subjects over which the Territory has no legislative control, or which are regarded as beyond its recognized sphere of action, but which relate in an important sense to its welfare and advancement. Among the subjects suitable for memorial I would briefly suggest the following for your consideration:

First,—That the Government grant suitable appropriations for the improvement of the Columbia River, Gray's Harbor, the Skagit and other rivers emptying into Puget Sound, and to connect Lakes Washington and Union with Puget Sound by canals. Some considerations rendering such action desirable are hereinafter stated.

Second,—That the Government appropriate money to sink artesian wells for irrigating purposes, in certain localities in the eastern part of this Territory.

Third,—That the tariff on coal be rigorously maintained at seventy-five cents per ton, for the protection of American coal in the Northwest. Our important coal interests would receive a fatal blow by the removal of the present duty.

Fourth,—That the number of members of the Territorial Assembly be doubled, thereby affording fuller representation to the people in all sections of the Territory. The pay of the members should also be increased.

Fifth,—That the number of Judges of the Supreme Court be increased to five, and all the judicial districts be re-arranged accordingly.

Overwork of the judges, inconvenience to Attorneys, delays and consequent losses to suitors, particularly in districts west of the Cascades, and the embarrassment of business in the Supreme Court (under the present excellent law in regard to qualification and quorum of judges), all seem to suggest the creation of a new district. This may properly include Clarke, Klickitat, Skamania and the river counties in the southwest part of the Territory.

Sixth,—That the Chinese Restriction Act be so amended, and that negotiations be entered upon, to obtain such modifications in the treaties between the United States and China, as to protect the American working men from *extended* competition with Chinese cheap labor; which now threatens to retard the settlement of the Territory by a desirable class of immigrants, to interfere with that tranquility which is the aim and object of all good government, and to lower the dignity and prosperity of labor itself.

Seventh,—That an Act be passed by Congress authorizing the speedy admission of Washington into the Union of States.

For the purpose of giving you information on various subjects relating to the resources and development of the Territory, I herewith submit copious extracts from the annual report recently made by me

to the Government at Washington, appending the same and making them a part of this message.

Gentlemen, I have thus given you a brief account of the principal institutions and interests of the Territory. You are entering upon a session that will, I trust, be full of useful labors.

Many of our laws relating to both civil and criminal matters need revision. I feel sure that you bring to the task ability, integrity and experience.

It is especially important that your enactments be laid before the Executive in due season for his consideration, so that there be no indecent haste near the close of the Session. You will find me desirous to co-operate with you most heartily in all that tends to promote justice and to build up and advance our Territory to the very front rank.

Each of you will have to meet his record at the great tribunals of public opinion, of your individual conscience and of Almighty God.

My ardent wish is that the session may be harmonious and fruitful of good to our entire people, and that, at its close, you may be welcomed home by your approving constituents.

WATSON C. SQUIRE.



Governor Eugene Semple
1887-1889

EUGENE SEMPLE

Eugene Semple, Cleveland's Democratic appointee, became governor in 1887 and served until the return of the Republicans to office under President Harrison in March, 1889. Son of an Illinois politician and diplomat, he studied law in Cincinnati and journeyed west to Portland, Oregon, as a young man of twenty-three. There he held various positions associated with the professions of law and journalism until 1882 when he moved to Vancouver, Washington Territory, interested himself in the manufacture of lumber, and became a leader in the organization of the Columbia Waterway Association.

Following his term as governor he moved to Seattle, became a member of the board of harbor line commissioners, and turned his attention to business and to the engineering problems involved in the Lake Washington canal. Democratic candidate for the governorship in 1889, he was defeated in that election by Elisha P. Ferry. He died in California, August 28, 1908.*

*Meany, *Governors of Washington*, 65-67.

Governor Eugene Semple to the Eleventh Biennial Session of the Legislative Assembly, October 9, 1887.¹

*To the Honourable, the Council and House of Representatives
of the Legislative Assembly of Washington Territory:*

GENTLEMEN:—I have the honor to greet you as representatives of the people, to welcome you to the Capital City, and to wish you good fortune in your deliberations.

Delegated by the people to assemble here and consider the affairs of the Commonwealth you have in your hands the power to advance or retard the happiness and prosperity of your constituents, and I feel assured that feeling a due sense of the great responsibility, you will give conscientious thought and laborious attention to the trust.

In pursuance of my duty as defined by law and custom, I have the honor to submit for your consideration a general statement of the condition of the Territory and such recommendations as to changes in, emendations of, and additions to the laws as have seemed to me proper.

CONDITION OF THE TERRITORY.

During the past summer and autumn I have visited nearly every part of the jurisdiction and have endeavored to ascertain what were the wishes of the people. I found at every point evidences of thrift and prosperity. I saw not only boundless and various natural resources, but a population of bright and active men and women, who are well calculated to develop those resources and make Washington one of the richest and greatest States of the American Union. I also saw that side by side with material progress the people were paying due regard to moral and intellectual advancement, as evidenced by churches, academies, and common schools, not only in cities, but in the villages and beside the country roads. Harmony and good feeling seemed to prevail and the people everywhere take pride in the Commonwealth and place its welfare above their private interests. With such factors the events of the future will so far exceed the events of the past, period for period, as will be beyond our comprehension. Our various climates and the endless list of our natural resources will enable us to ultimately make the boast that there will be no blank in the census returns.

My report to the Interior Department for 1887 contains as full information in regard to the condition and resources of the Territory as could be obtained from official sources and by diligent inquiry amongst the people. I reprint copious extracts from this report as part of this message, and submit the same for your information.

Owing to lax methods of taking the census and defective assessment laws, this report is not as full and particular as I hoped it would be. The laws should be so amended as to provide for better service in collecting vital and other sta-

¹Published by order of the assembly, Olympia, Thos. H. Cavanaugh, Public Printer, 1887.

tistics, so as to place Washington Territory on a par with other countries in that respect. In addition to an enumeration of the inhabitants, returns should be made of the number of live stock, the cereal product, the hay, and other crops, and all items usually included in the latest form of census returns.

FINANCES.

I submit herewith the reports of the Territorial Auditor and Territorial Treasurer, which together exhibit the financial condition of the Territory at the present time. It will be seen by the report of the Auditor that the Territory is in debt for the first time in ten years and that the indebtedness is greater than at any previous time in its history. At the close of the last biennial period there was a cash surplus in the treasury of over \$80,000, and at the close of the period under consideration there is a deficiency of \$75,000. The estimates for the next biennial period for all items including liquidation of the present indebtedness is \$345,000. The estimates made by other officers, however, for the particular institutions under their charge exceed the estimates made by the Auditor for the same purposes by an aggregate of \$70,000, which added to the total estimate of the Auditor makes a grand total of \$415,000. These estimates should all be closely scrutinized, but should not be scaled to a point affecting their usefulness. This enlightened people will expect you to exercise such prudence only as a man of judgment would use in his own affairs, which is to practice that degree of true economy in expenditures, which while strictly avoiding extravagance, will keep every branch of the public service up to the highest degree of efficiency. The debt is insignificant compared with our present wealth and population, and it would be better to let it stand than to stint the public institutions in the interest of its immediate payment.

It must be borne in mind in considering the present indebtedness that we have two very fine public buildings, the Hospital for the Insane and the Walla Walla penitentiary, both of which were urgently needed, in place of the cash. It must also be borne in mind in considering the means of replenishing the treasury that the cost of these public buildings is greater than the surplus of two years ago and the present indebtedness combined.

In order to adjust our income to meet the ends required, it will be necessary to make changes in the revenue laws, and I earnestly commend your honorable body carefully to consider the valuable suggestions of the Auditor in that regard.

PENITENTIARY.

The reports of the Penitentiary Building Commissioners and the Superintendent of that institution will exhibit the matters of which they treat. Detailed statements are furnished in regard to the cost of the new buildings at Walla Walla and estimates for further improvements are submitted.

Laws creating officers for the institutions and rules for its government will have to be formulated at this session, as at present they only exist by virtue of an executive order under color of law.

The prison has been supported from the date of its occupancy by private enterprise, and while I do not think the precedent a good one to follow, it appears in this instance to have resulted in a saving to the treasury. The number of convicts in the Seatco prison at the date of the removal to Walla Walla was 93, and the number in confinement at the end of the fiscal year was 103. The cost per diem per capital for maintaining these according to the report of the Superintendent is much less than the price allowed the contractors at the old prison. I send you herewith the reports of the officers alluded to.

HOSPITAL FOR THE INSANE.

I hand you the report of the Trustees of the Hospital for the Insane, at Steilacoom, in which is included the reports of the building commissioners, the superintendent, the accountant and steward, and the supervising architect. These different reports, bound under one cover, will give you very full information on the subject of which they treat. It will be seen that the result of the expenditure of the appropriation of two years ago is a public building of imposing appearance and supplied with modern conveniences for the comfort, health, and safety of the unfortunates of the class of the insane and idiotic. I call your attention to the recommendations made in the reports referred to, which are full and particular.

TERRITORIAL UNIVERSITY.

The report of the Board of Regents of the Territorial University, which is herewith submitted, will be found to contain full information in regard to the condition and needs of that institution. The blank in paragraph 2, page 20, of the pamphlet should be filled by the insertion of 101,91,² as shown by the letter of transmittal of the Treasurer's report in the appendix.

I call your attention to the remarks of the regents on university lands. Every step that appears necessary to protect any of the lands granted for educational purposes should be taken, for these lands are the most valuable heritage of the people.

COMMON SCHOOLS.

The report of the Superintendent of Common Schools shows that there were 47,431 children of school age during the past year and that four and one-half months of school were taught on an average in each district. The amount of money expended was \$305,365. There are 1,236 teachers now in the Territory. This report, which will be laid on your desks, is replete with information in regard to past and present history of our schools and is worthy of careful perusal. The common schools of the country should always receive the most careful consideration and the most liberal treatment, for there is where our youth are furnished with the keys that enable them to unlock the doors of all knowledge. Edu-

² This figure (\$101.91) represents the balance on hand in the general fund of the university on September 20, 1887. *Report of the Board of Regents of the Territorial University of Washington Territory* (Olympia, 1887), 20, 29.

cation applied to intelligence is what makes good citizens and our institutions will be safe in the hands of a people who can read and think.

SCHOOL FOR DEFECTIVE YOUTH.

I call attention to the report of the Board of Trustees of the Washington School for Defective Youth, which accompanies this message. It describes in a very interesting manner the workings of the institution under disadvantageous circumstances. The inmates of this school and those who are entitled to become inmates deserve great consideration, because in an uneducated state they are in ignorance and brutishness, while having the capacity to receive instruction and become selfsupporting and happy. The Territory should deal liberally with the unfortunate.

THE NATIONAL GUARD.

The report of the Adjutant General shows the condition of the militia and National Guard. The latter organization should be placed on a secure footing by the enactment of a law under which it will be possible to maintain a strict discipline. A body of armed men, without discipline is one of the most dangerous things that can be devised. Military establishments are mere machines, by which the energies of numbers of men are brought into action in obedience to the will of one, and unless they can be completely so controlled, they should not exist. All officers and men of the National Guard should be amenable to a court martial. An important matter mentioned in this report is the obtaining credit at the War Department at Washington for the considerable sum due this Territory from the State of Oregon for arms and munitions loaned during the Indian war of 1877. Settlement of this claim has been long delayed, and it would probably be of good effect to memorialize Congress on the subject at this time.

INSPECTOR OF COAL MINES.

The report of the Inspector of Coal Mines, which is presented herewith, contains very full information in regard to the extent and condition of our coal mines, and the magnitude of the industry. On page 15, of the report, will be found some suggestions in regard to the present laws on the subject, which are worthy of attention. It is especially important that the inspector should be independent of the mine owners, as his principal duty is to enforce compliance on their part with the rules devised for the safety of miners. The importance of making strict rules and rigidly enforcing them can be understood by every one who has descended into the mines and seen how entirely the miners inside are at the mercy of those who are on guard above. An insufficient appliance or a careless man at the top may at any moment cause the destruction of all those below.

I am inclined to think that overlooking the mines of a whole commonwealth and caring for the lives of thousands of men is too much responsibility to fix upon one officer. The laws might be amended so as to make it the duty of the grand

jury of each county to visit the mines in a body or if that should be thought too expensive, a committee of their number to inspect the mines and report their condition to the full jury for certification to the court, as in the case of the inspection of jails and other public institutions. The grand jury is a popular body, it is always fresh from the people, and on account of the method of its selection and its various and changing constituents, it is the most difficult body to control that is known to the laws. I believe that good will result from investing it with these additional functions.

OTHER REPORTS.

Accompanying this message you will find reports of
 The Board of Health,
 The Board of Pilot Commissioners,
 The Territorial Librarian,
 The Commissioners to locate School for Defective Youth,
 The Commissioners to locate Insane Asylum in Eastern Washington,
 The Artesian Well Commissioners,
 The Board of Education,
 The Commissioner to the American Exhibition to London,
 The Health officer at Port Townsend.

All these pamphlets contain information upon the administration of the Territorial government and suggestions embodying the experience of the officers writing them, which will doubtless be of service to your honorable body.

RESTRICTION ON LEGISLATION.

There is an act of Congress, approved July 30th, 1886, by which the powers of Territorial legislatures are very much narrowed. It must be borne in mind however, that legislation on the subjects enumerated is not prohibited. It is merely provided that the statutes must be general in their application. I print this act herewith for the convenience of reference by members of the legislature.

MINING AND IRRIGATION.

Owing to recent extensive discoveries of mines of precious and other metals in this Territory, a necessity exists for the compilation and adoption of a code of mining laws. Laws should also be passed regulating the use of water for mining and irrigation purposes. Owing to the rapid settlement of the country, conflicts have already arisen in regard to these matters and as rights become vested, the question assumes a more difficult shape every year. If laws are passed at this time regulating the whole matter much expensive litigation will be avoided.

CODIFICATION OF LAWS.

The laws of this Territory, owing to careless legislation and decisions of the courts, are in such a state of confusion that it is very difficult even for experienced members of the Bar to arrive at any definite conclusion in regard to them much less can a citizen exactly determine the rules that govern his conduct, or the laws that guarantee his rights and privileges. Consultation of our laws by our citizens is rendered still more difficult by the absence of anything that can properly be called an index to the volumes. To remedy these faults there seems to be a general desire for the codification of our statutes. I suggest that instead of a codification of our present laws, a commission be created and instructed to prepare for submission to the next Legislature a civil, a criminal, and a probate code, being guided in their labors by an adherence to the spirit of our laws as heretofore instituted. It should also compile all general laws under a separate head, and provide a competent index for the whole system.

GROSS EARNINGS ACT.

It is undoubtedly the will of the people that the act of the Legislature approved November 28th, 1883, known as the Gross Earnings Tax Law should be repealed. While this should be done at this session, your constituents will undoubtedly expect that you devise some better scheme of taxation of railway properties in its place. The conclusion has been reached by the people of this Territory that railway corporations have not been bearing their due share of the burdens of taxation. The people are not wrong in this matter, and they confidently expect their just complaints in that regard will be heard by your honorable body and a remedy provided. Questions of revenue are always difficult to deal with, and require much research and thought, but I have no doubt that your honorable body will be able to formulate a bill in the premises, which, while entirely just to them, will effectually enforce upon railway corporations their duty of supporting the government in their due proportion. The people simply want fair play in this matter.

FREIGHTS AND FARES.

On my recent trip to the eastern part of the Territory I heard many complaints of exorbitant charges on the part of railway companies for carrying the crops to the seaboard. The people believe these complaints to be just and are looking to the Legislature for some kind of relief. If the transportation companies would come forward in good faith and co-operate with the agents of the people in an effort to prepare a measure that would be just to all concerned, there would not be much difficulty in solving the problem. Unfortunately, however, they appear to have pursued an obstructive policy and to have denied the right of the Legislatures of the people to interfere in the premises. Under these circumstances the work of devising proper regulations becomes one of great difficulty. All that can be done is to devise a statute that appears to answer the purpose and subsequently amend it, as defects are noticed in practice, until it becomes as

perfect as may be. The right of the Legislature to regulate freights and fares should not be doubted, however, and they should never forego their determination to exercise it.

FISHERY LAWS.

During the past season an effort was made to enforce the laws of the Territory, which provide for a close season for salmon in the Columbia river. Learning that the laws were being generally neglected, I have made two visits to the river counties and personally co-operated with the sheriffs there to enforce a cessation of illegal fishing. This was finally accomplished, more, perhaps, by common consent than from fear of the laws, which were considered to be difficult of enforcement owing to alleged technical defects. The salmon fisheries of the Columbia and other Washington Territory rivers will yield from two to three million dollars per annum according to the season for an indefinite time, if prudently and economically managed. As at present managed, however, the industry will be destroyed within the next five years. I suggest that the matter is of such importance that it would justify the appointment of a special committee to consider it. A committee of the Oregon Legislature was appointed at the last session of that body and given power to incur traveling expenses and instructed to report upon the whole fishery question. As the two commonwealths are jointly interested in the protection of the Columbia river fisheries, I ventured to request of the chairman of that committee the benefit of its researches. He was kind enough to intimate that his would be done, and I fully expect that at some time during your session I will be able to submit a copy of the report. I took particular pains, when I was on the Columbia river, Shoalwater Bay, and Gray's Harbor, to request fishermen of all classes, and capitalists connected with the fishing industry to make known their views to your honorable body, in order that being fully advised, you might be able to frame a law that would be just to them all. I trust that they will avail themselves of the invitation. I suggest that the efficiency of the laws in regard to fisheries would be increased, if they provided for actions *in rem*, or against the "gear" used in violating the law. Amongst the great variety of opinions in regard to the matter I came to the conclusion that alternate periods of open and close seasons of, say, seven or ten days would afford the fish a chance to ascend to the spawning grounds. Such a law could be made to apply to all streams alike and would protect a portion of each run of fish. The penalty for violating the law should have a low minimum, as it is difficult to obtain convictions, where the discretion of the court is limited in the direction of lenity. The maximum, however, should be high, so that offenders could be adequately punished where the offense is repeated.

CATTLE QUARANTINE.

This office is often in receipt of proclamations from other states and territories and from the Department of Agriculture at Washington announcing infected districts for cattle and prohibiting the importation of cattle therefrom. So prevalent and so virulent have certain diseases like pleuro pneumonia become, that the regulation of the movement of stock has become a necessity to prevent the extermination of the herds of the country. This Territory is entirely unprotected in that regard and I suggest to your honorable body the propriety of formulating laws modeled after those of other states, where the subject has received due attention, by which the herds and flocks of Washington may be protected from contact with animals from infected districts.

ARBOR DAY.

In most of the states and territories of the west and in several of the eastern states a day of comparative rest, called "Arbor Day," has been instituted by law. On this day, which is announced by executive proclamation, as is Thanksgiving Day, the people are expected and encouraged to plant trees, shrubs and vines. Lessons are taught the children in the public schools as to the effect of forest denudation upon atmospheric phenomena; pictures are drawn of counties where at this time there is nothing but sterility, but where ruins exist that denote that at no very distant period the country was rich, fertile and prosperous. Each child is taught by the school master and the fact is brought home to the attention of the people on Arbor Day, that whoever plants a tree or shrub, or consigns a seed to the earth, is doing a mite to avert such a fate from his own country. Thus, in addition to the mere utilitarian idea, there occurs a cultivation of the gentler sentiments, which we as a people have been accused of neglecting, if not ignoring in our eager pursuit of wealth. I believe the people would be glad to have you institute this festival in Washington Territory.

MEMORIALS.

Congressional action for the benefit of this Territory is desired on a great variety of subjects.

1st. On the subject of adjustment of the long deferred claims of certain of our citizens for services and losses of property in the different Indian wars in which they have been engaged. On this subject I have received a communication for the Governor of Nevada suggesting that an united effort be made at the coming session of Congress by the different Pacific States to secure justice for their citizens in this regard. I think the suggestion is a good one. I have some information on this subject which will be of use in preparing a memorial, and which I will submit to your committee at the proper time.

2nd. An act of Congress, approved March 2nd, 1887, provided for the establishment of agricultural experiment stations in the different states and terri-

tories. By this bill an allowance of fifteen thousand dollars was allotted to each state and territory, and the results provided for would have been of the greatest benefit to the agricultural interests of the country. The bill was, however, unfortunately defective, in that, as decided by the Comptroller of the currency, it failed to make an appropriation to carry out its provisions. In order to lessen the chances of this bill being overlooked at the current session of Congress, I suggest that a memorial be sent to Washington requesting its re-enactment. I can furnish your committee a copy of the law if desired.

3rd. There is very little doubt that the Chinese restriction act is being evaded by numbers of those objectionable people crossing our northern boundary by land, or arriving at different Puget Sound ports on small sailing vessels. I mentioned these facts in my report to the Secretary of the Interior, and recommended the amendment of the restriction act in the interest of greater efficiency. A memorial from your honorable body would receive greater attention than the report of a single officer; I believe, that the interests of this commonwealth would be subserved by such memorial.

4th. The ultimate permanent emancipation of the people from high freight rates will occur when the thousands of miles of navigable rivers fortunately possessed by the Territory are opened to free navigation. Congress has inaugurated the process, but the work is slowly done on account of insufficient appropriations and the excessive conservatism of the United States engineers. I believe that a memorial on this subject would, by showing the deep interest felt in this subject by our people, be of much service in inducing the Federal government to be more liberal in the application of funds to this desirable end. I can furnish your committee with much valuable information on this topic if they request it.

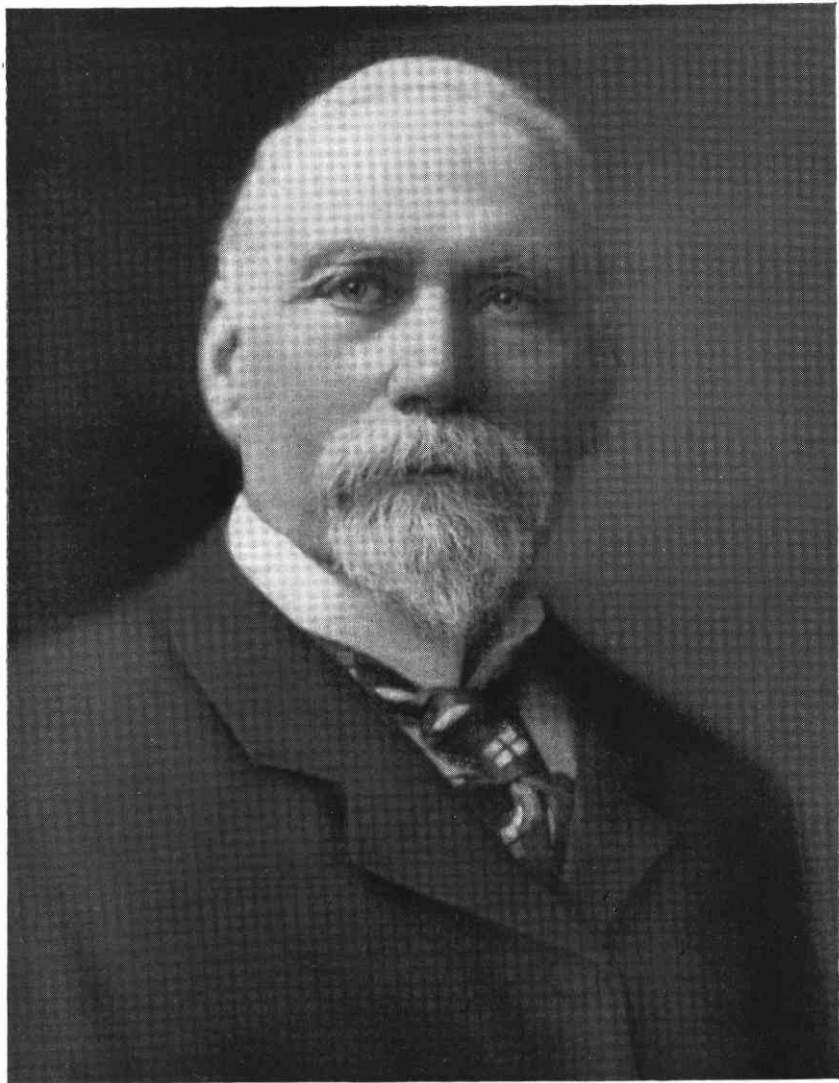
5th. The settlement of a large part of this Territory is retarded by the doubts that exist in regard to land titles by reason of the various constructions placed upon the laws granting lands to railway corporations. A bird's eye view from the summit of Steptoe's Butte, in Whitman County, will, I am told, disclose the limits of the Northern Pacific railroad grant, by the line of improvement. The blighting effect of placing large areas of the public domain under the control of one man or of one set of men is illustrated in a striking manner by this object lesson. Not only are the lands that are in dispute affected by the blight but these that are not in dispute are being held at high prices for speculative purposes to the detriment both of the people and the stockholders of the railroad company. The poorer people for whom the public domain was originally intended are unable to take these lands, and the railroad company is deprived of the carriage of the products of the soil, which would in a few years amount to as much as the value of the land. I think it probable that when these lands are made to bear their proportion of taxes, the disposition to hold them will not be so strong. I suggest that it would be proper for your honorable body to use its influence by memorial to Congress on the side of some speedy adjustment of the question of titles. The country is interested in having the clouds removed, in some way, at once.

6th. The report from this office to the Interior Department sets up the just claims of this territory for admission into the Union without delay and without other restrictions than those contained in the Constitution of the United States. I respectfully suggest that it would be well for your honorable body to second this claim by a memorial.

In conclusion, gentlemen of the legislature, I beg to assure you of my hearty co-operation in the work now opened before us, and I trust your honorable body will be considerate enough to fix a reasonable limit before the final adjournment after which no business may be introduced, so that this office will be enabled to give due attention to all matters laid before it.

We should all keep constantly in our minds the motto "the good of the people is the supreme law."

Very respectfully,
Your obedient servant,
EUGENE SEMPLE,
Governor.



Governor Miles C. Moore
1889

MILES C. MOORE

Miles C. Moore, last governor of Washington Territory, served from April, 1889, when Benjamin Harrison, incoming Republican president appointed him, until November of the same year when Elisha P. Ferry was inaugurated first governor of the State of Washington. Born in Rix Mills, Ohio, April 17, 1845, he went with his family as a boy of twelve to Wisconsin where he received several years of his education. Stories of exploration in the American West urged him to adventures of his own and he migrated first to Montana and thence to Walla Walla where he built up a business in general merchandising. In the years that followed he adapted his enterprise to a variety of opportunities, including banking and investments, and the grain trade. He rose to prominence in Walla Walla and served once as mayor and twice as city councilor.

His term of office as governor covered the months during which the state constitution was drawn up and the machinery of state government perfected. There was no session of the territorial legislature; the message reprinted in the following pages is his farewell address delivered at the inauguration of Governor Ferry, November 18, 1889.*

*Snowden, *History of Washington*, IV, 282.

Farewell Address of Miles C. Moore, Last Governor of the Territory of Washington, to the First Session of the Legislature of the State of Washington, November 18, 1889.¹

Ladies and Gentlemen:

A custom has grown up here at the Capital City and crystalized into unwritten law, which requires the retiring Governor to deliver his own valedictory and also to salute the incoming administration. In accordance with that custom, I am here as the last of the race of Territorial Governors to say "Hail and Farewell." Hail to the lusty young State of Washington, "rising like a giant in its strength"; farewell to old territorial days. It is an occasion of reminiscence—for retrospection. To those of us who have watched at the cradle of Washington's political childhood this transition to statehood has its pathetic side. It stirs within us memories of "the brave days of old." The past rises before us. We see again the long line of white canvas-covered wagons leaving the fringe of settlements of the then Western frontier; through tear-dimmed eyes we see them disappear behind the western horizon, launched upon the vast terra incognita, the Great American desert of our schoolboy atlas. We see them emerge after months of weary travel upon the plains of Eastern Washington; or later hewing out paths in the wilderness striving to reach that "Eden called Puget Sound." Hither, year by year, came the pioneers and built their homes, and planted the symbols of their faith upon the banks of your rivers, in the sun-kissed valleys of your inland empire, under the shadows of your grand mountains and upon the shores of this vast inland sea.

Very gradually we grew. The donation act passed by Congress September 27, 1850, giving to each man and his wife who would settle thereon a square mile of land in this fertile region, attracted the first considerable immigration. It also probably saved to the United States this Northwest territory. The entire population, which at the date of organization as a separate territory in 1853 was 5,500, had grown to 24,000 in 1870 and to 67,000 in 1880.

Still, with an abiding faith in the ultimate greatness of Washington, when the attractions of her climate and her wealth of resources should become known, the old settler watched through the long years the gradual unfolding of these resources, the slow increase in population. At last the railroads came, linking us with the populous centers of civilization. They poured upon us a restless stream of immigration. A change came over the sleepy old Territory. These active, pushing immigrants, the best blood of the older States, are leveling the forests, they are delving in the mines, tunneling the mountains, they are toiling in the grain fields, they are building cities, towns and villages, filling the heavens with the "shining towers of religion and civilization."

The old settler finds himself in the midst of a strange, new age, and almost incomprehended scenes. The old order of things has passed away, but your

¹ Moore's address, which follows, Governor Ferry's inaugural address, and his first message to the state legislature were printed together as a pamphlet, Olympia, State Printing and Publishing Company, 1889.

sturdy, self-reliant pioneer looks not mournfully into the past. He is with you in the living present, with you here to-day, rejoicing in the marvelous prosperity visible everywhere around him, rejoicing to see the empire which he wrested from savage foes become the home of a happy people, rejoiced to see that empire, emerged from the condition of territorial vassalage, put on the robes of sovereignty.

We are assembled here to-day to celebrate this event, the most important in the history of Washington, and to put in motion the new State government. Through many slow revolving years the people of Washington have waited for these exalted privileges. So quietly have they come at last, so quietly have we passed from political infancy to the manly strength and independence of State that we scarce can realize that we have attained the fruition of our hopes.

Let us not forget, in this hour of rejoicing, the responsibility that comes with autonomy. Let us not forget that under statehood life will still have woes; that there will still be want and misery in this fair land of ours. To reduce these to the minimum is the problem of statesmanship. The responsibility rests largely with our lawmakers, now assembled here. A good foundation has been laid in the adoption of an admirable Constitution, a Constitution pronounced by eminent authority "as good as any State now has, and probably as good as any will ever get." Upon this you are to build this superstructure of the Commonwealth by enacting laws for the millions who are to dwell therein. You have the storehouse of the centuries from which to draw; the crystalized experience of lawmakers from the days of the code of Justinian down to present times. To fail to give us good laws will be to "sin against light." Unto whomsoever much is given, of him shall be much required. The eyes of all the people are upon you. It is hoped and confidently expected you will bring to the discharge of your duties wisdom, industry and lofty patriotism; that when your work is done it will be found to have been well done; that capital and labor will here have equal recognition and absolute protection; that here will arise an ideal Commonwealth, the home of a race to match our mountains, worthy to wear the name of Washington.

Now that I am about to surrender my trust and return to private life, I desire to testify my grateful appreciation of the uniform kindness, forbearance and courtesy accorded me by the people of Olympia and by all the citizens of Washington it has been my good fortune to meet during my brief term of office. I shall always cherish among the pleasant experiences of my life the seven months passed here as Washington's last Territorial Governor.

To your Governor-elect you need no introduction. If not a pioneer, he is at least an "old settler." It is a graceful tribute to this class that one of their number was selected to be first Governor of the State. It affords me pleasure to testify to his thorough and absolute devotion to its interests. His every thought is instinct with love for the fair young State. I bespeak for him your generous co-operation and assistance.

MILES C. MOORE.

Inaugural Address of Elisha P. Ferry, First Governor of the State of Washington, November 18, 1889.

Fellow Citizens of the State of Washington:

The eleventh day of November, 1889, will ever be a memorable epoch in our history. It will be known and designated as "Admission day." Its anniversary will be celebrated, and it may very properly be placed among our legal holidays. On that day the Territory of Washington, after an existence of more than thirty-six years, ceased to be, and in its place the State of Washington, the forty-second star in the national constellation, was called into being. Our minority and our deprivation of the most cherished and important rights and privileges of American citizens continued longer than we desired, or was necessary. Many of those around me have looked forward to statehood through years added to years, until they almost despaired of the realization of their hopes. To those whose residence within our commonwealth has extended only through a short period, the inauguration of the first State government may not appear to be of great importance. But to those whose hair has grown white beneath this sky; to those who in early days crossed a continent by long and weary marches; to those who planted the standard of civilization and christianity within its borders; to those, the ever-to-be-remembered pioneers, it is an event of transcendent interest; to those it is the consummation of hopes long deferred yet ever renewed. It is the accomplishment of a result for which they had waited with anxious solicitude, and which they now welcome with joy and satisfaction.

The inauguration of the State government, which occurs to-day, is also a most important event in the history of the commonwealth. It marks the end of one form of government and the beginning of another. So plain is the significance of the present hour, and so evident is its import, that those present, young and old alike, feel the weight of the great event and will in future years proudly refer to the fact that they saw the wheels of government of the State of Washington put in motion for the first time, and that they marked the moment when the last act was performed by which the Territory of Washington passed into history, and the State of Washington entered upon its active governmental career.

The Territory of Washington was established March 2, 1853. Its boundaries then were the British possessions on the north, the summit of the Rocky mountains on the east, the Columbia river and the forty-sixth parallel of north latitude on the south, and the Pacific ocean on the west. It was then almost an empire in extent. Those boundaries remained until the formation of the Territory of Idaho, on March 3, 1863, when our eastern boundary was changed to the one hundred and seventeenth meridian, where it now remains.

It is impossible for me, at this time, to give even a synopsis of the events which have occurred during our territorial life. The history of the Territory remains to be written. To that we must look for an account of the dangers and hardships encountered by the early settlers; of the political events which transpired during the territorial period, and of the gradual change of a wilderness inhabited

by savages into a commonwealth possessing all the advantages of the highest civilization.

The years which have passed under the Territorial government have been profitably employed. Washington has, during all this time, been growing stronger financially, commercially and politically. It has gained an enviable reputation. Its resources have been exhibited and its capabilities have been made known. Its ability to assume the responsibilities and bear the burdens of statehood is far greater now than at any time in the past. Already it outranks several other States of the Union in population and wealth, and is pressing forward with giant strides to that high position which it is destined to occupy. Our commonwealth enters upon statehood under circumstances that are most favorable; under auspices which assure a prosperous future. Every branch of business is flourishing. For several years the tide of fortune has been with our citizens, and they have taken the treasure which has floated upon its bosom.

The attention of the world has been attracted by our commercial facilities, by our agricultural and manufacturing advantages, by our resources of timber, coal and iron and the precious metals, and by our phenomenally pleasant climate. Capital and population are flowing in upon us in an apparently endless stream. Commerce, manufacturing and agriculture, the three great elements of a nation's prosperity, are on a firm basis, and the possibilities of their future development are boundless.

Young and comparatively undeveloped as it is, Washington enters the Union the peer of any State, and the superior of many. Only a few years of this century remain, but before they are gone Washington will be universally recognized as one of the greatest of the American States.

It attains its majority and enters the Union well endowed. Owing to the generosity of its sister States, through their Representatives in Congress, it has received more than half a million acres of land of the present value of more than five millions of dollars, in addition to the magnificent grant for the support of common schools. Washington is, therefore, not only wealthy in its resources and capabilities, but in fact. The present, indeed, gives promise of a glorious future, and the past, too, adds its evidence to strengthen our hopes. The recent progress of Washington has been truly marvelous. Less than a decade since, its population was 75,000; now it is more than 300,000. The assessed value of its property was then twenty-two millions of dollars; now it is one hundred and twenty-five millions. Then only a few miles of railroad had been constructed within its borders; now they penetrate to nearly every part of the State, and one transcontinental road extends from its eastern almost to its western boundary. Then its largest city had less than five thousand inhabitants; now it contains three cities, each of which has more than twenty-five thousand. Truly the recent past gives promise of a future which will realize our most sanguine anticipations. The State is now, practically, connected with the south and east by three transcontinental railroads, and there is every reason for hope that this number will be increased, perhaps doubled, within a few years. With this increase will come manifest advantages. Freight and passenger rates between Washington and the east will be materially

reduced. New markets for our products will thus be opened and the price of necessities of eastern manufacture will be reduced. With this increase of commercial advantages will come an increase in manufactures and an increased remuneration for industry in the line of agriculture, which always follows the growth of manufactures. Truly the prospect is encouraging. It is such that the citizen of Washington can look upon his State with pride and anticipation which cannot be too great.

But a forecast of the future of Washington, which did not take into consideration the possibilities of its foreign commerce would be superficial and very incomplete. Already this is a source of revenue to its citizens, the importance of which cannot be over-estimated. Exports from Puget Sound are now carried to ports of all continents—North America, South America, Africa, Asia, Europe and Australia, and to many of the islands of the Pacific. The trade of Europe with the Orient, a trade which has enriched every country that has engaged in it, is now insignificant in comparison with what it will become in the near future. The uncounted millions of China and North Asia are beginning to awaken to the advantages of our civilization. Year by year they accept more and more of the manufactured products of Europe and America. Wheat is supplanting rice as a staple article of food. The Occident is looking to the Orient for its supplies. Here will spring up a trade which will vastly outmeasure the old Oriental trade, and it is fair to suppose that a reasonable proportion of this mighty stream of commerce will flow through Puget Sound, which is nearer by many thousand miles to the commercial cities of Asia than are the competing ports of Europe. The manufactured products of eastern America and the products of our own State will be exchanged here for the products of Asia. As a consequence of this trade there will arise upon the waters of Puget Sound several commercial cities, one at least of which will rank with the great commercial cities of the world.

The eastern portion of our State is unrivalled in the production of all the cereals and the fruits indigenous to the temperate zones, and its productive capacity is almost incalculable.

Are not these considerations sufficient to justify the citizens of Washington in their firmly rooted belief that their State will ultimately be one of the foremost in the Union?

The substitution of a State Government for that of the Territory imposes upon the citizens of Washington more solemn duties and graver responsibilities than those to which they have been accustomed. Hitherto the power of our Legislature to enact laws have been limited and restricted by the organic act and the amendments thereto, and by the various laws that have been passed by Congress relating to the territories. Further than this, Congress reserved the right to annul any law passed by the Territorial Legislature which seemed to be unwise and injudicious. We had no voice in the selecting of our Executive and Judicial officers and none in directing the course of the National Government. Hereafter all will be changed. The powers of our Legislature will be limited only by the Constitution of the United States and that of the State of Washington. Our citizens will be on an equality with those of any other State of the Union, and their wishes

will have due weight in determining the policy of the National Government. We should, therefore, exercise a conscientious endeavor to bear well these new responsibilities and discharge faithfully the new duties which are ours, and prove ourselves worthy of the rights which we have secured. Let greater wisdom accompany the greater power that we now possess. Let us discharge the additional duties devolving upon us in a manner that will redound to our credit; advance the welfare and prosperity of our State and add importance and strength to the National Union.

The constitution which has been adopted by our people and on which our State Government must rest, although not universally approved appears to be satisfactory to a great majority of our fellow citizens. No one should have anticipated a perfect Constitution. An instrument of that character never has been, and never will be devised. If the Constitution is as perfect as could reasonably be expected, taking into consideration existing conflicting interests, and radical differences of opinion that are entertained upon many important Governmental and other questions, then all should be content; submit to the will of the majority and at least be willing to give to the Constitution a fair trial. Should, however, experience teach that any of its provisions are unwise, others required, or that additional limitations upon Legislative power, are necessary, then let amendments be prepared in the manner provided. There are indications that this course is not satisfactory to all of our fellow citizens. Already amendments are suggested and are being agitated. This is not good policy. No attempt to change the Constitution should be made until time and experience shall demonstrate that changes are advisable and that suggested amendments would improve it and render it more satisfactory than it now is. Changes should not be countenanced or approved by anyone who believes that the fundamental law should be reasonably permanent and who is willing it be submitted to the test of experience.

In addition to this, the State Constitution is only a limitation upon legislative power, differing in this respect from the Constitution of the United States, which is a grant of power. It is, therefore, to be presumed that in addition to the specified subjects in the Constitution upon which the Legislature is required to take action, it will at its first session enact such laws as will remedy what, to many, may appear to be defects in that instrument.

Within the past few months several of the largest cities of our commonwealth have suffered from disastrous conflagrations. In a few hours property of the value of many millions of dollars, the accumulation of years, the proceeds of lives of toil, were swept out of existence. To individuals, in many instances, these fires occasioned serious losses, and may be regarded as calamities, but the cities will sustain no permanent injury. They are being rapidly rebuilt, better and more substantial than before. The check to business was only temporary, and the population of each has increased without interruption. The undaunted courage, the indefatigable enterprise and the persevering energy displayed by the people of those cities under what were considered overwhelming misfortunes, have excited admiration and astonishment throughout the continent and wherever the facts have become known. These characteristics have been fully recognized and appre-

ciated by foreign capitalists, who offered loans to these cities to enable them to rebuild at less rates of interest than those formerly demanded. In this respect, as well as in others, these conflagrations have already shown themselves to be beneficial rather than calamitous. Great disasters bring out the true character of a people.

With resources superior to those of any other equal area, with a population as enterprising as it is courageous, with a climate which commends itself to all who experience it, occupying a position at the gateway of the Oriental and Occidental commerce of the future, there is no reason why the State of Washington should not in the near future take rank among the most prominent States of the Union, nor why our people should not enjoy the priceless blessings of prosperity, health and happiness.

Having been elected by my fellow-citizens to the office of Governor of the State of Washington, I am about to take the prescribed oath and enter upon the discharge of my duties. I fully appreciate the dignity and honor of the position and am profoundly grateful to my fellow-citizens for the confidence which they have reposed in me. At the same time I deeply realize the responsibility that I assume and the difficulties and embarrassments with which I may be surrounded. Matters will necessarily come before me for action about which honest differences of opinion will be entertained by my fellow citizens. I cannot hope that my course will be satisfactory to all, but I can sincerely assure you that at all times and under all circumstances my highest and best efforts will be directed to the promotion of the various interests of the people of the State of Washington.

ELISHA P. FERRY.

INDEX

- Abernethy, A. S., 180
 Academies, private, 253
 Achilles, Capt., 29, 31
 Admiralty Inlet, 113, 154
 Admission Day, xi, 280
 Advantages, natural, of Territory, 92
 Africa, trade with, 282
 Agent, territorial, for claims against
 U. S., 261
 Agents to Indians, 58
 Agriculture, 76, 92, 98, 132, 138, 174, 200,
 281
 development of and data, xiii, 92, 196,
 241, 260
 exports, 186
 goods, xii, 45, 228
 lands, 45, 53, 76, 84, 122, 150
 in Walla Walla region, 51, 177, 182
 Agricultural college, scrip and location
 of land, 1868-69, 106, 114, 151
 Alaska, xviii, 227, 247
 Aleutian archipelago, 133
 Alvord, General B., 108, 110, 112
 Andover, Massachusetts, 1
 Anti-Chinese riots, 247
 Apportionment for legislature, 96, 215,
 261
 Appropriations, xvii, 194
 arms repair, 63
 Board of Emigration, 201
 capitol, 60, 229, 245
 centennial, 180, 192
 commerce, 243
 convicts, 88
 estimates, 160
 insane, 223, 236, 256
 law books, 198
 library, 240
 penitentiary, 60, 148, 233
 roads, 58, 134
 statehood, 227
 surveys, 85, 104
 university, 181, 190, 212, 239
 Arbitration, 174
 Arbor Day, 273
 Archives, territorial, 241
 Arizona territory, farms in, 1870, 177
 Arms, military, 22, 43, 52, 63, 70, 82, 224,
 240
 Armstrong, Captain, in war of 1856, 34
 Arnold, Lieutenant, 78
 Artillerists, corps, 44
 Asia, commerce with, 156, 186, 227, 229,
 282
 Assembly, legislative acts of, 93, 94
 See also Legislative Assembly
 Assessor of Internal Revenue, 123, 128
 Assessments, tax, 86, 176, 185, 198, 220,
 257, 266
 See also Equalization
 Astoria, military road, 58
 Atlantic seaboard, commerce, 186
 Attorney general, office proposed, 251
 Auditor, territorial, 59, 189
 and Advisory Board of Pardons, 251
 collection of statistics, 260
 commissioner of the prison, 221
 conviction of criminals, 209
 county taxes, 195
 duties of, 1, 88, 107, 114, 158, 197, 210
 insane, care of, 256
 insurance companies, 257
 office of, 251
 office of librarian, 59
 reports of, 176, 184, 220, 231, 267
 Australia, 282
 exports to, 1875, 186
 Austria, 138

 Ballard, Dr. A. M., 189
 Banks, xiv, 277
 Bare prairie, 13
 Beaver Head, 115
 Bellingham Bay, 4
 coal, 60, 139
 Indians, 11
 roads, 21, 79
 survey, 68
 "Belmont" ship, 126
 Benetzé Creek gold, 76
 Benton, Fort, *see* Fort Benton
 Biennial Session of Legislative Assem-
 bly, first, 1867, 132
 Big Blackfoot river, gold, 76
 Billings, William, 211
 Binghamton, New York, 130
 Bitter Root Mountains, 45, 46
 Bitter Root river, 69, 85, 115
 Black River, 125, 134
 Blake, Major, 78
 Blankenship, Major, 34
 Blind, care of, 255
 exemption from taxes, 224
 Boise, 115
 See also Fort Boise
 Boiseport, 104
 Bolon, and Yakima massacres, 37
 Bonuses for agriculture, 98
 Boone, William E., 164, 178
 Boston, and Governor Flanders, 145
 Boundary line, 5, 11, 280
 between Oregon and Washington, 81
 between British possessions and
 Washington, xviii, 44, 51, 60, 88,
 154, 174
 Bremerton naval station, 247
 Brents, Thomas H., 214
 Bright, George, 41

INDEX—Continued

- British Columbia, 60, 107, 113
 boundary question, 155, 174
 colony founded, 57
 consul for, 89
 exports to, 1875, 186
 fish commissioner, 226
 seat of government for, 56
 troops in, 57
- Brown, John, and Harper's Ferry raid,
 73
- Brown University, and Charles H.
 Mason, 15
- Buchanan, James
 elected president, 54
 and Governor Gholson, 65
 and Acting Governor McGill, 75
- Budget, territorial, xvii, 220
- Building stone, 46
- Buildings, public, 146, 237
 school, 238, 252
 state, 227
- Bull Run, battle of, 2
- Burbank, A. R., 128, 129
- Burnt river
 battle, 35
 railroad route, 71
- Business directory, xiv
- California, xv, 115, 139
 Board of Emigration, 259
 Emigration to, 110
 Flanders, Governor, 145
 mail routes, 72, 89
 Salomon, Edward S., 157
- Camp Montgomery, in war of 1856, 30
- Canada, agreement concerning fish, 226
- Cape Arago, 170
- Cape Flattery lighthouse, 63
- Canals, inter-oceanic, 247
- Capital investments, 140, 141, 192, 194,
 272, 281
- Capitol, territorial, xi, 22, 52, 59, 60, 66,
 83, 94, 115, 124, 228, 229, 245, 278,
 284
- Cascade Mountains, 134, 141, 151, 152
 roads, 4, 46, 80, 152
- Casey, Lieutenant Colonel, 34, 39, 42
- Cattle quarantine, 272
- Cavalry, 97
- Cayuse Indians, 24, 27, 36
- Cedar river, 125
- Census, territorial, 185, 200, 248, 266, 267
See also Population
- Centennial Exposition, xviii, 180, 191
- Certificates, Donation Law, 151
- Chaplains for legislature, 95
- Chehalis river, 21, 31, 45, 61, 68, 79, 81,
 84, 111, 125, 132, 139
- Chehalis county, 82
- Chicago, and Governor Salomon, 157
- Chile, exports to, 1875, 186
- Children, care of, 103
- Chimmicum, 125
- China, 142, 246, 282
- Chinese, 72, 115, 247, 261, 262
- Churches, xv, 93
- Church property, taxation, 221, 242
- Cincinnati, and Governor Semple, 265
- Cities, xv, 141, 281
- Civil vs. military authority, 67
- Civil War, xvii, 2, 97, 98, 99, 110, 116,
 119, 130, 146, 157, 247
- Claims, territorial, against U. S., 261
- Claims under Donation law, 1868-9, 151
- Clallam Bay, 125, 139
- Clallam county, and public arms, 82
- Clark, Fred A., 164
- Clark, J. P., 150
- Clark's Fork, 5, 46
- Clarke county, 33, 262
- Clarke, General, 56, 85
- Clearances, ship, 170, 187
- Clear-water river, 76, 84
- Clerk of court, cost, 231
- Clerks, of legislature, 215
- Cleveland, Grover, and Eugene Semple,
 265
- Cleveland Law School, and Governor
 Squire, 247
- Clicatat river, 80
- Climate, 44, 53, 92, 139, 140, 146, 174, 183,
 228, 246, 278, 281
- Coal, xii, 5, 12, 44, 60, 76, 85, 92, 139, 171,
 188, 191, 197, 228
 supervision of mining, xvii, 60, 69, 107,
 240, 262, 269
- Coast Survey, U. S. lighthouses, 154
- Coast trade, 139, 170
- Code of Washington, printed, 231, 242
- Codification of laws, 1868, 153. *See also*
 Laws
- Coeur d'Alene, 5, 10, 46
- Coffee, Mr., in war of 1856, 34
- Cole, George E., 91, 101
- Collector of Customs, 51
- Collector of Internal Revenue, 113, 123,
 128
- College Land, Scrip, 151
- Colleges, private, 93, 253
- Colorado Territory, 177, 179
- Columbia river, 4, 53, 60, 62, 68, 71, 81,
 96, 105-108, 112, 115, 125, 139, 141,
 151, 213, 226, 262, 272
 farm lands, 45, 61, 80
 mail service, 10, 78, 153
 pilots, 199, 225, 239
 roads, 13, 21, 79, 80, 152
- Columbia Waterway Association, 265
- Columbian, xiv
- Colville, 5, 20, 126, 225
 road, 44, 78, 152
- Comeman river, 125
- Comito, Margaret, 129
- Commerce, xii, 57, 92, 107, 132, 133, 154,
 182, 243, 260, 282
 opportunities, 139, 229, 281
 and railroads, 47, 171, 246
 statistics, 169, 186

INDEX—Continued

- Commissary department, in war of 1856, 40
- Commissary General, 42, 191
- Commissions
 boundary, 60
 Indian War debt, 59, 89
 medical, 245
 reports mentioned, 229, 242
- Commissioner of Court of Claims, and Acting Governor McGill, 75
- Commissioner of Deeds
 expenditures, 1883, 231
 Fund, 1879, 210
- Commissioner of General Land Office, 151
- Commissioners
 capitol building, 83
 codification of laws, 153
 fisheries, 213, 226
 foreign states, 240
 harbor line, 265
 immigration, 212
 Indian reservation, 84
 insane, care of, 163, 189
 New Orleans Exposition, 260
 penitentiary, 83, 85, 164, 221, 251
 pilots, 199
 public instruction, 86
 university lands, 93, 94
- Communication difficulties, 4, 46
See also Mail, Telegraph
- Comono, surveys, 68
- Comptroller of currency, 274
- Confederate Congress, and Governor McMullin, 49
- Congress, *see* U. S. Congress
- Connecticut, and Governor Squire, 247
- Connell's Prairie, 30, 31
- Constitution*, mail steamer, 54
- Constitution, state, 199, 213, 228, 246, 277, 279, 283
See also Statehood
- Constitutional convention, state, 211, 213, 247
- Constitution, U. S., 55, 99
- Convicts, territorial, 88, 148, 179, 188, 196, 199, 211, 221, 233
See also Fugitives
- Cooperation of governor and legislature, 172, 181, 218
- Copper mines, 92
- Corporations, 156, 174, 192
- Council, territorial, and appointments, 191
- Counties
 Idaho, 102
 King, xii
 Nez Perce, 102
 Pierce, xii
 Shoshone, 102
 Spokane, xii
 Walla Walla, 102
- Counties
 arms loaned, 225
 assessments, 185, 198, 221, 260
 auditors, 59, 221
 Board of Equalization, 221
 criminals and jails, 88, 179, 189, 199, 209, 211
 finances, 86, 147
 insane, care of, 255
 judiciary, 262
 laws and journals, 88
 legislative apportionment, 261
 livestock, 241
 schools, 87, 167
 special legislation, 156
 treasurers, 86, 194, 250
- Court Fund, 86
- Court of Claims, and Acting Governor McGill, 75
- Court, Supreme, territorial, membership, 262
 publication of decisions, 103
- Courts, territorial, 10, 14
 number, location, and procedure, 3, 96, 103, 111, 117, 168, 262
- Courts, military, 40
- Cowen, B. R., Acting Secretary of the Interior, 164, 165
- Cowlitz landing, 78
- Cowlitz river valley, xii, 19, 23, 33, 45, 52, 61, 84, 125, 129, 132
- Crabs, in territorial waters, 92
- Craig, Lt. Col., 34
- Cranney, Thomas, 126, 127
- Credit of territory, preserving, 148
- Creditors, court terms for, 168
- Crime, 14, 108, 118, 245
 cost of conviction, 209, 211, 250
- Crimean War, xviii, 10, 11
- Custom House, 56, 89, 133
- Currency, 121, 247
- Dakota territory, xiii, 141, 177
- Dalles, 33, 34, 39, 80
- Dalles, roads to, 13, 21, 58, 79, 80
- Day, John, 115
- Day, Dr. W. W., 259
- Deaf, care of, 95, 190, 255
- Debt, public, 267
- Debts, time for payment of, 87
- Declaratory statements under pre-emption law, 81
- Deer Lodge, 115
- Deer Lodge valley road, 78
- Defense
 measures, 97
 of coasts and harbors, 44, 66, 154, 247
- De Lacy, Captain, 34, 42, 69
- Delegate, territorial, to Congress, 2, 91
- Delegate, territorial, and administration of school lands, 239
- Delinquency, tax, 86, 159, 160, 175, 194, 207, 232, 250

INDEX—Continued

- Dennison, B. F., 153
 Department of Oregon organized, 57
 See also Oregon
 Department of the Pacific, 85
 Departments
 government, expenses increasing, 233
 government, reports delayed, 229
 submission of reports, 242
 Depression, economic, xviii, 50, 193, 205, 206
 Derby, Honorable, 126
 Des Chutes, and Walla Walla Council of, 1856, 36
 Deschutes river, 125
 Digest of laws of territory, 153
 Disease, 259
 District directors of schools, 87
 Districts, legislative, 215
 Districts, officers, 191
 Divorce, xvii, 95, 103, 113, 118
 Domestic relations of the U. S., 137
 Donation, of buildings for insane asylum, 149
 Donation, of land for penitentiary, 148
 Donations, of lands for education, 93, 166
 See also Education, University
 Donation Law, and land claims, 23, 38, 52, 61, 62, 68, 81, 105, 117, 122, 136, 151, 278
 Doty, James, 24
 Douglas, James, 19
 Dumb, provision for, 95
 See also Deaf mutes
 Dunginess, and public arms, 82, 125
 Dwamish river, 125
 Eastern states, and emigration, 179
 Eastern Washington, agriculture, 241
 Eaton, Captain Charles H., and Indian War of 1855, 18
 Ebey, Colonel Isaac N., 51
 Education, xvii, 8, 53, 86, 93, 167, 180, 181, 190, 211, 212, 227, 252, 253, 254
 Board of, 250, 252
 school statistics, 1883, 238
 Election, special, for constitutional convention, 1878, 213
 Elections, legislative, 3, 7, 86, 128
 Elk City, 115
 Ellensburg convention, 247
 Ellis, Isaac C., 178
 Elwha, 125
 Embargo, arms, 113
 Emigration, xvii, 4, 47, 55, 57, 58, 102, 104, 110, 278
 encouragement, xviii, 52, 77, 108, 181
 routes, 54, 69, 78
 See also Immigration, Board of
 Enabling Act, xi
 Engineers, and inland navigation, 274
 Engineers, corps, 44
 England, exports to, 1875, 186
 Equalization, Board of, xvii, 176, 185, 198, 211, 221, 257
 Europe, 282
 commerce with, 246
 immigration, 179
 Evans, Elwood, 153, 180
 Evans, Dr. John, 12, 85
 Examinations for teachers, 87
 Exhibits, territorial
 at Philadelphia Exposition, 180, 192
 at New Orleans Exposition, 260
 at Paris, France, 126, 127
 in U. S. cities, 174
 Explorations of Stevens, 143
 Exports, territorial, xii, 113, 132, 169, 282
 See also Commerce
 Exposition at New Orleans, 260
 at Paris, 126, 127
 See also Centennial
 Extradition, 196
 Farm land, 46, 52, 61, 69, 81, 125, 126
 value of in 1870, 177
 Far East, relations with, 3. *See* Asia
 Fashions, xv
 Ferry, Elisha P., xi, 152, 261, 265, 277
 biographical sketch, 173
 Finances, territorial, 147
 1871, 158
 1873, 175
 1875, 184
 1877, 194, 196
 1879, 207, 210
 1881, 219
 1883, 231
 1885, 249
 1887, 267
 Fires, forest, 153, 169, 187, 283
 Fisheries, 44, 52, 76, 92, 133, 140, 170, 197, 213, 226, 228, 260, 272
 Fiske, 125
 Flag, U. S., replacement of territorial, 245
 Flanders, Alvan, biographical sketch, 145
 Flattery, Cape, Indian treaty, 24, 226
 Fletcher, J. M., 136, 150
 Flint Creek, gold, 76
 Florence, mines at, 115
 Flowers, 45
 Foreign relations, xviii, 10, 11, 133, 138
 See also Commerce
 Forests, 45
 See also Lumber, Timber
 Fort Benton, 13
 gold, 76
 Indian council, 17
 mail route, 10
 railroad route, 53
 roads, 21, 46, 57, 69, 78
 Fort Boise, military post, 77

INDEX—Continued

- Fort Colville, 115
 customs office, 89
 gold mines, 53, 56
 roads, 58, 80
 Fort Hope, 89
 Fort Langley, 56
 Fort Laramie, 69, 78
 Fort Steilacoom, 52, 149
 roads, 46, 78, 79
 Fort Tilton, 30
 Fort Townsend, 58, 79
 Fort Vancouver, 78, 79
See also Vancouver
 Fort Walla Walla, *see* Walla Walla
 Fort Washington, Maryland, and
 Charles H. Mason, 15
 Fortifications, land, 107, 154
 Foster, Robert, 165
 Fraser river, 44, 55, 89
 Freight
 rates, 78, 272, 281
 routes and cost, 46
 French troops, 138
 Frontier society, xii
 Frost, Robert, 165
 Fruits, 76, 92
 Fuca Straits, and boundary, 175
 Fuel supply, 46
 Fugitive from justice, 52, 59, 88
 Fulkerson, Minerva, 129
- Galena, 171
 Gambling, 95
 Garfield, President James A., 218
 Garfiede, Selucius, 130, 137
 Garnett, Major, 56
 General Fund, 1883, 231
 General Land Office, 82, 84, 151
 General Staff, of militia, recommended,
 20
 Geography, of Washington territory, 5,
 229
 Geological survey, 5, 12, 85, 171,
 Germany, Emperor of, arbitrator, 175
 Gholson, Richard, 15
 biographical sketch, 65
 Gibson, Edward, 41
 Gionini, Erminio, 245
 Goff's Company, in war of 1856, 29, 31,
 34, 36, 40
 Gold mining, 20, 44, 45, 53, 55, 58, 76,
 84, 92, 96, 97, 106, 109, 115, 123, 171
 Golden jubilee, xvi
 Goldendale, militia, 256
 Government of cities, xvi
 Governor, territorial
 activities, 83, 261, 266
 powers and duties, xvi, xvii, 88, 107,
 114, 191, 205-207, 221, 222, 229, 241,
 251, 252, 254, 258, 260, 261, 263
 Governor of the State, 279, 284
 Grande Ronde, 35
 Grant, President U. S., appointment by,
 173
- Grants by Congress for roads, 152
 Grays Harbor, 21, 45, 58, 61, 63, 66, 68,
 79, 84, 125, 244, 262, 272
 Grazing lands, 44, 45, 53, 69, 80
 Great Britain, boundary dispute with,
 xviii, 67, 174
 Great Lakes, 140
 Green, Albert C., 15
 Green river valley, 31, 45, 71
 Gulf of Georgia survey, 68
- Haller, Major, and Indian war of 1854,
 18
 Harmon, Hill, 163
 Harbors, 44, 142, 154, 229
 Harney, General William S., 67, 78, 79,
 80
 Haro, Canal de, and boundary, 175
 Haro, group of islands claimed, 155
 Harper's Ferry insurrection, 73
 Harrison, President Benjamin, xi, 265,
 277
 Hawaiian Islands, xviii
See Sandwich Islands
 Hays, Major Gilmore, 18, 29, 30
 Hays, W. W., 128, 129
 Health, Board of, xvii, 259
 Health officer, report, 1881, 226
 Hell's-gate in Rocky mountains, 69
 Hemenway, Dr. Stacy, 164
 Hemp grown, 92
 Hendricks, Thomas A., 248
 Henness, Captain, 29, 30, 34
 Holmes' Harbor, Indians in war of 1856,
 30
 Homestead Law and claims, 112, 116,
 117, 122, 127, 136, 150, 161, 177, 191
 Hood's Canal, 61, 122, 125
 Hooper, Benjamin, 128
 Hopkinton, N. H., and Governor Flan-
 ders, 145
 Hospitals, and University School of
 Medicine, 254
 Hospital for Insane, 267
See also Insane
 Hotels, xv
 Howe, Captain, 29
 Hudson's Bay Company, 7, 11, 44, 59
 and gold mining, 45
 property and claims, xviii, 69, 80, 84
 Humboldt, and Governor Flanders, 145
 Hunt and Scranton, 54
 Hunt, Junius, 129
 Huntington, James, 128, 129
 Huntington and Son, contract for in-
 sane, 163
 Huntington, Benjamin, 128, 129
 Hurrol, Captain, 126
- Idaho county, 213, 228
 Idaho territory, 111, 141, 213, 228, 280
 farms in 1870, 177
 penitentiary, 179

INDEX—Continued

- Illinois
 Ferry, E. P., 173
 Pickering, William, 101
 Semple, Eugene, 265
 Turney, L. J. S., 91
 Immigration, xii, xiv, 72, 75, 76, 125, 158, 169, 179, 183, 194, 200, 212, 228, 230, 243, 249, 260, 262, 277
See also Emigration
 Immigration, Board of, 167, 179, 183, 196, 259
 Immigration, Bureau of, 229
 Imports, xii, 169
See also Commerce
 Inaugural address, 280
 Indebtedness, territorial, 176, 184
 Indians, 6, 10, 14, 23, 51, 58, 84, 97, 215, 226
 Indians
 Chinook, 84
 Nez Percés, 111
 Northern, 43, 50, 51, 85
 Snake, 108
 Utah, 54
 Indians
 lands, 4, 7, 10, 16, 24, 84, 111, 126
 murders, 11, 33, 56, 58, 76, 85, 108
 reservations, 58, 69, 84, 227, 243
 Superintendent of Indian Affairs, 1, 58, 69, 111, 143
 treaties and councils, 13, 16ff., 23, 24, 46, 51, 58, 84, 97, 105, 111
 wars, xvii, 2, 16ff., 23, 29, 37, 41, 55, 56, 58, 89, 105, 132, 261, 269
 Industrial development, 140, 282
 Insane, 95, 114, 128, 135, 245, 255, 268, 269
 asylum, 129, 149, 163, 180, 189, 201, 222, 236, 256
 care of, xvii, 107, 117, 123, 222, 234
 costs, 123, 148, 159, 196, 211, 220, 231-233, 250
 statistics, 235, 255
 Insect, scourge mentioned, 182
 Insurance companies, 257
 Inter-oceanic canal, 247
 Interest, rates of, 87, 95
 Interest on territorial warrants, 147, 148
 Interior, Secretary of, *see* U. S. Secretary of Interior
 International relations, *see* Boundary, Foreign Relations
 Investigation, university lands, 150
 Iron mines, 92, 171, 228
 Irrigation, memorial, 262, 270
 Isolation, of Washington territory, 44, 174, 193, 241
 Jacobs, Orange, 214
 Jails, county, 88
See also Penitentiary, Counties
 Japan, commerce with, 142, 186, 246
See also Asia
 Johns river, 125
 Johnson, President Andrew, 101
 Joint Commission for northern boundary line, 51, 60, 88
 Joint occupancy of San Juan Island, 155
 Jordan, John T., 165
 Journals, legislative, printing and distribution of, 88, 154
 Judges, 210
 assignment of, 96
 expenses of, 168
 law books, 198
 and penitentiary, 221
 and territorial librarian, 258
 Judiciary, 7, 96, 103, 118
 Judson, Stephen, 189
 Jury, Grand, 270
 Justice, and codification of laws, 225
 Justices of the Peace, 191
 Kalama, xiv
 Kamiakin, 24, 38
 Kansas, state and Board of Immigration, 259
 Kellogg, Dr. J. C., 189
 Kelly, Captain William, 33
 Kentucky, and Governor Gholson, 65
 Kimberland, Pelagra, 129
 King County, coal production, 197
 property valuation, 249
 Kitsap County, convict from, 88
 Klickitat County, and tax returns, 232
 and new judicial district, 262
 Kruber, Augustus, 129
 Labor, 52, 72, 193, 205, 262
 Lakes, Great, freight route, 46
 Lake Union, canal proposed, 262
 Lake Washington, 125, 139
 canal, 247, 262, 265
 Land grants and warrants, 68, 82, 127, 141, 150, 151, 281
 Land laws, xiii, 4, 5
 Land offices, 61, 62, 69, 105, 145, 229
 reports of, 68, 81, 112, 117, 122, 127, 136, 150, 161, 177
See also General Land Office
 Land tax, 86
 Land titles, 5, 61, 70
 Land values, lots in Seattle xiv
See also Property Valuation
 Lands
 Indian title and reservations, 10, 105, 106, 243
 Sale of, 82, 104, 112, 117, 191, 203, 227
 School, 93, 149, 166, 238, 245, 252
 Survey of, 5, 111, 127, 152, 191
See also Surveys
 Lane, Maria, 129
 Lasater, J. H., 153
 Lâ Tete, 13
 Law concerning territorial convicts, 189
 Law reports, need of, 198

INDEX—Continued

- Laws
 codification and revision, 95, 98, 133, 153, 263, 271
 distribution, 14, 102
 publication, 88, 102, 242
 transmission to Secretary of State, 241
See also Statutes
- Lawyer, the, and Indian treaty, 24
- Layton, Major, 35
- Legal profession
 Governor Squire admitted to bar, 247
 and University Law School, 254
- Legislature
 action of, 54, 93, 94, 261
 appointments, 191
 apportionment for, 96, 111, 215
 chaplains, 95
 composition and powers, 128, 215, 262, 270, 282
 divorce, *see* Divorce
 pardons, 251
 procedure, 156, 206
 sessions, 132, 229
- Legislative Assembly of territory, and Acting Governor McGill, 75
- Leschi, Indian leader, 31, 43
- Lewis county, volunteers in war of 1856, 33
- Lewis river, 125
- Library, territorial, 8, 59, 88, 154, 167, 198, 211, 220, 225, 233, 240, 250, 258, 259
- Library, university, 254
- Licenses, of pilots, 199
- Life-saving service, 217, 227, 244
- Light-houses, 10, 63, 66, 69, 154, 170, 227, 244
- Lincoln county, population, 248
- Lincoln, President Abraham, xviii, 91, 101, 120, 121
- Livestock, 228, 241, 259
- Litigation, procedure of, 96
- Loan, national, 98
- Loans, of money, and interest rates, 87
- Lodge, J. J., 41
- Lodges, Masonic, xv
- Lowe, J. M., 189
- Lumber, xii, 12, 44, 52, 60, 76, 92, 107, 126, 140, 145, 150, 153, 168, 169, 186, 197, 228, 260, 265
See also Timber
- Lummie River, 125
- Mail, 1, 4, 6, 10, 22, 44, 54, 72, 78, 89, 104, 115, 133, 152, 153
- Maloney, Captain M., and Indian War, 1855, 18
- Manufacturing, xii, xv, 44, 92, 132, 169, 171, 182, 187, 229, 281
- Maps, territorial, distributed, 201
- Martial law, 32
- Mason, Charles H., 26, 66
 biographical sketch, 15
- Massachusetts*, defense vessel, 67, 85
- Maximilian, in Mexico, 138
- Maxon, Major, 29, 31, 34
- Maury, Lt. Col., 108
- McClellan, General, and Marshall Moore, 131
- McDonald, James, 52
- McGill, Henry, 65
 biographical sketch, 75
- McMullin, Fayette, 15
 biographical sketch, 49
- McNeill's Island, 165, 188, 199, 234
- McReavy, John, 164
- Medical Association, 189
- Medicine, university school of, 254
- Meeker, Ezra, 260
- Memorials to Congress, xvii, 98, 101, 104-108, 113, 122, 126, 134, 136, 151, 166, 171, 196, 225, 234, 262, 269, 273, 274, 275, 285
- Mendall, Lieutenant, 79
- Merchant marine, 139
- Messenger, of legislature, 215
- Mexican War, 1, 65, 99, 138
- Mexico, French in, xviii, 138
- Michigan, and E. P. Ferry, 173
- Military Affairs, 8, 42, 58, 59, 62, 67, 82, 106, 110, 112, 143, 149, 151
- Military forces, 29, 79, 97, 108, 225, 269
- Military roads, 21, 54, 57, 58, 69, 77ff.
see also Roads
- Militia, 8, 10, 225, 247
 laws, 20, 43, 52, 257
 organization of, 97, 191, 240
 statistics, 247, 256
 taxation for, 98
- Mill Creek, 34
- Miller, Captain, 29, 31, 34, 40
- Miller, W. W., Quartermaster-General, 52
- Mineral resources, 12, 56, 85, 92, 96, 106, 130, 132, 139, 171, 228, 246, 260, 270, 281
- Miners, 47, 56, 58, 84, 89, 108, 115
- Minnesota, xviii, 105, 106, 141
- Mint, U. S., and Governor Flanders, 145
- Mississippi river, 46, 54, 140, 141
- Missouri river, 4, 53, 69, 78, 141
- Monitors, iron-clad, 107
- Monroe Doctrine, 138
- Montana, territory, 141, 177, 179
- Montgomery, Camp, 33, 34, 40
- Monticello, 128, 129, 149, 163
 roads, 33, 78, 152
- Moore, Charles, 128
- Moore, Marshall, biographical sketch, 131
- Moore, Miles C., biographical sketch, 277
- Moravia Institute, and Governor Squire, 247
- Mormons, 97
- Mullan, Lieutenant, 58, 69, 78

INDEX—Continued

- Municipal services, xv
Mutes, care of, 224, 255
- Nachess Pass, 34, 39, 78, 80
National defense, 140
See also Defense
National loan, 98
National park, 247
Naval depots in British Columbia, 57
Naval service officers, relations with, 42
Navigation, inland, 56, 196, 240, 244
Navy, and defense of the Sound, 85
Navy yard, anticipated, 228, 247
Nebraska territory, 97
Nesmith, Colonel, and Indian war of 1855, 18
Neutrals, in war of 1856, 32
Nevada, Governor of, and losses in Indian wars, 273
New Caledonia, exports to, 1875, 186
New Dunginess, light house, 63
New Dunginess, military road, 58
Newell, William, biographical sketch, 217
New England, and Watson Squire, 247
New England, fortifications, 1
New Hampshire, and Governor Flanders, 145
New Jersey, and William Newell, 217
New Mexico territory, farms in 1870, 177
New Orleans, and Marshall Moore, 131
New Orleans exposition, 260
New York, xiv, 142
New York, and Governor Squire, 247
New Zealand, exports to, 1875, 186
Nez Percés Indians, 33, 34, 35, 37, 45, 84, 213, 228
 treaties with, 17, 24ff., 97
Nisqually river valley, 31, 45, 61, 84, 125
Non-intervention, doctrine of, 55
Nootsack river, 125
North river, 125
Northcraft, killed by Indians, 1856, 31
Northern Indians, 43, 50, 51
Northern Pacific railroad, xiv, 155, 174, 177, 183, 191, 192, 201ff., 211, 246
Northwest, boundary of, 67
See also Boundary line
Notaries Public, 240
Notarial Fund, 210, 231
Nugent, Honorable John, 56
- Oath of office, 284
Officers, territorial
 law concerning election, 191
 reports mentioned, 257
Ohahlat river, 125
Okanagan, 76, 115
Okeho, 125
Olympic peninsula, xii
Olympia, xiv, 115, 133, 134, 279
 and Fayette McMullin, 49
 and William Newell, 217
 court at, 96
 depository of public arms, 82
 land office, 136, 150ff., *see also* Land offices
 lighthouses, 154
 mail service, 10, 54, 89, 153
 militia, 256
 roads, 58, 152
Omaha City, 97
Oregon, xiii, 51, 269, 272
 boundary, 5, 61, 81
 deaf and mutes, 224, 255
 emigrants, 54, 110, 259
 Indian wars, 18, 35, 40, 41
 mail route, 72
 military forces and supplies, 108, 224
 river pilots, 199, 225, 239
 roads, 152
 salmon fisheries, 197
Oregon, Department of, 57, 67, 69, 76
Organic Act, 8, 10, 102, 128, 143
Oro Fino, 115
Ostrander, Dr. N., 189
Overland mail, 72, 89, *see also* Mail
Owyhee, 115
Oysters, 92
- Pacific Mail Steamship Co., 54
Pacific Railroad, 47, 70, 155
Pacific Republic, 97
Palouse Indians, 36
Panic of 1873, mentioned, 182
Pardoning power of the governor, 222, 234
Pardons, Board of, proposed, 251
Paris Exposition, 126, 127
Pass river, 125
Pasture lands, 126
Pat Kamin, and war of 1856, 31
Pataha river, 111
Patents, land, 61, 81
Patterson, Paul, 128
Peabody, Captain, 29
Peace party, 99
Peers, Captain, 19
Peu-peu-mox-mox, 24
Pen d'Oreille Lake, 152
Pen d'Oreille mining region, 58
Peninsular farm lands, 61
Penitentiary, 148, 188, 199, 211, 221, 233, 267
 revenues and expenditures, 88, 220, 249, 250
 site and building, 60, 66, 83, 94, 164, 165, 178
 statistics, 251
Penn's Cove Military reservation, 112
Peru, exports to, 1875, 186
Pest House, 196, 226
Peterson's Point, 244
Philadelphia Exposition, xviii, 180, 191

INDEX—Continued

- Pickering, Governor William, 91,
biographical sketch, 101
- Pierce, Franklin, 1
- Pierce City, court at, 96
- Pierce county, 31, 32, 88, 197
- Pilot commissioners, xvii, 199, 225, 239
- Pilscher, Eliza, 129
- Pioneers, xi, 279
- Pisco, and road to Columbia river, 80
- Platte river route, 69, 71
- Population, xii, 7, 10, 23, 41, 52, 55, 58,
76, 96, 97, 115, 116, 124, 132, 140,
158, 179, 183, 200, 214, 215, 228, 248,
278, 281
- Port of entry, 56
- Port Angeles, 11, 117
- Port Discovery, 125
- Port Gamble, 43
- Port Townsend, xiv, 112, 134
court at, 96
customs house, 56
Indian relations, 30, 85
light house inspector, 170
mail service, 153
site of penitentiary, 94
- Porters, in war of 1856, 34
- Portland, Oregon, 111, 115, 133, 134, 204,
265
- Post routes established, 46
See also Mail
- Powder river, 71, 115
- Powell, Lieutenant, 34
- Prairie river, 125
- Prairie lands, 61, 84, 92
- Pre-emption law and land claims, 61,
68, 81, 82, 105, 116, 117, 122, 127,
136, 150, 177, 191
See also Lands
- Priest's Rapids, 80
- Printing and advertising, 174, 183, 211,
220, 233, 250
- Printing of laws and journals, 88
- Prisons, 117, 148, 268
See also Convicts and Penitentiary
- Professions, xv
- Prohibition, 213, 243
See also Temperance
- Property valuation, xiii, 147, 159, 160,
176, 185, 196, 210, 214, 219, 220, 232,
249, 281
- Prosecuting attorneys, 75, 86, 211, 220,
232, 233
- Prosperity, 132, 147, 182, 266, 281
- Providence, R. I., and Charles H. Ma-
son, 15
- Public Arms, *see* Arms
- Public buildings, 22, 44, 146, 247 266,
267
See also Capitol, Penitentiary,
Schools, etc.
- Public debt, 137
- Public health, 132, 140; *see also* Health
- Public Instruction, Superintendent of,
167
See also Education
- Public lands, surveys and alienation,
xiii, 104, 114, 121, 132, 136, 137, 150,
152, 161
Indian reservations, 227
See also Lands, Surveys
- Publicity and immigration, 201, 228
- Puget Sound Agricultural Co., 7, 11, 44,
59, 69, 84
See also Hudson's Bay Co.
- Puget Sound, xiv, 4, 107, 112, 113, 122,
139
commerce and navigation, 154, 225,
240, 244, 262
defense, 85 (*see also* Defense)
District Attorney, 75
fisheries, 226
judicial district, 96
land administration, 62, 68
lumber, 60, 76 (*see also* Lumber, Tim-
ber)
mail route, 54
navy yard anticipated, 228
roads and railways, 53, 78, 79, 106,
152, 204, 226
- Puyallup, in war of 1856, 30
- Puyallup bay, 68
- Puyallup river, 45, 104, 125
- Quarantine law, defective, 226
- Quartermaster, 40, 52, 85
election, 191
papers and reports, 41, 42, 63, 82, 225
- Quenault river, 125
- Quiemuth, Indian leader, 43
- Quichcum river, 125
- Quectes river, 125
- Quilleheutes river, 125
- Rabbeson, Captain, 29, 30
- Raft river, 125
- Railroads, 6, 57, 101, 125, 140, 141, 155,
171, 174, 226, 278, 281
economic development, 72, 191, 192,
197, 202ff.
fares and rates, 271, 281
Pacific trade, 47, 70ff., 111
route, 1, 3, 11, 46, 47, 53, 54, 69, 71,
142
taxation of, 249, 258, 271
- Rainier, Mt., and wagon road route, 80
- Rainier National Park, 247
- Rains, Major, 18
- Rangers, militia organization, 18, 43
- Ranger's, Prairie, 30
- Receiver, territorial, 10, 68, 81, 82
- Red Bluff, light house, 63
- Red River and westward migration, 47
- Red River survey, 57
- Regents of university, *see* University

INDEX—Continued

- Register of land office, 10, 61, 68, 81, 136, 150
- Remington and Sons, 247
- Reports, to Department of the Interior, 260, 266
- Reports, of territorial officers, mentioned, 214
- Republican Club, and Governor Flanders, 145
- Reservations, Indian, 1, 46, 69, 84
- Resources, of Washington territory, 3, 138, 146, 218, 228, 246
- Resources, national, 278
- Revenue, laws and revision, 6, 160, 194, 207, 209, 220
- Revenue, sources and collection, 43, 86, 89, 104, 117, 122, 128, 133, 147, 272
See also Land Sales, Taxation
- Reynolds, Captain, 78
- Rewards for escaped prisoners, 59
- Richards Company, 40
- Riley, Captain, 29
- Rio Grande, railroad route, 72
- River and harbor improvement, 196, 227, 244, 262
- Rix Mills, Ohio, and Miles Moore, 277
- Roads, construction and improvement, 1, 4, 5, 9, 12, 13, 44, 46, 58, 77ff., 98, 101, 123, 134, 152, 240
- Robie, Captain, 34, 35
- Rock Creek Mines, 80, 89
- Rockland road, 80
- Rosario Straits, and boundary, 68, 175
- Rosecrans, General, and Governor Squire, 247
- Russian America, 133
- Sabbath observance, 95, 242
- St. Anthony, on Mississippi River, 54
- St. John's Lunatic Asylum, 114, 123
- St. Joseph's, on Mississippi, 71
- St. Paul, 46, 69
- Sacramento, 89, 107
- Salaries, of teachers, 253
- Salaries, of territorial officers, 59, 196, 215, 220, 233, 250
- Salomon, Edward S., biographical sketch, 157
- Salmon Falls, 76, 108
- Salmon fisheries, xvii, 92, 197, 213, 272
See also Fisheries
- Salmon river, 109, 125
- Salt Lake country and immigration, 69, 77
- Samish river, 125
- Sandwich Islands, exports to, 1875, 186 treaty with, 133
- Sandy Point lighthouse, 63
- San Francisco, xiv, 41, 134 and Governor Flanders, 145 and Acting Governor McGill, 75 competition with Seattle, 156 commerce with, 170, 187
- San Francisco (cont.)
lighthouse regulation from, 170
mail service from, 54
troops from, 57
- San Juan Islands, and boundary dispute, 67, 88, 134, 154, 175
- Saskatchewan, survey, 57
- San Salvador, exports to, 1875, 186
- Satsop river, 125
- Scenery, 146, 228, 246
- Schools, territorial, xv, 53, 86, 87, 93, 98, 180, 224, 227
statistics, 1885, 253
See also Education
- Schools, Superintendent of, 62, 180, 190, 220, 233, 250, 268
- Schruble, Mrs. P., 129
- Science, equipment for teaching, 254
- Scrip, 41, 89
- Scott, General Winfield, 1, 67, 77
- Sea routes, 142
- Seato, penitentiary, 211, 233, 251, 268
- Seattle, xiv, xv, 111, 139 and Governor Ferry, 173 and Governor Semple, 265 and Governor Squire, 247 hospitals, 254 military, 31, 40, 43, 256 population, xii roads, 78, 79, 152 surveys, 68, 81 university, 94, 166
- Seal fishery, 226
- Secretary of the Territory
Charles H. Mason, 15
Henry M. McGill, 65, 75
L. Jay S. Turney, 91 and care of the capitol, 229 and distribution of statutes, 154
- Secession, 65, 99
- Seditious sentiments, 73
- Seminaries, 93, 253
- Semple, Eugene, biographical sketch, 265
- Settlements, 141, 278
- Seward, Honorable W. H., 121, 126
- Sex, qualification, for voting and holding office, 213
- Sharp, William, 34
- Shaw, Colonel, 34, 35, 40
- Shead, Captain, 29
- Sheriff of Pierce County, 88
- Sheriffs and expenses of convicts, 88 and care of insane, 255 and tax assessment, 86
- Sherman, General, and Governor Marshall Moore, 131
- Ship building, 139, 153, 169, 187
- Shipping, protection of, 154
- Shoalwater Bay, 125, 272
- Shoalwater Bay, Indians' land title to, 84 lighthouse, 63, 66 road, 21, 58

INDEX—Continued

- Shoshone county, 213, 228
 Shubrick, Admiral, 170
Shubrick, defense vessel, 67
 Similkamen, gold, 76
 Sierra Nevadas, 141
 Silver mines, 92, 96, 171
 Sioux City, Iowa, and Marshall Moore, 131
 Sioux Indian outbreak, 1862, xviii, 105
 Sisters of Charity, Vancouver, 107, 114, 117, 123, 128, 136, 159
 Sitka, 134
 Skagit river, 125, 262
 Skookum Chuck, 31, 125
 Skamania county, crime in, 245
 Skamania county, and new judicial district, 262
 Skykomish river, 125
 Slaughter, Lieutenant, 18
 Slavery, 73, 120, 118
 Smalley, Captain, 29, 30
 Smith, Lorenzo P., 52
 Smith, R. C., 128, 129
 Smith's Island, lighthouse, 63
 Smithville court, 96
 Snake Indians, 76
 Snake River, 71, 81, 105, 108, 115
 Snohomish line, in war of 1856, 30, 31, 42
 Snohomish river, 45, 125
 Snoqualmie Pass, 46, 78, 80, 125, 134, 153
 Snoqualmie river, 39, 125
 Society Islands, exports to, 1875, 186
 Soil, fertility of, 44, 45, 124
 Soldiers' and Sailors' home, 217
 South Africa, exports to, 1875, 186
 South America, trade with, 282
 South Pass, 4, 46, 105, 108
 Southern confederacy, 121
 Southern rights, 99
 Speculation, 182
 Spinning, Mary C., 129
 Spokane, 5, 47, 115
 Spokane Bridge road, 152
 Spokane, Camp, military forces at, 225
 Spokane, county of
 citizens petition, 85
 population, 1889, xii
 tax returns, 232
 Sproehnle, F. A., 165
 Squak river, 125
 Squaxon Indians, in war of 1856, 31
 Squim Bay, 125
 Squire, Watson, biographical sketch, 247
 Stage route, 69
 Statehood movement, xvii, 199, 213, 227, 245, 247, 257, 262, 275, 278, 279, 280
 States, exchange of statutes with, 154
 States' rights, 99
 Statute law, codification and revision, 7, 102, 153, 192, 201, 225
 Statutes, distribution of, 154
 Steamboats, needed, xv, 6, 85
 Steilacoom, xiv, 4, 163, 268
 Steilacoom, Fort, 149, 255
 and Puget Sound Agricultural Co., 84
 roads and mail routes, 10, 12, 21, 78, 79
 site of penitentiary, 148
 Steinberger, Colonel Justin, 108
 Steptoe, Lt. Col. 36, 37, 56
 Steptoe's Butte, 274
 Stevens, Isaac L., 16ff., 139, 142
 biographical sketch, 1
 Stickas, Chief, 24
 Stock raising, 12, 46, 76, 138
 Straits of Juan de Fuca, 85, 122, 139
 farm lands, 61
 lighthouse, 63
 Stuligumish river, 125
 Subsidy
 Mail, from U. S. government, 134
 Northern Pacific Railroad, 141, 155
 Surveyor General
 and E. P. Ferry, 173
 office established, 1, 5, 10
 Oregon boundary line, 61
 volunteers, 41
 statements and reports of, 21, 44, 45, 68, 80, 84, 104, 116, 121, 127, 137, 151, 162
 Surveys, boundary, 88
 Surveys, land, 4, 21, 24, 40, 41, 44, 52, 57, 61, 62, 80, 104, 116, 151, 196, 203, 247
 Supreme Court, 168, 220
 Swindal, Captain, 29, 30
 Swiss Republic, 154
 Tacoma, militia, 256
 Tariff duties, 133, 262
 Taxes, collected by U. S. federal government, 123
 Taxes, Territorial, 97, 98, 117, 118, 137, 147, 159, 175, 184, 194ff., 198, 208, 210, 219, 231, 249. *See also* Delinquency
 gross earnings law, 271
 income, 123
 insurance companies, 257
 on church property, 221, 242
 revenue law changes, 86, 267
 school, 227, 252
 statehood, 214, 227
 Teachers, school, 87, 268; *see also* Schools, Education
 Teachers Institutes, 253
 Teekalet, surveys, 68
 Telegraph, 106, 107, 111
 Temperance, 95, 227, 242; *see also* Prohibition
 Territories, population of, xiii
 Territories, western, farm valuation in 1870, 177
 Textbooks for schools, 87

INDEX—Continued

- Thompson, L. F., 164
 Thompson's river, 55
 Thurston County
 convicts, 88
 Indian wars, 31
 penitentiary, 211
 property valuation, 249
 tax returns, 232
 Tilton, General, 41, 141
 Tilton, Surveyor General, report of, 1856, 45
 Tilton, Fort, 30
 Timber, conservation, 273
 culture, entries 1875, 191
 resources, 45, 46, 60, 92, 122, 126, 150, 151, 153, 281
 Topographical surveys, 21
 Tourists, xiv
 Towns and agricultural claims, 13
 Towns and special legislation, 156
 Township officers, 191
 Transportation, 114, 132
 See also Navigation, Roads, Railways, etc.
 Treason, 99
 Treasurer, territorial and claims against U. S., 261
 and care of criminals, 209, 221, 251
 statements and reports, 88, 147, 159, 176, 184, 210, 219, 267
 Treasury, territorial, 98, 104, 147, 194
 Treaties
 concerning mines, 97
 of commerce, 133
 with Great Britain, 154, 174
 with Indians, *see* Indians
 Tsooyess river, 125
 Tukannon river, 111
 Turney, L. J. S., 75
 biographical sketch, 91
 Tye Indians and Walla Walla council of 1856, 36

 Umatilla in war of 1856, 34
 Umatilla Indians in Walla Walla council, 36
 Umptulah river, 125
 Union, preservation of, 54, 73ff., 98
 Union Pacific Railroad Company, 155
 United States
 Attorney General, and capitol site, 60
 Attorney General, supervision of convicts, 179, 188
 Coast Survey, 1, 154
 Congress and territories, xi, xviii, 146, 149, 152, 154, 200, 214, 229, 230, 246
 Congress, delegates to, 91, 145
 members of, 49
 See also Memorials
 Congress, Senate and boundary treaty, 154
 Senate and appointments, 101
 Watson Squire in Senate, 247

 Consul for Vancouver's Island, 89
 Department of Agriculture, 273
 Marshal, supervision of convicts, 179
 Navy, 18, 170
 Post Office department, 54, 153
 President
 to receive territorial statutes, 154
 and state constitution, 246
 Secretary of the Interior, 260, 274
 and penitentiary, 148, 164, 165
 Secretary of the Treasury, 97, 113, 215, 261
 War Department, 1, 51, 54, 224, 269
 Adjutant General, papers of, 41
 and Militia, 256
 report of, 1856, 42
 election of, 191
 University, territorial, 8, 75, 149, 150, 166, 181, 190, 196, 211, 212, 220, 224, 233, 239, 247, 250, 254, 268
 University, territorial, lands, 62, 85, 93, 94, 268
 University of Washington, library, 225
 Usury Law, 87, 94
 Utah, 54, 77
 Utah territory, farms in 1870, 177
 Utsalada, 126

 Van Bokelin, Major, 29ff.
 Valuation of property, *see* Property
 Vancouver, W. T., xiv, 46, 61, 78, 79, 94, 96, 107, 128, 136, 150, 265
 Vancouver Island, 19, 89, 113, 154, 175
 Vashon's Island lighthouse, 63
 Vessels of war, 43
 Veterinarian, office proposed, 259
 Victoria, xiv, 89, 107, 113, 134
 Virginia, and Governor McMullin, 49
 Virginia, and Governor Gholson, 65
 Villard, Henry and Watson Squire, 247
 Volunteers, 2, 18, 27, 29, 35, 41-43

 Wagon roads, 125, 126, 152
 See also roads
 Walker, R. M., 42, 107
 Walla Walla, xiv, 4, 5, 40, 45, 47, 51, 76, 77, 80, 82, 96, 107, 108, 112, 134, 138, 153, 213, 256, 267, 268, 277
 Indians, 17, 24, 34-37
 roads, 12, 13, 21, 46, 57, 58, 69, 78, 152
 Wallace, William H., 91
 Wallula, 145, 152
 War Department, 41, 59, 70.
 See U. S. War Department
 Warbass, Capt. E. E., 33
 Warrants, territorial, 147, 148, 159, 160, 184, 194, 196, 207, 209, 232, 257
 Warren Diggings, 115
 Washington, Treaty of, 174, 226
 Washington, D. C., and Acting Governor McGill, 75

INDEX—Continued

- Washington Mounted Rifles, 29
 Washington School for Defective Youth, 269
 Washougal River, 125
 Watchman, for legislature, 215
 Water power resources, 46, 92, 138, 246, 270
 Wenass, in the War of 1856, 34
 Wenatchee, 76, 80
 Wenatchepan region, gold, 45, 58
 Wesleyan University, and Governor Squire, 247
 Whatcom, military road, 79
 Whatcom County, 175
 Wheat, 45, 92, 178, 197, 228
 Whidbey Island, xii, 63, 68, 85, 112
 Whiskah River, 125
 White, Captain, 29, 30
 White, killed by Indians, 1856, 31
 White Bluffs road, 80
 White River, 19, 45, 104, 125
 Willapah road, 21
 Willapaw valley, 104
 Williams, Lieutenant, 34, 40
 Williard, Dr. Rufus, 224
 Willopah River, 125
 Wisconsin, and Miles Moore, 277
 care of insane, 256
 Women, franchise for, 249
 Wool, General, 26, 33, 37, 39, 42
 Wool growing, 12, 45, 76, 139
 World's Fair, London, 95
 Paris, 126
 Wright, Colonel, 33-39, 56, 76, 80
 Wright, General George, 108, 110
 Wynuchia River, 125
 Wyoming territory
 farms, 1870, 177
 penitentiary, 179
 Yakima, 45, 47, 134
 Indian affairs, 17, 24, 33, 36, 37, 40
 mining, 45, 56, 58
 Yakima county, tax returns, 232
 Yakima River, 5, 78, 80, 111
 Yale College, and Marshall Moore, 131
 Yelm prairie, 30, 33