

12-8-1845

# Memorial of the Legislative Committee of Oregon, for the establishment of a territorial government under the protection of the United States

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>

 Part of the [Indian and Aboriginal Law Commons](#)

---

## Recommended Citation

S. Doc. No. 8, 29th Cong., 1st Sess. (1845)

This Senate Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact [darinfox@ou.edu](mailto:darinfox@ou.edu).

MEMORIAL

OF

THE LEGISLATIVE COMMITTEE OF OREGON,

FOR

*The establishment of a territorial government under the protection of the United States.*

---

DECEMBER 8, 1845.

Ordered to be printed.

---

*To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:*

Your memorialists and petitioners, the representatives of the people of Oregon, for themselves and in behalf of the citizens of the United States residing in this Territory, would respectfully submit to the consideration of your honorable body some of the grievances under which we labor, and pray your favorable consideration of our petition for their remedies.

Without dilating upon the great importance of this Territory as an appendage to the federal Union, or consuming your valuable time in repeating to you the oft-repeated account of our agricultural and commercial advantages, we would, with due deference, submit to your serious consideration our peculiar difficulties as occupants of this Territory. As by treaty stipulations between the governments of the United States and Great Britain, this Territory has become a kind of neutral ground, in the occupancy of which the citizens of the United States and the subjects of Great Britain have equal rights, and, as your memorialists humbly conceive, ought to have equal protection—such being the facts, the population of the Territory, though promiscuously interspersed, is composed of the subjects of a crown and the citizens of a republic, between whom no common bond of union exists.

It may naturally be supposed that, in the absence of any provision having been made by the two governments to prevent or settle any such occurrence, conflicting interests, aided by ancient prejudices, would speedily lead to results the most disastrous; particularly when it is considered that this mixed population exists in the midst of numerous and warlike tribes of Indians, to whom the smallest dissensions among the white inhabitants would be the signal to let loose upon their defenceless families all the horrors of savage warfare.

To prevent a calamity so much to be dreaded, the well-disposed inhabitants of this Territory have found it absolutely necessary to establish a provisional and temporary government, embracing all free male citizens and whose executive, legislative, and judicial powers should be equal to all the exigencies that may arise among themselves, not provided for by the governments to which they owe allegiance. And we are most happy to inform your honorable body, that, with but few individual exceptions, the utmost harmony and good-will have been the result of this, as we conceive, wise and judicious measure; and the British subjects and American citizens vie with each other in their obedience and respect to the laws, and in promoting the common good and general welfare of Oregon.

Although such has been the result, thus far, of our temporary union of interests; though we, the citizens of the United States, have had no cause to complain either of exactions or oppression at the hands of the subjects of Great Britain, but, on the contrary, it is but just to say that their conduct towards us has been most friendly, liberal, and philanthropic; yet, we fear, a long continuance of the present state of things is not to be expected; our temporary government being limited in its efficiency, and crippled in its powers, by the paramount duty we owe to our respective governments; our revenue being inadequate to its support; and the almost total absence, apart from the Hudson's Bay Company, of the means of defence against the Indians, who, recent occurrences lead us to fear, entertain hostile feelings towards the people of the United States.

Your memorialists would further inform your honorable body, that while the subjects of Great Britain, through the agency of the Hudson's Bay Company, are amply provided with all the munitions of war, and can afford, by means of their numerous fortifications, ample protection for themselves and their property, the citizens of the United States are scattered over a wide extent of territory, without a single place of refuge, and without themselves almost entirely destitute of every means of defence.

Your memorialists would further crave your indulgence to remark, that Great Britain has, by extending her criminal code to this country, guaranteed to every British subject claiming his birthright a legitimate trial by the laws of his country. We, as citizens of the United States, having neither the military protection of our government, nor the extension to us of the civil laws of our country, are forced to the enactment and execution of laws which are not authorized, and, for aught we know, never will be sanctioned by our government.

Your memorialists would further call the attention of your honorable body to the fact, that, as citizens of the United States, we labor under the greatest commercial disadvantages; we have neither ships of war nor of commerce, nor any navigation of the rivers of the interior; and, for want of adequate protection, no private capitalist among us can establish a successful competition with a wealthy and powerful monopoly, possessing all the appliances of commerce, and all the influence over the natives, by an early establishment among them. We are, therefore, dependant for a market for a large and increasing surplus, and for nearly all our supplies, upon a single company, which holds the market under its control.

Your memorialists, with a view to remedy the grievances under which we labor, pray the national Congress—

To establish a distinct territorial government, to embrace Oregon and its adjacent seacoasts.

We pray—

For adequate means of protection from the numerous Indian tribes which surround us, for the purchase of territories which they are willing to sell, and for agents, with authority to regulate intercourse between Whites and Indians and between Indian tribes.

That donations of land may be made according to the inducements held out to us by the passage of a bill through the United States Senate, at the second session of the 27th Congress, entitled "A bill to authorize the adoption of measures for the occupation and settlement of the Territory of Oregon, for extending certain portions of the laws of the United States over the same, and for other purposes."

That navy yards and marine depots may be established on the river Columbia and upon Pugett's sound, and a naval force, adequate to our protection, be kept permanently in the adjacent seas.

That a public mail be established to arrive and depart monthly from Oregon city and Independence, and such other local mail routes be established as are essential to the Willamette country and other settlements.

We pray for the establishment of such commercial regulations as may enable us to trade in our own territory, at least on an equality with now resident foreigners.

We pray that adequate military protection be given to emigrants coming to us, either by the establishment of posts upon the route, or by military escort.

And we pray that, in the event you deem it inexpedient as a measure, or contrary to the spirit of existing treaties, to establish a territorial government in Oregon, you extend to us adequate military and naval protection, so as to place us at least upon a par with other occupants of this country.

For the granting of which your memorialists will ever pray.

OSBORNE RUSSELL, *Executive.*

PETER G. STEWART, *Executive.*

J. W. NESMITT, *Judge of the circuit court.*

M. M. McCARVER, *Speaker.*

JESSE APPLGATE,

MEDARD G. FOISY,

W. H. GRAY,

J. M. GARRISON,

ABIJAH HENDRICK,

DAVID HILL,

H. A. G. LEE,

BARTON LEE,

JOHN McCLURE,

ROBERT NEWELL,

J. W. SMITH,

HIRAM STRAIGHT,

*Members of the Legislative Committee.*

Done at Oregon city, 28th June, 1845.

Attest.

J. E. LONG, *Clerk.*