

THE DEMOCRATIC TIMES,

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THE DEMOCRATIC TIMES.

VOL. 1. JACKSONVILLE, OREGON, SATURDAY, JANUARY 24, 1871. NO. 3.

THE TIMES

BOOK, PAMPHLET,

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To The Citizens of Jackson County.

As my career in the Senate during the last session of the Legislature has been made the subject of unfavorable comment and gross misrepresentation by the Oregon Herald, a newspaper published in Portland, Oregon, and claiming to be the organ par excellence of the Democratic party in this State; as that sheet has for the last four months, with malignant persistency impugned integrity as a Democrat, and notwithstanding there has been no reply on my part, continues to pour forth its vilification, a longer silence might be construed into a confession of the allegations of the Herald, and my action might consequently be condemned by my party brethren, who are unacquainted with the facts.

Even now, if I regarded the question between myself and the Herald as a party question, regard for the unity of the Democratic party in the State, which might be endangered by a controversy among Democrats upon party measures, would cause me to refrain a reply to the allegations of the Herald, and I would content myself, with the hope that time would amply vindicate my course. Indeed, the Herald does not seem to apprehend any danger to the party unity from its continued attacks upon Democrats; and as there is no danger apparently in the Herald's opinion, in the assault, it cannot complain of danger in the reply and counter assault.

So far as I am concerned, I regard the controversy as a purely personal one, originating in a personal attack by the Herald upon myself, for which it was rebuked by the Senate, which rebuke undoubtedly is the secret of the bitterness it has continued to display toward me ever since.

I had long ago determined that if it should be deemed advisable to reply at all to these attacks, the answer should be made in a letter to my constituency, in whose service, as a Senator, the alleged offences were committed, and who constitute the proper tribunal to judge my official action.

The Herald has assumed the right and power to place myself, in conjunction with other Senators, who had incurred its displeasure, together with Speaker Hayden of the House, under the ban, and has by all the means in its power sought to ostracize us from Democratic fellowship.

To justify the sentence of proscription, which the Herald pronounces, not only must the evidence be full and conclusive, but the Judge must be clothed with full authority to try and punish the offence. In my controversy with the Herald, that journal has been both my accuser and my judge, and the conviction and sentence has followed the accusation with such startling rapidity, that one is forcibly reminded of the lightning-like speed with which the notorious Col. Jennison, of the Kansas Jay lawners, or Red legs, was accustomed to deal with such of the rebellious citizens of Missouri as fell into his hands during the war. It may be that the Herald has obtained a hint or two from that disciple of Mercy and Justice. I propose, in the first place, to enquire into the right assumed by the Herald to inaugurate a system of political ostracism in the Democratic party of this State, and examine the extraordinary claims it advances to the dictatorship, which it assumes to exercise over the political lives of Democrats, before proceeding to refute the charges which it prefers against myself in particular.

I believe the Herald assumes these extraordinary powers by virtue of being, as it claims, the "party organ." How it became the "party organ," and what constitutes the "party organ," is a problem which is not susceptible of a very easy, or a very speedy solution. Unsophisticated Democrats in Oregon, have heretofore believed, that every paper in the State, which advocated democratic doctrines, was a mouth-piece and representative, and organ of the Democratic party, so far as its influence and circulation extended; and that its influence corresponded to the ability of its management, and its fidelity to the cause. The democracy of this State having had some experience of the manner in which a "party organ" is conducted; having had some taste, under the dominion of the Statesman from 1850 to 1858, of the clique and ring rule which one party organ invariably creates; and having once seen their party rent asunder in the effort to emancipate itself from the dominion of a "party organ," are not disposed to repeat the experiment at this late day. The democracy do not recognize rank or grade in their party press, except so far as ability and fidelity creates confidence and confers promotion, and surely if this be the rule, the Herald will be very far indeed from taking the first rank.

The Democratic State Convention, which met last March, certainly did not repose confidence enough in the Democracy of the Herald to constitute it the "party organ," even supposing that Convention had the power to do so; for if my recollection serves me, the delegation from Multnomah, the county in which the Herald is published, were almost to a man opposed to the nomination of the present State printer; and Col. Chapman, one of the delegation, most bitterly impeded his democracy upon the floor of the Convention. If the democracy of Multnomah had so little confidence in the democracy of the Herald as to elect a delegation bitterly opposed to one of its proprietors, certainly the democracy of the State cannot be reasonably required to reverse its judgment. In fact, I know that Mr. Patterson was not nominated by that convention because of any special confidence in his democracy, his honesty, or any other political moral or mental qualification whatever, but simply because of the three candidates in the field, he was the least objectionable to me on personal grounds, and I held the vote which decided his nomination. The convention, therefore, did not make him or the Herald the organ of the party.

The Herald may, however, claim that it is the "party organ," by virtue of its connection with the Job Office of the State Printer. This pretence is certainly preposterous. The democracy of no State in the Union would for a moment tolerate the assumption that an accidental nomination for a State office conferred dictatorial powers over the party organization. If it did, why not take the head instead of the tail of the Democratic ticket as the proper place to confer these extraordinary powers? Why not make Gov. Grover the party organ instead of State Printer Patterson? Although the Gov. never set a type in his life, I believe he is as much of a printer as Mr. Patterson, and has been known as a democrat in this State certainly a much longer time.

It is true that at one period in the history of Oregon, the paper of the official printer was the Democratic party organ. From 1850 to 1858 the Statesman was the party organ of the democracy of the Territory, but this was as much owing to the want of local presses, as to the acknowledged ability and enterprise with which Mr. Bush and his assistants conducted the Statesman; for, during this period the Statesman was the only democratic paper in the Territory. And I will also admit that the Statesman assumed and exercised the very same powers to dictate, to prescribe and to rule which the Herald now claims. But it was the exercise of these very dictatorial powers which divided the Democratic party in Oregon in 1858, and drove one wing into a rebellion, which resulted in the dethronement of the autocrat. I recall this episode in the political history of Oregon for the benefit of the Herald. A careful study of the causes which led to the extinction of "party organ" rule in 1858, might even yet be of some advantage. But even admitting that the rights and prerogatives which the Statesman claimed and exercised, did descend by custom and precedent to the Herald as a species of political incorporeal hereditary appointment pertaining to the office of State Printer, there is something so irresistibly comical, so ludicrously ludicrous in the idea, that the iron-seeker which Bush wielded with such terrible effect for nearly ten years, should be committed to the feeble grasp of the Herald men, that it would require no party rebellion to dethrone the would-be despots. It would simply be a repetition on a very small scale, indeed, of the reign of the weak Richard Cromwell, after the iron rule of the stern Oliver; but admitting that the State Printer is per se, the "party organ," it follows that upon the defeat of the Democratic ticket, as in 1852 and 1864, the Democratic party would be deprived of an organ and therefore, according to this strange theory, Democrats will begin to realize the fact that we have had no Democratic "party organ" in Oregon since the defection of the Statesman in 1860--ten years ago.

But let us suppose a State Printer without a paper, as in the case of McPherson, the illustrious predecessor of the present incumbent. McPherson sold his Press and materials to the present proprietors of the Statesman, and the printing was done by contract, I believe; in that case, which was the "party organ," the printer without a paper, or the paper without the office? It makes no particular difference for the purposes of the illustration that McPherson was a Republican official, as the same general rules are supposed to govern both party organizations. I conclude, therefore, that as the Herald did not derive the power it so arrogantly claims from the Democratic State Convention, nor from its connection with the office of the State Printer, its pretensions to the dictatorship of the Democratic party are, to say the very least, of a very questionable character. But, a paper which assumes to be the organ of every section. The Herald, if tried by this standard, will be found lamentably deficient. It is well known that the railroad question entered very largely into the last political campaign in this State, and particularly in that section lying south of the Calapoopia Mountains. The Radicals charging and the Democrats denying that the Democratic party was in favor of what is known as the Pengra route, and, therefore, opposed to the route through the Umpqua and Rogue river Valleys. Instead of aiding us in the bitter struggle which we had to make against Federal patronage and money, the files of the Herald, from the middle of April to the last of June, show that the "party organ," was verifying the charges of the party enemies, and the spiteful venom it has since manifested towards the "caucus resolution," and its

friends, conclusively prove that the Herald was anything but a friend of the democracy of this end of the State; although, to the democracy of Southern Oregon, it owes the nomination of one of its proprietors for State Printer. Perhaps however, the enmity which the Herald manifests toward Southern Oregon, is rather a subject of congratulation than of condemnation; for it is a noticeable fact that the counties of Clackamas, Marion, Washington and Yamhill, in which it is supposed to have the largest circulation, and of course which it regards with friendly eyes, all went radical, while Multnomah, which went Democratic two years ago, and in which the "Herald" was supposed to be making its heaviest fight, went radical by a larger majority than it has ever been known to cast before 1864.

Perhaps the enmity of the "party organ" spared us the calamity of defeat. But even if it were true, that by custom and precedent the Herald is entitled to be regarded as the "party organ," its conduct during the last political campaign in this State ought to be sufficient to defeat its claims. It is contrary to the intelligence and dignity of a great political party, to respect the claims of a journal, which, spurred on by personal malice and revenge, assails the political and personal integrity of Democrats, but dares not defend democratic principles. Before the meeting of the last Democratic State Convention, the "Herald" clamored vociferously for a resolution favoring repudiation. When the Convention met, the famous eighth resolution was adopted as an important element in the platform upon which the present State Printer ran as a candidate.

In the first few issues after the adjournment of the convention, the Herald exhausted itself in eulogies of the resolution, but when it was assailed from one end of the State to the other; when the entire Radical Press, from the Oregonian, and "Bulletin" down to the radical stump orators, and the "Albany Democrat" in our own party, where was the "party organ" then? not a line; not a syllable of defence of the "vital eighth resolution" appeared in its columns, but it left the burden of defence to the local press; the "Enterprise," "Guard," "Plaindealer," and "News."

These papers had to sustain the battle against three daily presses in Portland, and the entire weekly radical press, to say nothing of the "Albany Democrat," while the only Democratic daily in the State; the same which now arrogates to itself the prerogatives of dictatorship, dared not publish a line of defence, in its columns. Which should be regarded as the "party organ;" the pretentious daily, from which neither sense of duty to its party; nor insult, nor taunt, could bring a word of defence for the resolution it had previously clamored for; or the little local Democratic presses, which gallantly fought for the principles the party promulgated.

The action of the "Herald" during that campaign fully justifies the conduct of the delegation from Multnomah in the State Convention, in refusing to support Mr. Patterson in his aspirations for the State Printership. The gentlemen composing that delegation proved by their votes and by their speeches on the floor of the Convention, that they did indeed know the political dishonesty of the "Herald."

But I deny that the "Herald" is the "party organ," on other, and higher grounds, than the foregoing. The members of the Democratic party claim to be men of honor, and cannot consistently be represented by a journal which deliberately counsels a violation of personal honor. This, the "Herald" has done. On the 19th day of Sept., 1870, in a caucus of the Democratic Senators and Representatives, I introduced the following resolution, known since as the "Caucus Resolution."

Resolved, That in view of the importance of railroad communication throughout this State, and the vital interest which Southern Oregon has in securing such communication by way of the Rogue River and Umpqua valleys, we, the Democratic Senators and Representatives, in caucus assembled, declare as follows, to-wit:

That we will not support for U. S. Senator, any candidate who will not unconditionally pledge himself in writing:

1st. to use all his ability and influence to obtain from Congress all necessary aid, and promote by all means in his power, the speedy construction and completion, of the Oregon and California Railroad, through the valleys of the Umpqua and Rogue river, as contemplated by the Act of Congress July 25th, 1866.

2d. that he will strenuously resist all congressional aid to Oregon Branch Pacific Railroad, known as the "Pengra route," until the said Oregon and California road be completed, or its completion placed beyond question.

3d. that all possible efforts will be used, to secure a line of road connecting with the Oregon and California railroad in Rogue river valley, from the North bend of the Humboldt river, Nevada, as contemplated by what is known as the "Williams Amendment" to the Oregon Branch Pacific Railroad.

That this resolution, and the pledges, if any, be made public." Col. Kelly, U. S. Senator elect, appeared before the caucus, and in a lengthy and able speech cordially endorsed the resolution; and appended the following, in writing: "I endorse the above resolution."

JAMES K. KELLEY.

This resolution was adopted in full caucus, with only three dissenting votes, viz: ex-Gov. Whitaker, Geo. B. Dorris, and James F. Amis, all of Lane county. And Mr. Amis informed me subsequently, that he voted against the resolution under a misapprehension. The "Herald" terms these resolutions, adopted by an almost unanimous vote in a Democratic caucus, and endorsed by the newly elected Democratic U. S. Senator, "paper collars, which will bear no strain at all;" "empty luncheon resolutions. To be sure they are words--this and nothing more."--(Herald, Sept. 22.) Says further, that "if Col. Kelly's election had been without exacting any pledges, it would have given unqualified satisfaction to the party at large." In fact, so bitter was the attack of the "party organ" upon the action of the Democratic caucus, and so dictatorial was the spirit manifested, that Senator Baldwin, of Grant, felt called upon to rebuke the insolence of the "Herald," which he did effectually in two able letters to that paper. Subsequently, the "Herald" assuming the office of Mentor to Col. Kelly, deliberately suggested to that gentleman to ignore this resolution, and thus to repudiate his pledged word, violate his personal honor, and enter the Senate Chamber of the United States, with a character blasted and stained by the perpetration of a deliberate and willful lie. But that enterprising and cheeky journal went further than this, even, and impudently suggested to the Democratic members of the Legislature to stultify themselves by repudiating the Caucus Resolution. The contempt with which the suggestion was treated by the Democrats in the Legislature, sufficiently gauges the influence which the presumptuous "party organ" had with them. For a verification of these facts, see "Herald" of Sept. 22, 23, 25, 27, 28.

The adoption by the caucus of the resolution quoted, was the signal for the attack made upon me. I was charged with a desire to humiliate Col. Kelly. Surely if Col. Kelly was humiliated at all, it was accomplished by the journal which suggested a course that would blast his personal honor. If this resolution, which was intended simply to secure, by the action of a Democratic caucus, the rights of a section famous for its adherence to the democratic cause, humiliated the new Democratic Senator, I cannot help it. I am sure he does not consider himself humiliated by its adoption. The adoption of this resolution, and my refusal to submit to the dictation of the "Herald" on other matters, caused me to be ostracized, together with Senators Burch, Trevis and Henderson, and Speaker Hayden. I trust these gentlemen, like myself, have recovered from the shock, and are now as well "as could be expected under the circumstances."

I refuse to recognize the "Herald" as the "party organ," for the foregoing reasons, fellow-citizens. I plead to the jurisdiction of the would-be autocrat. I spurn and condemn its attempt to exclude me from Democratic fellowship. Having no recollection of having asked leave of the "Herald" to enter the Democratic party, I do not propose to ask its consent to remain a Democrat. To you and not to the "Herald," am I responsible for my official acts, and to you I propose to give in my next, a full history of that part of my legislative career which the "Herald" seeks to asperse.

JAMES D. FAY.

New Emigration Scheme.

We notice an article in the San Francisco "Bulletin" some time ago, with reference to a gigantic land company whose object was the sale of the lands of the C. & O. R. R. Co. So stupendous a scheme was this that its ramifications reached the Old World, and the result of the whole was to people both Oregon and California in a single season. We pay but little attention to the subject treating it as a rumor; but we see by a California paper a company was organized and articles of incorporation filed in the Secretary State Office, in Sacramento City, on the 20th December, of the "European & Oregon Land Co.," whose purpose is to buy and sell lands of the C. & O. R. R. Co. whether situated in California or Oregon; and to engage in the transportation of immigrants from Europe to said land to facilitate immigration to said States. From the name of the Company we would infer that it is an Oregon institution; but the filing of the articles of incorporation in Sacramento and making San Francisco their principal place of business it may be that they have purchased the California Railroad grant also.

We can see in this measure fraught with interest, not only to our own State, but to the entire coast; one of the greatest drawbacks to immigration heretofore has been the lack of such facilities as a well organized company could provide. Such a scheme as these gentlemen have inaugurated will attract hither a class of immigrants that will prove to be a valuable acquisition to our State.--Mountain-cour.

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