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LEGISLATURE OF OREGON

HOUSE.

SALEM, August 8, 1878.

According to law, the tenth biennial session of the Legislative Assembly commenced to-day.

The House met at 11 A. M., and was called to order by W. L. White, Esq., chief clerk of that body at its last session.

Nominations of Speaker pro tem being in order, Mr. Gates, of Wasco, nominated J. M. Thompson, of Lane county; D. P. Thompson, of Multnomah, nominated L. B. Stearns, of that county.

Roll being called, Thompson received 28 votes; Stearns, 20 votes; and the former being elected, took the chair, and announced election of chief clerk pro tem in order.

Mr. Galloway, of Yamhill, nominated W. L. White, who received 25 votes; Mr. Scott, of Marion, nominated James Walton, who received 23 votes; and White was declared elected.

Mr. Walton was unanimously elected assistant clerk pro tem.

Mr. Dorris, of Lane, nominated P. F. Castleman, of Yamhill, sergeant-at-arms, who was unanimously elected.

W. H. Myers, of Washington, and Robert Smith, of Multnomah, being placed in nomination, Myers received 30 votes, Smith 19 votes and Myers was declared elected.

On motion, chair appointed Messrs. Hughes, of Benton, Kahler, of Jackson, Gates, of Wasco, Reed, of Marion, and Galloway, of Yamhill, a committee of five on credentials, and then adjourned to half past 3 P. M.

AFTERNOON SESSION. House met at 3:30 P. M. Committee on credentials reported. Report adopted and members sworn in.

Permanent organization was effected as follows: J. M. Thompson, of Lane, received 30 votes for Speaker, against 25 cast for D. P. Thompson, of Multnomah.

W. L. White received 31 votes for chief clerk; no opposing candidate.

L. P. Williams received 33 votes for assistant clerk; 24 being cast for J. Henry Brown.

Speaker and clerks were then sworn in. P. F. Castleman received 32 votes for sergeant-at-arms, against 27 cast for W. S. Barker.

W. H. Myers received 34 votes for door-keeper, against 25 cast for P. J. Loosen.

James Dougherty and Delevau Smith were elected pages.

House adjourned until 10 A. M. to-morrow.

TUESDAY, Sept. 10, 1878. House met at appointed hour. Minutes read, and on motion of Thompson, the House adopted rules of last session.

Galloway offered joint resolution, which was adopted, that joint convention be held at 11 A. M. to-day to canvass the vote for Governor.

Thompson, of Multnomah, offered resolution that joint committee be appointed to wait on Gov. Earhart and inform him that the Legislature is organized and ready to receive any communication.

Galloway, Gates, Green and Dorris opposed the resolution, denying that Earhart is Governor, and asserting that Chadwick holds until Thayer is installed.

Thompson, Reed, Ramsby and Starkweather favored the resolution, claiming that Chadwick's term as Secretary of State limited his official term as Governor ex-officio. By a strict party vote the name of Earhart was stricken out and that of Chadwick substituted.

Resolution was adopted for joint committee to investigate penitentiary affairs.

Gates and Hewitt gave notice of intention to introduce sundry bills.

AFTERNOON SESSION. Speaker announced Messrs. Gates, Hendricks, Thompson, Kahler and Stratton House members of the joint committee to examine penitentiary affairs.

On motion of Stearns, that sergeant-at-arms ordered to furnish members 4 daily or weekly papers, as they may select. Adopted, 50 to 24 votes, after considerable discussion.

The same courtesy was also extended to the officers of the House.

According to concurrent resolution, Galloway, Campbell and Stearns were appointed committee to wait on Governor and notify him of his election.

H. J. R. No. 5, To meet in joint convention Sept. 12, to hear such announcement as Gov. Chadwick may choose to make, and listen to the inaugural of Gov. Thayer, was adopted.

Members gave notice of intention of introducing sundry bills.

House Bill No. 1, for an act to authorize the construction of a bridge across the Willamette at Portland, was read first time.

September 11, 1878.

AFTERNOON SESSION.

H. B. No. 2, by C. A. Reed, to protect game from November to July; read first time.

S. J. R. No. 1, to appoint committee on Insane, was concurred in.

Members voted themselves \$3 worth of postage stamps.

H. B. No. 4, by Hewitt, conveyances real property.

H. B. No. 5, by Thompson, amending Portland charter.

H. B. No. 6, by Gates, authorizing Dalles City to dispose of certain lands.

All these read first time.

S. C. R., requiring present board of State Land Commissioners to make report of condition of funds in their keeping was concurred in.

S. C. R., appointing committee to visit deaf mute school and report what aid is needed from the State was concurred in.

S. C. R., to appoint committee to examine books and accounts of State Treasurer, was concurred in.

H. R., ordering 1,000 copies of Governor's message printed, was passed.

H. C. R., Board of State Land Commissioners to report full particulars of lands sold, money loaned, money on hand, money lost, expenses of board, etc., was adopted.

H. B. No. 7, by Thompson, to provide for sale of swamp lands.

Committee on Insane Asylum—Hewitt, Green, Starkweather.

H. R. No. 5, by Stearns, committee to report rules of order; adopted.

House members of committee on deaf mute school—Gilbert and Chandler.

House members of committee on State Treasurer's accounts—Galloway, Stearns, Grant.

Senate.

Whitaker, who announced temporary organization in order and placed in nomination Senator Brown, of Coos, as temporary president, who was elected viva voce.

The following officers were placed in nomination and elected without dissent, to perfect the temporary organization: Syl. C. Simpson, chief clerk; — Baker assistant; Martin Angel, sergeant-at-arms; G. P. Wren, door-keeper.

On motion, chair appointed Haley, of Linn, Myers, of Clackamas, Cochran, of Lane, George, of Multnomah, and Watts, of Washington, a committee of five on credentials, and the Senate adjourned to 3 P. M.

AFTERNOON SESSION. Senate met at 3 P. M., and committee on credentials reported the following Senators as holding over: J. S. Palmer, and John Burnett, of Benton; John Myers, of Clackamas; A. G. Brown, of Coos and Curry; G. W. Calvig, of Douglas; Dan L. Green, of Josephine; J. Whitaker, of Lane, S. D. Haley, of Linn; T. A. Davis, and M. C. George, of Multnomah; L. Bently, of Polk; M. Jasper, of Union; S. G. Thompson, of Wasco and Lake; A. S. Watt, of Washington, and E. C. Bradshaw, of Yamhill. Members elect—J. D. Haines, of Baker; J. T. Apperson, of Clackamas; C. W. Fulton, of Clatsop, Tillamook and Columbia; T. Davidson, of Grant; J. E. Ross, of Jackson; J. H. Smith and W. R. Bilyeu, of Linn; Sol Hirsch, of Multnomah; W. P. Lord, Wm. Waldo and J. W. Grim, of Marion; S. M. Pennington, of Umatilla; C. H. Burch, of Yamhill; and R. R. Cochran, of Lane, who were duly sworn in.

Election of permanent president being in order, John Whiteaker, of Lane, and M. C. George, of Multnomah, being in nomination, John Whiteaker received 18 votes, and was conducted to the chair by Messrs. George and Myers, and received the oath of office.

Syl. C. Simpson and Sam C. Church were nominated for secretary of Senate; Simpson was elected.

J. W. Baker and J. W. Latourette nominated for assistant secretary; Baker elected.

M. V. Angel and John Minto nominated for sergeant-at-arms; Angel elected.

G. P. Wren and P. Runcy nominated for door-keeper; Wren elected.

On motion, president was authorized to appoint pages, as many as necessary.

H. J. R. No. 2, for joint committee to wait on Governor, was concurred in. S. D. Haley and Sol Hirsch were appointed as said committee.

Resolution was adopted inviting representatives of the press within the bar, and to furnish them with stationery and desks.

Judiciary committee was authorized to elect a clerk.

Senate concurred in H. J. R. No. 3, to appoint committee to investigate penitentiary.

S. J. R. No. 1, To appoint joint committee to examine management of the Insane Asylum, and report 26th of September, was argued and laid on the table.

AFTERNOON SESSION. President appointed Palmer, Haines and Colvig, Senate members of joint committee on penitentiary affairs.

On motion of Brown, Senate voted each member three newspapers, as he might select.

On motion of Myers, concurrent resolution was passed, appointing joint committee to wait on Gov. Thayer, inform him of his election and learn when he will appear and the official oath.

Myers and Grim were appointed as such committee.

Senate voted \$5 postage to members on motion of Hirsch.

Motion of Colvig concurrent resolution passed to appoint joint committee on fishing interest, and chair appointed Colvig and Bilyeu such committee on part of Senate.

Committee from Governor elect reported that he would wait on the houses any time that would be convenient to them.

MONDAY, Sept. 9, 1878. AFTERNOON SESSION. Senator Brown gave notice of several bills.

S. C. R., by Colvig, for joint committee to visit deaf mute school and report what aid is needed from the State, adopted. Chair appointed Colvig and Davidson as such committee.

H. C. R., for joint committee to examine books and accounts of State Treasurer, adopted. Apperson, Smith and Burch, committee.

Fulton gave notice of bills to be introduced. Bilyeu gave notice of bills.

S. C. R. No. 7, by Watt, calling for report from Board of State Land Commissioners, was adopted.

BILLS READ FIRST TIME. S. B. No. 1, by Colvig, amending code, read first time.

S. B. No. 2, by Waldo, amends section 2, chapter 1, general laws.

S. B. No. 3, by Fulton, redistricting and apportioning the State.

S. B. No. 4, by Burch, prescribing duties of State Treasurer, was read first time.

S. B. No. 5, by Burch, relating to election of justices of peace in Yamhill county.

S. B. No. 6, by George, relating to collection of claims against the State.

S. B. No. 7, by Fulton, regulation of salmon fisheries.

S. B. No. 8, by George, for construction of a bridge at Portland across the Willamette.

S. B. No. 9, relating to assignees and creditors.

S. B. No. 10, providing a short hand reporter for civil courts.

S. B. No. 11, by Hirsch, relating to Fish Commissioners and fish culture.

S. B. No. 12, to protect remains of deceased persons, read first time.

MESSAGE OF GOV. CHADWICK.

House met in joint convention this morning at nine o'clock, and Gov. Chadwick delivered his retiring message. After detailing circumstances of Gov. Grover's resignation and his own accession, congratulates State on blessings of health and prosperity, no state more favored, financial condition uninjured by conditions of other states, although some eastern counties exposed to ravages of desolating Indian war; development of commerce steady; industries manifest healthy activity; material resources furnish solid and enduring basis for enterprise, and Statehood, not dependent on speculation or adventitious causes; no overgrowth but healthy and steady progress.

FINANCES. Balances in Treasury at close of financial year ending Sept. 11, 1876, were \$63,994 54. received since into the treasury, the sum of \$228,561.91. Paid out of all funds \$779,560. 81. Leaving fund in the treasury Sept. 9, 1878, \$112,896.60. Liabilities of the State bearing 7 per cent interest:

Soldiers' bounty bonds..... \$26,400 00 Soldiers' relief bonds..... 761 00 Canal and locks bonds..... 100,000 00 Modoc war bonds..... 132,858 76 Wagon road warrants..... 138,600 00 Outstanding warrants..... 192,975 62

Total liabilities..... \$651,595 48 During two years, paid on account of outstanding warrants \$82,648 23 principal, \$42,676 13 interest, from proceeds of special tax for that purpose. Also, \$4,728 77 principal, \$2,411 interest, out of the general fund. Outstanding warrants to amount of \$4,461 23 are advertised for and not presented.

STATE INSTITUTIONS. Commends the question of the Insane and Idiots being taken under direct charge of State.

Burch, Sup't. of the State Penitentiary, has been economical and prudent; with limited appropriations, and unprecedented increase of convicts has been able to make substantial and valuable improvements. During the last 18 months administration of State Prison have been cheaper than for any former period.

United States Attorney General complains that price \$8.00 per week charged for government convicts is higher than charged elsewhere. Condition of State Capitol building remarked on, and necessity of tax of one mill recommended for building purposes to complete it.

EDUCATION. This matter has not been neglected and early foundation laid for wise school system. Public schools in Oregon will compare well with same grade in sister state, system is all well supported by the people. Steady and rapid growth common schools during last six years, attendance increasing and more regular, teachers more efficient methods, more thorough and systematic, and supervision closer and vigorous. Teachers' Institutes more popular. Must be careful not to pass unwise legislation to injure good system. State University and Agricultural College said to be making satisfactory and steady progress. Mute and Blind Schools doing good work. Not many of these unfortunate, and the State aid productive of much good.

INDIAN WARS. The message recites the facts of the war with the Nez Percés in 1877, and the Banack-Snake raid of recent date, and the part taken by the State under his direction, giving full particulars of his own interest in the late campaign. Expenses of war not large so far as it involved this State, recommends that accounts be audited by military board. Speaks of existing treaties with Oregon Indians, and the aid probably rendered the hostiles by Indians reputed friendly, and believes that young men are generally willing to fight when occasion offers. At one time 300 renegades with original band of hostiles. Decisive measures necessary to compel all Indians, if necessary, to maintain good faith and amicable relations. Teaching art of agriculture to Indians with arms in their hands is a fearful absurdity. In Washington, Oregon and Idaho, about 27,000 Indians, reservations include 17,000 square miles and 10 million acres, 370 acres to each Indian, 143,000 acres reported tillable. Recommends disarming Indians and placing them under direct army control, with a strong force close at hand. Meantime recommends means be devised by which settlers can be armed and in time of danger brought into immediate service, and that government remove all Indian tribes in the North Pacific to one reservation. Message gives particulars of recent Umatilla council.

FISHERIES. Necessity of immediate action in behalf of the fishing interests, which have become a valuable branch of industry and leading source of wealth, employing hundreds. Its magnitude must be preserved by some legislation to preserve and propagate the fish. Fish Commission recommended who will take the whole subject under control and provide for the introduction, culture and propagation of desirable species. Catch of 1877 was valued at \$2,370,000. In

RIVERS AND HARBORS.

The message reviews the different harbors on this coast and shows how the bars shift, rendering it necessary for every effort to be made to secure the general government aid for their improvement; also that river navigation must be continually improved.

SWAMP LANDS.

Urgent need of additional legislation relative to sale of swamp lands. Present law requires drainage, which in many cases will be injurious to the land. Present restrictions operate to prevent disposal of such lands. The State has absolute ownership, fettered by no conditions; further time should be given to reclaim lands and definite regulations made defining reclamation. Sales should be made direct, without any embarrassing restrictions.

VARIOUS MATTERS.

Depression in other States and low fares bring to the State tramps and vagabonds, who become a nuisance. There is an increase of crime all over the State, daring outrages are frequent. Prompt and decisive measures are needed to abate this nuisance.

Natural History Society of Oregon is composed largely of teachers and scientific men. Object, to collect specimens of natural history and form a State cabinet. Collections are rapidly increasing and are valuable. The State should fit up permanent rooms for its occupation in the State Capitol.

The burden of taxation is unequal and efficient measures for equalizing assessments are needed throughout the State to prevent loss of public revenues.

The message concludes with a reference to the exhibit of this State at the Paris Exposition; importance of Senatorial election and expression of acknowledgment to A. H. Brown, State Treasurer, and good wishes for all.

THE LEGISLATURE.

The following is a list of the members including Senators holding over. Those marked with a star were elected in 1876 and hold over:

REPUBLICANS—10. Clackamas—J. T. Apperson. Clatsop, Columbia and Tillamook—E. W. Fulton.

Douglas—G. W. Colvig,\* Jas. Applegate,\* Multnomah—Sol. Hirsch, M. C. George,\* Marion—W. P. Lord, Wm. Waldo, J. W. Grim.

Washington—A. S. Watt.\* DEMOCRATS—18. Baker—L. D. Haines,\* Benton—J. S. Palmer, John Burnett, Coos and Curry—A. G. Brown,\* Clackamas—John Myers,\* Grant—Thomas Davidson, Josephine—Ban. L. Green,\* Lane—John Whiteaker,\* R. B. Cochran.

Linn—S. D. Haley,\* J. H. Smith, and W. R. Bilyeu.

Multnomah—T. A. Davis,\* Umatilla—S. M. Pennington, Union—M. Jasper,\* Wasco and Lake—George Thompson,\* Yamhill—E. C. Bradshaw,\* O. H. Gurch.

INDEPENDENT—2. Jackson—John E. Ross, Polk—L. Bently.\*

Representatives, REPUBLICANS—25. Benton—Tolbert Carter, Polk—J. D. Lee, Yamhill—D. O. Durham, Clackamas—W. H. Will, E. Forber, R. Bradley and W. A. Starkweather, Lane—H. P. Stratton, Geo. Gilbert, Coos and Curry—M. Rile, Washington—R. H. Taylor, Columbia—Nelson Cole, Clatsop and Tillamook—J. C. Bawley, Marion—C. A. Reed, F. R. Smith, L. S. Scott, R. C. Ramsby, A. Shelburg, Multnomah—D. P. Thompson, I. Freland, L. B. Stearns, P. Kelly, Joseph Aetion, C. B. Wintangerode, James Bennett.

DEMOCRATS—33. Baker—C. G. Chandler, W. R. Curtis, Benton—John T. Hughes, H. Green, Coos—J. H. Schroder, Douglas—Jas. Chenoweth, A. T. Campbell, John Stewart, Henry Beckly, Grant—M. D. Johnson, Josephine—C. Caldwell, Lake—C. W. Irohack, Lane—J. M. Thompson, B. F. Dorris, Linn—J. A. Schoaling, C. H. Hewitt, F. C. Hazard, Joseph Hamilton, Jason Wheeler, Jacob Newman, Marion—F. X. Mathieu, Polk—J. R. Grant, Ira Townsend, Umatilla—J. S. White, —Evens, Union—J. H. Rinehart, Dunham Wright, Wasco—N. H. Gates, A. B. Weddell, Washington—Wm. Reeves, Ira F. Purton, Yamhill—M. B. Hendricks, Wm. Galloway.

INDEPENDENTS—3. Jackson—Wm. Kahler, M. Fountain.