

# Last Steps in Formation of First Oregon Government

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of poverty. The money necessary to keep a government going had thus far failed to materialize by means of taxing its citizens. The reluctance of the people to be taxed had led them at first to attempt to raise the needed expenses of government by means of voluntary subscriptions. This had proven a most miserable failure. No money was forthcoming. The next year, 1844, the legislative committee seeing that the government could not be sustained without a revenue imposed a tax on the people and sought to secure its payment by the provision that he who failed to pay should have no benefit from the laws not be allowed to vote. So drastic a measure did not, however, succeed in producing funds sufficient to pay the upkeep of the new government. The appropriations for the year 1844 were but a little in excess of \$300 and the revenue collected by end of year amounted to about one-third of this sum.

Though the population of the territory was increasing very rapidly, and its wealth in proportion, and deficiency in revenue might in a short time be made up it seemed to many a more speedy solution of the financial difficulty to secure the co-operation of the Hudson's Bay Company and from it and its supporters a payment of the taxes so difficult of collection south of the Columbia. For a wealthy corporation in their very midst, enjoying a large measure of monopoly over their industrial life, to take daily toll of their meager incomes, and to secure the benefits of the peace and order maintained by the government had established while contributing nothing to its support, seemed to the political leaders of the infant state a very real grievance. Every effort ought therefore to be made to persuade the company that it owed a duty to help support a government that brought it such manifest blessings and a community that was to it such an important source of profit. This desire to make the Hudson's Bay Company a direct contributor to the revenues of the new government was to be not the least of the factors in bringing about its union with the Provisional Government.

A further circumstance that was contributing to the establishment of better relations between the officials of the Hudson's Bay Company and the American settlers who were the leaders in the new organization was the influx of new men from the United States and the consequent changing of the personnel of the government. The elections were held annually and at the second election in May, 1844, only one of the old officers was re-elected and a majority of these elected to fill the three places on the executive committee and the nine members of the legislative committee came out to Oregon the preceding year, 1843. Only

three of the members of these bodies were again chosen in 1844. The leadership and guiding spirits in the legislation of 1844 and 1845 proved to be men who had recently arrived in Oregon, Peter H. Burnett and Jesse Applegate. These new men had less reason to feel antagonistic towards the Hudson's Bay Company than had those longer residents who had taken sides in the controversy that had arisen between McLoughlin and the Methodist mission over a land claim at Oregon City, nor did they share in the enmity felt toward the company by so many of the older residents. (Shortest Petition in Holman, McLoughlin, 188.) The Provisional Government had originally been formed as an act hostile to McLoughlin and the company. The new men exhibited a more conciliatory spirit and realized that the Provisional Government would be greatly strengthened by securing the allegiance of the Hudson's Bay Company men.

Thus by the summer of 1845 these influences were working for the complete union of all elements residing in the country. On the part of the Willamette Valley settlers the advantages were clear. British subjects resident there would be better contented. Those that acknowledge allegiance to the United States realized that they were too remote to count upon the active protection of their own government and that it were better part of wisdom to placate than to defy the Hudson's Bay Company, upon which they were in so large measure dependent for their existence. Further the financial assistance that would come from collecting taxes from the men and property of the company would make the running of the government easier and less of a burden to themselves. These considerations together with the growing ascendancy of new men of conciliatory temper were to lead directly to overtures to the Hudson's Bay Company looking to a closer union.

At the same time Dr. McLoughlin and his associates were beginning to realize that such a union carried with it weighty advantages both for themselves and the company and were therefore ready to meet more than half way the advances made by the officers of the Provisional Government. The motives actuating such a conclusion were in part personal to Dr. McLoughlin himself and in part due to a conviction that the best interests of the company would thus be served.

For Dr. McLoughlin himself, a conciliatory attitude towards the new government south of the Columbia River had seemed the better policy from its first inception. The favors he had shown Americans and assistance given them in establishing themselves in the country while prompted, no doubt, by purest philanthropy promoted as well his own interests. It

was distinctly to his advantage to cultivate friendly relations with these new settlers for they were making his property on the Willamette distinctly more valuable and more profitable. His land claim at the falls of the Willamette had been surveyed and platted out into a town named "Oregon City." He believed this place "destined by nature to be the best place for commerce in this country." This town had already become the most considerable settlement in the Willamette Valley. Lieutenants Warren and Vavasour, two British officers, reported to their government in October, 1845, a population for it of some three hundred people with a hundred dwelling houses and stores. The increasing population evidently made this town property more valuable. In addition McLoughlin had established grist and sawmills at the falls which became more profitable sources of revenue as the inhabitants of that region became more numerous. He could not feel altogether secure in his claim as long as he held himself aloof from participation in a government that had been founded by men anxious to secure their titles to land and to prevent mutual encroachment on each other's holdings. He had been troubled with squatters on his land and a rival claimant, notably the Reverend Mr. Waller, whom he had bought off in April, 1844, by a payment of \$500 and transfer of some of the lots at Oregon City. Dr. McLoughlin had also just paid five thousand five hundred dollars to the Methodist mission for the lots claimed by that organization at Oregon City because as he says he could not "produce a legal test of proprietorship" and this ground was needed to "complete his establishment." (Last Letter, p. 122.) He felt that there was serious danger of losing this property should the boundary settlement be favorable to the United States before he had secured a title the validity of which was at least as good as that of other settlers in the valley. True, the legislative committee had, in 1844, repealed the clause in the land law of 1843 which had been directly intended to deprive him of this claim, but he had been made to feel in many trivial ways the hostility of the government. The legislature had even gone so far as to refuse him the privilege of constructing and operating a ferry across the Willamette. So long as he had not part in the government he could expect no favors at its hands.

Furthermore, there is evidence that McLoughlin had some ambition to assume a leadership over the people of the whole Oregon country and a confidence in his ability to win the respect and support of the American element. In short, he was moved by political ambition and a love for the power and influence that the governorship of the new state might give. In a letter written to Sir J. H. Pelly, November 15, 1844, Dr. McLoughlin predicts that if the boundary question is not settled by the two governments, Great Britain and the United States, the settlers in Oregon territory will declare an independent state "of which I might be elected head were I to retire among them." (Copy of letter in possession of Professor Schafer.) It would thus seem that McLoughlin was already contemplating the "retirement" that he actually carried out a year later and was looking forward to the fulfillment of an ambition for leadership. There is nothing in his character to make such a conclusion improbable. He was of a distinctly masterful temperament and might easily have underestimated the difficulties in the path of such an ambition. The sequel was to prove something quite different from these anticipations. Thus it seems that motives of financial interest and personal political ambition may have been promoting Chief Factor McLoughlin to bring himself, his people and the property of his company under the jurisdiction of the Oregon Provisional Government.

To the company's superior officer, however, McLoughlin in justifying his action in recognizing and uniting with the new government in August, 1845, advanced only those arguments that convinced him that such action best served the interest of the company and British subjects in general. "We have yielded," he says, "to the wishes of the respectable part of the people in the country, of British and American origin, by uniting with them in the formation of a temporary and provisional government designed to prevent disorders and maintain peace, until the settlement of the boundary question leaves that duty to the parent states" (from McLoughlin letters of August 30 and November 26, 1845, copies made by Professor Schafer. The second letter is given as first part of last letter printed in American Hist. Rev. 21:116-117). To McLoughlin at this time the situation seemed critical. The property of the company was subject to intrusion and attack, "exposed in the midst of a population living without the restraint of laws." "A crisis was evidently fast approaching which would drive us to the painful necessity of yielding to the storm, or of taking the field openly, arms in hand, with means so unequal compared to those arrayed against us, as to leave no hope of success." There seemed to him little hope of receiving any speedy or effective protection either from the British government or the company, though he had represented to both the dangers in the situation and made request for an armed vessel to be stationed in the Columbia. Until such protection could be afforded it seemed the better part of valor to enter into a union "for the purpose of mutual protection, with the white population of the Willamette." "We decided on joining the Association both for the security of the company's property and the protection of its rights."

To McLoughlin and his associates such a union seemed further desirable as means of safeguarding against evils for which no protection was offered if they remained isolated from the

rest of the community. If the "company servants" deserted and took refuge in the Willamette settlements they could not be arrested unless the company through its officials had some part in the association. There had been cases of such desertion. "Another powerful inducement arose from the considerable amount of outstanding debts we have in the Willamette settlement." These debts had risen during the previous year to the formidable total of \$30,000.

The advantages of the union as a means of collecting debts are obvious. "Under the newly assumed political position we would have been cast entirely on the honor and good faith of our customers, as the law could of course only give protection to those who gave it support; but by joining the association we can sue and attach the property of any man in this country who is indebted to the company."

The company's officials at Vancouver had been compelled to face the problem of keeping the bolder Americans from encroaching upon its lands. A certain Henry Williamson had in 1841 gone so far as to build a cabin on an island in the river near Vancouver claimed and occupied by the company. His cabin had been torn down and Williamson induced to withdraw. He and others like him McLoughlin thought so base as to stop at no crime. "They were determined at all risks to intrude upon the company's land claim, and they made no secret of their plans if elected by force. If not supported by their countrymen, they were to seek an easy revenge by firing our premises, destroying our barns, or such like deeds of cowardly villainy."

Thus we find urged as motives for bringing about a union of the Hudson's Bay Company through its officials with the Willamette valley settlers in the formation of government the need of preventing encroachments upon the company's land and to safeguard its property from attack by hostile disposed Americans. Such a union would offer an easier and more certain method for the collection of debts owed the company and a means of bringing back its employees "tempted by the certainty of immunity and high wages in the Willamette to desert the Service." There is evident alarm in the rapidly increasing number of Americans. An average of more than a thousand each year had come into the valley during the two years just past and some three thousand immigrants were expected to arrive during fall of 1845. Such alarm is indicated by McLoughlin's request to the British Consul General at Honolulu for a ship of war to be sent to the Columbia river. Promise of such support could not be secured and as by August "the season was so far advanced there was no reason to

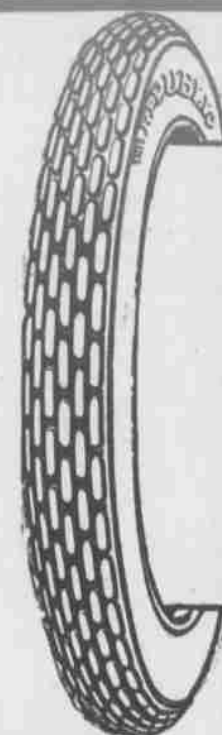
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