

Last Steps in Formation of First Oregon Government

(Continued from Page 16.)

expect the arrival of any government vessel on the coast" seemed so good "as to take part in the association." Convinced of the benefits to be derived from union McLoughlin only needed to act upon the invitation that had been extended by the Oregon Provisional Government. The way toward union had already been paved by action of that body.

A first step towards union with the Hudson's Bay Company officials had been made in June, 1845, by the election of Frank Ermatiner, manager of the company's store at Oregon City and in official capacity its "Chief Trader" to the office of treasurer of the Provisional Government. This was manifestly intended to indicate to McLoughlin and his associates the friendly attitude of the Willamette valley settlers. A second step towards union had been made by the change made in the form of the oath by which the officials elected in June were inducted into office. The oath declared an obligation "to support the organic laws of the provisional government of Oregon, so far as they are consistent with duties as a citizen of the United States or a subject of Great Britain." This oath was later formally incorporated into the new constitution adopted by the people in July, 1845, and thus deprived the Provisional Government of its former national character. In its original form such provisional government had seemed to be established only until such time as the United States might formally assume jurisdiction over the Oregon territory and conceded nothing to the sentiments of citizens of other countries. The changed form of the oath made it possible for the Hudson's Bay officials and other British citizens to loyally support the new organization. The reorganization of the provisional government on a more carefully worked out constitutional plan and the incorporation into the body of the constitution of a land law that had none of the features objectionable to McLoughlin or the company as contained in the first measure enacted in 1843, paved the way for an offer of union. A better organized government, with executive, legislative and judicial departments carefully differentiated and the functions of each fully prescribed in a written constitution that had received approval of a large majority of the settlers at an election especially held for the purpose, seemed more stable and to offer better guarantees of stability and strength to enforce its decrees than the more loosely constructed government established in 1843. The newly established constitution may for this reason be considered as a third step in the direction of union. Afterwards came overtures of Jesse Applegate by means of private interviews and letter asking if "company will be willing

to become parties to articles of compact by paying taxes." A visit of McLoughlin to Oregon City convinced him of the sincerity of the desire of the better part of the American element to secure the incorporation of the company in the provisional government. A formal invitation sent by a committee of the legislature duly authorized on August 14, 1845, met with a prompt acceptance the next day, August 15, by McLoughlin and Douglas acting for the officers of the Hudson's Bay Company, "to become parties to articles of compact."

The company's officers did not, however, take such action and enter into such a compact without exacting certain conditions expressed and

implied. Among the expressed conditions of the union stated in the letter accepting the invitation made by the legislature consent to the union is based on the provision that the Hudson's Bay Company be called upon to pay taxes only on such sales as may be made to settlers. It is thus stipulated as a first condition that a special concession in taxation shall be granted. A second condition, demanded by McLoughlin and sanctioned by the Legislative Assembly, was that the region north of the Columbia river, which it had been proposed should be divided into two districts named Lewis and Clark, should be created as one district with the name Vancouver.

McLoughlin says that the "Ultra Party were excessively annoyed at this being called Vancouver District, a point we insisted on carrying; it appeared to them a concession of American rights, and an avowal of the British claim to the north bank of the Columbia, but the tide set so strongly against them that their opposition was overpowered." A third condition of the union was that all rights of trade enjoyed by the company should be maintained. A fourth implied condition and one recognized by the changed form of the oath required of officers of the organization, was in divesting the organization of all distinctive national character so that it

(Continued on Page 22.)

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