

PETITION

OF A

NUMBER OF CITIZENS OF THE TERRITORY OF OREGON,

PRAYING

The extension of the jurisdiction of the United States over that Territory.

FEBRUARY 7, 1844.

Laid on the table, and ordered to be printed.

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

We, the undersigned, settlers south of the Columbia river, beg leave respectfully to represent to your honorable body :

As has been before represented to your honorable body, we consider ourselves citizens of the United States, and acknowledge the right of the United States to extend its jurisdiction over us; and the object of the present memorial is to ask that the protection of the United States Government may be extended to us as soon as possible. Hitherto, our numbers have been small, and the few difficulties that arose in the settlement were speedily and satisfactorily settled. But as our settlement increases in numbers, so our difficulties increase in number and importance; and unless we can have laws to govern us that will be respected and obeyed, our situation will be a deplorable one. Where the highest court of appeal is the rifle, safety in life and property cannot be depended on.

The state of the country, its climate, resources, soil, productions, &c., has already been laid before your honorable body, in Captain Wyeth's memoir and in former memorials from the inhabitants of this place.

Laws are made to protect the weak against the mighty; and we feel the necessity of them in the steps that are constantly taken by the honorable Hudson Bay Company, in their opposition to the improvement and enterprise of American citizens. You have been apprized already of their opposition to Captains Wyeth, Bonneville, and others; and we find that the same spirit dwells with them at the present day. Some years ago, when the Hudson Bay Company owned all the cattle in Oregon, they would not sell on any conditions; but they would lend their cows to the settler—he returning to the company the cows loaned, with all the increase; and, in case of the death of a cow, he then had the privilege of paying for it. But, after the settlers, at great risk and expense, went to California, and purchased cattle for themselves, and there was a fair prospect of the set-

tlement being supplied, then the Hudson Bay Company were willing to sell, and at lower rates than the settler could sell.

In the year 1841, feeling the necessity of having mills erected that could supply the settlement with flour and lumber, a number of the inhabitants formed themselves into a joint stock company, for the purpose of supplying the growing wants of the community. (Many of the farmers were obliged to leave their farms on the Willamette, and go six miles above Vancouver, on the Columbia river—making the whole distance about sixty miles—to get their wheat ground, at a great loss of time and expense.) The company was formed, and proceeded to select a site. They selected an island at the falls of the Willamette, and concluded to commence their operations. After commencing, they are informed by Dr. McLoughlin, who is at the head of the Hudson Bay Company's affairs west of the Rocky Mountains, that the island is his, and that he (although a chief factor of the Hudson Bay Company) claims all the land at the east side of the Willamette, embracing the falls down to the Klakamus river, a distance of about two miles. He had no idea, we presume, that the company would succeed. However, he erected a shed on the island, after the stuff was on the island to build a house, and then gave them permission to build under certain restrictions. They took the paper he wrote them, containing his conditions; but did not obligate themselves to comply with the conditions, as they did not think his claim just or reasonable.

Many projects had been started by the inhabitants, but, for want of means and encouragement, failed. This fate was predicted for the Milling Company. But, after much labor and difficulty, they succeeded in getting a saw mill erected, and ready to run; and entered into a contract to have a grist mill erected forthwith. And now, as they have succeeded, where is the Hudson Bay Company? Dr. McLoughlin employs hands to get out a frame for a saw mill, and erect it at the Willamette falls; and we find, as soon as the frame is up, the gearing which has been made at Vancouver is brought up in boats; and that which caused a feeble company of American citizens months of toil and embarrassment is accomplished by the chief factor of the Hudson Bay Company in a few weeks; (he has men and means;) and it is said by him, that in two weeks his mill will be sawing. And what will be the consequences? Why, if the Milling Company sell for \$15 per thousand, he can sell for \$12; if they reduce the price to \$10, he can come to \$8, or \$5, or \$2 per thousand. He says he will have a grist mill started as soon as he gets the saw mill in operation.

All the wheat raised in Oregon they are anxious to get, as they ship it to the Russians on the Northwest coast. In the first place, they measured the wheat in a half bushel, called by them imperial measure, much larger than the standard measure of the United States; this not answering, they next proceeded to kick the half bushel with the foot, to settle the wheat; then they brought up a measure larger than the former one; and now they fill this measure, then strike it three times with a stout club, and then fill up, and call it fair measure. Against such proceedings we need law that will be respected and obeyed.

About twelve or fourteen years ago the Hudson Bay Company blasted a canal a few feet to conduct water to a mill they were going to build, the imber for which is now lying at the falls rotting. They, however, aban-

done the thing altogether, and built their mills on the Columbia, about six miles above Fort Vancouver, on the north side of the river.

In the year 1838, agreeably to orders left by Mr. Slacum, a house was erected at the falls, to secure the claim for him.

In 1840, the Methodist mission erected buildings at the falls, and stationed two families there, and made a claim to sufficient land for their buildings, not interfering with any others who might wish to build. A short time previous to this, Dr. McLoughlin had a storehouse erected for the company, not occupied, however, further than to store wheat and other articles in, and as a trading house during the salmon season.

After this, in 1841, a shantee was erected, and a man kept at the falls, whose business it was to trade with the Indians for furs and salmon, and look out for the Doctor's claim, he said, and to forbid persons building at the falls, as some had built, and others were about building. This man was, and still is, a servant of the Hudson Bay Company.

During the years 1841 and 1842, several families settled at the falls, when Dr. McLoughlin, who still resides at Fort Vancouver, comes on the ground, and says the land is his, and any person building without his permission is held as a trespasser. Without reference to any person's right or claim, he employs a surveyor to lay out the plat; and as a bill was before the Senate of the United States to grant to every white male inhabitant a mile square, he has a mile run out to suit his views, and lays out a town plat at the falls, and calls it Oregon City. And although some, for peace sake, asked him for the lots they had already in possession, and which he appeared very willing to grant, the Doctor now felt himself secure, and posted up the annexed paper, (marked A,) which is the original; and all who had lots were required to pay Mr. Hastings five dollars for a deed of land which they knew very well the grantor did not own, and which we hope he never will own, but that Congress will pass a special act granting to each man his lot and improvements. Those that applied received (if they had a house on the lot) a deed, a copy of which is annexed, (marked B;) if they had no house, a bond was given for five dollars, a copy of which is annexed, (marked C.) To those that applied and paid their five dollars, all was right with the Doctor; while those who considered his title to the land not good, and that therefore he had no right to direct who should build and who should not, had their lots sold to others. In one case the purchaser came to the original claimant, and ordered him to stop digging the ground which he was preparing for a garden, and commanded him to remove his fences, as he had Dr. McLoughlin's bond in his pocket for the lots; and if he did not move the fence he would, and take forcible possession. Those who desired to have no difficulty, and did not apply for a deed, have lost their lots, the Doctor's promise, and all. And Mr. Hastings (the Doctor's agent) is now offering for sale the lots on which part of the mission buildings stand; and if he succeeds in finding a purchaser, they must either contend or lose their buildings.

Dr. McLoughlin has held claims in other places south of the Columbia river—at the Tualatin plains and Klakamus plains he had huts erected, to prevent others from building; and such is the power of Dr. McLoughlin, that many persons are actually afraid to make their situation known, thinking, if he hears of it, he will stop their supplies. Letters were received here from Messrs. Ladd & Co., of the Sandwich islands, in

answer to a letter written by the late Mr. Ewing Young, for a few supplies, that orders were received, forbidding the company's vessels carrying any goods for the settlers of Oregon. Every means will be made use of by them to break down every thing that will draw trade to this country, or enable persons to get goods at any other place than their store.

One other item, and we are done. When any United States Government officers of distinction arrive, Vancouver is thrown open, and every facility afforded them. They were even more condescending to the settlers during the time the exploring squadron was in the Columbia; nothing was left undone to give the officers a high opinion of the honorable Hudson Bay Company. Our Indian agent is entirely dependent on them for supplies and funds to carry on his operations.

And now your memorialists pray your honorable body, that immediate action of Congress be taken in regard to this country, and good and wholesome laws be enacted for our Territory, as may, in your wisdom, be thought best for the good of the American citizens residing here.

And your memorialists will ever pray.

Robert Shortess	J. R. Robb
A. E. Wilson	J. L. Morrison
William C. Remick	M. Crawford
Jeffrey Brown	John Anderson
E. N. Coombs	James M. Bates
Reuben Lewis	L. H. Judson
George Davis	Joel Turnham
V. Bennet	Richard H. Ekin
J. Rekener	H. Campbell
T. J. Hubbard	James Force
James A. O'Neil	W. H. Willson
Jer. Horregon	Felix Hathaway
William McKarty	J. Lawson
Charles Compo	Thomas J. Shadden
John Howard, his + mark	Joseph Gibbs, his + mark
R. Williams	S. Lewis, jr.
G. Brown	Charles Roy
John Turner	William Brum
Theodore Pancott	S. Davis
A. F. Waller	Joseph Yatten
John Hofstatter	Daniel Girtman
G. W. Bellomy	C. T. Arrendrill
William Brown	A. Tonner
A. Beers	David Carter
J. L. Parrish	J. J. Campbell
William H. Gray	W. Johnson
A. D. Smith	John Edmunds
J. C. Bridges	W. Hauxhurst
Aaron Cook	W. A. Pfeiffer
A. Copeland	J. Helman
S. W. Moss	H. B. Brewer
Gustavus Hines	William C. Sutton.
George W. Le Breton	

WILLAMETTE, OREGON TERRITORY, *March 25, 1843.*

A.

NOTICE.

Notice is hereby given to all whom it may concern, that those who have obtained grants of lots in Oregon City will be expected to call upon L. W. Hastings, my authorized agent at Oregon City, and obtain a bond for a deed or deeds, as the case may be. Those who hold claims to any lot, and who comply with the above requisite on or before the first day of February next, will be entitled to their lot or lots; otherwise, the lots upon which they hold a claim will thereafter be subject to any disposition which the undersigned may think proper to make of them.

JOHN McLOUGHLIN.

JANUARY 18, 1843.

OREGON CITY, *March 27, 1843.*

We, the undersigned, do hereby certify that the within [above] notice of John McLoughlin was posted up in the most public place in this town.

R. SHORTESS.

A. E. WILSON.

B.

Deed—John McLoughlin to Walter Pomeroy.

Know all men by these presents, that I, John McLoughlin, of Fort Vancouver, in the Territory of Oregon, for and in consideration of the sum of one dollar, to me in hand paid by Walter Pomeroy, of Oregon City, of the Territory aforesaid, the receipt whereof is hereby acknowledged, have this day, and do by these presents, remit, release, and forever quit claim, unto the said Pomeroy, his heirs and assigns, all and singular the following piece, parcel, and lot of land, bounded and described as follows, to wit: commencing at the northeast corner, running thence southerly sixty-six (66) feet to a stake; thence westerly one hundred (100) feet to a stake; thence northerly sixty-six (66) feet to a stake; thence easterly one hundred (100) feet to a stake at the place of beginning—being lot number four, (4,) in block number three, (3,) in the town of Oregon City, in the Territory of Oregon, which will more fully appear from a reference to the map and plan of said town:

To have and to hold the same, together with all and singular the privileges and appurtenances thereunto in any wise appertaining or belonging, unto the said Pomeroy, his heirs, executors, administrators, or assigns, forever.

And I, the said McLoughlin, for myself, do avouch and declare, that I am the true and proper claimant of and to the said premises and lot of land, and that I have in myself full power, good right, and sufficient authority, to remit, release, and quit my claim, to all and singular my right, title, interest, and claim, in and to said lot and premises, in manner and form aforesaid.

And I, the said McLoughlin, do hereby covenant and agree to warrant and defend the said premises, together with the privileges and appurtenances thereunto appertaining or belonging, to the said Pomeroy, his heirs and assigns, against all lawful claims of all persons whomsoever, the claims of the Government only excepted.

In testimony whereof, I, the said McLoughlin, have hereunto set my hand and affixed my seal, this the 2d day of March, A. D. 1843.

JOHN McLOUGHLIN, [L. s.]
Per L. W. HASTINGS, *his Agent*.

—
We, the undersigned, do hereby acknowledge that the above is a true and correct copy of the original.

R. SHORTESS.
A. E. WILSON.

—
C.

Bond—John McLoughlin to Albert E. Wilson.

Know all men by these presents, that I, John McLoughlin, of Fort Vancouver, in the Territory of Oregon, am held and firmly bound unto Albert E. Wilson, of Oregon City, in the Territory aforesaid, in the full sum of five hundred, federal money; for the punctual payment of which, well and truly to be made, I bind myself, my heirs, executors, or administrators, firmly by these presents.

In testimony whereof, I have hereunto, below, set my hand and affixed my seal, this the 26th day of December, A. D. 1842.

Now, know ye, that the condition of the above obligation is such, that whereas the said Wilson hath this day, and doth by these presents, purchase of the said McLoughlin all and singular the following pieces, parcels, tracts, and lots of land, namely: lots No. four (4) and five (5) in block No. two, (2,) in the town of Oregon City, in the Territory of Oregon, as is more fully shown by the map and plan of the said town; and hath, and by these presents doth, agree to build upon and improve each of the said lots within the term of one year from the date of these presents. In consideration of which, the said McLoughlin hath and doth by these presents covenant and agree to make to the said Wilson a good and sufficient quit-claim deed for and to all and singular the above-mentioned pieces, parcels, tracts, and lots of land, whenever he, the said Wilson, shall have complied with the above conditions on his part. Now, if the said McLoughlin shall well and truly make, or cause to be made, the said deed to the said Wilson, upon the said Wilson's complying on his part with the above condition, then and in such case the within obligation shall become entirely void and of no effect; otherwise, to be and remain of full force and virtue.

JOHN McLOUGHLIN, [L. s.]
Per L. W. HASTINGS, *his Agent*.

—
We, the undersigned, do hereby acknowledge the above to be a true and correct copy of the original.

R. SHORTESS.
A. E. WILSON.

