

A C T S.

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF WASHINGTON,

PASSED AT THE THIRD REGULAR SESSION, BEGUN
AND HELD AT OLYMPIA, DECEMBER 3, 1855,

AND OF THE INDEPENDENCE OF THE UNITED STATES, THE EIGHTY-FIRST.

PUBLISHED BY AUTHORITY.

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1856.

L A W S
OF THE
TERRITORY OF WASHINGTON,
1855-6.

AN ACT

TO REPEAL THE LAWS OF OREGON TERRITORY, NOW IN FORCE IN WASHINGTON TERRITORY.

- SEC. 1. Oregon territorial laws repealed.
County seats and county lines not affected by this act.
Proceedings, heretofore commenced, not interfered with.
Common law in force in certain cases.
2. Act to take effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That all laws, heretofore in force in this Territory, by virtue of any legislation of the Territory of Oregon, be, and the same are hereby, repealed: *Provided,* That nothing in this act shall be so construed as to change any county seat, or county lines, established by said laws of Oregon, or to render invalid any proceeding commenced under and by virtue of said laws: *And provided, further,* That the common law, in all civil cases, except where otherwise provided by law, shall be in force.

SEC. 2. This act to take effect and be in force from and after its passage.

Passed January 31, 1856.

A N A C T

TO AMEND AN ACT, TO REGULATE THE PRACTICE AND PROCEEDING IN CIVIL ACTIONS.

- SEC. 1. Section 323, of "Civil Practice Act," amended.
 Manner of taking depositions of non-resident witness.
 Notice to adverse party; requisites of.
 To whom commission shall be issued.
2. Act to take effect from and after passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the three hundred and twenty-third section of the civil practice, be so amended as to read as follows:—

SEC. 323. "The deposition of a witness out of the Territory, shall be taken upon a commission issued by the clerk, under the seal of the court, upon an order of the court, a judge thereof, or any of [the] judges of the supreme court; which order may be made on the application of either party, upon giving to the adverse party, or his attorney, ten days previous notice, in writing, together with a copy of the interrogatories intended to be put to such witness. It shall be issued to a person or persons, not exceeding three in number, agreed upon by the parties, or their attorneys; or, if they do not agree, to any judge, justice of the peace, notary public, or other competent person selected by the court or judge granting the order for the commission."

SEC. 2. This act shall take effect from and after its passage.

Passed January 28, 1856.

A N A C T

TO DEFINE THE TIME OF HOLDING THE SUPREME COURT OF THE TERRITORY OF WASHINGTON.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the session of the supreme court shall be holden at the seat of government, on the first Monday in August, in each year.

SEC. 2. This act to take effect and be in force from and after its passage.

Passed January 30, 1856.

A N A C T

AMENDATORY TO AN ACT, ENTITLED "AN ACT, TO PROVIDE FOR THE APPOINTMENT OF A LIBRARIAN, AND DEFINING HIS DUTIES."

- SEC. 1. Privileges of library, upon whom conferred.
2. Repealing clause.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That all officers of the Territory, district, territorial, and federal, be entitled to the use of the library.

SEC. 2. *And be it further enacted,* That so much of the act to which this is amendatory, conflicting herewith, be, and the same is hereby, repealed.

Passed January 31, 1856.

A N A C T

TO AMEND AN ACT, ENTITLED "AN ACT, CREATING THE BOARD OF COUNTY COMMISSIONERS, AND DEFINING THEIR DUTIES."

- SEC. 1. Attendance of sheriff at sessions of county court dispensed with.
2. When county commissioners may appoint special sheriff. Compensation.
3. Proclamation opening and adjourning county court, at expense to county, prohibited.
4. Act to take effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That so much of the sixth section of the act to which this is amendatory, as requires the sheriff of the county, by himself or his deputy, to attend the sessions of the board of county commissioners and execute their orders, be, and the same is hereby, repealed.

SEC. 2. If the county commissioners during their sessions shall require the service of any order or process, they may appoint a person specially for this purpose, who shall receive the same compensation for his services as is now paid to the sheriff of the county, in similar cases.

SEC. 3. The announcement, by public outcry, of the convening and adjourning of the sessions of the board of county commissioners, except by a commissioner or the auditor, for the convenience of the board, and not chargeable as an expense to the county, is hereby prohibited.

SEC. 4. This act to take effect and be in force from and after its passage.

Passed January 24, 1856.

AN ACT

RELATING TO SUPERVISORS OF ROADS AND HIGHWAYS.

- SEC. 1. County auditor may fill vacancies.
 To give notice to appointee.
 Qualification and duties of such appointee.
2. Supervisor failing to perform his duties, penalty.
 Duty of successor in imposing fine; action for penalty.
 3. Supervisor shall collect all unpaid taxes for previous year.
 Road tax payable in money or labor.
 4. Repealing all acts inconsistent herewith.
 5. Act to go in effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That when any vacancy may occur in the office of supervisor of roads, in any road district, the county auditor shall appoint some person, who is a resident thereof, and liable to perform labor on roads, and cause him to be notified, in writing; whose duty it shall be, within ten days after receiving such notice, to attend before some person authorized to administer oaths, and take the oath of office, and thereupon enter upon the duties of his office.

SEC. 2. Any person having been appointed or elected to the office of supervisor, and neglecting to discharge any of the duties incumbent upon him, by reason of his appointment or election, shall forfeit and pay the sum of five dollars. And the county auditor shall make another appointment, as is provided in the first section of this act, whose duty it shall be to collect the above fine, in work on roads, or by bringing suit, in the name of his district,—proceeding in the same manner as in other civil actions.

SEC. 3. The supervisor shall collect all taxes remaining due and unpaid for the year previous to his election or appointment, whether said taxes were unpaid by reason of there being no supervisor or otherwise:—*Provided,* That all road taxes mentioned in this act shall be paid in work or money, at the option of the tax payer.

Passed January 28, 1856.

AN ACT

TO CREATE AND REGULATE THE OFFICE OF INSPECTOR OF SALMON.

- SEC. 1. County commissioners may appoint inspector of salmon.
 Term of office.
2. Qualification and bond of inspector.
3. Duty of inspector of salmon.
 Unmerchantable salmon to be destroyed.
 Merchantable salmon to be branded.
 Prohibition of exporting salmon without inspection.
4. Compensation to be fixed by county commissioners.
5. Penalty for exporting salmon not inspected.
 Action for recovery of penalty.
 Penalties recovered under act, to go to school fund, and to informer.
 Inspector not responsible for costs.
6. Act to take effect from its passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That it shall be the duty of the county commissioners of each of the counties, who may deem it expedient, to appoint one inspector of salmon, within and for their respective counties, at their annual session in April, in each year, who shall hold his office for the term of one year, and until his successor shall have been duly appointed and qualified.

SEC. 2. Said inspectors shall, before entering upon the duties of their respective office, take an oath, before the county auditor of his respective county, faithfully and impartially to discharge his duty as such inspector, and execute a bond to the county commissioners of his respective county, in the penal sum of one thousand dollars, with two or more sureties, to be approved by said commissioners, conditioned for the faithful performance of his duties.

SEC. 3. It shall be the duty of said inspector to examine, or cause to be examined, all salmon intended for exportation, which may be cured and put up at any fishery in either of said counties; and if any of said salmon shall, on such examination, be found unfit for market, they shall destroy, or cause the same to be destroyed; but if on such inspection, a part thereof shall be found good, they shall proceed to separate the same, and shall put up the good salmon in a proper manner. Upon all merchantable salmon shall be branded the name of such inspector, and no salmon shall be exported from any of the fisheries of said counties, unless the same shall have been branded by the inspector as aforesaid.

SEC. 4. Said inspectors shall receive such compensation for their services, as the county commissioners of his respective county shall prescribe at their annual session aforesaid.

SEC. 5. Any person who shall export, or cause to be exported, any salmon, contrary to the provisions of section 3, of this act, shall, on con-

viction thereof, by civil action, before any justice of the peace of either of said counties, in the name of said inspectors, be fined in any sum not exceeding one hundred dollars; one half of which shall go into the common school fund of said counties, for the support of common schools, and the other half to the informer. The proceedings shall be the same as in other civil cases, but the inspector shall not be responsible for costs.

·Sec. 6. This act to take effect and be in force from and after its passage.

Passed January 31, 1856.

A N A C T

RELATIVE TO THE DISCHARGING OF BALLAST IN SHOALWATER BAY.

- SEC. 1. Discharge of ballast prohibited.
 Fine for violation of this law.
 Ballast may be discharged at or above half-tide.
 Town sites, or extensions thereof, protected.
2. Repealing portions of certain laws.
 3. Act to take effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That every master, mate, or other person, belonging to or in charge of any vessel, who shall discharge, or cause to be discharged, the ballast of such vessel into the navigable portions, channels, or rivers, within or bordering on Shoalwater Bay, where the water is less than twenty fathoms deep, shall, on conviction thereof, be fined in any sum not exceeding one thousand dollars: *Provided,* That nothing in this act shall be so construed as to prevent any such person from discharging ballast from such vessel, on the beach at, or above half-tide, in all waters where the tide ebbs and flows; and that no ballast be discharged on any of the flats included within the boundary of any town site, or extension thereof.

SEC. 2. All laws, or parts of laws, not in conformity with the provisions of this act, are hereby declared void.

SEC. 3. This act to take effect and be in force from and after its passage.

Passed January 30, 1856.

AN ACT

TO ESTABLISH THE COUNTY SEAT OF PACIFIC COUNTY.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the county seat of Pacific county be, and the same is hereby, established at Oysterville, in said county.

SEC. 2. This act to take effect and be in force from and after its passage.

Passed January 28, 1856.

AN ACT

TO DEFINE THE PLACE OF HOLDING THE UNITED STATES DISTRICT COURT, FOR PACIFIC COUNTY.

- SEC. 1. United States district court, shall be held at Oysterville.
 2. Repealing clause.
 3. Act to take effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the term of the United States district court, within and for the county of Pacific, shall be held at Oysterville, in said county.

SEC. 2. All laws, and parts of laws, in conflict with the provisions of this act, be, and the same are hereby, repealed.

SEC. 3. This act to take effect from and after its passage.

Passed January 28, 1856.

AN ACT

TO AMEND AN ACT, ENTITLED "AN ACT FOR THE PRESERVATION OF OYSTERS, IN SHOALWATER BAY."

- SEC. 1. Section 2, of act to which this is amendatory, how amended.
 2. Section 3, of said act, how amended.
 3. Destruction of oysters prohibited.
 Assortment of oysters, how made.
 Penalties for violating this act.

- SEC. 4. Certain acts repealed.
5. Act to take effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That section two, of the act to which this is an amendment, be amended by the addition, after the words "fifty dollars," of the words, "for each and every offence."

SEC. 2. That section three, of said act, be amended by substituting the "fifteenth," instead of the "first day" of June, and the "first day of September," instead of the "first day of August."

SEC. 3. That it shall not be lawful for any person to destroy oysters, by assorting them on the land or shore. But in all cases, the oysters shall be assorted or culled on their natural beds, or on private beds, for cultivation, and the small oysters there thrown overboard; and any person, or persons, violating the provisions of this section, shall be liable to the penalties mentioned in the first section of the act hereby amended.

SEC. 4. That so much of the act to which this is an amendment, as conflicts with the provisions contained in this act, be, and the same is hereby, repealed.

SEC. 5. This act to take effect and be in force from and after its passage.

Passed January 12, 1856.

AN ACT

CREATING THE OFFICE, AND REGULATING THE DUTIES OF HARBOR MASTER, OF THE HARBOR OF BRUCEPORT.

- SEC. 1. Chehalis county to elect a harbor master.
Term of office.
2. Stephen Marshall appointed harbor master until election.
3. Qualification of harbor master.
4. May appoint deputy.
Vacancy; how filled.
5. Duty of harbor master.
Appeals from decision of harbor master.
6. Penalty for not obeying directions of harbor master.
Action for penalty.
Sums recovered, how applied.
7. Tonnage fee due harbor master.
Penal fees for refusing to pay harbor master.
Double fees, how applied.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That at the next, and each annual or general election hereafter, the qualified voters of Chehalis county shall elect a harbor master, for the port of Bruceport, who shall hold his office for one year, or until his successor is qualified, and whose duties shall be as hereinafter provided.

SEC. 2. That until said general election, Stephen Marshall be, and he is hereby, appointed harbor master for Bruceport.

SEC. 3. Before entering upon the duties of his office, the harbor master shall execute to this territory a bond, with two sufficient sureties, to be approved by the county auditor, in the sum of five hundred dollars, conditioned for the faithful and impartial fulfilment of the duties required by this act.

SEC. 4. The harbor master shall have power to appoint a deputy, for whose acts he shall be responsible on his official bond; and if a vacancy occurs in the office of harbor master, it shall be filled by appointment by the county commissioners, until the next regular election.

SEC. 5. The harbor master shall have full authority to regulate and station all ships, steamers, and other crafts, in the harbors of said ports, and to remove, from time to time, such ships, steamers, and other crafts, as are not engaged in receiving or discharging ballast or cargo, and to cause to be removed all manner of obstructions in his harbor; and as to the fact of a vessel being fairly and bona fide employed in discharging or receiving such cargo or ballast, the harbor master shall be sole judge.— But any party aggrieved by the decision of a harbor master, may bring suit against him for damages, in the district court for the county in which the port is situated.

SEC. 6. If any person, having charge of any ship, steamer, or other craft, shall refuse or neglect to obey the directions of a harbor master, in any way pertaining to his regulations of the port, or, if any person, having placed an obstruction in a harbor, shall neglect to remove the same, on being required so to do by the harbor master, such person, so offending, shall forfeit and pay the sum of fifty dollars, to be recovered, with costs of suit, before any justice of the peace of the county, by an action in the name of the harbor master, who shall be a competent witness in the case. One-half of all sums recovered under the provisions of this section, shall go to the harbor master, and the other half shall be paid over to the county treasurer, for the use of common schools.

SEC. 7. The harbor master shall have power to demand and receive from all masters, or owners, of all vessels entering his port, the sum of two cents per ton, to be computed from her register or enrollment. If the fees of the harbor master are not paid within forty-eight hours after demand, double the amount of fees may be charged, and may be recovered

by action, in the name of the harbor master, before a justice of the peace, as aforesaid; and when double fees are collected, one-half shall be paid over to the county treasurer, for the use of common schools, as aforesaid.

Passed January 28, 1856.

A N A C T

TO CONTINUE THE TERRITORIAL ROAD FROM "PACIFIC CITY TO THE
NARCOTA LANDING, ON SHOALWATER BAY."

- SEC. 1. Commissioners to locate said road.
Proposed continuance of said road.
2. Qualification and meeting of said commissioners.
 3. Report to be made.
When said road shall be considered a Territorial road.
 4. Compensation, how paid.
 5. County commissioners to approve road, before survey thereof.
 6. Act to take effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That I. A. Clark, John Briscoe, and Thomas Crellin, be, and they are hereby, constituted a board of commissioners, to locate a continuation of the territorial road "leading from James D. Holman's, at Pacific City, in Pacific county, to connect, by ferry, at the Narcota Landing, on Shoalwater Bay, with the territorial road from Olympia to Shoalwater Bay," from the Narcota Landing aforesaid, to Oysterville, in said county.

SEC. 2. Said commissioners, or a majority of them, shall meet at the house of Gilbert Stevens, on the first Monday in April next, or as soon thereafter as circumstances will permit, and after being duly sworn, faithfully and impartially to discharge their duties as such commissioners, shall proceed to locate said road, on the nearest and most practicable route.

SEC. 3. Said commissioners shall cause a true report to be made, and a certified copy of the same to be deposited with the clerk of the board of county commissioners of said county, who shall file and preserve the same; and when said report is so deposited, as aforesaid, said road shall be, to all intents and purposes, a territorial road, and shall be opened and kept in repair as other territorial roads.

SEC. 4. Said commissioners shall each be entitled to receive as a compensation for his services, three dollars per day for the time necessarily

employed in locating the same, to be paid out of the county treasury of Pacific county.

SEC. 5. This act shall not be so construed as to have said road surveyed, unless the county commissioners of said county shall require the same to be done.

SEC. 6. This act to take effect and be in force from and after its passage.

Passed January 28, 1856.

AN ACT

AUTHORIZING WASHINGTON HALL TO ESTABLISH A FERRY ACROSS THE COLUMBIA RIVER.

SEC. 1. Washington Hall authorized to establish ferry.

Limits of ferry.

For term of ten years.

To be restricted as other ferries.

2. County commissioners not to authorize any other person in said limits.

To provide means of transportation in three months.

3. County commissioners to fix, annually, the rates of ferriage.

Forfeiture of this charter.

4. Act to take effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington, That Washington Hall, his heirs or assigns, be, and are hereby, authorized to establish and keep a ferry across the Columbia river, within the following limits, to-wit:—Commencing at a point on the banks of said river, one mile above Chinookville, and extending down the river, along Chinook beach, two miles. And that the said Washington Hall, his heirs or assigns, have the exclusive privilege of ferrying upon said river in Pacific county, opposite to, and within the above described limits, for the term of ten years, from and after the passage of this act: Provided, That said ferry shall be subject to the same regulations, and under the same restrictions, as other ferries are, or may hereafter be, by the laws of this territory, prescribing the manner in which licensed ferries shall be kept and regulated.*

SEC. 2. That no court or board of county commissioners shall authorize any person, except as hereinbefore provided in this act, to keep a

ferry, within the limits set out in this act: *Provided*, That the said Washington Hall, his heirs or assigns, shall, within three months after the passage of this act, procure and keep a sufficient number of suitable boats, with a sufficient number of hands to work the same, for the transportation of all persons, and their property, across said river, without delay.

SEC. 3. It shall be lawful for the said Washington Hall, his heirs or assigns, to receive and collect such rates of toll for ferriage, as the commissioners court of Pacific county shall prescribe, at their meeting in April of each year. And should the laws regulating ferries now, or such as may hereafter be in force, be violated by the said Washington Hall, his heirs or assigns, or if a sufficient number of suitable boats, and hands to work the same, should not be provided, within the time required by this act, upon proof thereof being made to the satisfaction of the county commissioners of Pacific county, then this act shall be void.

SEC. 4. This act to take effect and be in force from and after its passage.

Passed January 28, 1856.

AN ACT

TO CHANGE THE NAME OF BRUCEVILLE, ON SHOALWATER BAY, TO THAT OF BRUCEPORT.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington*, That the name of the town on Shoalwater Bay, in Washington territory, known as Bruceville, be, and the same is hereby changed; and said town shall hereafter be known and called by the name of Bruceport.

SEC. 2. This act to take effect from and after its passage.

Passed January 3, 1856.

AN ACT

FOR THE RELIEF OF THE COUNTY OF SKAMANIA.

- SEC. 1. Official acts of Henry Shepard, as assessor for the year 1854, declared legal.
2. Appeals from said assessor, how made.
Duty of sheriff on such appeals.
Certain taxes to be decreased.
3. Sheriff authorized to administer oaths in certain cases.
4. Act to take effect from passage.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the official acts of Henry Shepard, as county assessor for the county of Skamania, for the year 1854, be, and the same are hereby, declared legal.

SEC. 2. That if any person shall have been assessed for more than he, at the time, possessed of taxable property within said county, such person may make a statement, on oath, before the sheriff of said county, when he shall collect said taxes, that he was so assessed, which statement shall by said officer be taken as correct. And it shall be the duty of said officer, when any person shall so decrease the amount taxed against him, for said year, to decrease the tax against such person, in the same proportion.

SEC. 3. The sheriff of said county who may collect said tax, is, for the purpose mentioned in the foregoing section, hereby authorized to administer oaths.

SEC. 4. This act to take effect and be in force from and after its passage.

Passed January 31, 1856.

AN ACT

TO INCORPORATE OLYMPIA LODGE, NO. ONE, OF THE INDEPENDENT ORDER OF ODD FELLOWS.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That C. C. Hewitt, John L. Head, Samuel Davenport, Daniel Kiser, J. M. Hawk, James K. Hurd, Joseph Walraven, James L. Sutton, Samuel Rosenblatt, Francis Lindner, Oliver Shead, Victor Monroe, D. C. Beaty, Russel J. Smith, G. K. Willard, Edward Furste, George

Tykel, William W. Miller, W. N. Ayres, A. M. Poe, Isaac Doffemire, and G. C. Blankenship, members of the Independent Order of Odd Fellows, their associates and successors, be, and they are hereby, declared to be a body corporate and politic, in deed, fact, and name, by the name and style of "Olympia Lodge, No. 1, of the Independent Order of Odd Fellows;" and by that name, they and their successors, shall, in the name of the Noble Grand, be competent, in law, to sue and be sued, plead and be impleaded, defend and be defended against, in all the courts of law and equity in this territory; to take, receive, and hold all moneys, and other property, whether acquired by purchase, voluntary contributions, donations, or otherwise; also, all legacies, and devises of real and personal estate; and to have and to hold, possess, and acquire lands and tenements, furniture, chattels, regalia, and property of any description, necessary to said institution, not exceeding in value the sum of thirty thousand dollars (\$30,000); and the estate aforesaid to lease, grant, convey, and, at their will and pleasure, to dispose of, in such manner as to them may seem expedient; and to hold their meetings at such times and places, and enact such rules and by-laws, as may be deemed necessary for their government: *Provided*, The same be not inconsistent with the laws of this territory, or of the United States.

SEC. 2. This act to be in force from and after its passage.

Passed December 19, 1855.

A N A C T

DISSOLVING THE BONDS OF MATRIMONY EXISTING BETWEEN LEWIS ENSIGN AND SUSAN B. ENSIGN.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington*, That the bonds of matrimony, heretofore existing between Lewis Ensign and Susan B. Ensign, be, and the same are hereby, dissolved.

SEC. 2. This act to take effect and be in force from and after its passage.

Passed January 16, 1856.

AN ACT

TO DISSOLVE THE BONDS OF MATRIMONY EXISTING BETWEEN LAWRENCE
M. POOLER AND CATHARINE POOLER.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the bonds of matrimony, heretofore existing between Lawrence M. Pooler and his wife, Catharine Pooler, be, and the same are hereby, dissolved.

SEC. 2. That the said Catharine Pooler have the sole custody of her child, Thomas Lawrence Pooler, until he shall become of age.

SEC. 3. This act to take effect and be in force from and after its passage.

Passed January 3, 1856.

AN ACT

TO DISSOLVE THE BONDS OF MATRIMONY EXISTING BETWEEN THOMAS
CANBE AND NAOMI CANBE.

SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That the bonds of matrimony, heretofore existing between Thomas Canbe and his wife, Naomi Canbe, be, and the same are hereby, dissolved.

Passed December 21, 1855.

AN ACT*

AUTHORIZING THOMAS FORD TO ESTABLISH A FERRY ACROSS THE CHEHALIS RIVER.

[SEC. 1. *Be it enacted by the Legislative Assembly of the Territory of Washington,* That Thomas Ford, his heirs or assigns, be, and they are hereby, authorized to establish and keep a ferry across the Chehalis river, in Lewis county, at the point where the territorial road leading from Sidney S. Ford's, to Cathlamet, crosses said river at said Thomas Ford's residence, to the opposite shore, within the following limits, to-wit:—Commencing at a point in the centre of said road, where it strikes said river, and to land and deposit from each shore of said river, and extending from said point up and down said river, on each side thereof, one-half mile each way; and that the said Thomas Ford, his heirs and assigns, have the exclusive privilege of ferrying in Lewis county, within the above limits, for the term of five years from the passage of this act: *Provided,* That said ferry, when so established, shall be subject to the same regulations, and under the same restrictions, as other ferries are, or may hereafter be, by the laws of this territory, prescribing the manner in which licensed ferries shall be kept and regulated.

SEC. 2. That it shall be lawful for the said Thomas Ford, his heirs or assigns, to receive and collect the following rates of toll for ferriage upon said ferry:—

For crossing footman,	15
For crossing man and horse,	30
For crossing horse and carriage,	50
For crossing two horses and wagon,	60
For crossing two oxen and wagon,	60
For crossing each additional span of horses or pair of cattle,	25
For crossing loose animals, other than sheep or hogs, each,	12½
For crossing sheep and hogs, each,	05

SEC. 3. That no courts, or board of county commissioners, shall authorize any person, except as hereafter provided in this act, to keep a ferry within the limits set out in this act: *Provided,* That the said Thomas Ford, his heirs or assigns, shall, within eight months after the passage of this act, procure for said ferry a good and sufficient flat-boat and boats,

* An Act, with the title,—“An Act authorizing Thomas Ford to establish a ferry across the Chehalis River,”—appears from the journals of the two houses, to have passed. The original roll, as signed by the presiding officers of each house, is not in the office of the Secretary of the Territory.

The above has been furnished as “a true copy,” by the chief clerk of the House of Representatives.—NOTE BY C. H. MASON, *Secretary Washington Territory.*

which shall be kept at said ferry, with sufficient hands to work them, for the transportation of all persons, and their property, across said river, without delay, and should the laws regulating ferries now, or such as may hereafter be in force, be violated by the said Thomas Ford, his heirs or assigns, or if no good and sufficient flat-boat and boats, with sufficient hands to work them, be provided, within the time required by this act, upon proof thereof being made to the satisfaction of the board of county commissioners of Lewis county, then this act shall be void.

SEC. 4. This act to take effect and be in force from and after its passage.]

JOINT RESOLUTIONS.

JOINT RESOLUTIONS

OF THE

TERRITORY OF WASHINGTON.

PASSED THIRD SESSION, 1855-6.

JOINT RESOLUTION,
RELATIVE TO THE WITHDRAWAL OF UNITED STATES TROOPS FROM THE
YAKIMA COUNTRY.

Resolved, That our Delegate in Congress be, and he is hereby, instructed to request of the Secretary of War, an investigation into the fact of the withdrawal of the United States troops, under the command of Major Rains, from the Yakima country, during the month of November, 1855, and their return to winter quarters; and of the disbanding of the Washington Territory volunteers, raised on the Columbia river, and mustered into the service with the express understanding that they should be sent to the relief of the Governor of the Territory, he being at that time on his return from the Blackfoot council, and having hostile tribes of Indians to pass through. And, also, the causes of the delay in the arrival of the quota of arms due to this Territory.

Passed January 31, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council

JOINT RESOLUTION,

RELATIVE TO ESTABLISHING A MILITARY POST AT PORT TOWNSEND,
WASHINGTON TERRITORY.

WHEREAS, News of an alarming character has just reached us, that the settlements at Port Townsend, and in the vicinity thereof, are in imminent danger, in consequence of the hostile demonstrations by the foreign Indians north of our possessions, calling for immediate action for the protection to our people, and also for the security of the government property, in connection with the United States custom house, which is located thereat: AND WHEREAS said settlements are isolated, and in great degree defenceless: Therefore—

Be it Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to use his best endeavors with the proper authorities, to have a military post established, as soon as practicable, at Port Townsend, Washington Territory.

Passed January 30, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO THE OFFICES OF GOVERNOR AND SUPERINTENDENT OF
INDIAN AFFAIRS.

Be it Resolved, by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to exert his influence to prevent the passage of any act, (as recommended by the Commissioner of Indian Affairs, in his annual report,) separating the offices of Governor and Superintendent of Indian Affairs, of the Territory of Washington.

Passed January 31, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

REPEALING RESOLUTION RELATIVE TO JOINT COMMITTEE ON THE
ENROLLMENT AND ENGROSSMENT OF BILLS.

Resolved by the House, the Council concurring, That the joint resolution of the Council, authorizing the joint committee of the two Houses to employ an Enrolling and Engrossing Clerk, be, and the same is hereby, repealed.

Passed January 16, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

TO INFORM HIS EXCELLENCY, GOVERNOR MASON, OF THE ORGANIZATION
OF THE LEGISLATIVE ASSEMBLY.

Resolved, That a committee of three be appointed, to act with a like committee on the part of the Council, to wait upon the Executive, and inform him that the two Houses are organized, and are now ready to receive any communication he may think proper to make.

Passed December 7, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO SUSPENDING JOINT RULE NUMBER ELEVEN.

Resolved by the House, the Council concurring, That Joint Rule num-

ber eleven, which requires that "no bill, that shall have passed one house, shall be sent for concurrence to the other, on the last three days of the session," be, and the same is hereby, suspended.

Passed January 28, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council

JOINT RESOLUTION,

RELATIVE TO THE RECEPTION OF GOVERNOR STEVENS.

Resolved by the House, the Council concurring, That the two Houses, in joint session, in the Hall of the House of Representatives, under the direction of their respective presiding officers, receive, in an appropriate manner, his excellency, Governor Isaac I. Stevens, on his return to the seat of government: *Provided,* His excellency arrives during the present session of the Legislature.

Passed January 11, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council

JOINT RESOLUTION,

RELATIVE TO APPOINTING A COMMITTEE TO WAIT UPON GOVERNOR STEVENS.

Resolved, That a joint committee of three from the House, and two from the Council, be appointed to wait upon the Governor, and invite him to meet the Legislative Assembly, in joint convention, at his earliest con-

venience, for the purpose of making any communication he may think proper.

Passed January 21, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

TENDERING THANKS TO HON. JAMES DOUGLASS, GOVERNOR OF
VANCOUVER'S ISLAND.

Resolved by the Legislative Assembly of the Territory of Washington,
That, as representatives of the people, we tender to his excellency, James
Douglass, Governor of Vancouver's Island, our acknowledgements for the
service he rendered us, by furnishing arms and amunition to the Executive
of this Territory, in the present Indian war.

Resolved, That a copy of this resolution be forwarded to Hon. James
Douglass, Governor of Vancouver's Island, and to our Delegate in Con-
gress.

Passed December 18, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO THE GEOLOGICAL SURVEY OF WASHINGTON TERRITORY.

Resolved by the Legislative Assembly of the Territory of Washington,
That our Delegate in Congress be, and he is hereby, instructed to use his
influence, to secure an appropriation to continue the geological survey of

the Territory of Washington, by Dr. Evans, and also, to cause more detailed examinations in the coal and mineral regions of said Territory.

Passed January 30, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO APPOINTING JOINT COMMITTEE, TO MEMORIALIZE CONGRESS ON MAIL SERVICE.

Resolved by the House, the Council concurring, That a joint committee, consisting of three members from the House, and two from the Council, be appointed, to draw up a memorial to Congress, asking for an increased appropriation for mail service, between San Francisco, California, and Olympia, Washington Territory, by the way of Puget Sound.

Passed December —, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO THE STEAMER "ACTIVE" CRUISING IN THE VICINITY OF PORT TOWNSEND AND BELLINGHAM BAY.

WHEREAS, The settlements on the lower part of the Sound are in a totally defenceless condition, and far removed from the thickly settled portions of the Territory; and

WHEREAS, There are just grounds to apprehend an attack from the northern Indians, and doubts as to the intentions of the Indians residing in the vicinity of those settlements: Therefore—

Resolved, That Capt. Gansevoort, of the United States Navy, be requested to station the steamer "Active," to cruise between Port Townsend and Bellingham Bay, and the settlements of New Dungeness and Sequim Bay, as much as the present exigency will permit.

Passed January 30, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO A MARINE HOSPITAL, AND ASYLUM FOR THE INSANE.

WHEREAS, The commercial, lumbering, and shipping interests of Washington Territory demand, and necessarily require the service of a large number of seamen, among whom there are many cases of sickness and destitution, which are, and have been, a charge to the counties bordering on the navigable waters of the Territory; and

WHEREAS, This country, at present, is wholly unable to provide for such cases. Therefore—

Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to exert his influence with Congress, to procure an appropriation for the erection and maintenance of a marine hospital, a portion of which to be set apart as an asylum for the insane, at some suitable point on Puget Sound.

Passed January 5, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO A MILITARY ROAD FROM BRUCEPORT, ON SHOALWATER BAY, TO THE COWLITZ LANDING.

WHEREAS, There are large settlements of American citizens on Shoalwater Bay and the Willapah river, which are entirely cut off from all land communication with the other settlements in the Territory, by a dense forest of about sixty miles in extent, through which there is no road or other means by which troops or military stores could reach these remote settlements, in case of an attack by Indians; and

WHEREAS, There is a good and practicable route for a road from Bruceport, on Shoalwater Bay, to the Cowlitz Landing, on the Cowlitz river, which, if opened, would afford ready communication between the settlements above referred to, dispersed over a large scope of fertile country, and the military posts at Steilacoom and Vancouver. Therefore,

Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to use his influence with the Congress of the United States, to obtain an appropriation for a military road from Bruceport, on Shoalwater Bay, to intersect the military road from fort Steilacoom to fort Vancouver, at or near the Cowlitz Landing.

Passed January 4, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO THE CREATION OF AN ADDITIONAL LAND OFFICE FOR THE TERRITORY OF WASHINGTON.

WHEREAS, Numerous settlers in the southern portion of the Territory of Washington, reside so remotely from the land office, now located at Olympia, to which, by law, they must come in person and produce their witnesses, to prove up or enter their land claims, and the travel

to which, at all seasons, is attended with much inconvenience and expense, and during several months of the year, extremely annoying and difficult, and many of those settlers unable, without great sacrifice, to be subjected to such a burden. Therefore,

Be it Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to use his influence with the Congress of the United States, to secure the passage of an act creating a new land district, to be called the "Columbia River Land District," to include all that portion of the Territory of Washington lying south of the following described line, that is to say:—Commencing on Shoalwater Bay, at its intersection by the third standard parallel, north; thence east on said standard parallel, to the closing corner of ranges six and seven, west of the Willamette meridian; thence south between ranges six and seven, west, to the north-west corner of township number ten, north, range six, west; thence due east, to the eastern boundary of the Territory. And to establish a land office in said district, to be located at some eligible point upon the Columbia river.

Passed December 22, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO THE ERECTION OF LIGHT HOUSES.

WHEREAS, By an act of Congress, approved August 14th, 1848, entitled "An Act, to establish the Territorial Government of Oregon," appropriation was made for the construction of light houses at Cape Disappointment and New Dunginess; and

WHEREAS, By an act of Congress, approved September 28th, 1850, entitled "An Act, making appropriation for light houses, light boats, buoys, etc., and providing for the erection and establishing of the same, and for other purposes," appropriation was made for light houses on Cape Disappointment, at the mouth of the Columbia river; one on an island off Cape Flattery, at the entrance of the Straits of Fuca, and one at New Dunginess; and

WHEREAS, By act of Congress, approved August 3d, 1854, entitled "An Act, making appropriations for light houses, light boats, buoys, etc., and providing for the erection and establishment of the same, and for other purposes," there was appropriated:—

For a light house on Blunt's or Smith's Island, in the Straits of Fuca, twenty-five thousand dollars.

For a light house on Cape Shoalwater, at the entrance to the bay of that name, twenty-five thousand dollars.

For the two light houses at Cape Flattery and New Dungeness, authorized by act of Congress, approved September twenty-eighth, eighteen hundred and fifty, in addition to any balance that may remain in the treasury, of that appropriation, after the completion of the light house at Cape Disappointment, thirty-nine thousand dollars.

For buoys for the harbor and entrance to New Dungeness, and for the anchorages on the coast of Puget Sound, five thousand dollars.

For buoys for the harbor and entrance to Shoalwater Bay, three thousand dollars.

Making, as by the act last above recited, approved August 3d, 1854, the sum of ninety-seven thousand dollars; and

WHEREAS, The early completion of the work for which said appropriations have been made, is a measure of most vital importance to the commerce of this Territory. Therefore—

Be it Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to urge upon the Secretary of the Treasury and Light House Board, the immediate necessity of the erection and establishment of said light houses and buoys, for which the above appropriations were designed; and that he be, and is hereby, instructed to use his influence with the Congress of the United States, for the passage of a law, making an appropriation of twenty-five thousand dollars, to be applied to the erection of a light house at Red Bluff, on Whidby's Island.

Passed January 2, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council,

JOINT RESOLUTION,

RELATIVE TO THE ESTABLISHMENT OF A MILITARY POST ON SHOAL-
WATER BAY.

WHEREAS, The settlers on and in the vicinity of Shoalwater Bay, are in a very exposed situation, as there is now nothing to prevent the descent of the numerous and warlike tribes of savages to the north, many of whom annually visit the waters of said Bay; and there being no military post nearer than fort Vancouver, a distance of one hundred and fifty miles, and fort Steilacoom, a distance of ninety miles, it would be impossible to obtain any assistance, in case of an attack by said Indians, or other enemy, before said settlements would be subjected to massacre. Therefore,

Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to urge upon the honorable Secretary of War, the absolute necessity of establishing a military post on Shoalwater Bay, as soon as practicable.

Passed January 28, 1856.

A. A. DENNY,

Speaker of the House of Representatives.

SETH CATLIN,

President of the Council.

JOINT RESOLUTION,

OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF WASHINGTON,
CONCERNING THE PROTECTION OF SETTLERS AND EMIGRANTS BE-
TWEEN THE MISSISSIPPI VALLEY AND THE PACIFIC OCEAN, INCLUD-
ING THE ESTABLISHMENT OF POSTAL AND TELEGRAPH CORRESPOND-
ENCE ACROSS THE AMERICAN CONTINENT.

WHEREAS, By an act of Congress, approved February 6th, 1855, entitled "An Act, making appropriations for the construction of military roads in the Territories of Nebraska and Washington," there was appropriated for the construction of a military road from the Great Falls of the Missouri river, in the Territory of Nebraska, to intersect the military road now established, leading from Walla Walla to Puget Sound, the sum of thirty thousand dollars; and

WHEREAS, By an act of Congress, approved March 3d, 1855, entitled "An Act to establish certain post roads," there was established a mail route from St. Anthony, on the Mississippi river, in the Territory of Minnesota, via Fort Union, on the Missouri river, to Puget Sound, in Washington Territory; and

WHEREAS, In view of the present war, existing between the United States and many of the Indian tribes in the Territories of Washington and Nebraska, and the alarming increase of robberies and murders perpetrated on travelers and settlers by these tribes, between the Mississippi river and the Pacific ocean, added to the difficulties ordinarily incident to the journey across the vast regions between those points, renders it indispensable that immediate measures should be taken by the general government, to protect at least one line of travel between the Mississippi river and the Pacific, by proper distribution of troops, for guarding against the outrages to which American citizens are now constantly subjected in crossing the plains, between the widely separated settlements; and

WHEREAS, It is the duty of all governments to furnish adequate protection to the people for whose welfare they were instituted, and which the American government practices in reference to persons claiming its protection in foreign lands; and

WHEREAS, It is believed that the requisite protection for travelers and settlers, can be secured by a proper distribution of comparatively small numbers of troops, in subdivisions, stockaded along the route over which the post road from St. Anthony, on the Mississippi, to Puget Sound, and the military road from the Great Falls of the Missouri river to Walla Walla, are already established, as by acts of Congress above recited: thus rendering it practicable, over a military road and post route, to accomplish the journey safely, to establish a continuous line of settlements, and to quicken the transmission of the mails between the Atlantic and Pacific States and Territories of this confederacy; and

WHEREAS, It is particularly due from the general government, that those of our enterprising citizens desirous of settling upon the immense tracts of farming lands, lying upon the route above indicated, should be protected in their lives and property, while encountering the trials and dangers of pioneering in the civilization of those immense regions; and that this protection is the more important from the fact, that while thus affording proper protection for settlers, as well as travelers, this protection would incidentally facilitate correspondence, by mail and telegraph, between the citizens of the United States, dwelling on oppo-

site sides of the continent, as well as at shorter intervals apart, over the line of post and military roads between the Mississippi and the Pacific.

Be it therefore Resolved, That in the opinion of the Legislative Assembly of Washington Territory, the subjects in the foregoing preamble should claim the immediate and favorable action of the Congress of the United States; and that immediate measures should be taken for distributing the troops intended for the protection of the western settlements, against Indian depredations, so that parties of forty dragoons shall be stationed at stockade posts, twenty miles apart, from the frontier settlements in Minnesota, west of St. Anthony, to the Great Falls of the Missouri, or fort Benton, and from fort Benton to Walla Walla, at such points as may be at all practicable for such posts. And that such portion of these troops as shall be necessary, in the opinion of the officer in command of each post, be required to patrol the route daily between such stockades, to act as a guard to emigrant trains, and to the mails that may hereafter be carried over this route.

Resolved, As the opinion of the Legislative Assembly of the Territory of Washington, that mails can be transmitted along the whole route between the Mississippi river and the Pacific ocean, with greater speed, and much less cost, than any mail transported off a rail road route, on this continent, and with this great advantage: that whereas, the present mails between the Atlantic and the Pacific states and territories, touch only at New York and San Francisco, the overland mail route, here advocated, would afford its benefits to the whole country along its route,—each stockade, or the town which would speedily be erected thereat, serving as a postal station, as well as telegraph depot, for the distribution of intelligence amongst the people settling and traveling through all those vast regions, as well as for the transmission of dispatches of the government.—
Be it also

Resolved, As the opinion of the Legislative Assembly of the Territory of Washington, that such arrangements, as above indicated, for the protection of life and property, if faithfully carried out, with military precision, by relays or patrols from each post, would guarantee the transmission of light letter mails between the Mississippi and the Pacific, a distance of about one thousand seven hundred miles, by the above named route, in about half the time now consumed between New York and San Francisco, thus incidentally rendering this line one of the best and quickest mail routes in the world. The mounted soldiery would, while performing their daily patrol duty along the route, protect and encourage travel and settlement, as well as guarding the mails in the most efficient manner;

and offering inducements for the immediate cultivation of lands along the route, for supplying emigrants and travelers, and at the same time securing the early construction of telegraph lines between the Atlantic and Pacific.

Resolved, That had the policy, herein advocated, been adopted when first recommended by the able chairman of the committee on military affairs in the United States Senate, seven years ago, would, ere this, have caused the establishment of a continuous line of settlements, whereat emigrants and travelers could readily find sustenance and defence, together with postal and telegraph facilities for communicating with their distant friends, and with the business world, instead of being debarred from comfort and protection, and correspondence, for months, as at present, while traveling between the frontiers of Minnesota, Iowa, and Missouri, and the Pacific ocean. Be it therefore

Resolved, That our Delegate in Congress be, and he is hereby, instructed to use all proper efforts for the establishment of these military posts along said route, and also to procure, if possible, the transmission of the mails from St. Anthony to Puget Sound, over the post road created by act of Congress, as hereinbefore recited.

Passed January 28, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

TENDERING THANKS TO OFFICERS AND MEN, REGULARS AND VOLUNTEERS, IN THE EXISTING WAR.

Resolved by the Legislative Assembly of the Territory of Washington, That to his excellency GEORGE L. CURRY, Governor of Oregon, is hereby tendered the warmest thanks of the people of Washington, for his prompt response to the call made upon him for volunteers, on the breaking out of the present Indian war.

Resolved, That to the Oregon volunteers the people of this Territory owe a debt, for their services in the present war, which no resolves of a Legislative Assembly can ever pay; but, under a sense of our obligations to these citizen-soldiers, we deem it due to them to state, that the whole

period of their service, to the present time, has been spent in active campaign; and never, in a single instance, have they failed in following up the enemy, and inflicting upon them the punishment which their many acts of atrocity have so richly merited.

Resolved, That to the volunteers of our own Territory, the warmest thanks of a grateful people are tendered. In their several conflicts with the Indians, it is due alike to truth and justice, to state that they, upon all occasions, evinced a promptness and gallantry, which has been a theme of praise by every one of the regular officers who have been associated with them in the field. And amid all the privations and trials incident to a campaign in such a country, they have never faltered.

Resolved, That the services of the regular troops, in the campaigns on White and Green rivers, are worthy all commendation; and the heart-felt thanks of the citizens of Washington are tendered them.

Resolved, That to the officers of the regular and volunteer forces, engaged in the campaigns in the White river country, and to the officers of the vessels of war in the Sound, who so gallantly volunteered their services in going into the field; and to the commanders of the United States sloop-of-war "Decatur," and the revenue cutter "Jefferson Davis," for the promptness with which they furnished arms and ammunition, at the request of the Acting Governor of the Territory, the especial thanks of the Legislative Assembly, and the people of this Territory, are tendered.

Resolved, That a copy of these resolutions be forwarded to his excellency George L. Curry, Governor of Oregon, to the Adjutant General of the United States, and to our Delegate in Congress, and to every officer of the regular, volunteer, and naval forces, who have taken any part in the present war.

Passed January 28, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO THE CREATION OF AN ADDITIONAL LAND DISTRICT FOR THE TERRITORY OF WASHINGTON, TO BE CALLED THE "NORTHERN LAND DISTRICT."

WHEREAS, Numerous settlers in the northern portion of the Territory of Washington, reside so remotely from the land office, now located at Olympia, to which, by law, they must come in person, and produce their witnesses, to prove up or enter their land claims, and the travel to which, at all seasons, is attended with much inconvenience and expense, and with great sacrifice to the claimant: Therefore,

Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be instructed to use his influence with Congress, to secure the passage of an act, creating a new land district, to be called the "Northern Land District," to include all that portion of the Territory of Washington bounded as follows, to-wit:—On the south by the line dividing townships twenty-six and twenty-seven, north; and on the west, north and east, by the external boundaries of the Territory. And that said land office, with a register and receiver, be located at Penn's Cove, on Whidby's Island.

Passed January 23, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO THE DEATH OF LIEUT. W. A. SLAUGHTER, U. S. ARMY.

WHEREAS, Information has been received that Lieut. W. A. Slaughter, 4th Infantry, United States Army, was, while in the discharge of arduous duties in the field, killed by a band of hostile Indians, on the evening of the 4th December, 1855: Therefore,

Resolved by the Council and House of Representatives of the Legislative Assembly of Washington Territory, That they have heard with profound regret of the death of Lieut. Slaughter, distinguished alike for

his kindness and modesty as a gentleman, and for his judgment, energy, and gallantry as an officer; and that it fully recognizes the valuable services, to this Territory, performed by Lieut. Slaughter, who was the first in the field on the breaking out of the present war, and so conducted himself, amid great difficulties and dangers, to the moment of his untimely end, as to merit the lasting gratitude of his country in general, and of the Territory in particular.

Resolved, That as a testimony of profound respect, the condolences of this Assembly are tendered to his bereaved and esteemed widow, and to his brother officers,—the former of whom has lost a kind and devoted husband, and the latter a gallant and a noble comrade.

Resolved, That a copy of these resolutions be forwarded to Mrs. W. A. Slaughter, to our Delegate in Congress, and to the Adjutant General of the U. S. Army.

Passed December 11, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO INCREASED PER DIEM OF MEMBERS OF THE LEGISLATURE.

Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to use his influence with the Congress of the United States, to procure the passage of an act, allowing an increased compensation to members of the Legislative Assembly of the Territory of Washington, making the pay of each member eight dollars per day, and six dollars for every twenty miles of travel, in going to and returning from the seat of government.

Passed January 24, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO THE OBSTRUCTIONS IN THE DUWAMISH AND WHITE RIVERS.

WHEREAS, The Duwamish and White rivers afford the best means of transporting supplies and munitions of war from Puget Sound, into the rich and fertile country laying along the base of the Cascade mountains: and

WHEREAS, Said country is now occupied by hostile bands of Indians, and from its location, will always be subject to attacks from Indians crossing the Cascade mountains, through the Nah Chess and Snoqualamie passes, thereby obstructing the settlement of said country. Therefore, in order to secure protection to the said country, and to provide a safe and speedy communication from said settlement, and the settlements bordering upon Puget Sound and Admiralty Inlet,

Resolved, by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, requested to use his influence with the Congress of the United States, to procure an appropriation of ten thousand dollars, to remove the obstructions from said Duwamish and White rivers.

Passed January 31, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO CREATING TEKALET A PORT OF DELIVERY.

Resolved by the Legislative Assembly of the Territory of Washington, That our Delegate in Congress be, and he is hereby, instructed to use his influence with the Congress of the United States, to have Tekalet, (Hood's Canal,) made a port of delivery, and an appointment of a surveyor thereof.

Passed January 28, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

JOINT RESOLUTION,

RELATIVE TO MAKING VANCOUVER A PORT OF DELIVERY.

Resolved by the Legislative Assembly of the Territory of Washington,
That our Delegate in Congress be, and he is hereby, instructed to use his
influence to secure the passage of a law, making Vancouver a port of
delivery.

Passed January 23, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

MEMORIALS.

MEMORIALS

OF THE

TERRITORY OF WASHINGTON.

PASSED THIRD SESSION, 1855-6.

MEMORIAL,

PRAYING FOR AN APPROPRIATION TO REIMBURSE JOHN G. PARKER, JR., FOR THE AMOUNTS ADVANCED AND PAID BY HIM TO SECRETARY CHARLES H. MASON, IN AID OF THE FUND FOR THE PAY AND MILEAGE OF THE MEMBERS OF THE LEGISLATIVE ASSEMBLY OF THE TERRITORY OF WASHINGTON, AND THE CONTINGENT EXPENSES THEREOF; AND ON ACCOUNT OF A FRAUDULENT ABSTRACTION THEREFROM BY HENRY V. COLTER.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent, that during the first session of the Legislature of the Territory,—on the second day of March, 1854—John G. Parker, Jr., a citizen of the Territory of Washington, and County of Thurston, advanced to the Hon. Charles H. Mason, Secretary of the Territory, the sum of one thousand five hundred dollars, to meet, in part, the wants intended to be supplied by the appropriation “to defray the pay and mileage of the members of the Legislative Assembly of the Territory of Washington, and the contingent expenses thereof.” That sub-

sequently, say on the 7th day of March, Secretary Mason presented two United States treasury warrants, for three thousand dollars each, making the sum of six thousand dollars, which he desired to get cashed, and which were conveyed by Henry V. Colter to Portland, Oregon, for that purpose: that said Colter absconded from Portland, on or about the 20th of March, for parts unknown, taking with him and appropriating to his own use the proceeds of said treasury warrants: that in addition to the one thousand five hundred dollars advanced as hereinbefore stated, the said Parker subsequently paid the said Secretary Mason two thousand five hundred dollars, making in all the sum of four thousand dollars, and leaving a balance of two thousand dollars, the loss of which Mr. Mason voluntarily assumed.

Your memorialists would further respectfully represent, that the diversion of the four thousand dollars from the legitimate business of the said Parker, to pay the said Secretary, has compelled the said Parker to abandon his occupation, (that of merchandizing,) and has operated as a serious hardship upon him, and upon his creditors, residing in San Francisco.—Your memorialists, witnessing with much satisfaction the appropriation of two thousand dollars, on the 4th of August, 1854, to relieve the said Secretary of his responsibility, and to reimburse the said fund, believe that the interests of the said Parker, and of his creditors, should, with those of Mr. Secretary Mason, receive an equal degree of consideration at the hands of the government; and they deem it but just that an appropriation should be made of the sum of four thousand dollars, to reimburse the said John G. Parker, Jr., for the loss he has sustained; which your memorialists respectfully pray your honorable body to grant.

Passed January 28, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

PRAYING THE ESTABLISHMENT OF A PORT OF DELIVERY AT CASCADE CITY.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:*

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent, that owing to an increase of population on the east side of the Cascade mountains, and the exorbitant rates of tariff as freight on all goods consumed by the settlers in that portion of Oregon and Washington, above alluded to: And whereas, the tariff on those goods could be greatly reduced, could vessels be allowed to take a full cargo as far up the Columbia river as it can well be navigated; and as the foot of the rapids of the Columbia river, at the town of Cascade, is such point, we would respectfully represent to your honorable body, that the interests of the above mentioned territory essentially need that the above named place should be made a port of delivery. Hoping that this memorial will receive the attention that it merits, your memorialists, as in duty bound, will ever pray.

Passed January 23, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

PRAYING AN APPROPRIATION FOR MILITARY ROAD ACROSS THE CASCADE MOUNTAINS.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress Assembled:—*

The memorial of the Legislative Assembly of the Territory of Washington, respectfully represents, that the completion of the military road across the Cascade mountains, is of the most vital importance and interest to the citizens of the Territory of Washington: that said road connects the military post established at fort Steilacoom, with fort Walla Walla,

which is the point upon the Columbia river where the great emigrant trail enters Washington Territory: that as a means of communication, between the two sections of territory lying east and west of the Cascades, it would afford facility for the transportation of men and supplies in the event of necessity, and, in a military point of view, would be of incalculable advantage to the defence of this Territory: that the experience of the present Indian war demonstrates the necessity of a good wagon road, connecting the valleys lying east and west of said mountains, and the difficulties consequent upon the absence thereof: that the discovery of gold at fort Colville, and the future development of the country, imperatively demands the completion of said work.

Your memorialists therefore pray your honorable bodies to pass an act, appropriating thirty thousand dollars for the completion of the military road from fort Steilacoom, upon Puget Sound, across the Cascade mountains, to fort Walla Walla, upon the Columbia river.

Passed January 15, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

PRAYING AN APPROPRIATION FOR A MILITARY ROAD FROM OLYMPIA, ON PUGET SOUND, TO CONNECT WITH THE MILITARY ROAD FROM SALEM TO ASTORIA, IN OREGON TERRITORY, AT SOME POINT NEAR THE MOUTH OF THE COLUMBIA RIVER.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent, that there is no means of communication between the settlements bordering on the mouth of the Columbia river, and those upon Shoalwater Bay, and in the vicinity of Olympia, Puget Sound, except by sea, or by way of the Columbia and Cowlitz rivers, more than one-half of the distance, by the latter route, being by water, and either of which is attended with great difficulty and delay, par-

ticularly in the winter, when the latter route, at times, is entirely impracticable. That in case the settlements at the mouth of the Columbia river and upon Shoalwater Bay should be attacked by Indians, or other enemy of the United States, the obtaining of assistance from, or transportation of troops and munitions of war to either of the above named points, is at all times attended with great delay and inconvenience, more particularly in the winter season. That the opening and construction of a good military road between the said points, and connecting with the military road from Salem to Astoria, in the Territory of Oregon, is of the utmost importance, and particularly to the settlement in the vicinity of Shoalwater Bay, as they are in a very exposed situation, being open to the incursions of the powerful tribes of savages to the north, and without a shadow of protection from any military post.

Wherefore, for the purpose of providing the means of a safe, speedy, and reliable transportation of troops, arms, and munitions of war, at all seasons, to the exposed and unprotected settlements above mentioned, your memorialists pray your honorable bodies to pass an act, making a sufficient appropriation to open and construct a good military road from Olympia, on Puget Sound, to connect with the military road from Salem to Astoria, in Oregon Territory, at some point near the mouth of the Columbia river.

Passed January 15, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

PRAYING FOR A MILITARY ROAD FROM AT OR NEAR OAK POINT, ON THE COLUMBIA RIVER, THROUGH THE BOISFORT SETTLEMENT, TO CONNECT WITH THE MILITARY ROAD FROM FORT VANCOUVER TO FORT STEILACOOM.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, respectfully represent, that there are flourishing settlements

on and about the lower Columbia river, among which Oak Point holds a central and commanding position; that said Oak Point is about forty miles above the mouth of said river, well protected from the severe weather so frequent nearer the ocean; that vessels may lie there in safety, to lade or unlade cargoes of war, or other material; that at said point, by crossing the Columbia river, the military road already provided for from Salem to Astoria, might easily be intersected; that said point is, of all those on the Columbia river, the nearest to Puget Sound, and by the granting of this prayer, would be most accessible to the settlements at the head thereof, at all seasons of the year; that in that portion of our Territory known as the Boisfort prairie, through which it is designed that the proposed road should run, there is an agricultural settlement, whose protection is a matter of great moment to a large share of our population, who derive thence the means of subsistence; that the distance from Oak Point, on the Columbia river, to Boisfort prairie, is but twenty miles, and thence to a suitable junction with the military road already provided for from Fort Vancouver to Fort Steilacoom, but about twenty miles—making, in all, forty miles. Of this distance, the settlers themselves have, at great sacrifice, opened a road twenty miles (from the Boisfort prairie in the direction of Puget Sound): therefore the whole original work the government is asked to provide for, is only about twenty miles (from the Columbia river to the Boisfort prairie). The work performed on this road, by the settlers, is indeed a liberal contribution on their part to the purposes of their government, and the road, when complete, will be of great importance in a military point of view. The construction of the twenty miles, herein solicited, would perfect the communication between the lower Columbia river and the head waters of Puget Sound. The settlements along the route adjacent thereto, and at both termini, are very much exposed, are entirely unarmed, and would hail the granting of the prayer of this memorial as a relief to their seriously apprehended insecurity.

Your memorialists would therefore pray that the sum of fifteen thousand dollars may be appropriated, for the construction of a military road from at or near Oak Point, on the Columbia river, through Boisfort prairie, to connect with the military road from Fort Vancouver to Fort Steilacoom. And your memorialists, as in duty bound, will ever pray, &c.

Passed January 15, 1856.

A. A. DENNY,
 Speaker of the House of Representatives.
 SETH CATLIN,
 President of the Council,

M E M O R I A L,

PRAYING THAT AN ARMED STEAMER BE STATIONED ON THE NORTH-
WEST COAST.

To the Honorable, the Secretary of the Navy of the United States:—

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent, that there are many flourishing settlements bordering on Puget Sound, and extending along the coast of the Pacific, from the entrance of the straits of Juan de Fuca, to the mouth of the Columbia river. That these settlements are continually in danger of being attacked by bands of hostile savages, as well by those living within the limits of our own Territory, as by the warlike tribes inhabiting the coast, and numerous islands north of us, as far as Sitka. That the means of defense in these settlements are altogether disproportioned to the actual force that might readily be brought to bear upon them, from the fact that the settlements are often remote from each other, and have no adequate means of gaining intelligence of the movements of the enemy, or of concentrating forces. That whilst our citizens are thus widely separated, and consequently unable to act in concert, there are resident upon Puget Sound, the straits of Juan de Fuca, and the Pacific coast, between Cape Flattery and the mouth of the Columbia river, at least eight thousand Indians, of whom two thousand are warriors. That in times past, these Indians have given many proofs of their hostility to the whites, by repeated acts of robbery and murder, and, more recently, by engaging in a war of extermination against the citizens of this Territory. Your memorialists are further of opinion, that we have, in the northern Indians, who are in the habit of visiting our settlements, ostensibly for purposes of trade, but really for the sake of plundering, a more formidable enemy than those living amongst us. That from the best information your memorialists can obtain, they are satisfied that several of these tribes could each furnish from five to eight hundred warriors, and should a combination of the various tribes be formed, they could probably send against us a force of ten thousand men. That they have in their possession some small pieces of cannon, are generally well provided with arms and ammunition, and skillful in the use of their weapons.

Your memorialists would further represent, that these Indians are, both mentally and physically, far superior to those of their race living further south. That they often visit our coast, to the number of several hundred at a time, and that every year they make their appearance amongst us in increased numbers, encouraged, no doubt, by the impunity with which they have hitherto committed their depredations. That they

use large canoes, containing from fifty to seventy-five men each, which are managed with great dexterity, and capable of being driven at a speed equaling that of an ordinary steamer. That their robberies and murders on our shores, coupled with threats of a general massacre, have been so often repeated, as to create a well grounded apprehension in the mind of the community, that these exposed settlements may be cut off in detail, before a sufficient force can be sent to their relief: that the danger has recently become so imminent, as to compel most of the settlers on Puget Sound to abandon their homes and seek safety in forts. Your memorialists are perfectly well satisfied of the utter inadequacy of sailing vessels to afford due protection to the persons and property of citizens in this part of the Territory, from the fact that a fleet of canoes can readily pass any sailing vessels stationed for the purpose of intercepting them, the winds being so uncertain, and the currents so strong, that it often requires ten or fifteen days for vessels of this class to pass from one extremity of the sound to the other, and that a steamer alone is capable of successfully pursuing such enemies through the numerous canals, bays, and arms of the sea, which indent our coast.

In view of these facts, your memorialists would respectfully, but earnestly, urge upon the Navy Department, the importance of stationing an armed steamer on our coast, to cruise in Puget Sound, the straits of Juan de Fuca, and waters adjacent.

Passed December 20, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

RELATIVE TO ESTABLISHING A MILITARY POST ON WHITE RIVER, WASHINGTON TERRITORY.

*To the Commander-in-chief of the Pacific Division
of the United States Army:—*

The memorial of the Legislative Assembly of the Territory of Washington, respectfully represents:—That the military road from fort Walla

Walla to fort Steilacoom, affording an emigrant wagon road from Walla Walla across the Cascade mountains, into the Puget Sound country, and means of communication between the sound and the gold region at fort Colville, from which causes said road was, until the breaking out of the present war, becoming much travelled: that said road passes through the country watered by the White, Green, and Puyallup rivers, and in the vicinity thereof is found some of the most valuable land claims in our Territory: that since the war has been carried on this side of the mountains, this section has been the scene of every battle: that here commenced the ruthless murders; here were sacrificed to Indian perfidy our defenceless women and children; and here, too, from the character of the country, should the war continue, will be the field of operations. For protection to the emigrant coming hither, and to the trains and parties traveling over said road,—security to the farmer who settles in the vicinity, and chastisement to the murderers of our families,—your memorialists urge the necessity of a post upon the military road, at or near its crossing White river. That, in a military view, it strongly commends itself to your attention:—it would keep quiet the Indians in the vallies of the White, Green, and Puyallup rivers, and check the progress of hostile Indians from the eastern side of the mountains, as well as intercept communication, by the Nah Chess pass, between the Indians west and those in hostility east of the mountains. That such a post would afford a good depot and base for operations, either offensive or defensive, and, should hostilities cease, the past teaches too painfully the necessity to preserve peace, secure quiet among the Indians, and keep them under proper surveillance.

Your memorialists would therefore most urgently call your attention to the immediate necessity of establishing a military post, in accordance with the request of this memorial.

Passed January 12, 1856.

A. A. DENNY,
 Speaker of the House of Representatives.
 SETH CATLIN,
 President of the Council.

M E M O R I A L

TO THE PRESIDENT OF THE UNITED STATES, RELATIVE TO COMMANDER
ISAAC S. STERRETT, U. S. N.

To the President of the United States:—

Your memorialists, the Legislative Assembly of the Territory of Washington, respectfully represent:—That the people of this Territory have occasion to be grateful, in the highest degree, to commander Isaac S. Sterrett, United States Navy, for his promptness, energy, and efficiency, in responding to the call of the Territorial executive for arms and munitions of war, to supply our volunteers in the existing Indian war. In the hour of need, his presence, in a great measure, secured the settlements from the havoc of Indian war, and his promptitude placed at our disposal the means to punish the savage foe. That your memorialists feel it incumbent upon them, in their representative capacity, to express gratitude for those services. That it is a matter of regret, that while Washington Territory is thus a recipient of benefits conferred, witnessing the full, free, and efficient discharge of duty by a gallant and meritorious officer, they have heard that one so efficient, so prompt and faithful, is withdrawn from the field of his usefulness—the navy deprived of one of its most gallant and efficient officers.

Your memorialists therefore pray that you will be pleased to reconsider the matter of the placing of commander Sterrett, United States Navy, upon the furlough list; and they express the hope that your action in the premises will restore to active duty, an officer who has served his country long and well, and who, at the time of degradation, was actively engaged in difficult and arduous public service, and rendering most efficient aid to the people of the Territory of Washington, whom these memorialists have the honor to represent.

Passed December 21, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

RELATIVE TO THE EXTENSION AND AMENDMENT OF THE DONATION LAW.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, deem it a duty which they owe to their constituents, to represent to the general government their situation, and to recommend the passage of such measures, and ask such relief and assistance, as the necessities of the people may require.

Your memorialists would represent, that a large number of Indians in this Territory, comprising several tribes, are now engaged in a war of extermination against the whites. Many of our people, who settled on the public domain to avail themselves of the benefits of the donation law, have been driven from their homes, and their property and improvements destroyed, rendering it doubtful whether (under a strict construction of the donation law,) they have not forfeited the rights which they had acquired to the lands on which they had settled.

Your memorialists would further represent, that the settlements in this Territory extend from Walla Walla, on the Columbia river, to Bellingham Bay, on Puget Sound, presenting a frontier of seven hundred miles, with a sparse population. In many instances the settlements are so remote from each other, as to render it impossible to give any assistance in case of an attack by the hostile Indians. They are therefore compelled to leave their claims, and seek safety in the more densely populated portions of the Territory. Under these circumstances, your memorialists are of the opinion that the interests of this Territory at present, and the security of our frontier against our Indian neighbors for the future, would be best subserved by an increase of population. To secure an object so much desired, liberal inducements should be held out to the emigrant. Your memorialists would therefore recommend the re-enactment of the donation law, and would most respectfully suggest the following provisions:—

That any citizen of the United States, or who has declared his intention to become such, being the head of a family, who has, or may hereafter settle upon and reside on any lands in said Territory, not otherwise appropriated or disposed of, for the term of two years, or who has, or may hereafter, make improvements on the public domain, to the value of four hundred dollars, shall be entitled to three hundred and twenty acres of land; and any person who is not the head of a family, and not under age, who has, or may hereafter, reside on public lands, for two years, or who has, or may hereafter, make improvements on public lands, to the value of two

hundred dollars, shall be entitled to one hundred and sixty acres of land. And all widows who are, or may hereafter, become residents in this Territory, be entitled to a donation of one hundred and sixty acres of land, by filing their notification for the same with the register and receiver of Washington Territory. And such persons who may have settled upon the public lands, in accordance with the provisions of the donation law, and have been driven off or compelled to abandon their claims by the Indians, shall be confirmed in their possession and title to said lands.

Passed January 24, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

FOR THE RELIEF OF WM. PACKWOOD, A CITIZEN OF THURSTON COUNTY.

The memorial of the Legislative Assembly of the Territory of Washington, respectfully represents, that William Packwood emigrated to and settled within the Territory (then Oregon,) in the year 1847, at which time the country had not been organized into a Territory, and the Provisional Government of Oregon extended over and included the present Territory of Washington. That under and by virtue of the then existing law, he settled upon, occupied and improved, a land claim upon the Nesqually river, containing a section, or six hundred and forty acres of land. That he lived upon said land for about the period of two years, making improvements, and raising stock and produce thereupon, when said Packwood left for California, temporarily, with a view to raise means with which to improve said claim, leaving thereupon his stock and improvements, to the value of several hundred dollars, and in the charge of an agent appointed by him, to hold said claim, and safely keep the property thereupon. That at that time, under the existing law, said Packwood had a right so to do. That in the spring of 1850 he started from his temporary abode in California, to reside upon the said land claim. That while on his route hither, the severe illness of his wife stopped his progress, and prevented his arrival until after the 10th day of December, 1850, and precluded him, under the donation law, from holding more than half a section of land in his own

right, and that of his wife. That the said Packwood never abandoned his claim of six hundred and forty acres, which he held in 1847. That he never made California his residence or permanent abode; that the illness alone of his wife, prevented his being in the Territory within the time of limitation mentioned in the donation law. That the presence of his property, and the possession by his agent, continuously held said claim from its first occupation in 1847.

Your memorialists therefore pray your honorable body to pass an act, granting unto William Packwood the right to hold a half section of land, in addition to the half section he now holds, upon any of the public lands of Washington Territory, now unoccupied, and without interfering with the claims or rights of any other persons.

Passed January 28, 1856.

A. A. DENNY,
Speaker of the House of Representatives,
SETH CATLIN,
President of the Council,

M E M O R I A L ,

TO THE POST MASTER GENERAL OF THE UNITED STATES, IN REGARD TO
THE COLUMBIA RIVER MAILS.

Your memorialists, the Legislative Assembly of the Territory of Washington, respectfully represent, that post offices have been created at Vancouver and Cascade City, in this Territory, and at Fort Dalles, in the Territory of Oregon. That a regular post route, by way of Cascade City, connects Fort Vancouver and Fort Dalles, and that at all the above named places post masters have been appointed. That for two years no contract for the transportation of said mail has been made, and private individuals have carried all mail matter without any remuneration. That this course is attended with extreme doubt and uncertainty, subjecting the people of this Territory, in that vicinity, to most serious inconvenience. That the existence of the present war, in the country north of Fort Dalles, and the presence of officers and soldiers in large numbers, greatly increases the necessity of mail transportation. And that steamers are daily plying up the Columbia river, connecting the points herein above referred to.

Your memorialists would therefore respectfully pray, that you will be pleased to authorize the post master of one of the above named places to enter into contract with the master of one of said steamers, and secure to the people of that section of the Territory, a weekly mail communication between Fort Vancouver and the Dalles, by way of Cascade City.

Passed December 20, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L,

PRAYING AN APPROPRIATION FOR THE CONSTRUCTION OF FORTIFICATIONS AT CAPE DISAPPOINTMENT, FOR THE DEFENSE OF THE HARBOR AT THE MOUTH OF THE COLUMBIA RIVER.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress Assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, respectfully represent: That the channels to the harbor at the mouth of the Columbia river are wholly devoid of the means of defense against any foreign enemy. That the mouth of the Columbia river is the great door-way to the interior of Oregon, and the southern portion of Washington Territory, through which an enemy would necessarily be compelled to pass, in order to overrun and subjugate the country, and one of the most important points for military defense on this coast, not only for the protection of the settlers in either of said Territories, in the event of a war between the United States and any maritime power, but also for the safety of our rapidly increasing commerce.

Your memorialists therefore pray your honorable bodies to pass an act granting a sufficient appropriation for the construction of suitable fortifications at Cape Disappointment, for the defense of said harbor.

Passed January 28, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

PRAYING AN APPROPRIATION BY CONGRESS, FOR A MILITARY ROAD
FROM FORT STEILACOOM TO BELLINGHAM BAY.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent, that there has been selected at Bellingham Bay, which is on the extreme northern verge of our Territory, a site for a military post: That there are no means of communication between Fort Steilacoom, at present the most northern military post in the Territory, and the said post and the settlements in the vicinity, except by water: That in case of an attack by Indians or other enemy, communication with Fort Steilacoom or other places would be liable to great delay, by the long calms in summer, and the storms and bad weather in winter: That a military road connecting said posts, would, in a military point of view, be invaluable, to say nothing of the development of the resources of our Territory, and establishing communication between our people: That those citizens who have carried the benefits of civilization to our utmost boundary, have at all times a strong claim on the government for protection, but more especially now that a war exists, which renders them liable to be cut off before any assistance could reach them. To avert such an evil, and to secure a safe, reliable, and rapid transportation of troops, arms, and supplies, at all seasons, to the exposed, and, hitherto, unprotected settlements on our north western frontier, your memorialists pray your honorable bodies to grant a sufficient appropriation to establish a military road from Fort Steilacoom to the military post at Bellingham Bay.

Passed December 20, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L,

P R A Y I N G A N A P P R O P R I A T I O N T O D E F R A Y T H E E X P E N S E S O F T H E E X -
I S T I N G W A R .

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, respectfully represent:—That previous to the month of October last, the Yakima tribe of Indians, residing east of the Cascade mountains, by frequent acts of hostility upon American citizens passing through the section of country inhabited by that tribe, provoked a war:—That the executive of Washington Territory, in consequence of these repeated outrages, proclaimed the existence of war, and made requisition upon the Territory for volunteers, which requisition was promptly met, and our citizens enrolled themselves into companies: That in consequence of the non-arrival of the arms to which the Territory was entitled, the scarcity of government ammunition, and supplies of all kinds, those companies were forced to provide, in a great measure, their own munitions of war, their means of transportation, and other necessary supplies: That when the regular troops, stationed amongst us for the defence of the Territory, and the accepted volunteers, were drawn off, by being marched into the Yakima country to prosecute said war, many of the Indians west of the mountains rose in hostility, and made it necessary for the executive to call into requisition all the men capable of bearing arms, to organize volunteer corps for home defence, and to build block houses for the safety of families: That the means of our citizens were furnished to garrison and provision these block houses, while the frontier settlements, being abandoned, were subjected to the incursions of the savages, and much valuable property destroyed: That our merchants have furnished supplies, trusting that the general government would assume the debt. Our farmers have furnished their property for the use of the service, and all classes of our citizens have contributed their aid to the government to carry on the war with vigor and effect: That men of all classes have abandoned lucrative employments to engage in the war.

These facts make it our duty to urge upon your honorable bodies prompt and speedy action upon the subjects referred to in this memorial. The effects of the existing war are prostrating the energies of our Territory, and business of all kinds is thereby materially affected. The future settlement and growth of the Territory loudly calls for action, at once to secure confidence, enable us to punish the savage foe, keep other tribes, now friendly, in subjection, and by a vigorous prosecution of the war, early secure the blessings of peace.

Your memorialists therefore urgently and respectfully urge upon your honorable bodies immediate relief, in the way of appropriations, to meet the expenses heretofore incurred, by the causes hereinbefore alluded to.— That in the addition to the foregoing as a remuneration for service, that each man, foot or mounted, shall be entitled to and receive a land warrant for one hundred and sixty acres of land, to be located on any of the public lands belonging to the United States. And that each volunteer soldier serving on foot, receive for his services the sum of four dollars per day; and each mounted volunteer soldier the sum of five dollars per day.

Passed January 9, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

PRAYING FOR AN INCREASE OF THE PRICES ALLOWED PER MILE FOR
SURVEYING THE PUBLIC LANDS OF WASHINGTON TERRITORY.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress Assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully call your attention to the fact, that in consequence of the high price of labor, and the exceedingly difficult nature of the country now to be surveyed in this Territory, it is impossible for the Surveyor General to procure deputies to undertake the work, inasmuch as the contracts heretofore executed have not only utterly failed to remunerate the contractors, but have resulted in the ruin of some of our most industrious and enterprising citizens: thus demonstrating the fact, most conclusively, that the surveys cannot be made for the prices now allowed by law.

Your memorialists would therefore most respectfully ask that the law be so amended, that for all meridinal and standard parallel lines, the sum of thirty dollars per mile be allowed; and for all township and sub-divisional lines, the sum of twenty dollars per mile be allowed, and that, as an act of justice to those who are now suffering in consequence of losses sus-

tained in the manner before alluded to, make provision for the indemnification of the same.

Passed January 9, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

PRAYING AN APPROPRIATION FOR A MILITARY ROAD FROM NEW DUNGENESS, TO CONNECT WITH THE MILITARY ROAD FROM FORT VANCOUVER TO FORT STEILACOOM.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent:—That the peninsula, in the extreme north west of the Territory of Washington, lying between the Straits of Juan de Fuca, on the north, and the Pacific ocean on the west, now contains some three or four settlements, and that numerous settlers occupy land claims therein. That large tribes of Indians also occupy it, who, though now friendly, in the critical juncture of our Indian relations, may not continue so. That water communication is now the only means of connection with the other settlements of the Territory, from which, in the event of outbreak, they would be forced to look for assistance. That several months in the year such communication is, at best, dilatory, and attended with danger. That, from the character of the country, a good and direct military road may be located, connecting these settlements with the heart of the Territory: passing west of Hood's Canal, about ten or twelve miles west of the seat of government of the Territory, and intersecting the military road from Vancouver to Steilacoom. That said road will ensure rapid and safe communication between the centre and out-posts of our Territory, and afford security to our isolated and, at present, unprotected settlements.

Your memorialists would therefore earnestly pray your honorable bodies to grant an appropriation, for the purpose of establishing a military

road from New Dungeness, to intersect the military road from Fort Stella-coom to Fort Vancouver.

Passed January 3, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

IN RELATION TO THE ESTABLISHMENT OF A MILITARY POST AT NEW DUNGENESS, TERRITORY OF WASHINGTON.

*To the Commander-in-Chief of the Pacific Division
of the United States Army:—*

The memorial of the Legislative Assembly of the Territory of Washington, respectfully represents:—That the portion of this Territory bordering upon the Straits of Juan de Fuca, is, to a great extent, in a defenceless condition: That in the county of Clalam there are some three or four settlements, and that the country in the vicinity thereof is sparsely populated: That large tribes of Indians inhabit the country, who, though now friendly, require watchful care: That the presence of a military post would undoubtedly have the effect to prevent them from becoming hostile, and give security to our citizens: That New Dungeness is, geographically, well adapted for such a post—its agricultural resources, its central position in the north west peninsula,—bounded by the Straits of Fuca and the ocean, the communication, by water, with all points on the Sound, the facility with which a road may be made connecting, by land, with the centre of the Territory—all combine to make it a desirable point, to say nothing of the absolute necessity of such a defence, in the present critical state of our Indian relations.

Your memorialists therefore earnestly urge, that you will be pleased, at the earliest practicable moment, to secure to the settlements in the vicinity of New Dungeness the establishment of the military post prayed for in this memorial.

Passed December 22, 1855.

A. A. DENNY,
 Speaker of the House of Representatives.
 SETH CATLIN,
 President of the Council.

M E M O R I A L ,

PRAYING FOR INCREASE OF APPROPRIATION FOR MAIL SERVICE.

*To the Honorable, the Senate and House of Representatives
 of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, would again respectfully call your attention to the condition of the mail facilities of this Territory, and they would acknowledge their gratitude for the prompt response to the calls of the Legislative Assembly heretofore, upon the same subject.

Your memorialists would represent, that the country lying north of the counties bordering on the Columbia river, comprising ten counties, with a population of four thousand inhabitants, is dependent for their mail matter on the mail from Rainier to Olympia and Steilacoom; conveyed in canoes from Rainier to Cowlitz Landing, on the Cowlitz river, thence to Olympia and Steilacoom on horseback, across a portage of sixty miles, which in the winter season is almost impassable: rendering the arrival of our mails uncertain, and owing to the heavy rains and high water, unsafe.

That the condition of the mails has been such, on their arrival at Olympia, owing to the causes above stated, that it is almost impossible to distinguish the address on the packages. All communication between the departments at Washington and the seat of government of this Territory, the military post at Fort Steilacoom, and the collector of customs at Port Townsend, having to pass over this same route, and subject to the same dangers and delays, is evidence conclusive of the necessity of a more speedy and direct communication with San Francisco, California, by which route all such mail matter must come.

The commerce of the northern portion of this Territory was rapidly increasing. Our business men were rapidly exporting not only to San Francisco, but to Australia, Sandwich Islands, South America, and other foreign countries, before the commencement of the present Indian war,

valuable cargoes of lumber, square timber, piles and spars. Our coal mines were being worked, and promised to be the source of a rich and extensive trade. Yet this region of country (comprising such important interests), is destitute of mail service, by contract with the government, north of Steilacoom, but wholly dependent on canoes and sailing crafts for their weekly mails, which are carried at the expense of private individuals.

Your memorialists would earnestly call your attention to the fact that an Indian war is now raging with unparalleled violence in our midst, rendering the navigation of the Sound, by small crafts, extremely dangerous; consequently all that portion of our Territory lying north of the county of Pierce, in which is included the counties of King, Jefferson, Clalam, Island and Whatcom, are destitute of any mail service, although in said portion of the Territory are located the custom house, and some of the most important commercial towns on Puget Sound.

Your memorialists would therefore pray your honorable body to grant increased appropriation for mail service from San Francisco, California, by sea, to Olympia, Washington Territory, and also, to instruct the Postmaster General to contract, at as early a day as possible, for carrying the mail by steamer, weekly, from San Francisco, California, to Olympia, Washington Territory, touching at Shoalwater Bay, Port Townsend, Seattle, and Steilacoom.

Passed December 20, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

TO THE SECRETARY OF WAR, RELATIVE TO THE ESTABLISHMENT OF A
MILITARY POST AT BELLINGHAM BAY.

To the Honorable, the Secretary of War:—

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent:—That in the year one thousand eight hundred and fifty-four, a descent was made by the northern Indians on our settlers in Bellingham Bay, murdering our citizens, and destroying

their property, to a large amount: That the said settlement is on the extreme verge of our north western frontier, isolated from the other settlements of the Territory, and liable to be cut off before any assistance could reach them: That a petition was forwarded to the proper authorities, praying for the establishment of a military post in that vicinity: That a military commission has since visited the neighborhood, and selected a site for the said post, but that no further action has been taken thereon: That if action is not promptly taken, and speedy protection afforded, the settlers in that vicinity will be obliged to abandon that neighborhood.

In view of these facts, and that a war is now ravaging the land, which greatly increases the danger of said settlements, your memorialists earnestly urge the absolute necessity of establishing the said post forthwith.

Passed December 21, 1855.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

M E M O R I A L ,

PRAYING FOR AN APPROPRIATION TO INDEMNIFY CITIZENS OF WASHINGTON TERRITORY FOR HOSTILITIES BY INDIANS.

*To the Honorable, the Senate and House of Representatives
of the United States, in Congress assembled:—*

Your memorialists, the Legislative Assembly of the Territory of Washington, respectfully represent:—That in consequence of the incursions of the Yakimas, and other tribes of Indians, now waging war against the United States, the citizens of the frontier settlements, who occupied land claims and have made valuable improvements thereon, have been forced to abandon them: That many of our best citizens, while gallantly seconding the efforts of the soldiery to sustain the honor of our flag, protect our helpless women and children from the ruthless savage, and establish peace and quiet within our borders, have fallen, leaving wives and children without a protector, and without the means of subsistence: That the business of the country, in the frontier settlements, is entirely broken up and suspended, and that the inhabitants have been compelled to leave their homes,

stock and crops, and for security to remove to the towns, and erect fortifications: That having erected block houses in our towns for the protection of their families, some of them have been, and are now, standing guard, night and day, while others have taken the field: That while thus occupied, their houses and barns have been burned to the ground, their improvements laid waste, their stock driven off and destroyed, and themselves and families reduced to want and suffering.

Your memorialists would therefore earnestly urge upon your honorable body, the propriety of making an appropriation for the indemnification of settlers, for losses actually sustained in the destruction of their property by said Indians, now waging war against the United States.

Passed December 18, 1856.

A. A. DENNY,
Speaker of the House of Representatives.
SETH CATLIN,
President of the Council.

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