2003

The Pioneer's Patron

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The Pioneer's Patron
In the preface to his textbook *Natures Nation*, John Opie describes his desire to give the student of history a better understanding of how America became a world power at the expense of the environment. Opie wanted neither "damn the past [n]or vilify the present, but to explore how Americans first perceived and then took charge of their seemingly limitless forests, deep soils and rich veins of minerals." Opie wanted to challenge preconceived notions of how Americans through the centuries were a blessed people and how they succeeded by the aid of Providence and their diligent toil. Similarly, I desire to challenge preconceived notions; notions which hold the pioneer and the settler-farmer as being *rugged individuals*, a quality which has been and is still held in high regard in America. My intent in the following is to neither damn the past nor vilify the present. However, as a student of history, I understand, like Opie, that the historian is charged with presenting the truth and to hold in check, as best he/she can, the passions which arise from being closely connected to the subject of study.

Familial, religious, and political ties have played a role in romanticizing the past for others, and, I too, am not immune to these biases. Knowing that members of my family were pioneers, I held these rugged, individualistic ancestors aloft on pedestals and thought of them as playing a role, albeit small, in the advancing tide of Euro/Americans who brought civilization to Oregon’s Willamette Valley. However, from the panoramic vantage point which history affords me, I see that my ancestors acted under forces which were much bigger than they were and that my notions of their pioneer individuality should be revisited. The fact of the matter is, that without the federal government’s help and the help of others in their community, my ancestors would have been unable to accomplish many of the things which I have attributed to them as their rugged individuality. It is the search for a better understanding of the driving forces behind westward expansion that helps to remove the unnatural stage
light glare that has surrounded my pioneer ancestors. And what better way to show my patriotism for them but than to try to see them as they really were, not how they had been romanticized.

Westward expansion, in large part was a socializing and nationalizing event. There were those who ventured beyond the pale of recognizable civilization to start a new life on their own but their actions should not be misinterpreted as valiant efforts to expand European culture, for many of these early pioneers were misanthropes. They longed to get away from their culture, not to spread it. They would pull up stakes at the slightest sign of the presence of others. Those who finally "won the west" did so not by being a collection of individuals, each doing his or her own thing; they conquered the west by uniting and relying on their government for protection, transportation infrastructure, water for their crops, and most importantly, land. For a nation which prides itself on its capitalistic past, and present, it is ironic that so much of that past is rooted in the need for socialistic institutions. Indeed, the subject of this paper not only deals with the socialism behind westward expansion but, in the case of Oregon's Donation Land Claim Act of 1850, (hereafter, DLC), how western American society was to a large extent engineered by the government. So much for individualism. So it is to the discussion of how these pioneers, these settler-farmers, have been aided by the federal government that we now turn.

Before this discussion, however, I would like to tackle some of the reasons given for westward expansion. Although the topic of westward expansion has been visited and revisited *ad nauseam* there remains that burning question: Why would anybody want to strike out into a wilderness that was so inhospitable? This question is asked, because, the very quest for its answer helps us to peel away the outer layers of that odious onion of historical misconception which has caused many a scholarly eye to well with tears. An historiographical study can not only help us in our discussion of
the reasons behind westward expansion but we can reveal the westward movement's inherent socialism. We first turn to one of the oldest and, for good or ill, most influential interpretations for the reasons behind westward expansion.

Frederick Jackson Turner wrote in the 1890s about American's desire to strike out into the wild. He believed that American's longed to see what was beyond the next mountain range. Turner helped to shape the very way in which we speak about the westward expansion by couching it terms of "waves". I myself am guilty of taking on the Turner analogy, having earlier referred to westward migration as an "advancing tide." Understandably, however, when one is among the first to put forward a theory, one gets the privilege of determining the subject's parlance. The idea that Americans had an innate desire to expand westward was highlighted in Turner's citation of a man by the name of Grund, who declared in 1836:

It appears then that the universal disposition of Americans is to emigrate to the western wilderness, in order to enlarge their dominion over inanimate nature, is as the actual result of an expansive power which is inherent in them, and which by continually agitating all classes of society is constantly throwing a large portion of the whole population on the extreme confines of the State, in order to gain space for its development. Hardly is a new State or territory formed before the same principle manifests itself again and gives rise to a further emigration; and so it is destined to go on until a physical barrier must finally obstruct its progress.¹

Did Turner fully sign on to Grund's notion of the "expansive power" within Americans? The fact that the citation was made reveals some of what Turner felt about the driving force behind westward expansion. The existence of virgin land laying on

the margins of that which was cultivated, according to Turner, was the thing that beckoned early Americans westward. In Grund's quote we see the germ of what would later be called by Clarence Danhof, Turner's "Safety Valve" theory. Grund mentioned how westward migration was constantly agitating "all classes in society" and that this agitation threw "large portions of the population on the extreme confines of the State." Turner, some sixty years later, echoed Grund when he said:

[T]he fact that an area of free land has continually lain on the western border of the settled area of the United States. Whenever the social conditions tended to crystallize in the East, whenever capital tended to press upon labor or political restraints to impede the freedom of the mass, there was the gate of escape to the free conditions of the frontier.  

Turner suggests that westward movement was prodded in part by social unrest in the East. Yet, not just anybody could make the trip west to relieve pressure on the East. This boundary land offered up other benefits aside from being a place to run in order to get away from the socio-economic problems of the East. Western lands represented opportunity for profit and capital was needed if one wanted to truly make a successful move.

Clarence D. Danhof in his article "Farm-Making Costs and the 'Safety Valve' 1850-1860" argues that even farming required much in the way of start-up capital, as evidenced by the guidebooks to the western states written during the mid 1800s. A land agent from Iowa named Nathan Parker, advised, in one of his many western guidebooks, that the prospective settler should have "$1,000," in order to, "equip an 80 acre western farm of exclusive land." In addition to the start up costs, there were

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3 Turner,41.
4 Danhof,256.
other costs like fencing, clearing the land, and building a house. If a settler could throw up some of these land improvements, he could increase the value of his land considerably. Danhof argues that these improved lands, which can fetch a higher price once sold to more permanent waves of settlers to follow, helped provoke westward expansion. As long as there was land on the borders of the settled territory, there was money to be made. The allusion that pioneers were in it for the money strikes at the very heart of romanticized notions of restless wandering souls who longed to see what was beyond the next mountain top.5

Danhof suggests that it wasn’t the poor escaping from the urban areas to the rural; it was those of moderate means that were emigrating to the frontier, leaving behind the dregs of society to fester in the overcrowded eastern cities of New York, Boston, Baltimore, and Philadelphia. In response to the “safety valve” theory which Turner put forward, Danhof argues, at least in the mid century, that the East’s social condition was not improved by free land on the western margins, and that emigration was a filter which kept out, through its requirement of capital, the undesirable portions of society. “It is altogether clear” he writes “that the west of the 1850s cannot be regarded as offering great agricultural opportunities for the poor and poverty stricken.”6

An ounce of Danhof’s argument rings through in part of what Willard W. Cochrane said about westward expansion. Cochrane writes:

Why, then, was the pioneer settler of this period trying to acquire 80, or 160, or 320, 640 acres of land, if he lacked the labor supply to work that land and there was no market for the product of his labors if the land could be worked in some way? He was trying to acquire as much land as he possibly could... because he, too, was a land speculator.”7

5 Danhof, 262-265.
6 Danhof, 269.
Cochrane agrees in large part with Danhof and his assertion that the free untamed lands on the border presented an untapped source of money but Cochrane adds another facet to the, expansion-by-profit-making, theme of Danhof's, which places more emphasis upon the government's role in the initial disposal of public lands. Cochrane's contribution to the historiographical discussion of the reasons behind westward expansion adds a political aspect which Turner briefly touched upon in his thesis. Exploring the changes which have occurred in the methods of public land disbursement, Cochrane shows the emergence of a political dichotomy.

The two emerging points of view at the time were the conservative, which held the belief that the land would add more revenue for the government if it were sold in large pieces; the method of payment which conservatives favored was cash. To counter the conservative's, liberals felt that public lands acquired from purchases, e.g., the Louisiana Purchase, and other methods of land acquisition i.e., outright theft from Native Americans, would benefit the nation if it were split up into smaller pieces and sold at inexpensive prices. The conservative view held more sway at first, and the land was sold to well monied land speculators who thought that they could turn around and sell their newly acquired public land to settlers at a profit. However, the speculators weren't always able to turn a profit because many settlers lacked the financial means to buy land at the speculators asking price.

The government began to debate over the best solution for the problem. This debate turned into the "preeminent" as Cochrane writes, "political issue in the United States from 1785 to 1862[.]" This comes as a shock to the student who was raised being taught that slavery was the main political issue of Antebellum America. Before the student suffers too much of a shock, Cochrane points out that slavery, or rather, its extension to new territories and states, was indeed, a large point of contention in the before mentioned, preeminent political issue. Slavery enters the debate because the
United states legal system is one that places a lot of its confidence in precedent. This is true now and it was certainly true in the early nineteenth century. The Ordinance of 1787, which dealt with the courses of action that were to be taken upon the acquisition of new territory, established a “guarantee of civil and religious liberties and prohibition of slavery.” This prohibition on the extension of slavery into newly established territories eventually led to political upheaval and even bloodshed.

Taking a moment to discuss legal firsts, we see that precedents, in the area of land law, were laid down in the ordinances of the nation’s infancy. “Political decisions,” writes Cochrane, “taken during the Revolutionary period resulted in a situation in which all titles to land within the United States, today, derive their legality from the governments to which the Revolution gave birth.” Anticipating Cochrane’s assertion, Carlos Schwantes points out that the land law, which Oregon had while it was in its provisional stage of government, was largely based on the Northwest Ordinance of 1787. The only United States law book present in Oregon country during the 1840s, when the provisional government came into being, was *Organic Laws of the State of Iowa*. It “contained, the Declaration of Independence, The United States Constitution, and the Northwest Ordinance.”

The tension which arose from disagreements between the conservative and liberal points of view, in their own way, served to hasten westward expansion. Andrew Jackson, the nation’s first western president, added his voice to the debate; he had the interests of the pioneers and the settlers in mind when he said, “All public lands should be gratuitously given away to individual adventurers and to the States in which the lands are situated.” National land laws remained largely unchanged during the Jackson’s presidency, but his second vice president, (John C. Calhoun resigned)

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9 Cochrane, 41.
11 Turner, 20
Martin Van Buren, was able to further liberal public land laws when he was elevated to the highest office in the land in 1837.

The preemption law of 1841, emphasized the practice of “select and settle, then purchase at minimum price.” This was a big step forward for the liberal land law cause and it held special importance for squatters; they could jump a claim and wait for the federal government to come along and legitimize their claim to the land. The Preemption Act of 1841 would loom large in the Oregon’s methods of settlement before statehood. The act of select, settle, and then purchase, in an oblique manner condoned westward expansion via squatting.12

We have seen that that Clarence Danhof challenged Frederick Turner’s thoughts on the west presenting itself as a relief valve to alleviate the pressure built up in the East. Willard Cochrane asserts that westward migration increased in celerity given the role of the politicians during the day and their legislation on the methods for public land sales. Similarly Arthur Cole challenges Turner’s theories on westward expansion by reinforcing the theory of public land sales as an impetus to emigration.

Cole is not fully convinced that infrastructure played as big a part in westward expansion as Turner suggests. Cole, through mathematical methods and historical research of population growth, discovered a correlation between major bouts of public land sales and population growth in the territories and states where the sales occurred. The link between population growth and land sales seems to be an obvious one, but what wasn’t obvious, until Cole put forward his conclusions, was the link between major infra structural improvements and population growth. Turner suggests that the two went hand in hand but Cole, through mathematical and historical methods, is unconvinced of Turner’s theory in this matter. Did land sales figure more heavily in population growth than the extension of roads, canals, and rails? Land sales may

12 Cochrane, 41-46.
have played more of a part in population growth, but the time span that Cole studied was 1816-1860 whereas Turner's thesis concerns a broader period of time. Cole’s research does not, for instance cover the explosion of railroad building after the civil war. However, Cole's data does cover the period of time in which the DLC’s implementation occurred. And for this, Cole’s conclusions are added to the historiography of the reasons for westward expansion.

So far, given Danhof’s, argument, it would seem that westward expansion was purely a capitalistic enterprise. Yet all along the way, as pointed out by Cochrane and even Cole, the government was not far behind. Indeed the government was in particular instances, e.g., the DLC, out in front. The farm-makers who went west did so knowing that the government would be right behind with its funding of road building, canal digging, and later, railroad lines. The over spreading of the west would not have happened as quickly as it did if the government was not on the heels of the frontiersman; because the farmer needed ways to get his product to market, therefore the need for infrastructure required government intervention.

This short divergence into the historiography of westward expansion and the forces which brought it about may or may not answer the initial question of “why would anybody want to strike out into a wilderness that was so inhospitable? However, it is important to point out that in these few historiographical sketches, the settlers were not completely alone in their endeavors. They could clear land and hope for infrastructure to come their way. They could go into Native occupied lands and know that the government would be right beside them when it came time for Indian removal. They could squat on un-surveyed land that wasn’t even theirs, with the knowledge that there were those in high offices who would support their cause. The government constantly worked at making land more affordable and easier to obtain through unceasing legislative alterations. The reader can see that there was very little if
anything individualistic about westward expansion because every step of the way, the
government was the settlers' biggest patron.

There is no doubt that Frederick Jackson Turner's frontier Thesis shaped the
way many historians have looked at western migration. The textbook used by Western
Oregon University and Chemeketa Community College, *Out Of Many*, is a primer for
first and second year college students and is heavily influenced by Turner's
conclusions. The text has passages like:

> The new transportation system caused a subtle political shift, for it strengthened
the influence of the North by improving the North’s ties with the west more than
those of the South. In this way, the new modes of communication and
transportation served to heat up the politics of the era.”

This passage is practically a mirror image of what Turner wrote about the role
that the frontier had in nation building. Here is where Turner makes the most sense.
It can be seen that sectionalism definitely existed in the late eighteenth and early
nineteenth centuries. Once Americans broke out of the tidewater land and went above
the fall line and beyond the Appalachians, a new type of American developed. These
new types of Americans were speeded on their way west via transportation
infrastructure, one can see that the emergence of a third political force soon followed.

An ever expanding constituency with western ideas such as, free land tenure,
and the need for transportation networks to get product to market, called for
representation in congress. In order for representation to happen there needed to be
statehood because territorial delegates were non-voting members of congress, (as

<sup>14</sup> Turner, 28.
territorial status was the first step toward statehood. As mentioned above, one of the rules in the Ordinance of 1787, pertaining to territorial status was that slavery would be prohibited in new territories. Southern members of congress found that they would be outnumbered if more territories came into the Union as non-slaveholding states. The Missouri Compromise temporarily addressed the issue of statehood and the expansion of slavery. However, many settlers were opposed to the expansion of slavery to their new states because they, at least in the case of Oregon, “feared that slavery would enable the rich to dominate the poor and thus re-create the caste system that many immigrant farmers . . . sought to escape.”

Eric Foner, author of *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War*, suggests that laws such as the DLC were driven in part by a concept which was increasingly gaining strength in the politics of the 1840s and 1850s, free labor. Free labor or non-slave labor was a hallmark of the Whig/Republican party of the mid nineteenth century. Those who subscribed to such a political philosophy believed that slavery was not economical because no matter the economic climate, a holder of slaves had to clothe and feed the slaves; whereas it was easier for the employer of free laborers to hire and fire employees as the economic situation allowed. Though it was true that a slave could be sold when the owner came upon hard times, the buying and selling of slaves was becoming less palatable to a growing sector of the population who abhorred its practice.

The Republican party was trying to solve a moral problem with an economic solution. But there were those who would counter the Republican’s economic solution saying that their solution only led to another moral problem, “wage slavery.” When terms such as wage slavery were tossed about in debate, many in the

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15 Schwantes, 103.
Whig/Republican party were offended. The wage earners were certainly not slave for they could choose to quit whenever the pleased unlike slaves.

Regardless of the problems solved or created, a large portion of those who fell in line behind the Whig/Republicans, whole heatedly believed that they, through free labor, could make a better life for themselves and for the generations of children that would follow. If only they worked hard and practiced frugality, they thought, one day they would be able to afford their own piece of land and work on their farms as independent yeoman farmers. They would be the ones that would hire help and the hired help would hold many of the notions of hard work and frugality in common with their employers. And so the process would be repeated and society would be better through the diligent efforts of individuals.¹⁷

The Whig/Republicans and many in the Democrat party who had split from staunch pro-slavery Democrats, used the occasion of vast amounts of western land as an opportunity to gain political capital. The giving away of free land was a key component in this effort. Here is where one starts to see that the DLC was not simply governmental charity or a way to promote migration to the west side of the continent. What was at the heart of the DLC's enactment? It may sound conspiratorial to think that there were self serving designs behind many of the nineteenth century land grant laws but one also must keep in mind the deep divisions that were between political parties during this time. Divisions which became so wide that there was a Civil War. It is not the student's intention, however, to engage in that huge topic.

With the knowledge that Turner's thesis has been challenged time and again by newcomers to the debate, The author still feels that much of what Turner had to say about westward expansion, though too general in times, makes sense. A survey of the history of Oregon and the reasons behind the birth of the DLC reveals however, that a

¹⁷ Foner, 17.
portion of all the before mentioned historians' (Turner, Danhof, Cochrane, and Cole) thoughts can be applied.

People living in Oregon during the 1840s and 1850s represented one of the last waves of civilization's advancement. In keeping with Turner's conclusions, These were men who, though predominantly Democrats from the South, were unified by a shared western experience. And in keeping with Danhof's ideas of westward expansion, not just anybody could make it to Oregon. The capital needed for the trip was a filter mechanism alone, not to mention the tremendous distance which needed to be traversed. The physical filters of distance and money, coupled with the DLC's legislative filter of, "whites only" would, or so it was hoped, keep out the unwanted portions of society. This pure society on the west coast may have given some impetus to make the journey. Cochrane pointed out that the increasingly liberal land laws provoked movement west. Indeed, land laws can't get much more liberal than the free land which the DLC promised. Finally, Cole's brilliant discovery of the connection between land sales and population growth: The population exploded in Oregon once the federal government stepped in to disburse the land. Thus concludes a synthesis which I feel may describe not only the political make-up of people in Oregon in the mid 1800s, but how and why people moved to Oregon.

In the historiography above, I touched upon different opinions behind what some have felt drove westward expansion in the United states as a whole. Oregon's history of settlement and development is analogous to the nation's settlement and development. Oregon, like the Nation, required more government intervention as it grew from a small collection of trappers, traders and missionaries into a colony which grew annually with every infusion of new immigrants from the East.

Oregon, like the United States, was increasingly becoming a mosaic of different
peoples from various ethnic, (though some e.g., Hawaiians, were discouraged from entering) backgrounds. A brief sketch of Oregon's demography reveals that, during the subject period, (1830s-1850s); the population of Oregon was small but relatively mixed. It comprised of six distinct groups of people: The native indigenous people, the Hudson's Bay Company personnel, French Canadian trappers, (these often belonged to the same group) The notoriously rowdy, "Rocky Mountain Boys" or American fur traders, Protestant and Catholic missionaries, and finally the small but powerful contingent of East Coast (American) merchants who had arrived at Astoria by ship.¹⁸

Major events which defined the era affected citizens of the United States in much the same was Oregonians

In 1848-49, the nation felt the effects of the discovery of gold at Sutter's Mill in California. Gold fever struck a the United States in a profound way; the people of Oregon, however, felt the effects of the gold rush, perhaps, more acutely than others. The feverish delirium of Oregon's neighbor to the south rendered Oregon nearly void of able bodied men. Shortly after word got out that there was gold in California a massive exodus from Oregon to Northern California occurred. So many men left for mining operations in California that local government in Oregon came to a halt. Some men stayed behind and they were glad for having done so. The flat line economy of pre gold rush Oregon acted as if it were injected with adrenaline at the news of gold. And there was money to be made from provisioning ships which came into the Columbia. Hubert Bancroft writes in his History of Oregon: "Instead of from three to eight arrivals and departures in a year, there were more than fifty in 1849 of which twenty were in the river in October awaiting cargoes at one time."¹⁹

The sectionalism which plagued the Politics of the United States, also served as

a factor which influenced Oregon Politics. The joint effort of the Australian duo, Paul Bourke and Donald DeBatts, show in their, *Washington County: Politics and Community in Antebellum America*, that much of the political sentiment of the inhabitants prior to the DLC’s inception, was pro Southern. Many of the early American settlers were from the border states or from states which would later comprise the Confederacy. These settlers migrated, in large family groups. In some cases, according to the Australians, “whole villages,” which existed previously, in the Antebellum South, were, “reassembled in Oregon.”

Bancroft writes that “many in Oregon” just prior to gaining territorial status, “were pro [James K.] Polk Democrats.”

The conservatives in Oregon were “represented principally in Oregon by Protestant religious societies.”

The two diverging schools of political thought which existed in Oregon, held their own ideas about the prospect of potential statehood, the extent of government involvement in infrastructure building, land sales, Indian removal, and the extension slavery. In many ways, from the inception of the provisional government in 1845, through the territorial government, and on to statehood in 1859, it can be seen that Oregon was like a microcosm of the United States. With Oregon’s development mirroring that of the United States, (however, in a more truncated amount of time) what is to be made of rugged individualism and its role in the settlement and development of Oregon?

Much energy has been expended in an effort to de romanticize the role of rugged individualism in the settlement of the United States, through highlighting the government’s assistance given to the American bent on westward expansion. Similarly, the role of the government, and *ad hoc* communities e.g., wagon trains, aided Oregon’s development.

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21 Bancroft, 78.
22 Bancroft, 93.
Perhaps the best example of the federal government's intervention in the settlement of Oregon came when Oregon became a territory of the United States and the Donation Land Claim Act of 1850 was implemented.

The DLC was, perhaps, the most influential piece of legislation passed. The DLC, along with the discovery of gold in California and in southern Oregon, served as key agents for much of the population explosion in the Oregon Territory between the years of 1850-55. The short duration of the Donation Land Claim Act of 1850, belied its long term effects on the social, political, and environmental history of early Oregon. In its original form, the DLC was intended to last from December 1, of 1850, to December of 1853. The 1854 Preemption law, in order to attract additional settlement; extended the provisions of the DLC for a further two years. By 1860, "the DLC," says Bourke and DeBatts, "transformed a virtually clear landscape into a settled agricultural society; in the process, the population of Oregon quadrupled, rising from 13,000 to 52,000." This rapid population growth, as a result of government land sales/gifts, reinforces Cole's conclusions about the correlation between land sales and population expansion.

Exploring the provisions within the DLC may give the reader an idea about what made Oregon attractive. First of all, aside from Oregon's attraction to the settler, it should be mentioned that Oregon was attractive to the United States government. through illustrating what drew the United States in the direction of Oregon, the reasons for the government's desire to populate Oregon through the enactment of a generous land law can be better understood.

The nation went through a very severe financial panic in 1837. As a result of this economic plunge, some politicians came to the conclusion that the nation's future prosperity would be tied to opening doors of trade with Asia. Men such as Missouri's

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23 Bourke and DeBatts, 65.
Senator, Thomas Hart Benton began to look to Oregon country, partly because of its Columbia River, as a possible area for a jumping off point in the extension of trade ties with counties like India.\textsuperscript{24}

It is important to keep in mind that Oregon, or rather, Oregon Country, was much larger than today's present day boundaries; The Columbia River to the north, the snake river to the east, The Siskiyous to the south and finally, The Pacific Ocean to the west. In 1840, Oregon Country extended north from the Californian border to the fifty-fourth parallel in present day British Columbia. While The Pacific Ocean was still Oregon Country's western border, its eastern border extended to its terminus in what is today the State of Wyoming. These boundaries were established by the treaty of Ghent in 1818. The treaty also allowed for joint settlement and rule of Oregon Country by the British and the Americans. These boundaries were, "a temporary expediency until such time as the conflicting claims" of the United States and Great Britain, "might be resolved,"\textsuperscript{25} in other words, until their alteration in the 1840s. During the 1840s, the transition from joint Anglo-American rule, to provisional government, to United States Territorial government moved Oregon's northern border down to the one which Washington State presently shares with British Columbia. Extension to the 49th parallel was important because the Columbia River proved to be treacherous for sail powered shipping and the Straits of San Juan de Fuca were better suited for trade. The Columbia presented such a hazard to shipping that the lack of shipping up and down the river, in the pre gold rush days sent the local economy spiraling down. The few ships that did successfully navigate the dangerous sand bar at the Columbia's mouth, became lifelines to those living along the banks of both the Columbia and the Willamette.

In one instance, Bancroft writes, A ship named the \textit{Vancouver} carrying much

\textsuperscript{24} Faragher, 241.
\textsuperscript{25} O'Donnell, 10.
needed clothing, a scarcity in Oregon at the time, sank. The news of its demise reached the wheat farmers of the Tualatin plains; without the ship as a means to sell their wheat crop, a glut in the supply of wheat ensued, and prices plummeted as for the clothes. . . Indians living on the banks of the lower Columbia were sighted wearing slightly "damaged silks" presumably washed on shore "while settlers made do with tattered wool and bed sheet shirts."26 Along with the loss of the market outlet for wheat and the loss of the silk shirts, the Vancouver disaster also kept much needed specie (the earnings of the sailors from overseas trading) from being injected into the Oregon economy for circulation.

As a shot across rugged individualism's bow, an ad hoc committee was thrown together in an attempt to raise a merchant company of Oregon's own. It was proposed that a farmer's cooperative could be established, then Oregonians would not have to rely on British or American merchant traffic. This plan was interrupted by a group of immigrants; their arrival helped farmers get a better price for their wheat.27 This illustration, however, goes to show that cooperation and the need for organization transcended individual efforts and was often required.

Although the entrance to the Columbia was dangerous for shipping, Oregon still looked attractive as a base of trade operations with Asia, the United States government had to make Oregon look attractive enough to make somebody want to venture thousands of miles on an arduous seven month journey. Thus the provisions of the DLC.

Willard Cochrane points to a shift in the politics concerning free land tenure; this time free land tenure advocates are from the eastern industrial states rather than from the west. "[I]n the 1840s" writes Cochrane, "... land law reformers, often easterners, urged the passage of homestead legislation to distribute lands in the public domain to

26 Bancroft, 48.
27 Bancroft, 21-22.
settlers free of charge as a means of alleviating the bad economic conditions of urban factory workers. Movements like this may have contributed to the DLC’s liberal provisions of free land for all those who could get to Oregon in time to claim it.

The DLC provided for the grant of large pieces of land to married couples; 640 acres to those couples who claimed land prior to December 1, 1850, and 320 acres for those couples who claimed land after. Compared to a the donation of land given to a single man, 320 acres before December 1, 1850, and 160 acres after, it is easy to arrive at the conclusion that women became highly sought after. One settler observed, “ladies are like gold” in that they were “very rare.” Indeed, women were rare and they seemed to be worth their weight in gold. Women were getting married younger and younger. and marriages seemed to occur more frequently so that the provision of free land under the DLC could be fully taken advantage of. Vernon Carstensen wrote in the introduction to The Public Lands, that “an eight- or ten-year-old girl might serve as a wife of record and so give a man right to claim a double portion of land under the Oregon donation law. One particular case deserves to be highlighted here for its peculiarity:

“A man married when he could, a girl married early, and during operation of the Donation land Law brought with her a federal dowry in the form of acreage. Adam Wimple, thirty-four, wed Mary Allan, twelve. At thirteen she developed a roving eye. He murdered her and set fire to the cabin, after secreting her body under the floor. He was hanged.”

Matrimonial nightmare stories like the one above were rare, however, the increase in marriages for land in the 1850s was a direct result of the DLC. Although the

28 Cochrane, 59.
29 Bourke and Debatts, 118.
temptation to exploit women for an extra portion of land existed, the DLC was unique in that it gave women legal title to their portion of the land.32

The DLC may have had liberal provisions, and those provisions may have encouraged migration, a certain type of emigrant was preferred, white. The donation of land was specifically granted to settlers or occupants who were either white, or “American half-breed Indians”. The social legacy left by such a discriminating enactment lingered long after the United States Congress passed the DLC.

Bourke and DeBatts write that, because the majority of the voting population were white men from the south, legislation like the DLC was passed to accommodate these southern white voters’ sensitivities, hence the racist language of the DLC. It should be noted that the only reason that the “American half-breed Indians” were included in the DLC as eligible for land claims, was because they were already established in the communities which lined the Willamette river in what was Champoeg and the region of present day French Prairie.

The DLC benefitted mostly settlers who were already living in Oregon. First among the permanent settlers in Oregon, were retired employees of the British owned Hudson’s Bay Company. The majority of these ex-employees were “French Canadian trappers who settled... with their Indian wives.”33 They came to Champoeg in 1829. As has been mentioned, these French traders settled in what is today, French Prairie, a picturesque, pastoral region of the Northern Willamette Valley which lines the eastern banks of the Willamette river and roughly covers the area from St. Paul to Wilsonville. Though these first settlers began the ‘civilizing” process of Oregon’s Willamette valley, more settlement was encouraged by the chief factor of the Hudson’s Bay Company, Dr. John McLoughlin.

32 Bancroft, 270-271.
Taking their Cue from McLoughlin, and others, a tiny trickle of people made the trek over the continent in the 1840s. In 1842, "the first large [wagon] train to Oregon had 112 people." The following year, 1843, nine-hundred American settlers ventured to Oregon’s Willamette Valley. It was in 1843, that the "Wolf Meetings" at the settlement of Champoeg resulted in the establishment of a provisional government in Oregon. This was a move away from shared British and United States rule and toward the sole leadership of Oregon by the United States. This move, along with new provisional government’s civil codes, made Oregon appear more like a bastion of civilization on the edge of the North American continent and less like a savage wilderness.

The appeal of Oregon became more apparent and in 1844, when "the real settlement of the Willamette Valley began." with the injection of another, 1400 settlers. With more and more Americans going to Oregon, it was determined, in 1845, "by a large majority in the United States House of Representatives, to pass a bill which called for territorial status for Oregon." Though Oregon would not become a territory until President James K. Polk signed The Oregon territorial Bill in 1849, the 1845, show of relative solidarity in The House of Representatives hinted at the reality of territorial government which was to come. This solidarity may have prompted some of the emigration which occurred before The DLC was implemented. If a settler knew that the government would not be too far behind, it would be to the settler’s advantage to go and ‘squat’ on land in Oregon and wait for the government to come along so a good price could be had. If a prospective emigrant waited too long, it was more likely that a speculator would get there first and hike up the price beyond what the government asked. Finally, in “April 1846, The border dispute with Great Britain had

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34 O’Donnell, 45.
35 Ibid.
36 Ibid., 10.
been resolved, and now Oregon Country was indisputably American. Consequently, the next spring, the spring of 1847, five thousand settlers made their way to Oregon.

Claiming land in Oregon seemed to be a simple task especially if the settler was already in Oregon prior to 1850. There was however one problem for the settler looking to claim choice areas of land. A problem which would provoke the settler to ask for help from the government in the delicate issue of Indian removal.

William G. Robbins, Professor of History at Oregon State University, in his historical monograph, *Landscapes of Promise: The Oregon Story 1800-1940*, broaches the subject of "prior occupancy" of the land by Native American peoples. In order to give away "free land," one must first make sure that the land was indeed free to be given away. Though the problem of prior occupancy was largely resolved with a mass epidemic of malaria in the 1830s, that decimated the indigenous population, there were still indigenous groups who held "legal status of 'prior occupancy' under constitutional law." \(^{38}\)

Indeed, the mass depopulation of Native American tribes was lamentable. However, Terence O'Donnell in his *An Arrow in the Earth: General Joel Palmer and the Indians of Oregon*, writes, "some considered it a blessing." The Reverend Gustavus Hines, in 1840, believed "the hand of Providence is removing them [Indians] to give the place to a people more worthy of this beautiful and fertile country." \(^{39}\)

Whether the reason for the decimation of Indians in Oregon was due to the hand of Providence or more likely, deadly pathogens brought by European traders, vast areas of fertile land became virtually depopulated. The advantage of this near vacant land fell to settlers from the United States and British ruled areas of present day Canada.

\(^{37}\) Ibid., 56.


\(^{39}\) Ibid.
There remained, however, a few small bands of Indians in Oregon's western valleys and larger, nomadic tribes in the spacious region which extended from the eastern slopes of the Cascades to the western foothills of the Rockies. Their numbers were greatly reduced. By the early 1830s, "an estimated 70 percent of the population had succumbed to epidemics, mainly malaria." Lewis and Clark, during their journey toward the Pacific Ocean in 1804, gave an account of the Clackamas Indians; "the Clackamas, who lived below the falls of the Willamette, were estimated by Lewis and Clark to number about eighteen-hundred." By the 1840s, according to Robbins, their numbers were significantly less.

To justify the further usurpation of Indian lands, Robbins writes, "the newcomers refurbished the old argument that they [white settlers] practiced superior methods of cultivation and represented a more advanced civilization." Armed with such arguments, and new territorial representation in Congress, the white settlers were in a prime position to press for Indian removal. The irony, as Robbins points out, is that the very land which was spoken of as the promised land in the west, beautiful and fertile, was made so by slash and burn methods of cultivation used by the Indians.

Once the land was taken away from indigenous people groups of Oregon, the settlers to fashioned the clauses in what would become the DLC that would exclude non-whites from wanting to come to Oregon. Samuel Thurston, Oregon's first Territorial Representative, "wrote a bill vacating Indian title to all lands west of the Cascade range" and, as Malcolm Clark, Jr. wrote in his, Eden Seekers: The Settlement of Oregon, 1818-1862, "herded it carefully through both houses" of Congress. Clark, diverged from Robbins' approach, citing the widely held belief among white settlers, that the land was essentially theirs by divine right or by the

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40 Ibid., 42.
41 Ibid.
42 Ibid.
43 Clark, 237.
predetermination of Providence. The “Manifest Destiny” approach, is often held up in
historical works as the motivating factor for the westward migration of nineteenth
century settlers. It was ordained by God that Americans (white Americans), be given
claim to the land of the west.

Tensions over land ownership and its use grew between the Indians and the
new settlers. Settlers began the process of “redefining landscapes that native people
had formerly treated as a commons, valley bottom and upland places that had served
as gathering grounds for foodstuffs such as camas, tar weed, bracken fern, and an
assortment of berries,” were turned into places which were fenced off and dedicated
to the growth of one crop. The loss of food sources placed Indians in the western
valleys into a situation where they had to resort to begging farmers for food.

In contrast, the Cayuse Indians of Eastern Oregon decided that they would
much rather make raids on small isolated wagon trains or settlements for their food
than beg. It was as a result of one of these raids that tensions between Indians and
settlers came to a head. O’Donnell quotes Hubert Bancroft from Bancroft’s two volume
History of Oregon; Bancroft wrote that the “Cayuse ‘attacked several small
companies... in some instances tearing the clothing from the persons of the women,
leaving them naked in the wilderness.” The origin of the sickness which was blamed
on the ill fated Whitmans by the Cayuse, may have come from these raids
rather than the Whitmans themselves. O’Donnell writes, “if any of these women
suffered from the black measles, as some may have, they had a terrible revenge. It
was contact between measle-bearing whites and Cayuse that led, within a few
months, to the death of nearly half the tribe.”

The fallout from the massacre at the Whitman mission, in which Marcus and

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44 Robbins, 83.
45 O’Donnell, 57.
46 Ibid.
Narcissa Whitman were killed, contributed to Indian removal from valued agricultural lands, far removed from the scene of the crime. Joel Palmer was Oregon’s provisional government official who was sent ahead of the belligerent Colonel Gilliam, to sue for peace with the Cayuse. The Cayuse ignored Palmer’s requests for a meeting. Finally when the Provisional government completed its winter trip to the Whitman mission to see the burnt out buildings and the strewn about human remains, it was Palmer who made the statement “in council with the Cayuse, that the Cayuse had forfeited the land by making war upon the Americans”.

This forfeiture of the land, whenever there was unrest among Indian tribes, was the pretext for the “legal” removal of Indians from ancestral land. The remaining Indians in the western valleys were removed upon the slightest hint of uprising. The process of the “appropriation of native land was well advanced in the Willamette Valley.” The federal government, when it gained control of the territorial government of Oregon, adopted Palmer’s stance on Indian forfeiture of the land upon uprising. The federal government took Indian removal a step further, and there were “constitutional procedures for extinguishing Indian title [to land] before it could legally become part of the public domain.” Under the Territorial government, the system of legislating the Indians off their lands began in earnest.

The law which caused the most pain, from the Indian viewpoint and the most pleasure, from the settler’s viewpoint, was the Donation Land Claims Act of 1850. The reader will recall its barring of any non-white ownership of Donation lands. Where the Indians had already been in a state of population decline, the color discriminating provisions within the DLC inexorably sent the remaining Indians on a course of moral decline as well.

In 1850 a census of the of Portland was taken. The census counted “821 noses in

47 Ibid., 113.
48 Robbins, 84.
Portland." That same winter another census "claimed the town had a population of 1500." This second census "included the Indians collected in sorry camps around the city's perimeter, most of them living in beggary though a few enterprising maidens sold professional services until more obvious symptoms of social disease made them unappetizing even to resolute lechers."49

The father of this land law that tore at the Indians' moral fabric was Samuel Royal Thurston.50 "When the Territorial legislature elected Samuel R. Thurston as its first delegate to Congress in 1849, the legislators commissioned him to secure passage of the desired land law,"51 a law which would validate legal title to land already claimed by white settlers. Clark writes, though "a territorial delegate had no vote... he could address the country from the floor of the House of Representatives and attend committee meetings considering territorial affairs."52 Thurston became little more than a consultant on the Oregon Territory but an effective consultant nonetheless.

After achieving his goal in Washington, Thurston headed back to Oregon by ship to what he was sure would be a hero's welcome. However, on his way home "Thurston contracted a tropical fever and died off Acapulco, April 9, 1851."53 Not everyone in Oregon would have welcomed Thurston, had he survived the return trip. The DLC provided free agricultural land for settlers and their families.

I don't mean to put down the many people of my family, That they were individuals of rugged character I have no doubt. That they subdued the west with the force of that character alone, I have my suspicions. The fact remains, the government was there helping the pionerr get where he was headed and essentially, on the frontier, cooperation meant life, individualism... well... it wasn't pretty.

49 Clark, 248.
50 Robbins, 83.
51 Ibid.
52 Clark, 229.
53 Ibid., 246.
Bibliography


