

Curran B 6-4
2/7/91

Blacks needed bra

(Second of four articles)

By Bob Zybach

In the "Great Immigration" of 1843, a large number of people moved from the South to the Willamette Valley over the Oregon Trail. At that time the Oregon Country stretched from Louisiana to the Pacific, from Mexico to Alaska, and was equally claimed by both the U.S. and England. This unprecedented migration of Americans to frontier Oregon included such influential pioneers as Jesse Applegate, Daniel Waldo and Peter Burnett, the eventual first governor of California.

Burnett is well known in Northwest history as the author of the "exclusion law," also referred to as the "Black Codes" and the "lash law." This law, first adopted in June 1844, made it illegal for people of African descent to reside in Oregon.

Black people who refused to leave the country were to be administered "not less than 20, nor more than 39 lashes" on the "bare back" by the county constable. The beatings were to be repeated at six-month intervals, should the initial lashings prove ineffective in obtaining their desired results. Although this portion of the law was modified in December of the same year, it wasn't until 1926 that blacks were given the formal legal right to live in this state.

The exclusion law was an important portion of the provisional code before the creation of the Oregon Territory in 1849. Until then, the only other laws were those exercised by the various Indian tribes and bands that lived throughout the Northwest, and those dictated from Fort Vancouver by John McLoughlin of the Hudson Bay Company.

American settlers in the Willamette Valley, the creation of provisional laws and the movement of pioneers who disagreed with the Black Codes to an area north of the Columbia River were all crucial aspects of the nation's 1846 acquisition of lands south of the 42nd paral-

lel, the Canadian border.

THE IMMIGRATION OF 1844 was also dominated by southerners, who came "to settle in Oregon and rule this country," according to one popular account.

The migration began in three trains, captained separately by Nathaniel Ford, Cornelius Gilliam and John Thorp. Ford and Thorp were accompanied by their personal slaves, while the Gilliam train included George W. Bush, a wealthy free black from Missouri with a white wife and five children.

The existence of the exclusion law was said to convince Bush to move to the north of the Columbia, the first American to do so. A number of white pioneers, respecting Bush's abilities and dependent upon him for assistance, helped him to build a settlement near present-day Tumwater, Wash. This action was instrumental in establishing U.S. claims to an area previously governed by a British corporation.

The Thorp train divided into two parallel columns and established a road to the north of the other parties, a route which later became known as the "Mormon Trail." The members experienced a buffalo stampede, a near attack by a Sioux war party estimated to number 3,000 men, and the types of internal dissensions that marked many other migrations along the Oregon Trail.

Among the "list of ladies" accompanying Thorp were "Eliza, a mulato (sic) girl" and "Aunt Hannah, a negress." The 1860 census for Benton County lists these two individuals as "Hanna Gorman: 'Black' wash woman, aged 52 years, from Tennessee" and "Eliza Gorman: Mulatto seamstress, aged 24, from Mo. (Missouri)."

An interesting note next to Eliza's name states that she "helped Mrs. John Stewart make 1st flag in county." It is not known when, or how, the Gorman name was acquired, or where the flag Eliza helped sew was eventually displayed.

Bravery to live in early Oregon



Weston Becker/Gazette-Times

Businessman Peter Polly built this house at 641 N.W. Fourth Street on a lot earlier owned by Eliza Gorman, one of Benton County's first black residents.

AFTER THE CREATION of the Oregon Territory in 1849, several attempts were made to attain statehood. The national debate over the balance between slave and free states, Oregon's relatively small population, and the existence of its exclusion law were all given as reasons for delay.

Anticipating eventual statehood, Oregonians held a constitutional convention in Salem in 1857. Debate centered upon the issues of slavery and black citizenship, with Democrats favoring the former and Republicans the latter. The debate extended throughout the region, with Corvallis being a particular center of controversy, due to its sharply divided

citizenry of southern sympathizers and Union activists.

The first newspaper to be started in Corvallis was Joseph C. Avery's "Occidental Messenger," once described as carrying the "greatest slavery propaganda in Oregon." The 1857 founding of this periodical coincided with William F. Dixon's sale of two city lots to Eliza Gorman, five blocks from the county courthouse. The following year Hannah Gorman purchased a city lot from Wayman St. Clair, a pioneer of 1845.

These lots remained in the Gorman name until 1875, when they were sold to businessman Peter Polly. A house built by Polly on one of Eliza's lots is still standing, at 641 N.W. Fourth Street, and

is known as the historic "Peter Polly House."

THE OREGON CONSTITUTIONAL convention adjourned on Sept. 18, 1857. Article 1, Section 35 of the new constitution made it illegal for "free negroes" or mulattos to "come, reside, or be within this State, or hold any real estate, or make any contracts, or maintain any suit therein," and placed penalties upon any individuals that might aid them in these activities. A 1916 attempt to repeal this law failed, and it remained upon the books until 1926.

Article II, Section 6 of the Oregon Constitution stated that no "Negro, Chinaman, or Mulatto shall have the right" to vote. This law was not repealed until 1927. An 1867 state law prohibiting any "white person" to "intermarry with any Negro, Chinese or any person having one fourth or more Negro, Chinese or Kanaka (Hawaiian) blood, or any person having more than half Indian blood" was enforced until 1949.

During the entire period of Gorman land ownership, both black residency and black property ownership remained illegal in this state, although county taxes continued to be levied, and paid.

Many post-World War II home sales contracts in Corvallis contained clauses against selling properties to persons "other than those of the Caucasian Race" or to those of "African or Asiatic descent." Oregon hotels and restaurants commonly practiced racial segregation until the 1953 passage of the "Public Accommodations Bill." The bill was revised in 1973.

The bravery, directness and moral influence of such black emigrants as George Bush and Eliza Gorman needs to be recognized, as should the timely help and assistance provided by their white friends and fellow pioneers.

Bob Zybach is a historian and cultural resource specialist for OSU Research Forests. Each Thursday in February, he is writing about black pioneers in Benton County.

CITATION: Zybach, Bob 1991. "Black History: Blacks Needed Bravery to Live in Early Oregon," *Corvallis Gazette-Times*, Corvallis, Oregon: February 7, 1991.