

# Keeping Blacks Out of Oregon

By ERIC WURZER FOR THE  
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To prevent even free blacks from settling in Oregon, a series of what were known as Exclusion Laws were not unique to Oregon — emigrants brought the idea from their old homes

ing it illegal for blacks to settle in Oregon without providing for any form of punishment. It was under this law that the only known victim of Oregon's Exclusion, a tavern owner from Salem by the name of Jacob Vanderpool, was exiled

the Civil War rendered the Exclusion Law moot, but the Oregon Constitution was not amended to remove the of-

fending language until 1926.

Eric Wurzer is an Interpreter for the End of the Oregon Interpretive Center in Oregon City.

His exhibit called "Black Pioneers of the Oregon Country" continues to be displayed until March 14.



A black settler heading out West. In the wake of the 1847 murders and kidnappings at the Whitman mission, Oregon's Provisional Government organized the Oregon Rangers to fight the Cayuse War and passed the first Exclusion Law to take effect in the West.

back East. Illinois and Indiana had Exclusion Laws on the books in the mid-19<sup>th</sup> century, and several states denied free blacks the right to vote and restricted their ability to testify in court.

Oregon's first Exclusion Law passed in 1844. Known as the "Lash Law," it called for all free Americans of African descent over the age of 18 to leave Oregon — men within 2 years and women within 3 — or be subjected to no less than 20 and no more than 39 strokes of the lash every six months "until he or she shall quit the Territory." The punishment was reduced to forced labor in December, six months after the original law passed. The revised law was to go into effect in 1846, but it was repealed in the 1845 session of the Provisional legislature.

Another Exclusion Law was enacted in 1849 and repealed in 1854, this one simply declar-

from the Oregon Territory.

The third and last Exclusion Law in Oregon was added to the Bill of Rights of the proposed state constitution by popular referendum in November of 1857. On the same ballot was a referendum on the question of slavery which went down in defeat. The presence of an Exclusion Law in Oregon's constitution caused some consternation among Northern legislators in the U.S. Congress, but others argued that it was a structured way to avoid bloodshed over racial issues and the spread of slavery. Thus, in 1859, Oregon became the only state admitted to the Union with an Exclusion Law enshrined in its constitution.

Amendments to the U.S. Constitution after



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