

OREGON'S EXCLUSION LAWS (1844):

(From the End of the Oregon Trail *Slavery in the Oregon Country* website at <http://www.endoftheoregontrail.org/slavery.html>)

In June, 1844, the Provisional Government of Oregon enacted its first laws regarding the status of slaves, and therefore blacks, in the Oregon Country. Slavery was declared to be illegal, and settlers who currently owned slaves were required to free them within three years. Any free blacks age 18 or older had to leave the area, men within two years and women within three. Black children were permitted to stay in the Oregon Country until they reached age 18.

The original exclusion law was the infamous "Lash Law" which subjected blacks found guilty of violating the law to whippings -- no less than 20 and no more than 39 strokes of the lash -- every six months "until he or she shall quit the territory." It was soon recognized that this punishment was far too severe, and the law was modified before it went into effect.

The new version, enacted in December, 1844, replaced the whippings with forced labor. If a black person was tried and found guilty of being in the Oregon Country illegally, he or she was to be hired out publicly to whomever would employ them for the shortest amount of time. After the period of forced labor expired, the "employer" had six months to get the black individual out of Oregon. Failure to do so was punishable by a fine of \$1000. This law was to go into effect in 1846, by which time those who wrote it doubtless hoped that most blacks would have left Oregon, but it was repealed in the 1845 session of the Provisional Legislature.

Another exclusion law was passed in September, 1849, which simply forbade blacks from settling in the newly-declared Oregon Territory. Any already in residence were permitted to stay. In 1851, Jacob Vanderpool, a Salem boarding house and saloon owner, became the only person known to have been exiled from the Territory under Oregon's exclusion laws. The law under which he was charged and sentenced was repealed in 1854.