

Chapter 272– Oregon Becomes The First State To Ban All Blacks In Its Constitution



Dates:
February 14,
1859

- Sections:**
- Public Support For The Constitution And Black Exclusion Is Overwhelming
 - Oregon’s Anti-Black Racism Mirrors The Beliefs Of Most White Americans In 1860
 - Congress Admits Its First “Whites-Only” State Into The Union

Date: November 9, 1857

Public Support For The Constitution And Black Exclusion Is Overwhelming

Criticism the Constitution comes predictably from Thomas Dryer and his *Oregonian*, with editorials attacking the outcome as the work of Bush and his henchmen:

A half score of reckless office-hunting knaves in and about Salem, who have too long controlled the political rights of the people of Oregon.

Oregonians seem to brush aside the attacks as more petty bickering between Dryer and Bush, the Portland crowd and the Salem crowd, the ex-Whigs and the Democrats.

Seven weeks after the convention they go to the polls and vote overwhelmingly to approve the Constitution.

Even more telling is the level of support they show for excluding free blacks from taking up residence in the state – a clause that gains 89% of the votes cast.

Oregon Public Voting On November 9, 1857

	Aye	Nay	Total	% Aye
Constitution Itself	7,195	3,215	10,410	69%
Prohibiting Slavery	7,727	2,645	10,372	74
Excluding Free Blacks	8,640	1,081	9,721	89

Oregon is now set to enter the Union as a pure whites-only state.

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Oregon’s Anti-Black Racism Mirrors The Beliefs Of Most White Americans In 1860



Men like Abraham Lincoln recognize that this wish in Oregon to be “cleansed of all negroes” -- not just the slaves -- is a sentiment shared by the vast majority of whites in the North, and by many Southerners. It is why he believes that assimilation between the races is out of reach, and continues to favor re-colonization to Africa were it practical.

Expressions of this virulent anti-black racism in Oregon comes in a variety of ways. The Territorial Supreme Court Chief Justice, George Williams, puts it this way at the time of the convention:

Negroes are naturally lazy.... [They] are an ignorant and degraded class of beings, and therefore they will vitiate to some extent those white men who are compelled to work or associate with them.

To Be “Excluded” In Oregon

A more crudely expressed opinion comes earlier from one N. V. Holmes in an 1855 letter to the *Oregonian*:

Niggers...should never be allowed to mingle with the whites. They would amalgamate and raise a most miserable race of human beings. If niggers are allowed to come among us and mingle with whites, it will cause a perfect state of pollution. Niggers always retrograde, until they get back to the state of barbarity from whence they originated... The Almighty has put his mark on them, and they are a different race of human beings. Let any gentleman read the history of a physician that has dissected a nigger and see what you will find: their very brain is tintured with black.

Nothing in these beliefs is particularly new – and for six decades they have been converted into countless statutes and policing policies aimed at discouraging black from taking up residency within state boundaries.

These so-called “black codes” are passed by legislatures from Ohio to Oregon.

Statutes Discouraging Black Residency

Northern States	Years Approved
Ohio	1804, 1807
Illinois	1819, 1829, 1853
Michigan	1827
Indiana	1831, 1852
Iowa	1839
Oregon	1849, 1859
Kansas	1855

But Oregon is the first to actually write a ban on all blacks into their constitution.

And the ban there will prove to be very effective.

Results of the 1860 Census show that only 126 negroes or mulattoes appear on the state rolls, out of a total population of 52,456. One hundred year later, in 1960, less than 1% of all Oregonians are black.

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Congress Admits Its First “Whites-Only” State Into The Union

Oregon assumes that its admission to the Union will follow rapidly after the constitution is approved in November 1857 – and they proceed to elect their first slate of government officials.

Two familiar faces are picked for the U.S. Senate. One is Joe Lane, whose national credentials are already well established. The other is Delazon Smith, who soon falls under Lane’s spell and turns on his former colleagues in the “Salem Clique” to wrest control from Asahel Bush over the Democratic Party machine.

The choice for Governor is John Whitacre, another pro-slavery sympathizer, who moves from Indiana during the gold rush, and serves as a probate court judge before entering the Oregon legislature.

Together with congressman Lafayette Grover, these men lobby Congress for a speedy admission process.

But this is not to be.

In the Senate, southerners led by Jefferson Davis, object to any further disruptions to the balance of power, given that Oregon would become the 18th Free State against only 15 Slave States. This delay lasts until March, 1858, when proponents win by a 35-17 margin.

The bill to admit lingers in the House, including a six month long recess running from June 16 to December 6, 1858. By the time the second session opens, the Republicans are already on their way to winning a plurality in the chamber. A few raise concerns about the black exclusion clause, but most of the controversy is focused on the fact that Oregon’s current population, pegged at 42,862, falls well below the established 93,000 minimum threshold, debated in April during the English Bill controversy.

Finally, after a fifteen month delay, enough Republican hold-outs join the Democrats in passing the bill on a 114 to 103 vote.

Votes To Admit Oregon		
	Aye	Nay
US Senate	35	17
US House	114	103

When James Buchanan adds his signature on February 14, 1859, America welcomes its first “whites-only” state into the Union.