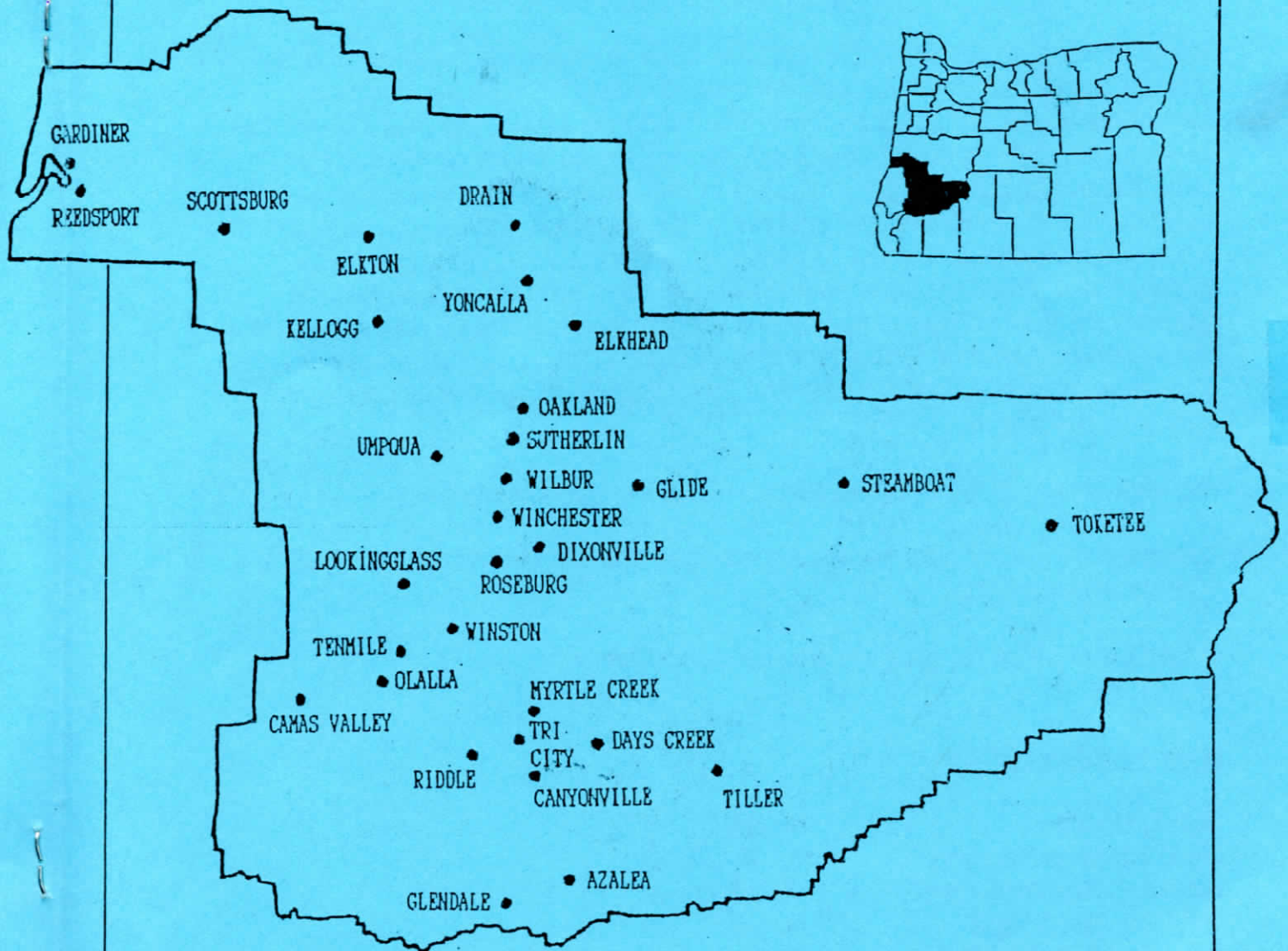


Douglas County Pioneer

June 2015, Volume 29, Issue 2



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Sundquist, Shirley	NL
Welton, Yvonne R. (Beliveau)	NL & P

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The Search for Letitia Carson in Douglas County, Oregon

Part III. Letitia Carson and the Homestead Act, 1862-1869.

(Douglas County Family Names: Bigham; Carson; Elliff; French; Lavadour/Laverdure; McGinnis; Morrissette; Rondeau; Weaver).

This is the third of a projected series of five articles exploring the history and genealogy of Letitia Carson, a Douglas County resident from the early 1850s until her death in 1888.

Letitia Carson and her daughter Martha were Oregon Trail Pioneers of 1845. Almost from the time of their arrival on the western side of the Rockies they came to be considered “Old Oregonians.” In his excellent book, *Nimrod* -- a detailed and insightful history of the first extensively documented murder trial to take place in Oregon Territory in 1852 -- author Ronald Lansing (p. 13) makes this point:

Being called an “Old Oregonian” was a label of respect that at first attached to settlers who came in 1845 or before, when the vast Oregon Country yet remained ungoverned and open to joint occupancy by British and American citizens . . . Later on the term “Old Oregonians” was expanded to include those who came in the years prior to Oregon officially becoming a US territory (1848-1849).

The subject of Lansing’s story is Nimrod O’Kelly, a fellow Oregon Trail Pioneer of 1845, and thus Lansing makes an important point by describing what constituted being widely recognized and generally well respected by wearing the “Old Oregonian” label. Sometime after Adam “Jack” Carson’s birth in September 1849 he, too, became considered an “Old Oregonian.” Perhaps more significantly he was also recognized as a truly native Oregonian, and certainly the first born into either of his parent’s families. Of far lesser significance is the fact that baby Adam is considered to be – and almost certainly was -- the first black child born within the future boundaries of Benton County, Oregon.

Although Letitia and her children were listed in the 1850 census of Benton County, they are nowhere to be found in the 1860 census of Douglas County – despite having probably lived in upper Cow Creek Valley since the early 1850s and along key locations of the major north-south wagon road connecting California to the Columbia River since the mid-1840s. Reasonable speculation might be that the family did not want to be listed on the federal census due to the racial exclusionary passages written into the Oregon Constitution, which had been formally adopted only the previous year when Oregon became a state on February 14, 1859.

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Another Carson family member was listed on the 1860 census, however: Andrew Jackson Carson, who had lived for some time with his Uncle David, Aunt Letitia and his cousins, Martha and Adam, in their Soap Creek Valley home after first arriving in Oregon in 1851. Although Andrew had taken up his own Donation Land Claim in Lane County by 1855, the 1860 census found him among a long list of "miners" in the Cow Creek Precinct. There he was living in Dwelling No. 100 with two other miners, both 33 years old and both from Ohio: William Richard and Rufus Butler. The men's location was just a short distance from the Hardy Elliff home (Dwelling No. 93), where Letitia and her children had been living in the early 1850s, and perhaps were living still.

Andrew was just 19 years old and had just crossed the Oregon Trail with the mysterious David "Junior" Carson in 1851, when they first moved into the Carson's Soap Creek Valley home. Andrew was a close nephew to Uncle David Carson, but 26-year-old "Junior's" exact relationship to "Uncle Davey" remains suspicious, in part because it can't be readily documented. A year after the arrival of Andrew and Junior, in September 1852, David died after a brief illness. That was a terrible year for cholera on the Oregon Trail and the Carson's lived directly at a major creek crossing of the "South Road" segment of the Trail. Usually first arrivals began arriving in the Willamette Valley in August and September and 1852 was no different. It is also possible that something more nefarious may have been involved with David's death.

Martha was just seven years old at the time of her father's death, and Jack – probably still called Adam – was barely two. Cousin Andrew and probably-related Junior were still only 20 and 27 years old. Letitia was somewhere in her late 30s. In 1860 Cousin Andrew was 28 years old and young Adam was only 11. Perhaps it was around this time that Adam or his mother changed his name to Andrew, too, and he started becoming known as Jack. Perhaps it was also around this time that Nigger Creek, a few miles upstream from the Elliff home and the Starvout mines, acquired its name. (Sometime during the 1950s the name was changed to "Negro Creek," although no one currently seems to know the historical origin of either name. I would like to propose here that the name be changed to Jack Carson Creek at the earliest opportunity.)

On April 12, 1861 the American Civil War began. Oregon, as a state, was barely two years old and took the Union side of the conflict. However, other than the establishment of a few manned forts and some heated political debates, the State was mostly relegated to a role of interested observer as the actual military battles took place thousands of miles to the east.

One year later, on May 20, 1862, the Homestead Act -- "An Act to Secure Homesteads for Actual Settlers on the Public Domain" -- was signed into law by President Abraham Lincoln. This law had first been promoted by the northern Republican Party prior to the

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Civil War, but had been defeated at that time by southern Democrats who favored making federal lands open to slaveowners. Now, with a Republican as President and the southern states having defected from the union, an even more liberal law became possible to enact.

The Homestead Act of 1862 stated that anyone who had never taken up arms against the U.S. government -- including freed slaves and women -- and was 21 years or older or the head of a family, could file an application to claim a federal land grant. The homestead was an area of public land in the west, usually 160 acres in size, granted to any US citizen willing to settle on and farm the land for at least five years. The law required a three-step procedure: first, file an application; second, improve the land to make it suitable for human occupation; and third, file for a certificate of title.

Letitia took the first step in this process on June 17, 1863, when she filed Homestead Application No. 103 at the US Land Office in Roseburg, Oregon. She listed herself as a "widow" and single mother of two children and, although the Act included "freed slaves," Carson didn't identify herself as such. For that matter, there was no way in which she had ever been legally married to David and technically wasn't even a widow.

Letitia signed her homestead application with an "X" that was witnessed by John Kelly, Register of the Roseburg Land Office, who further certified: "the above application is for Surveyed Lands of the class which the applicant is legally entitled to enter under the Homestead act of May 20, 1862, and that there is no prior, valid, adverse right to the same." The following written statement was then read to -- and perhaps even repeated by -- Letitia, followed by the placement of "her mark":

I, Letitia Carson of Douglas County Oregon having filed my application No. 103, for an entry under the provisions of the act of Congress approved May 20, 1862, entitled "An act to secure Homesteads to actual settlers on the public domain," do solemnly swear, that I am the head of a family, being a widow having two children that I am a Native Citizen of the United States; that I am not the owner of any other land; that I have never borne arms against the government of the United States, or given aid or comfort to its enemies, either by word or deed, or desired them success; that said application is made for my exclusive benefit; & said entry is made for actual settlement & cultivation; & not for the use or benefit of any other person or person whomsoever.

Six months prior to Letitia filing her claim, on January 1, 1863, President Lincoln issued The Emancipation Proclamation, directed to areas of the country in rebellion and to all segments of the Executive branches of the US -- including the Army and the Navy. Although this proclamation was limited to the 10 states then in rebellion, yet it thereby

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freed 3/4 of the estimated 4 million slaves in the US at that time. A little more than two years later, on April 15, 1865, Lincoln was assassinated by a fanatical southern/pro-slavery sympathizer.

Jack was almost 14 at the time of Letitia's Homestead application and 18-year-old Martha was soon pregnant and perhaps living somewhere else with a man named Solomon Bigham. Perhaps Solomon was living with Martha in Letitia's home, and it is also possible that Martha and Solomon were married at some point.

Solomon's sister Harriet was married to Hans Weaver of the large and influential Weaver clan. The Weavers had taken a large swath of mostly contiguous and strategic land claims along Myrtle Creek and the California Trail after first crossing the Oregon Trail from their homes in Ohio in the early 1850s. The Weaver claims included the original town site of the future City of Myrtle Creek, the small nearby community of Weaver and the Weaver Creek subbasin. In common with the Carson children, they were also of Irish ancestry.

On November 26, 1864, Letitia's first grandchild of record, Mary Alice Bigham, was born. With "Aunt Tish's" experience as a midwife, it seems very likely Letitia may have been present at the birth, and just as likely serving in her familiar role as a community midwife. Mary Alice's father, Solomon Bigham, has been said to have been married to 19-year-old Martha Carson at the time of the baby's birth, but there is no record of that event ever having taken place; and the same holds true for any documented divorce papers or notices, birth records, baptisms, or newspaper announcements. Was that normal poor-recordkeeping for that time, or was news of the birth being suppressed for some reason? Or do we just need to spend more time and be more thorough with our searches of public records and newspapers? In any event, both Mary Alice and Martha continued to acknowledge the name and fatherhood of Solomon Bigham for the remainder of their lives.

By that time of Mary Alice's birth Letitia had already made numerous improvements to her land, thereby satisfying a significant portion of step two of the Homestead process. She had also created a safe and wonderful environment for her children and grandchild to visit or live. On January 1, 1868 Jack was 19 years old, still single, and said to be a gentle and masterful handler of horses. On January 19, 1868, Martha Carson married Narcisse Lavadour, whose Metis French-Canadian family had settled a few miles south of the Carsons near an old Indian townsite, present-day Milo.

At the wedding of Martha and Narcisse, Joel Thorn attested "that I am acquainted with Martha Cason a half [here the word "Breed" is later interjected in small letters above the original writing] Negro of Douglas County and State of Oregon." Thorn also attested to Martha's being "over the age of eighteen years and that there is no legal impediment to
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her contracting marriage as I very believe.” Justice of the Peace D. W. Ransom took Thorn’s sworn statement.

Peter Grouslouis, a member of a local Metis family of some renown and influence in early western Oregon history, signed a similar statement to Thorn’s, but on behalf of the groom, Narcisse Lavadour. In this instance the word “Breed” is similarly placed in smaller letters above and centered between the words “half” and “Indian,” in the phrase “I am acquainted with Narcis Lavradore, a half [Breed] Indian man of Douglas County State of Oregon that he is over the age of twenty one years and there is no legal impediment to his contracting marriage as I verily Believe.” Peter’s statement was likewise witnessed by J. P. Ransom.

The wedding was then presided by Justice of the Peace Ransom at the home of Peter Grouslouis and was witnessed by Julius Cardwell and B. Carveal [?]. There is no official mention of either Letitia or Jack being present, and that might be accounted for by design (being present, but purposely not taking part in the formal ceremonies), absence by choice, or by unavoidable circumstances. Fondly shared family experience, or avoidance due to family feud? At present there is no documentation to support either possibility.

About the same time that Martha was getting married to Narcisse, 35-year-old Solomon Bigham was also getting married – to 15-year-old Josephine Wright. After giving birth to five children, Josephine tragically died at age 21, possibly related to having twins Ella and Eva in 1874. To add to the tragedy, both girls then died in 1875 at the age of one. Only two of the Bigham’s five children are believed to have survived past infancy: Mary Alice’s half-brothers Henry and Charles Bigham, who were six and nine years younger than her.

On June 19, 1868, exactly five years and two days after she had first filed her South Myrtle Creek Homestead Application, Letitia Carson completed the third step in acquiring clear title to her property. On that day she went to the Roseburg Land Office and filed for a clear deed of title to her land:

I, Letitia Carson having made a Homestead entry of the W 1/2 of NE 1/4 & SE 1/2 of NW 1/4 (Lots No & NE 1/4 of NW1/4) section No. 20 in Township No. 29 South of Range No. 3 West subject to entry at Roseburg Ogn under the first section of the Homestead Act of May 20th, 1862 do now apply to perfect my claim thereunto by virtue of the first provisio to the second section of said Act; and for that purpose do solemnly swear that I am a native a citizen of the United States that I have made actual settlement upon and have cultivated said land, having resided thereon since the 17th day of June 1863, to the present time; that no part of said land has been

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alienated, but that I am the sole bona fide owner as an actual settler, and that I have borne true allegiance to the Government of the United States.
(signed) *Letitia Carson, her "X" mark*

Proof of Letitia's 5-year occupancy and performance of improvements was provided by a subscribed and certified joint-statement by Joshua Wright and James G. Clark that stated that they had known Letitia Carson for five years, that she was the head of a household with two children, and that she was a US citizen that had resided on her Homestead for the past five years. Further, after first entering the property on June 17, 1863 she had "built a house thereon of hewn logs about 18 x 22 feet 1 ½ stories high two doors and two windows a comfortable house to live in." Additional improvements were described as "built a barn granary smoke house and has planted about 100 fruit trees." The space for providing the number of acres "since said settlement ploughed, fenced and cultivated" was left blank.

Wright's and Clark's declaration of proof was certified by Addison Flint and Registered by John Kelly. Both men attested with their signatures that Wright and Clark were "persons of respectability." Letitia's declaration was then witnessed and recorded, also by Addison R. Flint, Receiver, at the Roseburg Land Office, and the new holder of Certificate No. 14, Application 103 was granted clear title to 153 98/100 acres of land in the Cascade foothills of Douglas County, Oregon. She was a free person who owned a beautiful, comfortable and productive quarter-section ranch and orchard, and she owned it free and clear. Quite an accomplishment for any "Old Oregonian" Oregon Trail Pioneer of 1845, but maybe particularly for one who had been born a slave in Kentucky more than fifty years earlier and been a single parent of teenagers the entire time while settling her claim!

Two months later, in August and September 1868, western Oregon experienced one of the most widespread, explosive and destructive fire seasons in history. The night skies and ridgelines of Douglas County must have been lit up by fire at times, and the valleys clogged with smoke -- perhaps for weeks on end in the forests surrounding the Carson and Lavadour families. It is unknown at this time if any of the fires directly affected the two families, other than likely smoke intrusions, but perhaps that can possibly be determined by examining Douglas County property tax records for 1868 and 1869. The Bland Mountain Fire of 1987 took two lives and destroyed several homes, mostly in the Lavadour Creek subbasin, so it is possible that 1868 wildfires directly affected the plantings and livestock of either or both families.

On September 19, 1869, Martha and Narcisse presented Letitia with her second Oregon grandchild, and their first child, Agnes Marie Lavadour. Mary Alice was nearly five years old when Agnes Marie was born, and the two girls were the first grandchildren known to Letitia -- and maybe they actually were her first two; there remains no way to

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know if she left children or grandchildren behind in Missouri or Kentucky. The differing racial mixes of the two children were also interesting: Mary Alice was $\frac{3}{4}$ European and $\frac{1}{4}$ African ancestry, while Agnes Marie was approximately $\frac{1}{2}$ European; $\frac{1}{4}$ North American; and $\frac{1}{4}$ African. That is, Agnes' four grandparents were directly descended from three different continents in the space of just two generations. And both children were native Oregonians, born to "Old Oregonians."

By seemingly divine coincidence, in Washington DC on October 1, 1869 – just two days after the birth of baby Agnes -- J. V. [?] Burrill, personal secretary to President Ulysses S. Grant, and S. [?] N. Granger, Recorder of the General Land Office, were signing their names (Burrill as official proxy to President Grant) to Vol. 1, Page 35 of the first General Land Office Ledger:

NOW; KNOW YE, That there is granted by the United States unto the said Letitia Carson the tract of land above described: TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said Letitia Carson and to her [his] heirs and assigns, forever; subject to any vested and accrued water rights for mining agriculture, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of the Courts, and subject to the rights of the proprietor of a vein or lode, to extract and remove his ore thereon, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

According to BLM's 2012 four-page "Homesteading Fact Sheet," The first Homestead patents issued under the 1862 Homestead Act were signed on October 1, 1869, with 71 such patents – including Letitia's – being issued to Oregon. Of the 71 original Oregon Homesteads, four were issued to women, and three of those four were located in Douglas County: Letitia, Nancy Thompson, and Lavina West. Certainly Letitia Carson was the only black female American among the lot.

According to Wikipedia, between October 1, 1869 and December 31, 1934, 1.6 million more Homesteads were patented by the federal government; about 40% of the approximately 3.5 million total applications that were filed during those years. Letitia Carson, Douglas County, Oregon, Homestead Certificate No. 14, Application 103, Vol. 1, Page 35; you can look it up.

Final note: At some point Letitia Carson became known as "Aunt Tish" – perhaps as early as the mid-1840s when David Carson was known as "Uncle Davey." Even her son Jack became locally known as "Jack Tish" over time. At some other point the creek through her property came to be called "Letitia" Creek, but local old-timers still call it *Douglas County Genealogical and Historical Societies: Zybach DRAFT 20150215*

“Tish Creek.” Sometime in the 1960s a Roseburg BLM – successor to the General Land Office – soil scientist discovered a new kind of dark brown soil on Letitia’s old Homestead. He decided to name it after the creek along whose banks he had made his discovery. The soil was apparently intended to be named Letitia Soil, or maybe Tish Soil, but currently the 1994 USDA Douglas County Soil report lists it as a “Soil of the Klamath Mountains,” No. 13. “Letitia-Beal.” My votes are toward at least two significant name changes in Douglas County, in true honor and respect for the Carson family: Letitia Soil and Jack Carson Creek.

Next: Part IV. The Carsons and the Lavadours, 1869 – 1888.

The author, Bob Zybach, has a PhD from Oregon State University in Environmental Sciences. He has been Program Manager for Oregon Websites and Watersheds Project, Inc. (www.ORWW.org), a nonprofit 501 c(3) based in Philomath, Oregon, since 1996.

3 More Questions for Douglas County Genealogical & Historical Society members and other interested readers:

Part I of this series asked: 1) Do any of Letitia’s apple trees still exist from her 1887 orchard on South Myrtle Creek? 2) Mary Alice Bigham used her father’s surname until her death – did he ever actually marry her mother? 3) Are there any photographs of the Lavadour family that were taken in Douglas County before 1888?

Part II asked: 4) Do records exist of Capt. Laban Buoy’s tour of duty in Douglas County during the 1855-1856 Rogue River Indian War? 5) Do records exist of Col. Joseph Hooker’s 1858 construction of military roads in Douglas County? 6) Do census records exist of Letitia Carson or her children in Douglas County in 1860?

7. Solomon Bigham fathered Letitia’s first known grandchild, Mary Alice Bigham, in 1864. Do any records exist that actually document Mary Alice’s birth, baptism or any other evidence of her purported relationship to Solomon?

8. On Letitia Carson’s application for her Homestead she is listed as a “widow” instead of as an ex-slave or head of household. Were local officials complicit in this declaration or her later certification? Was there some involvement of local Lincoln Republicans?

9. Who knows anything about Solomon Bigham in 1864 to 1868? Joel Thorn, Peter Grouslouis, Julius Cardwell and/or J. P. Ransom in 1868? Joshua Wright, James G. Clark and/or John Kelly and Addison Flint from 1863 to 1868?

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