

THE ADVENTURES OF A PIONEER JUDGE AND HIS FAMILY

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The pioneer instinct is strong and difficult to explain. Why would any well-educated family leave a comfortable home, a prosperous law practice, an accepted place in the community, the cultural advantages of a large city, and good educational opportunities for the children to travel over 14,000 miles to live in a log cabin in the wilderness?

William Strong, the third of seven sons of the Reverend Henry Pierce Strong and his wife Laura, was born in 1817 in St. Albans, Vermont, and graduated from Yale with honors in 1838. For the next two years he was principal of a small academy in Ithaca, New York, during which time he met and married 17-year-old Lucretia Robinson. Her mother's ancestors had come to America from England on the same ship that had brought William's ancestor, Elder Strong, in 1630. The couple moved to Cleveland where William taught school, acquired a legal education, and in 1840 was admitted to the bar. For the next nine years he practiced law, raised a family, and became active in the community.

William Strong's pioneer instinct was aroused in 1849 when President Zachary Taylor offered him a three-year appointment as one of the first three justices of the Supreme Court in the new Oregon Territory. The government provided transportation to Oregon on the United States storeship *Supply*, a three-masted sailing vessel that took the family from New York, around Cape Horn and on to San Francisco. From there they sailed aboard the United States sloop-of-war *Falmouth* to Astoria, arriving on August 13, 1850—a trip of seven months.

The Strongs, including two young sons—Frederick (five) and Curtis (two)—were accompanied on the trip by the new governor of Oregon Territory, John P. Gaines, his wife, and two teenaged daughters. Other passengers were William's brother James and the new secretary of the territory, General Edward Hamilton. Judge Strong later described the trip as "unspeakably tedious." But it was more than that, for the Strong and Gaines families suffered tragic losses during the trip. At their first stop, in Rio de Janeiro, the Strong's son Frederick and the two Gaines daughters caught yellow fever and died.

When Judge Strong arrived in Oregon he was assigned the district that spread north from the lower Columbia River to the Canadian border, and from the Pacific Ocean east to the Rocky Mountains. This vast area of 150,000 square miles contained over 8,000 Indians and 1,000 whites. By comparison, the city of Cleveland, the Strongs' previous home, had a predominantly white population of 16,810 in 1850.

After arriving in Astoria the party traveled up the Columbia River in a large bateau paddled by Indians, heading for Oregon City, the capital of the territory. The first night they stopped at a

small cove near the Chinook Indian village of Cathlamet. The Strongs found the place so beautiful that they decided this would become their new home. In the interim they accepted the hospitality of Chief Factor Peter Skene Ogden of the Hudson's Bay Company at Fort Vancouver.

After Congress passed the Donation Land Act of September 27, 1850, William filed his claim for the allowed 640 acres in Cathlamet. Five months later they built their log cabin on a knoll overlooking the river. When they moved in, they were the first white family in what was to become Wahkiakum County. Besides the Indians, their only neighbors were James Birnie and his Indian wife Charlotte who had ten children and fifteen Indian slaves. Birnie was the manager of the local Hudson's Bay Company trading post.

Two months later Lucretia Strong gave birth to another boy. Charlotte Birnie assisted Lucretia in this latest birth and as time went by helped her adjust to her new surroundings. The two became like sisters, supporting each other as their families grew. Charlotte was the daughter of a French voyageur and a Kootenai Indian princess and, unlike other Indian women married to white men, she "ruled the roost" in her house. Observed William Strong, she "bore herself with all the self-assertion of an English dame of long pedigree."

William's duties as a Supreme Court justice were twofold. He, with the other two judges, acted as an appellate court and thereby ruled on territorial law. Each judge also acted as a circuit or trial judge in his assigned district, an arrangement that required a great deal of travel. The appellate court met in the capital of the territory, originally Oregon City and then Salem, a four- or five-day trip from Cathlamet. The court sessions lasted several weeks.

Judge Strong held his first court on November 12, 1850, at the home of John Jackson in Lewis County, ten miles south of what is now Chehalis. He recalled:

The attendance of jurors and witnesses were quite large, and as I understood at the time, composed all the white settlers in that section of the county. Probably there were twenty men, some of whom came seventy miles to attend court. My means of travel was in the Hudson's Bay Company boat up the Cowlitz River. It took about three days to go up; and I have been five days going up the river for thirty miles with a good Indian crew, and have come down the same distance with two Indians in a canoe, in five hours a few days afterwards.

William's frequent and long absences from home placed a great burden on Lucretia. She had led a sheltered life and had no experience in maintaining a family home in the wilderness. She was home alone with her two small children much of the time during those first two years. My grandfather, Thomas Strong—William and Lucretia's third child—once described Cathlamet in 1850 as "one of the loneliest places on earth." He went on to say,

In the winter nights the wolves howled within hearing of the little log house, and the young women of today, fearful of a mouse, would not have thought it a cheerful sound. With wolves on one side and an Indian village on the other, the bravest of women might have felt a little timid.

During her first year in Cathlamet, Lucretia was somewhat of a curiosity to the Indian women in the village. From time to time, unannounced and at any time of the day, two or three Indian women would arrive at the log cabin, slowly open the door (without knocking), walk in quietly,

and stand silently. When pressed to stay, they would look around, chatter a bit, and then sit on the floor and watch Lucretia at whatever she was doing. They whispered among themselves but kept their eyes on Lucretia every minute. They stayed until politely asked to leave, which they did without hesitation.

Over time the Indian women began to look to Lucretia for help in every kind of trouble. She was particularly concerned about the sick Indian women who were, according to custom, driven out of their village into the woods to take care of themselves as best they could. On more than one occasion Lucretia would take food and medicine. Not knowing the exact nature of the illness, she would place the food and medicine on a tree stump and retreat a few yards. Soon the Indian woman would cautiously emerge from the woods and begin to eat. Then the two would have a nice chat, "with several yards of pure air between them." The demand for Lucretia's help was continuous, and the back porch of the Strong house was lined with Indians almost every morning with "olallies" (berries) to sell, with duck or geese to dispose of, or with some tale of woe or sickness to tell.

William was aware that his wife could not handle all the chores of raising a young family and caring for the house by herself while he was away. He found a solution in a woman named Wahkeenah. "Most beautiful" was what her name meant in English, and beautiful she was. Judge Strong met her during a trip to Yakima where he was holding court. She was a bright, pretty young Yakama Indian girl of perhaps 15 or 16, the daughter of one of the chiefs. William was so impressed with her intelligence and neatness, to say nothing of her beauty, that he asked if she would consent to come live with his family and help his wife around the house. She accepted the invitation and William began negotiating with her father. The price was equivalent to what he would have had to pay for an Indian wife. He did not report the exact price, but his brother said that it was more than he would have paid for an Indian slave girl (about ten Hudson's Bay blankets, which in turn sold for about five dollars each).

Wahkeenah made quite an impression when she arrived at the Strong's cabin. She was dressed in the usual summer costume, one that disclosed rather than concealed her beautiful figure. This was her normal dress, and with her simple native modesty she saw no impropriety in it. Lucretia felt otherwise and immediately altered one of her own dresses for the girl to wear. Wahkeenah's presence in the Strong household made quite a difference, and she stayed for several years. She was cheerful and charming, easily learned the household duties, and was a great help to Lucretia.

Indian slavery was commonplace in the Oregon Territory during the 1850s, even though the practice had declined significantly after Euro-Americans began arriving in the late 1840s. The Strong's had little concern about the slaves owned by their neighbor, James Birnie. He treated them well, and they did their work, lived peaceably, and seemed content with their circumstances. But the human sacrifice of slaves in the burial ceremony of deceased Indian chiefs was difficult to tolerate.

Judge Strong came face to face with this situation in 1852 during his journey home after holding court in the northern part of his district. He stopped at an Indian village, planning to spend the night. There he found the Indians mourning the death of the head chief's son. A slave boy, about ten years old, was tied to a stake awaiting the ceremonies. He was to be slain to accompany the chief's son to the "spirit land." William took pity on the boy and arranged to buy him for five

blankets and an ornament he wore on his watch chain. At the burial the Indians broke the ornament, placed the fragments on the breast of the little chief, and burned the blankets. When William left he took the boy with him.

The two arrived home at suppertime. The boy was seated at the table and given a large plate of food. He ate it quickly, and they filled the plate again. This happened three or four times. At last the child said something to Lucretia that she could not understand. Judge Strong's brother James, who had learned the Chinook language, was asked to interpret. What the boy was asking, in a plaintive voice, was, "Must I eat all this?" As a slave, he always ate anything and everything that was given him because he never knew when he would get his next meal. Assured that this was not now the case, he was greatly relieved. According to William, he turned out to be "a good and faithful boy, a firm believer in the white man's food, and a true and devoted Christian." He remained with the family for eight years.

By now the little log cabin was getting very crowded, so the Strongs decided to build a new home. With the help of James Birnie's slaves and lumber Birnie supplied from a mill he owned across the river, they built a fine, one-and-a-half story house with a shake roof and plenty of room, "one of the first nice homes to be built in Cathlamet." It was completed just in time for the birth on March 17, 1853, of son Thomas.

March 1853 also saw the birth of the new Washington Territory. Pressure had been building for over a year to separate the area north of the Columbia River from the rest of Oregon Territory. Judge Strong's courts were overcrowded; he could not handle all the cases in an expeditious manner and believed a separate territory with more judges was necessary. The Oregon territorial legislature was also in favor of the idea. The lawmakers felt there was a better chance to gain statehood status if the territory was reduced in size.

As a result, Judge Strong became unemployed. His term had expired, and he was not appointed to the new Washington territorial court because the Democrats were now in power. His three-year term had been challenging. As a circuit rider he had to travel long distances and to improvise courtrooms wherever he could find them. Reference law books and published decisions were not available; he had to make decisions promptly, with little time for deliberation. Keeping order in the court was also a problem, but his brother James, acting as his court clerk, solved that problem by placing a pistol on the table in front of him whenever trouble arose.

In an interview with historian H. H. Bancroft, Judge Strong related: "The principal business of the court was not largely of a commercial character. It was such as you would find in a new country. There were a great many homicides. I think I tried some eighteen homicidal cases, and most of them arose from disputes about land under the donation law. There were also other cases of assault, and a few of a commercial nature." Many matters were simply routine. It has been suggested that Judge Strong did not find his work intellectually challenging.

The loss of employment compounded William's financial woes. As a judge he was paid \$2,000 per year but had to pay his own expenses, and remittances from Washington, D.C., were frequently delayed. Just prior to leaving New York in 1850 he had been advised by Samuel Thurston, Oregon's first delegate to Congress, to take "merchandise not money" to Oregon because it would be more valuable. At Thurston's advice he bought sidesaddles, playing cards,

New Orleans brown sugar and clay pipes. He sold these items through the Hudson's Bay Company store in Vancouver when he arrived and made a handsome profit. The judge later remarked, "Had it not been for these ventures, I could not have survived the first winter in Oregon." Now, with the loss of work, a new house and extra children and Indians to feed and clothe, he was in trouble again.

William tried to find legal work, but there was little demand for his services in this sparsely settled area. He and his brother did some surveying work, but there was not much demand for this either. In the meantime, his account payable at Birnie's store rose to \$1,073, the largest of the store's 35 accounts. The family garden and the abundance of fish and game helped sustain them during this difficult time.

With the emergence of Washington Territory, its first governor—Isaac Stevens—asked William to become one of three commissioners charged with drafting new laws for the territory. The legislature unanimously approved the appointment of Strong and two others (Chief Justice Edward Lander and Justice Victor Monroe) on February 27, 1854. The Democratic newspaper praised the selection (even though Strong was not a member of the party) but bemoaned the fact that they were being paid only \$3.00 per day for their efforts. When the final work was presented to the territorial legislature, it was found to be in the hand of "Judge Strong." Following this effort, Governor Stevens asked Strong to act as his legal advisor and counsel, in effect performing the duties of an attorney general, which he did on a part-time basis for several months.

While William was away life went on as usual for Lucretia and the children, but one day a "great event" occurred. A Euro-American couple settled in the Elokoman Valley, just two miles away. The Indian trail through the dark, thick forest across a ridge that divided the two women did not deter them from making frequent visits. But this trail did carry its dangers. One day Lucretia was walking along with two of her children when a large cougar suddenly appeared about 40 yards ahead of them. The cougar stood still, eyeing them intently and slowly swinging its long tail back and forth. Its ears were pulled back, and it was purring ominously.

Early pioneers had been told that the best way to handle this situation, assuming they did not have a gun, was to stand very still and wait until the cougar went away. Lucretia followed her motherly instincts instead. Gathering the children around her to present a more united and larger foe, she calmly looked the cougar in the eye and moved slowly toward it. The strategy worked. The cougar curled its lips and bared its teeth, but then it slowly moved back and disappeared into the brush. Lucretia later said that this was the only thing she could think of to do.

This same trail produced a challenge for Wahkeenah. One day as she was returning home from picking berries, darkness overtook her and she began to hear wolves howling in the distance. They seemed to be coming her way, so she decided to climb a tree and wait. Seven large mountain wolves soon appeared under her tree. Wahkeenah, as usual, carried a revolver when she went into the woods. She shot what she thought to be the leader of the pack, but they would not go away. So she decided to spend the night in the tree, amongst the owls. The next morning the wolves were gone, but in their place was a panther. Panthers can climb trees easily. Wahkeenah knew that if she stayed out on a limb the panther would climb up and spring on her. She had only two shots left in her gun so she decided that her best chance was to stay close to

the trunk and shoot the panther in the head when he came up. Up he came. She waited until he was almost upon her and then shot him dead through the eye.

More and more settlers were coming to the Pacific Northwest during the early 1850s, and conflicts with the local Indians were an increasing problem. Fierce fighting broke out in eastern Washington during attempts to negotiate treaties, and the Indian Wars of 1855-56 began. West of the Cascades the tribes were more peaceful, but volunteers were called out to ensure the peace. William Strong felt the call and volunteered. He was assigned command of a National Guard cavalry company stationed at Fort Vancouver.

To keep matters under control west of the Cascades, friendly Indian tribes were gathered around the fort. One day a rumor spread that the Cowlitz Indians were planning to "slaughter the whites." This rumor proved to be false, but the Indians feared the whites would attack them first and fled for their lives. Captain Strong and his company were sent out to bring them back. Occupants of the fort fully expected a big battle. Instead, Captain Strong was able to convince the Indians that they would come to no harm and that they should return to the fort. Rifles were shot into the air in celebration of the agreement. These shots were heard around the area, and word was passed back to Fort Vancouver that a battle had taken place.

Those left behind in the fort were disappointed and angry when they learned that no fighting had occurred. Some of the women in the crowd that gathered upon the guardsmen's return accused Strong and his men of cowardice and presented the captain with a red petticoat for the company's banner. Strong accepted the banner with strained dignity and said it would be carried into future action. At that point a tall, lanky man made an insolent remark and drew a bowie knife. Strong could restrain himself no longer. He rushed the man, dodged a swipe of the knife, took him to the ground, and began beating him. Strong's troops pulled him off, and the company rode away. The women later apologized and asked for return of the petticoat. Strong and his troops refused; it was their flag, and they would use it.

Battle Ground, Washington, was named after this "battle that never was." Interestingly, 135 years later, in 1990, the students of a new elementary school in Battle Ground voted to name their school after "Captain Strong," in recognition of his peace negotiations with Chief Umtuch (of the Cowlitz tribe), after whom a neighboring school was named.

Despite the continuing influx of white settlers during the 1850s, some of the Indian traditions continued on, as William's brother James discovered one day. He was gazing out on the river and noticed two Indian boys paddling rapidly along the shore. They soon pulled their canoe up into the woods, returned to cover their tracks and disappeared. Out of curiosity James followed them and discovered them hidden in the hollow of a tree. They told him that they were slaves, that their master had died, and that they were to be put to death to serve him in the next world. James took the boys to his house and hid them in the attic.

Soon four Indians came paddling up the river, closely examining the shore. They spotted where the boys had landed and headed into the woods to find them. Before long the four appeared at James's door, demanding return of the boys. "They belong to the chief," the men asserted. James offered to buy them. They refused and drew their knives. James then drew his pistol, and the bargaining began. They finally agreed to sell the two boys for ten blankets apiece, a rather high price in those days. The Indians accepted this price based on James's argument that 20

blankets would allow the dead chief to buy new slaves when he got to the spirit land—an argument that was backed by the persuasion of a formidable looking six-shooter.

Out of curiosity, James attended the chief's funeral the next day. Five of the blankets were cut into strips and wrapped around the dead chief's body. The body was placed in a canoe coffin, along with some of his belongings. The remaining blankets were placed in a pile with other property of the chief's and burned. The Indians believed that the smoke would waft all the burned things to the dead chief in the spirit land, including the slave boys if they had not been rescued.

A fourth son had been born to the Strongs in May 1856. After his service in the Indian Wars, William Strong was again without a job. Public service had been his mission when he came to Oregon, so he now turned to politics, running for the legislature in 1856. He served as a representative from Wahkiakum County for one session and then ran for Congress, a race he lost. In 1858 a vacancy appeared in the Supreme Court of Washington Territory. President James Buchanan appointed him to a three-year term as an associate justice, doubtless upon the recommendation of his good friend Governor Stevens.

An examination of court records reveals that most of the cases appealed to the court were about minor property disputes and money matters in moderate amounts. The case load was not heavy—three in 1858, seven the next year, and ten in his final year. William was ready to move on when his term expired, on December 22, 1860, thus ending his career as a public servant. It had been a notable one and he was highly praised for his work.

Strong's attention returned to Cathlamet to a family that had grown. The four sons were now 12, 9, 8, and 5 years of age. In addition, they now had their first girl, Ellen, born in March 1860. Before long, a sixth child came along—another girl, Caroline, who was born in December 1861. The Strongs truly had a "full house."

William was more successful at attracting legal clients as the area and his reputation grew, but the prospects of earning sufficient income to support his large family were dim. Furthermore, the children would soon need greater educational opportunities, and both he and Lucretia were growing tired of the inconveniences of rural life. Finally, in December 1862 they decided to make a break from their Cathlamet homestead and moved to Portland.

Strong quickly attracted clients in the growing city and developed an extensive law practice. Before long he was forced to restrict his practice so that he could tend to the legal work of the Oregon Steam Navigation Company, one of the largest businesses in the area at that time. He remained their general counsel for many years, until the company was sold in 1879. He then

slowly turned over his private law practice to two of his sons. During this period Lucretia devoted her time to raising the children and finally had time to do her beloved church work. She died in 1884 at age 61.

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William did not want to be remembered as a "pioneer," but he was one. After his death on April 10, 1887, at age 70, one newspaperman wrote in praise of his work and added, "Our pioneers are falling so fast that we get almost daily reminders that in a very short time none will remain."

Retired banker and financial advisor Harry M. Strong is a great-grandson of William and Lucretia Strong and author of "T. F. McElroy: Pioneer Publisher of Washington's First Newspaper" (COLUMBIA, Summer 2000).