

*It takes more than a good resume to get a government contract.*

## **Justin Chenoweth (1825-1898)**

**By Jerry C. Olson**

*Justin Chenoweth was born in Darwin, Clark County, Illinois on November 17, 1825, the tenth of eleven children, to John Chenoweth and Rebecca Rose. He grew up on a farm that eventually passed to other children. Not much is known about his youth except that he studied civil engineering and ventured to Texas for a year to do surveying.*

*From his writings<sup>1</sup>, it becomes apparent that he thought that everyone believed he was, and would stay, a failure in life, but he was determined to prove them wrong. Having heard about the gold rush in California, a scheme developed to secure enough money to purchase passage by sea to San Francisco. He and two of his brothers would load a 70-foot barge with produce, about 3000 bushels, and float down the river system to New Orleans and sell it all. With his share of the profit, Justin would buy passage.*

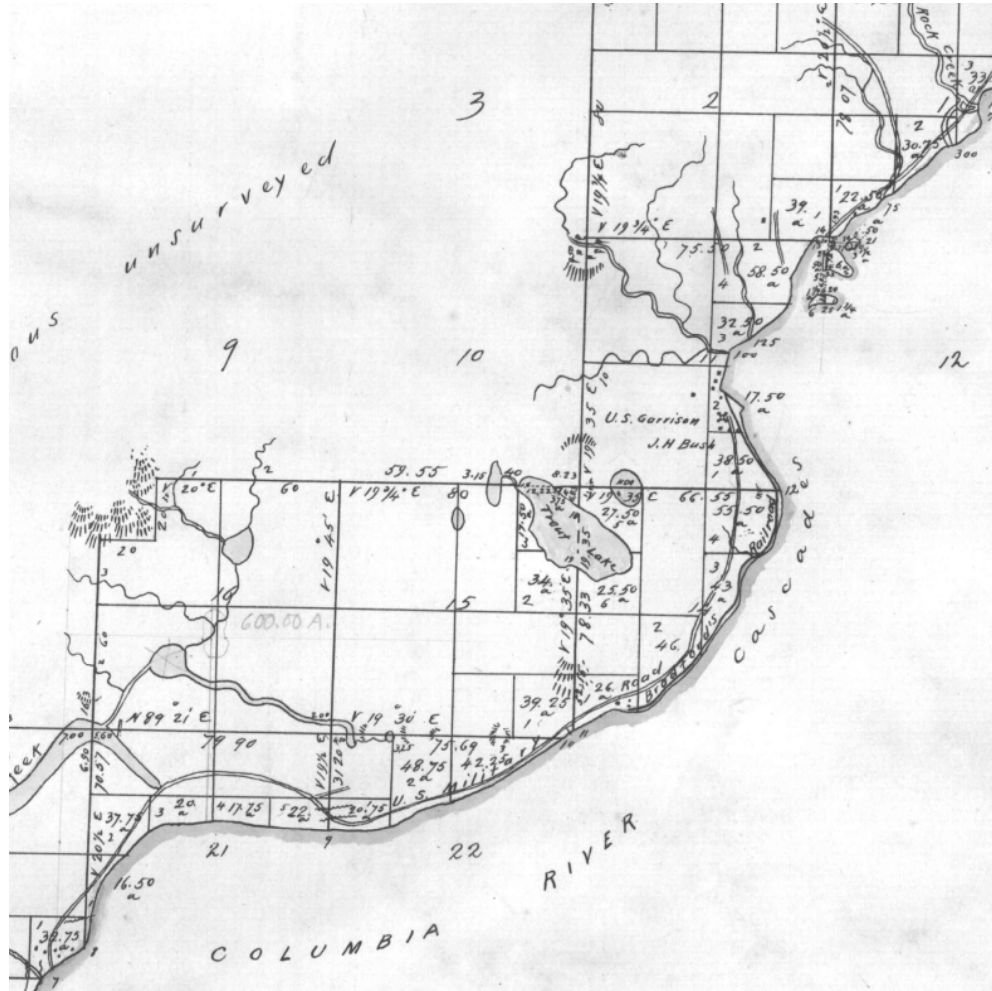
*The barge embarked on March 30, 1849 and began floating downstream. Within a week, an argument developed between Justin and an older brother about whether to float at night or during the day because of the winds that blew during the day, and Justin threatened to leave, at least once trying to flag a nearby steamer. The goods were all sold, and Justin received his share, \$80.00, in early May and while at New Orleans, he bought a trunk, clothes, a photo of himself, Locke's Essays, The Ruby, Oracles and the Poets, Language of the Flowers, and 2 gold rings, and a ticket on a northbound steamer to St Louis, since he did not receive enough money to go to California..*

*On the way up river he wrote a letter to Virginia Drake, apologizing for some conduct "which I doubtless excited your disgust" and sent her one of the rings. He spent another \$18.00 at St. Louis and headed up the Missouri where he encountered Major Reynolds and secured a civilian job with the United States Mounted Rifles heading to Oregon and then California via the Oregon Trail. He left Fort Leavenworth with \$10.00. The group consisted of 105 persons, mostly military men and wives, and 36 wagons, all by 6 mule teams. Justin kept no diary of the journey and arrived in Oregon City on November 15, 1849, almost on his 24<sup>th</sup> birthday.*

*For some reason he decided not to continue to California, but to stay in Oregon. In early December, he took up boarding a family named Frier and started teaching school at Linn City. It was soon evident that with all of the growth and settlers moving in, there was a demand for surveyors, and in early 1850 he began surveying claim notifications and new townsites. Among*

*the clients were Dr McLoughlin at Oregon City, Pratt and Couch for the City of Portland, and the County for surveying a road from Linn City to Portland. In a letter, he wrote that the compass needle could not be relied upon because of up to three degrees of local attraction. However, he did buy a new compass for \$100.00 from his earnings that winter.*

*Among the recent arrivals in Oregon City was Francis Asbury Chenoweth, a cousin of Justin. Asbury's wife died at Laramie on the trail in 1849. He had been married 7 years with two children, but the children never showed up in Oregon. He remarried to Elizabeth Finley in March 1850 in Oregon City.*



**Figure 1** The territory around The Cascades from the Lower Cascades to the area of the sawmill on Rock Creek, showing the Military Road, the first portage railroad and the Upper Cascades, from the survey by Lewis Van Vleet in 1859.

*enough to enclose 640 acres. When Lewis Van Vleet surveyed the official version in 1860, he made a few modifications because parts of it were unsurveyable. The claim was surveyed and patented as the D. F. Bradford DLC.*

*On April 1<sup>st</sup>, Justin, Asbury and George Johnson left Portland for The Cascades, traveling first by canoe to Ough's place at Washougal, then by Indian canoe to present North Bonneville. There Justin surveyed a claim for Chenoweth and Johnson, on the North side of the Columbia, for filing a notification of a DLC, which encompassed the entire riverfront of The Cascades and was deep*

*When this was finished, Justin went to the south side of the river to survey a claim of his own. He could get no help from the Indians, so he accomplished the task alone. Two days later and still alone, he started down the river on foot, finding a sample of coal on the way. Some empty barrels presented themselves, and a temporary raft was constructed. He floated on down until encountering some more rapids, abandoned the barrels, and found them again below the rapids in an eddy. He floated all night on the barrels, stopping again at Ough's place to eat, and then continued floating to Fort Vancouver, where he stayed at Amos Short's for \$2.00. He rode a canoe with Mr. Kellogg to a point across the Willamette from Portland, and then walked to*



**Figure 2. The Rapids at the Cascades of the Columbia River. (U. S. Army Corps of Engineers, 1929.)**

*Oregon City in the next two days, arriving on the 14<sup>th</sup>, filing his claim promptly.*

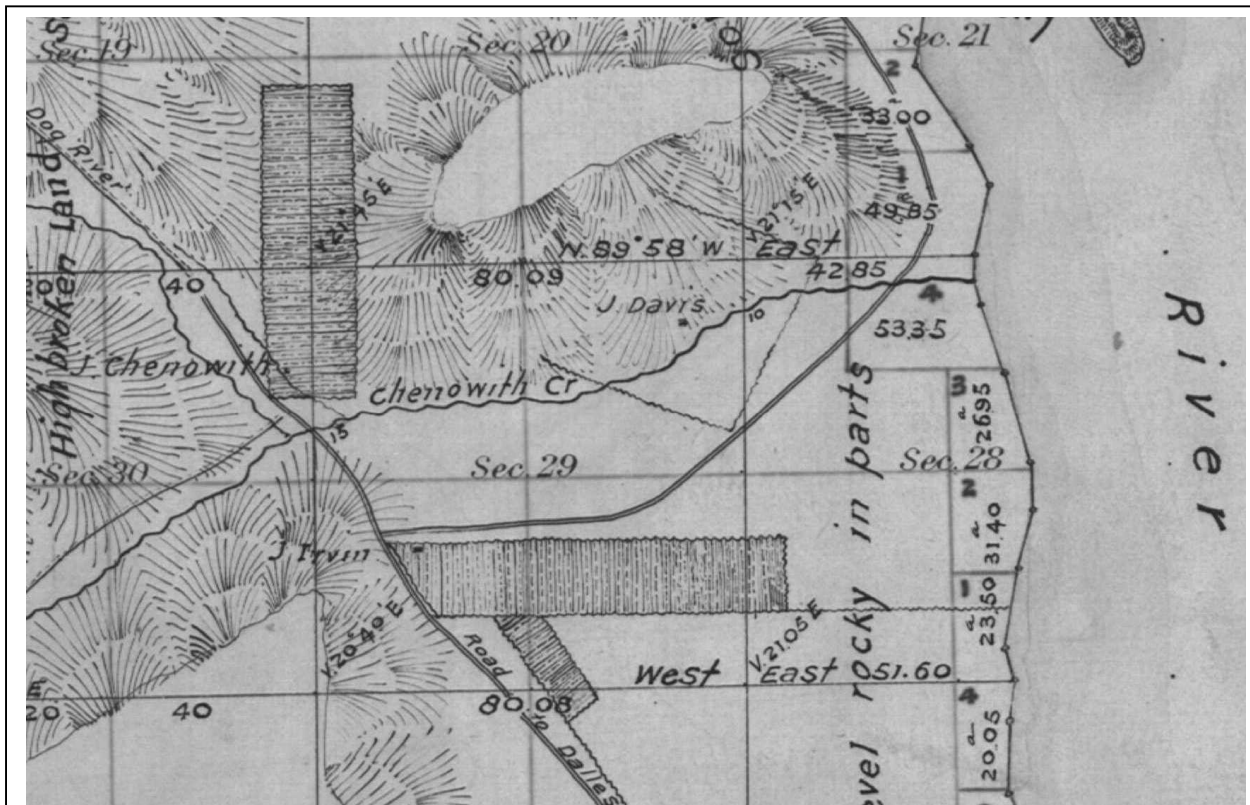
*He was appointed Assistant Clerk to the Council (Oregon Senate) and wrote Francis that he was stuck in Oregon City. Justin declined an interest in the venture at The Cascades and sold his interest in the claim at the Cascades for \$100. Briefly, he was Territorial Librarian until a dispute arose about his office in the*

*library. He surveyed on the Portland townsite until going to The Dalles in June.*

*At The Dalles, he found an Indian to help survey Mr. Smith's lower claim, but the other Indians stopped him from further work, saying there would be no claims at The Dalles. "McKay" arrived, and the Indians allowed for the survey of the upper claim, a townsite for Thomas Smith, and The Methodist Mission Claim. "McKay" left and so did Justin, catching a boat for The Cascades*

*The next year was spent going back and forth between Oregon City and The Dalles, surveying claims, towns and roads. He attempted to find the "coal" deposit at the south side of the river, but failed, and offered to refund the \$100 he was paid for his interest. He also worked at the ferry between Linn City and Oregon City, operating it for a percentage of the take. He moved*

back to boarding at the Friers and spent a lot of his money lavishing gifts and poems on Mary Frier, the 11 year old daughter of his landlord. He surveyed a new claim three miles from Oregon City for himself, but never patented it. The claim he did patent was on the northwesterly side of The Dalles on Chenoweth Creek. It is unknown when he surveyed or filed on it, but by



**Figure 3. The GLO survey of T2N R13E in 1859 by Lafayette Cartee showing Justin Chenoweth's improvements and his house.**

1851 he was planting crops and trees. On the many trips to The Dalles, he surveyed many of the claims along the upper Columbia. The claims and townsites of Bradford, Johnson and Francis Chenoweth were all surveyed by Justin.

For his time he was a fanatic about newspapers, subscribing to several, including his hometown paper. That must have been expensive to mail it through Panama. He also paid for a subscription for his father to the Spectator. The Chenoweth collection at OHS includes some letters to the editor of the Spectator, some of which had been published. Historical reviewers called them “windy and nonsensical”, containing some far reaching allegories about politics in Oregon.

With some foresight, he started building a skiff in January 1851, finishing it two months later. In June the U.S. Postal Service awarded Justin the mail contract, at \$1000 per year, for delivering mail twice a week between the Upper Cascades and The Dalles, a distance of about

15 miles. He intended to both sail and row the skiff on the contract. Unfortunately, upon assessing on how to get it up the rapids at The Cascades, it drifted away while he was gone, and he lost it. He built another at the sawmill on Rock Creek at Stevenson in time for his contract. He also built and sold another skiff at Rock Creek. Later that summer, he went downstream and found the first one in a slough opposite St. Helens, OR.

While constructing the second skiff, he was helping haul lumber to the Upper Cascades on a barge when the barge got caught in the current and was swept over the rapids. An Indian and Mr. Watkins jumped early, but Justin, Francis and another Indian rode it out. They made it to the second rapids where the whole thing broke apart. Justin and Francis clung to a pile of lumber and made it to an island about four miles downstream. The Indians later picked them up, but they barely survived severe hypothermia. The Indian made it to another island.

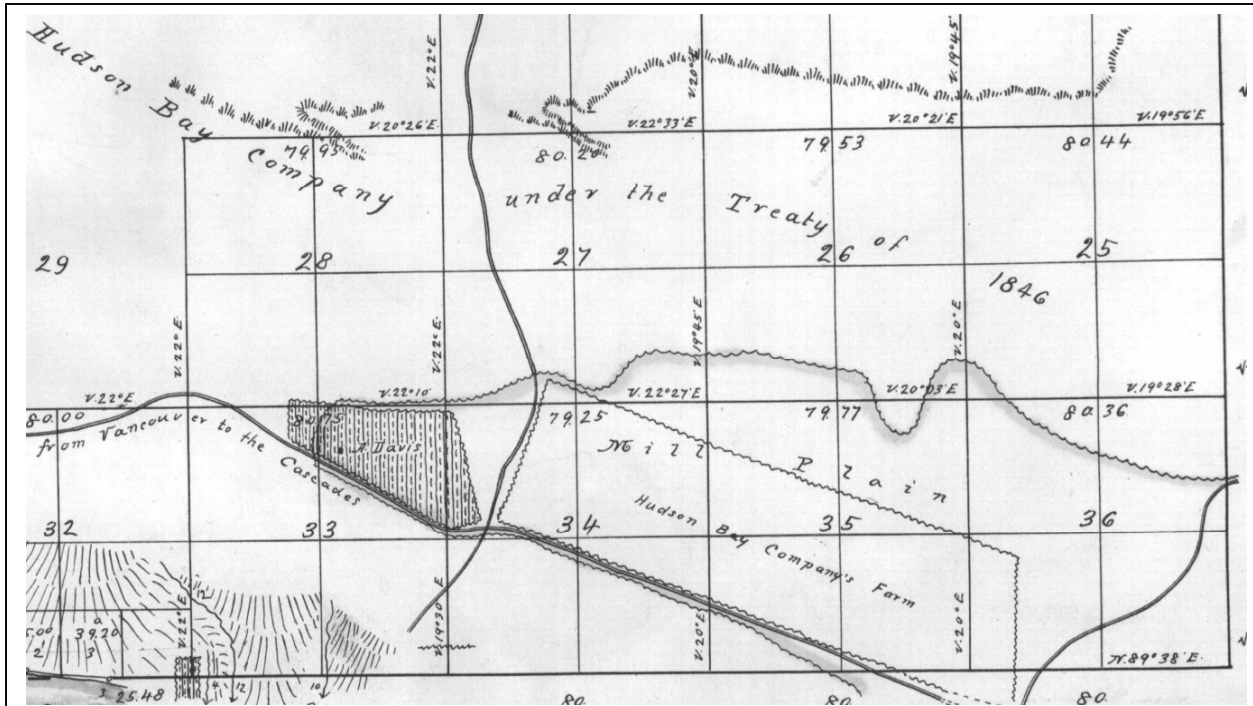
The postal contract was finally awarded, and Justin made his first run back and forth to The Dalles on August 5, 1851, taking 2 days for the round trip. He lived alternately between his claim on Chenoweth Creek and The Cascades, making twice-weekly trips. Getting paid in a timely way from the U. S. was always a problem. The wind would often blow extremely hard, and he could not make the run, but the Postal Service was not sympathetic. Sometimes the East winds would blow through the gorge for 2 weeks at a time, making it impossible for his small skiff to be on the river. At one time at least, he severely damaged his skiff and some supplies in an attempt. The steamer James Flint made occasional runs on the route, and he would hitch a ride with the mail when he could.

He first built a shanty on his claim, calling it his "hole in the ground", and then built a house, 10 x 12 feet. In a letter to a friend, he said "...not good with women, but now have house and claim, and will probably pick up the first wench that falls in my way." In the fall of 1852, there were many emigrants coming down the Columbia. He transported many individuals in his skiff, and helped them as he could. One family had lost their father, Benjamin Vickers, along the way and were in need at the end of the trip. Justin became attached to a daughter, Marie Henrietta, while at the Cascades, and wrote to her soon thereafter, saying he would follow here wherever she went. At that time, he wrote his father saying, "...have land, a house, \$1000 in gold with more due, \$600 of personal property, and I owe nothing."

Justin and Henrietta were married at Butteville, on the Willamette in December 1852 and moved to The Dalles in February. He again wrote his father that he was married and "...wife is large, well proportioned, with good features and good sense. ...bred to hard labor and has little learning, but is possessed of a remarkable good disposition and industrious habit." Their first child, John, was born a year later at The Dalles, with Emily and Justin Jr. arriving in the following years..

The Oregon Territorial Legislature created Wasco County, and Justin was subsequently named to several posts. He was the first Probate Judge for Wasco County, and then School

Superintendent and County Surveyor. He achieved some notoriety for filing charges with the Prosecuting Attorney against a white man for killing two Indians. Washington Territory was split from Oregon Territory in 1854 during a Democratic regime. It is probable that both Justin and Francis were Democrats, for Justin noted in his diary of contributing to the Democrats. Francis Chenoweth was appointed to the first Washington Territorial Supreme Court. A Democrat, James Tilton became the first Surveyor General of Washington, and Justin



**Figure 4. The southern portion of T2N R2E showing the Mill Plain Farm of the Hudson Bay Co. and that Chenoweth surveyed portions of their farm.**

Chenoweth was awarded Contract 1 for Washington, the first General Land Office contract for surveying the public lands issued by the Washington Surveyor General's office. Previous surveys in Washington Territory were under the Oregon Surveyor General. The contract was awarded April 24, 1855 and approved May 16, 1855, and Justin Chenoweth became a U. S. Deputy Surveyor. After approval, he ordered a Burt's Improved Solar Compass, nautical almanac, marking iron, two dozen field books, and the latest pamphlet of instructions.

From July 11 until September 13, he surveyed T2N R2E, which is presently in the Vancouver, WA, Urban Area, centered on Orchards, WA. The original instructions directed him to exclude any holdings of the Hudson's Bay Co. from the survey, but that was later changed. Some were included, and some were omitted and surveyed by others later. Lewis Van Vleet was employed as compassman. He had filed a DLC a short distance away in Fern Prairie and had worked as a member of various field crews for Deputy Surveyors, and would become a Deputy Surveyor himself for many contracts to come. This township is very flat and consisted of mostly open plains. With Van Vleet still as compassman, he surveyed T1N R3E (near Camas, WA) and T1N

R4E (Washougal WA and east) between September 22 and October 22, 1855. James Tilton approved them all on April 26, 1856.

On March 26, 1856, the local Indians, assisted and inspired by the Klickitats, attacked the Upper and Lower Cascades, keeping them under siege for several days. Blockhouses had been built at both locations, anticipating the possibility, but never the less, many whites were killed in

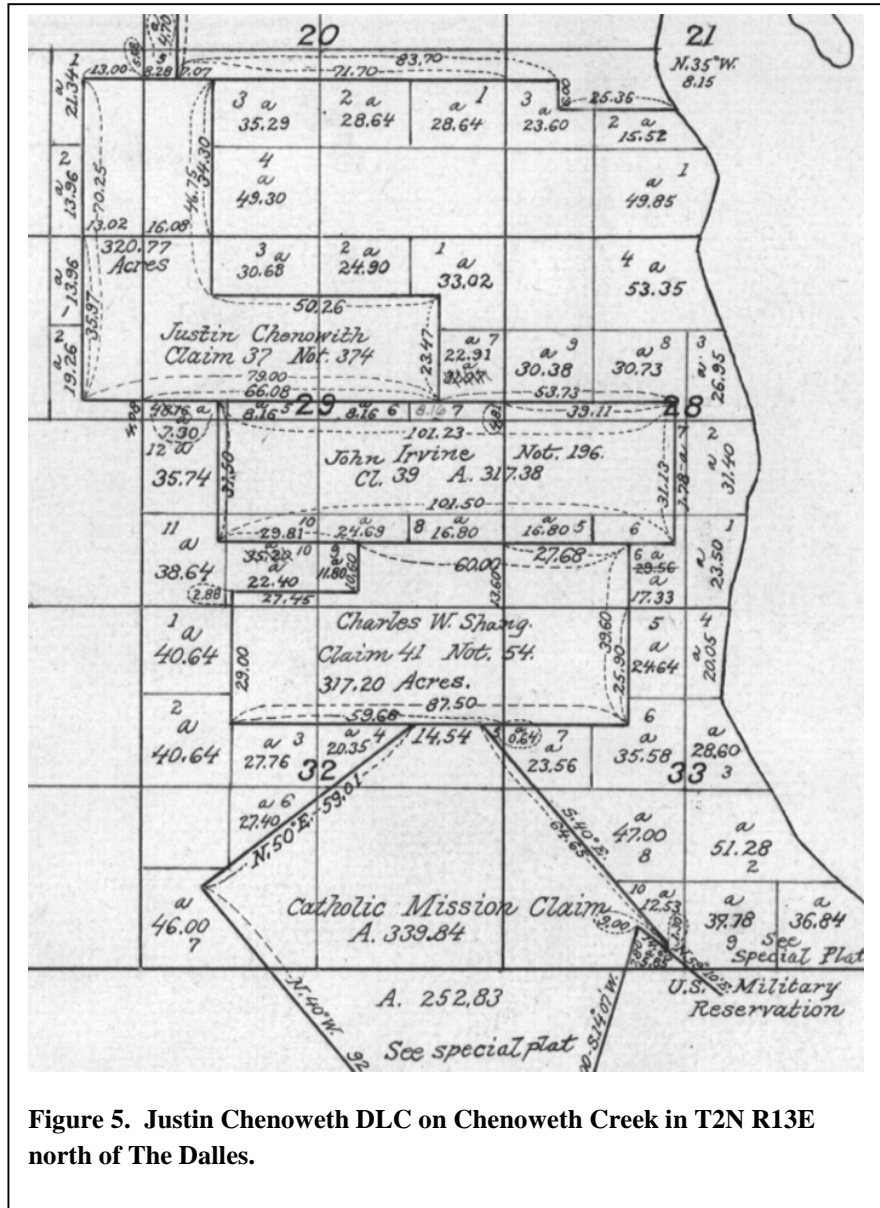


Figure 5. Justin Chenoweth DLC on Chenoweth Creek in T2N R13E north of The Dalles.

the attack. It is unknown whether Justin was there or played a part. An account of the battle later described a Hardin (Justin?) Chenoweth lying on the floor of the steamer Mary during the attack while workers were trying to start the boilers to get her away from the dock. They were successful and headed to The Dalles to sound the alarm and get help. As the steamer pulled away from the dock, Hardin sounded the whistle, which let the people in the blockhouse know the Mary was on her way.

Justin continued surveying and farming. He would get into disputes such as when the Oregon Legislature voted to expunge from the record his “scurrilous” attack on James Ferguson and the

legislature over the naming of a county. He also challenged the Army over the location of his first cabin within the former military reservation, saying he had a right to the land after the Army was done with it. He was surveying the Portage Railroad between the Lower and Upper Cascades in 1862 when his wife, Henrietta died. He was crushed. His relatives did not hear from him for over a year and were worried, even though they knew what had happened. The

*children went to the in-laws, and Justin would never care for them again personally, even though they were close the rest of their lives. He was in and out of money, always borrowing and making excuses.*

*He did make another GLO survey under Special Instructions in 1863 of the Felix Iman DLC near the Cascades. It is reported he also drove stagecoach between The Dalles and Salt Lake City. In 1867, he got his patent to the DLC on Chenoweth Creek near The Dalles. In 1870, he was surveying for a railroad through Portland heading east. He was a chainman and “geologist” for Alexander McAndrews for the GLO Survey of T9N R1E in 1872, just south of the town of Toutle. Justin was living in Newaukum when he was elected County Surveyor of Lewis Co. in 1874. He sued the Newaukum Mill and Power Co over a canal, and was charged by the state for criminally threatening in Thurston County. He was also charged by the state for criminally obstructing a public highway, and he sued Nathan B. Gates and William Knapp for damages and false imprisonment in Thurston County. In 1877 he was charged and found guilty of unlawfully cutting timber by the USA, but records indicate between 1877 and 1879 he was still surveying in Pierce and Lewis Counties.*

*By 1880, he and Justin, Jr. were living in La Conner, and he was listed as a laborer in the census. In 1881 he moved to New Westminster, Canada to work in a cannery, and then to Nanaimo in 1885. He told Emily that he wanted to move to California, but was too sick to travel. Justin, Jr. built a 65-foot sailboat for himself and a partner named the George R White to be used it to go sealing near Alaska. He had only a 25% interest. He continued sealing unsuccessfully for 5 years, trying to get out by selling his boat. In October, 1894, he leased the boat and was to sail back as a passenger from Onalaska, Alaska, but both he and the ship were lost at sea soon after leaving harbor in a gale.*

*Justin eventually made it to California by 1890, where he lived with or near his son John. Later he would move back to Portland to be near Emily, where he died on March 16, 1898. He is buried beside Henrietta, both in unmarked graves in Pleasant View Cemetery near Sherwood Oregon, in the Vickers plot. He leaves a U. S. Census District, Chenoweth, near The Dalles, and Chenoweth Creek named after him. He also leaves his letters, diaries and articles which reveal a deeper look into his thinking and character than most are willing to share.*

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<sup>i</sup> Much of this biography is based on materials owned by the Oregon Historical Society under the “Justin Chenoweth Collection” and also material collected by Jerry Olson over the last 30 years from various sources.