

SURVEYING AND THE ECOLOGY OF BELONGING IN THE NINETEENTH-CENTURY  
UNITED STATES

BY

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DISSERTATION

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## Abstract

By the early Nineteenth-Century United States, the myth of North America's resource superabundance sat uneasily with the nation's liberal doctrine of individual rights. Imagining a vast continent of endless resources available to all, Americans then cordoned them off as property accessible only by the few. The arbiter of this process—the figure who came to symbolize the legal rights and guarantees of property—was the surveyor. This occupation was at once a signifier of class and education and an entryway for the aspirational. George Washington possessed the social and mathematical credentials to serve as a surveyor in colonial Virginia, and Abraham Lincoln would later receive his first political appointment as a surveyor in Illinois. As the century proceeded, the surveyor facilitated the distribution of public lands to a citizenry eager to participate in the nation's project of settler-colonial expansion, charting townships, mapping the Great Plains and Rocky Mountains, and clearing the way for infrastructural development and westward emigration. Even a brief flight across the Midwestern United States today showcases the surveyor's legacy in the angular patchwork of farms and roadways authorized by the Land Ordinance of 1785. Because surveyors prominently worked through the medium of land, they had an understated impact on the formation of citizenship and civic belonging as it related to property ownership; nor was this impact lost on many Americans.

In this dissertation project, I argue that land surveyors have played an outsized yet understudied role in the literary discourse of the nineteenth-century United States, symbolizing the legal guarantees of property and determining practices of land apportionment and access. Frequently, the figure of the surveyor appears in this archive of literature—a broad range of novels, short stories, sketches, essays, political publications, and surveys—as an agent of the state and the elite, protecting land monopolies and resource claims. In surprising cases, however, he is mobilized

as a champion of the disenfranchised and under-classed against state overreach and the excesses of the wealthy. Because the surveyor's contribution to placemaking often fails to conform neatly to traditional modes of pre- and post-bellum periodization in American literary study, I have instead organized my chapters geographically, focusing in turn on upstate New York, the Kansas-Nebraska Border, Manhattan and Brooklyn, and the southwestern United State. Through these sites I narrate the uneasy growth of American empire and the strategies employed to conform to or resist the social and legal frameworks of American citizenship.

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## Introduction

In 1833, while living in the town of New Salem, Illinois, Abraham Lincoln was appointed Deputy Surveyor of Sangamon County. Though the young President-to-be had political aspirations, he had lost his first run at the Illinois General Assembly, and so took to the appointment eagerly. Later recalling his enthusiasm, Lincoln “procured a compass and chain, studied Flint, and Gibson a little, and went at it[,]” accurately surveying roads, farms, and towns on the county’s north end.<sup>1</sup> On one such venture in the town of Petersburg, Lincoln was faced with a quandary when he learned that the survey line for a proposed road would bisect a resident’s land. Despite his usual precision, Lincoln evidently skewed the line in order to preserve the parcel of land for the individual living there.

The particulars of this narrative are inconclusive: published renditions from early twentieth-century histories simply describe the resident as a poor man; a 2006 commemorative plaque from the Illinois Historic Preservation Agency specifies that the man was a squatter; and Michael Burlingame’s comprehensive 2008 biography of Lincoln casts a Black Hawk War widow in the role. Still, each version of the narrative follows roughly the same formula that Anne Maria Rose Wright recounts in her history, *The Dramatic Life of Abraham Lincoln* (1925). “Some twenty or thirty years” after Lincoln submitted his original plat map, neighboring Petersburg landowners discover the border irregularity caused by the crooked street. The affected parties then proceed to Springfield, where Lincoln was now practicing law, to ask the man to resolve the matter. When Lincoln cannot recall the surveying work in question, the parties take their dispute to court. Before a trial can proceed, however, an Irishman overhears their dilemma and interjects, saying some variation on:

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<sup>1</sup> Abel Flint’s *Treatise on Geometry, Trigonometry and Rectangular Surveying*, first published in 1804, and Robert Gibson’s *Theory and Practice of Surveying*, first published in 1811, were two popular surveying textbooks from the early nineteenth century.

Why, I can tell you all about that. I helped carry the chain when Abe Lincoln laid out [Petersburg]. Over where they are quarreling about the lines, when he was locating the street, he straightened up from his instrument and said: ‘if I run that street straight through, it will cut three or four feet off So-and-so’s house. It’s all he’s got in the world and he could never get another. I reckon it won’t hurt anything out there if I skew the line a little and miss him.’<sup>2</sup>

Whether or not this anecdote is apocryphal, such depictions of Lincoln’s work as a surveyor—an establishing index of the man’s character and his attitudes toward property—illuminate the public’s received notions about his sense of political and moral propriety. As a kind of shorthand, Lincoln’s surveying expeditions reveal how he became so intimately attuned to the political pulse of his frontier county as he traversed the countryside. Privileging the needs of the resident over his own duty to the state, Lincoln is shown to believe in the individual citizen’s right to possess, as property, land that he had worked and improved, regardless of his class or station.

As a piece of presidential hagiography, the surveying anecdote indicates Lincoln’s preference for property rights based on prior possession and improvement, even as it illustrates his defense of the common man—traits that bolstered his early successes as a politician.<sup>3</sup> This version of Lincoln operates as an allegory: that the man’s sense of personhood and his sense of worth as a political actor are inseparable from his ability to maintain his property in its entirety. What’s more, in taking up the surveyor’s compass and chain in favor of the individual, Lincoln in this story righted a wrong dealt to his family more than a decade prior when his father, unable to prove his land title in the poorly surveyed state of Kentucky, was driven westward by wealthy, slave-owning planters who could afford to contest his legal claims.<sup>4</sup> In favoring the squatter’s rights, Lincoln the surveyor

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<sup>2</sup> A.M.R. Wright, *The Dramatic Life of Abraham Lincoln*. (New York: Grosset & Dunlap Publishers, 1925), 105.

<sup>3</sup> Mark Fiege, *The Republic of Nature: An Environmental History of the United States*. (Seattle: University of Washington Press, 2012), 163-73.

<sup>4</sup> Heather Cox Richardson, *To Make Men Free: A History of the Republican Party*. (New York: Basic Books, 2014), 3.

challenges the state's primary means of organizing frontier development and federal authority, upholding individual rights over capitalistic purchasing power or heritability.

Though brief, this historical anecdote encapsulates the argument of this dissertation: that land surveying played a critical but generally unrecognized role in the conceptualization of civic belonging for nineteenth-century U.S. Americans. Appearing in a surprisingly broad archive of novels, short stories, sketches, essays, and political and scientific texts, the labor of surveying provided American citizens, broadly conceived, with a symbol around which to debate and narrate such topics as 1) national growth—for example, what territorial claims the federal government could enforce and how those lands would be settled; 2) citizenship, particularly where property remained a precondition for many citizens of color to earn the franchise, long after such requirements were abolished for white citizens; and 3) the environment, which surveying has historically flattened into a series of consumable resources. As a material practice of geographical interpretation, surveying endeavors to make physical space legible to a national public within a larger framework of land use practices that informed how Americans understood themselves within the expanding nation. By purporting to have an empirical vision of land that could be universally understood within the framework of settler-colonial society, surveyors came to represent, most prominently, state enforcement of individual property rights, land apportionment, and access to natural resources. In the chapters that follow, I narrate how surveying practices figured into literary strategies to conform to or resist the social and legal frameworks of American citizenship, a process that unfolded amidst the uneasy growth of American empire across the nineteenth century. And, while this research is situated within the study of nineteenth-century American literature, I am equally concerned with how the culture surrounding surveying in the past has contributed to the contemporary climate crisis by shaping the national imaginary around land use, civic belonging, and property, and particularly by facilitating the removal of resources from the commons for private consumption as capital goods.

As a totalizing hyperobject—a term coined by Timothy Morton to represent “things that are massively distributed in time and space relative to humans,” objects that defy human understanding of temporality, mass, and impact—climate change demands interdisciplinary action at every level in the present; yet, it is shortsighted to conceive of climate change as only an issue for the present.<sup>5</sup> The practices and beliefs that have served as the foundation for our contemporary crisis are rooted in the past, and it is only by studying these things in their historical contexts that we can gain a fuller understanding of the challenge with which we are faced.

The survey has received only limited critical focus in U.S. literary studies. Recent interventions by Rick Van Noy (*Surveying the Interior*, 2003) and Patrick Chura (*Thoreau the Land Surveyor*, 2010) provide insight into the cultural exchange between cartography and literary production through their studies of what Van Noy calls “literary cartographers.” As he argues, these figures—Thoreau, Clarence King, John Wesley Powell among others—had a specific goal in mapping that required a “complex and thorough kind of environmental reading, the perception shift required to move from the abstract to the particular.”<sup>6</sup> In their writings, Van Noy’s cartographers came to grapple with the inconsistencies between the experience of physical space and the representational abilities of the map. I depart from these studies by examining the survey directly both as a distinct form and as a widely legible literary trope concerning land use, property, and citizenship. More to this point, I consider surveying as a mode of literary production in its own right. Second, I aim to more critically engage the conceptual distance between surveying and cartography that is often elided in these studies. If cartography, which is to say mapping, represents an approved,

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<sup>5</sup> Timothy Morton, *Hyperobjects: Philosophy and Ecology after the End of the World*. (Minneapolis: University of Minnesota Press, 2013), 1-2.

<sup>6</sup> Rick Van Noy, *Surveying the Interior: Literary Cartographers and the Sense of Place*. (Reno: University of Nevada Press, 2003), 3.

precise, and “completed” narrative of space, then surveying should be distinguished as being in progress, sketchy even.

For more thoroughly engaged formal scholarship of the survey, it is necessary to look to visual and art historical studies, which have proven a rich site for inquiry in the last twenty-five years. There, two texts stand out as bookends for scholarship on the survey: Albert Boime’s *The Magisterial Gaze: Manifest Destiny and American Landscape Painting* (1991) and Matthew N. Johnston’s *Narrating the Landscape* (2016). Boime’s influential text argues that the scopic strategies used by surveyors reflect a particularly American belief in the eighteenth and nineteenth centuries that westward expansion was providentially ordained while Johnston’s study examines how different elements of the survey, visual and textual, are employed to narrate the vastly different time scales necessary for geological work. Such visual analyses provide a crucial framework for approaching the survey on a formal level and represent a cogent arc for first engaging and then thinking beyond—as my project aims to do—the relationship between the survey and narratives of imperialism.

As a scholar of environmental humanities, I have worked to situate this project within contemporary strains of climate studies and activism well represented by Rob Nixon’s *Slow Violence and the Environmentalism of the Poor* (2011) and Stephanie LeMenager’s *Living Oil: Petroleum Culture in the American Century* (2014). Nixon points to the quiet and exacerbating toll that war and global capitalism take on the disempowered, arguing that environmental activists must work to make visible those effects rather than leveraging sensational—and thus marketable—tragedies. LeMenager, meanwhile, reveals how profoundly foundational, and at the same time damningly catastrophic, an object of inquiry like oil (or the survey) might be to our shared national culture. Such objects are embedded in our national mythology of white frontier masculinity, tools in an attempt to master nature that has been ongoing since the Puritans began their errand into the wilderness; yet, as constructions of American imperialism that are only facsimiles of the natural

world, these objects have fundamentally distorted our relationship with non-human nature, exposing the illusion of anthropocentric dominance. At this urgent political moment of global climate crisis, policy makers and their public constituency too frequently look only to such sensational environmental tragedies and their future consequences at the expense of learning from the past. In his 2012 essay “What is Sustainability Studies,” Gillen Wood stresses that even as sustainability must be “driven by an ethics of the future,” it must also be “a profoundly historical mode, committed to a critical history of environmental discourse, to reconstruction of the long, nonlinear evolutions of our dominant extractivist and instrumentalist views of the natural world, and of the ‘mind-forg’d manacles’ of usage and ideology that continue to limit our ecological understanding and inhibit mainstream acceptance of the sustainability imperative.”<sup>7</sup> Thus, as a scholar of the nineteenth century, I seek to highlight the lessons about resource access, commons use, and ecological citizenship that we might draw from an in-depth study of surveying that takes seriously the role of the surveyor as a mediator, for better or worse, of private, state, and corporate interests in American literary history.

### *A Brief History of American Surveying*

Surveying gained traction as a means of imagining and organizing space in colonial British America at the end of the seventeenth century when the British Empire began in earnest the early Enlightenment-era project of making its subjects “as legible, predictable, and hence governable as possible.”<sup>8</sup> As in England, the thirteen colonies utilized a metes and bounds survey that used a

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<sup>7</sup> Gillen D’arcy Wood, “What is Sustainability Studies?” *American Literary History* 24, no. 1 (2012): 14.

<sup>8</sup> Martin Brückner, *The Geographic Revolution in Early America: Maps, Literacy, and National Identity* (Chapel Hill: University of North Carolina Press, 2006), 1, 21-26. Brückner has written extensively on surveying in the Early Modern English and colonial American contexts, additionally writing “The Plot Thickens: Surveying Manuals, Drama, and the Materiality of Narrative Form in Early Modern England” with Kristen Poole (2002) and editing and contributing to *American Literary Cartographies: Spatial Practice and Cultural Production, 1500-1900* (with Hsuan L. Hsu, 2007) and *Early American Cartographies* (2011).

combination of measured imaginary lines (metes) and physical boundaries like rivers and roads (bounds). In a 1690 decree, Parliament ordered all publicly and privately held lands in the colonies surveyed, after which the profession underwent a veritable boom. By 1720, for example, the Virginia colony quadrupled the amount of land it had surveyed, and for the remainder of the eighteenth century, surveying became the most popular subject of vocational training, second only to bookkeeping. By 1750, survey measurements all but replaced descriptive narrations of landmarks, resources, and infrastructural improvements.<sup>9</sup>

Several factors accounted for the popularity of surveying during the colonial era. First, it required little formal education and so was accessible to a large portion of the (white, male) population. Surveyors needed basic mathematical skills and some degree of literacy, yes, but the information needed to learn the trade circulated widely in manuals like the ones that Lincoln utilized. In much of the hagiography of his life, Lincoln is portrayed as exceptionally gifted and motivated, but his assertion that he “procured a compass and chain, studied Flint, and Gibson a little, and went at it” seems to be the rule among surveyors more than the exception. Because surveying was also a communal and experiential labor, necessary knowledge could also be shared among crewmembers as they worked. Second, there was no shortage of work for surveyors. Surveyors’ measurements informed new land deeds, settled property disputes, cleared the way for roads and other public works, and accounted for the immense public land holdings of the colonies, and as colonial and later national boundaries expanded, so too did the need for surveyors. Third, surveying proved often to be an aspirational occupation. Because the labor provided a conduit for others to accumulate wealth and status through land, shrewd surveyors could leverage their abilities for influence; surveyors also had firsthand knowledge of land value and could invest accordingly, increasing their own wealth in

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<sup>9</sup> John R. Stilgoe, “Jack-o’-lanterns to Surveyors: The Secularization of Landscape Boundaries,” *Environmental Review: ER* 1, no. 1 (1976): 28.

the process. As a result, colonial surveyors achieved prominent stations in their communities and, through education and association, afforded their children better opportunities.<sup>10</sup>

As newly formed states ceded their western land claims to the federal government at the end of the eighteenth century, Congress turned to surveyors to reckon with the frontier. With the passage of the Land Ordinance of 1785 and subsequent amendments, the legislature laid out the new Public Land Survey System (PLSS) to organize, sell, and settle land that would become the Northwest Territory and eventually the states of Illinois, Indiana, Michigan, Ohio, and Wisconsin. The PLSS became the national program for recording land measurements in all territories excepting the original colonies. Under federal jurisdiction, surveyors traversed the land, laying out townships in six square mile increments. Each township was further divided into thirty-six one square mile sections that could be sold off to settlers and speculators, with one section reserved for the establishment of a public school. In its National Register of Historic Places nomination form for “The Beginning Point of the First Public Land Survey” in East Liverpool, Ohio, the National Parks Service attests to the critical impact the Land Ordinance had on early national formation:

It is tied inextricably to the advance of the frontier and opening of the vast expanses of public land to settlement. Its indelible imprint on the American landscape is noticeable in the angular fields and section line market roads. As the first mathematically designed system and nationally conducted cadastral [sic] survey system in any modern country, it is an object of study by public officials of foreign countries as a basis for land reform.<sup>11</sup>

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<sup>10</sup> Sarah S. Hughes, *Surveyors and Statesmen: Land Measuring in Colonial Virginia*. (Richmond: The Virginia Association of Surveyors, Inc.), 157-65.

<sup>11</sup> National Parks Service, *The Beginning Point of the First Public Land Survey*, Joseph S. Mendinghall. National Register of Historic Places Inventory—Nomination Form, Washington, D.C.: National Parks Service, 1974.

As an organizing principle, the public land survey began the transformation of the frontier in the national imaginary, rendering a vast and impenetrable wilderness into a legible commodity whose gridded form invited easy purchase and settlement by citizens eager to try their fortunes in the West.

And yet, the land being surveyed never conformed to the grid imposed upon it, nor did the ownership customs of Indigenous people who already lived there; consequently, the work of surveyors was often arduous and time consuming. Surveyors recalled mosquitoes, inclement weather, extreme temperatures, impassable terrain, and long workdays as they measured off public lands section by section. One Wisconsin surveyor, for example, bemoaned

the dreadful swamps through which we waded, and the great extent of windfalls over which we clumb [sic] and clambered; the deep and rapid creeks and rivers that we crossed, all at the highest stage of water; that we were constantly surrounded and as constantly excoriated by swarms or rather clouds of mosquitoes, and still more troublesome insects; and consider further that we were all the while confined to a line, and consequently had no choice of ground.

Though the pay was good, he concluded, he would not take on such work again “at any price whatever.” Other surveyors complained of Native Americans, who destroyed surveyor’s marks and harried work crews in order to resist the dispossession of their lands. The Surveyor General of Kansas and Nebraska noted, after meeting with members of the Pawnee nation, that they “pulled up all of the posts set on the north side of the river, told us they would destroy all of the landmarks made in that vicinity, and that we must and should leave.” Such encounters slowed the pace of the survey and often necessitated additional work. They are also reminders that Indigenous Americans were not passive subjects of U.S. settler-colonialism.<sup>12</sup>

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<sup>12</sup> Lowell O. Stewart, *Public Land Surveys: History, Instructions, Methods*. (Ames: Collegiate Press, Inc.), 76-86.

As crews carried out the work of surveying and re-surveying, each crew member performed a specific duty corresponding to their title. The deputy surveyor led the expedition, coordinating the crewmen, calculating distances, and recording the field notes that would comprise the completed survey. Beyond measuring the land, the deputy surveyor observed its utility for settlement, noting, as dictated by a Land Ordinance amendment, “the true situations of all mines, salt licks, salt springs, and mill seats, which shall come to his knowledge; all water-courses over which the lines he runs shall pass; and also the quality of the lands.”<sup>13</sup> Thus, though surveyors were understood to have a wholly empirical, wholly quantitative vision of the land, much of their labor was fundamentally rooted in qualitative observation as well. Accompanying the deputy surveyor were chainmen, flagmen, axemen, and moundsmen. The chainman was responsible for running the Gunter’s chain straight along the survey line. Along with the surveyor’s compass and theodolite (the devices used, respectively, to determine the direction of a given line and the measurement of vertical and horizontal angles), the Gunter’s chain—a sixty-six-foot chain consisting of one hundred links—has largely become symbolic of the labor it was used for, even after it was superseded by better instruments. It was the flagman’s job to establish sight points for the chainmen to follow, and though the latter crewman provided definitive measurements, experienced flagmen could accurately pace a half mile over level ground. Because line of sight was critical to a successful survey, it was the axemen’s job to clear brush along the chain’s path; and lastly, because the survey needed to be fixed in space, it was the moundsmen’s job to construct corner monuments for township sections and mark reference points on trees and other natural landmarks.<sup>14</sup>

Perhaps surprisingly given the long history of the field’s application, little has changed about these methods in the twentieth and twenty-first centuries. Technological advancements have

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<sup>13</sup> Ibid, 22.

<sup>14</sup> *Running Line: Recollections of Surveyors*. (Washington, D.C.: U.S. Department of the Interior Bureau of Land Management, 1991), 60-62.

improved the accuracy of surveyors' tools, expediting and easing the work of surveying, but the labor continues to rely on the same practices that defined surveying in the nineteenth century and earlier. As a result, depictions of surveying in nineteenth-century literature resonate today much the same as they would have then. Crucially, developments in satellite and computer measurement and imaging have made the results of surveying work increasingly accessible to the public. The satellite Global Positioning System (GPS) and Light Detection and Ranging system (LIDAR) have, for example, provided practitioners in fields like archaeology, mining, and the earth sciences with the unparalleled ability to pinpoint and interpret spatial information from sites that were formerly or practically inaccessible. Meanwhile, geographic information systems (GIS)—with a wide range of applications in, for example, the sciences, urban planning, and disaster management—have made it easier for digital humanists to read and interpret layers of spatial data. As a result, surveys possess renewed importance as texts that reveal the historical development of land-use practices and resource consumption within U.S. American culture.

### *Surveying as Form*

Though rarely conceived of in such terms, surveys possess qualities that merit their consideration among literary forms. Throughout this dissertation, I use the term “survey” to mean both the process of surveying—the performance of land measurement—and the product of surveying—the textual and cartographic document entered into the public record. In the latter sense, surveys are, most frequently, prescriptive texts ordered or authorized by the state, which narrate and reinforce its dominant ideology of property and land use. Less frequently, in part because the survey's legitimacy relies so heavily on state authorization, these texts challenge that ideology and seek to imagine new or different spatial relationships between humans and the environment. Circulating within the public domain, survey texts shape the public's relationship to land by

establishing ownership and imposing organizational regimens that do not otherwise conform naturally to the territory being organized. As a result, surveys in the U.S. have shaped the cultural discourse around land and land use and provided a vocabulary in other literary works grappling with property and ownership.

In *The Geographic Revolution in Early America* (2012) Martin Brückner argues that as the survey plat “restructured the geographic representation of colonial land as property, its textual form provided a visual and narrative framework enabling Anglo-American landowners to reimagine the relationship between property and identity, colony and empire.”<sup>15</sup> As a text about property, the survey taught its colonial readers to articulate themselves as subjects of the British Empire through their participation in an imperial system of land ownership and their adherence to the English way of looking at the natural world. What Brückner points to, also, is that while the survey is most readily associated with the plat map, a graphic representation of the land surveyed, the surveyor’s written description of the land within the plat, necessitating a literate public, was just as crucial to the success of the survey. Though British-colonial Americans ultimately rejected imperial rule, they nevertheless continued to use property as their principle means of articulating their relationship to nature and their sense of identity and belonging within the state.

As I explore those networks, my sense of what surveying does for citizenship is shaped by Caroline Levine’s critical re-examination of form. In *Forms* (2015), Levine calls for a broadened approach to the subject, encompassing both aesthetic and social, cultural and political arrangements. To do so, she draws on the design concept of “affordances,” that is, “the potential uses or actions latent in materials and designs.” Applied to the literary and the social, affordances call attention to “both the specificity and generality of forms,” their limitations but also their latent potentialities. This language of affordances provides a useful framework with which to consider the impact of

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<sup>15</sup> Brückner, *Geographic Revolution*, 19.

surveying on nineteenth-century American cultural discourse. It is necessary not only to ask what the survey, as both an abstract and a material form, affords, but also what literature gains from invoking the survey as such. Levine asserts that “it is the work of form to make order.” In this way, the survey is a form that is primarily concerned with form. The survey is a form that affords boundaries, and in doing so, it affords specificity. The survey affords mathematical uniformity in contrast to the organic arrangement of the natural world. It affords ownership but also exclusion when it enters the public record. It affords development and expansion. The survey affords organization and abstract spatial knowledge. Consequently, surveying affords writers with a shorthand for grappling with complex and multifaced ideas like property and nature, as well as their overlap. And because the survey is both labor and object, it already calls attention to the messy continuity between the social and the aesthetic with which Levine is concerned.<sup>16</sup>

One component of surveying, the field notebook, encapsulates that continuum. For deputy surveyors working within the PLSS, writing was the primary means of conveying the extent of the territory they traversed. This writing, collected in field notebooks, was formulaic, and its relative uniformity seemed to mimic the system of organization that it produced. When, for example, surveyors began their work in Wisconsin in 1833, each deputy surveyor carried with him a notebook that was then divided into prescribed sections. The title page typically included the legal description and date of the area being surveyed, along with the Deputy Surveyor’s name, as in the field notes from an early survey of Wisconsin, “Field Notes of the Survey and establishment of the Base Line for the Surveys in the Northwest Territory for that part of Michigan Terr. lying west of the Lakes, by Lucius Lyon, D.S. 1833. January.”<sup>17</sup> The bulk of the text was comprised of the section line notes,

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<sup>16</sup> Caroline Levine, *Forms: Whole, Rhythm, Hierarchy, Network*. (Princeton: Princeton University Press, 2015), 1-23.

<sup>17</sup> Lucius Lyon, “Field Notes of the Survey and establishment of the Base Line for the Surveys in the Northwest Territory for that part of Michigan Terr. lying west of the Lakes, by Lucius Lyon, D.S. 1833. January,” Wisconsin Public Land Survey Records: Original Field Notes and Plat Maps, Dec. 3, 2019.

meander notes (explained below), and a general description of the deputy surveyor's observations during the course of the survey. The section line notes detailed the work being done in each mile section of the new township and included distances, descriptions of the bearing trees used, and variations in the landscape. At the end of each mile section, the surveyor might note predominating plant species and soil quality. These were hardly exhaustive descriptions but contained information that was nonetheless invaluable for aspiring settlers and land speculators. Lyon's survey catalogs, for example "Land rolling . . . and thinly timbered with white oak and hickory," resources useful for building; elsewhere, simply "rolling prairie" that might accommodate grazing or farmland. The meander notes dealt with physical encounters that caused the surveyor to deviate from his section line. These might include coming across a lake or river, and described the work done to survey such features of the territory. Usually, the surveyor included a sketch map of the area being surveyed, and finally, they penned an affidavit attesting to the accuracy and thoroughness of their work.<sup>18</sup>

In my preliminary research, I examined an array of field notebooks—particularly drawing from the State of Wisconsin Board of Commissioners of Public Lands digital archive of Wisconsin Public Land Survey Records and the University of Rochester Rare Books, Special Collections, and Preservation archive—in order to familiarize myself with the formal features, methodologies, and language choices common to (or notably uncommon to) these texts. While those field notebooks did not, ultimately, serve as one of the critical focal points of this project, my observation of their shared formal characteristics has fundamentally shaped my understanding of surveying texts as literary documents and surveyors as literary producers. Approaching field notebooks and their

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<http://digicoll.library.wisc.edu/cgi-bin/SurveyNotes/SurveyNotes-idx?type=turn&entity=SurveyNotesEXT001000003&issueid=SurveyNotes.EXT00101&isize=M&twp=T001NR001E>. Lyon, incidentally, would later serve first as a U.S. Representative and then as a Senator for the state of Michigan.

<sup>18</sup> "Land Survey Information," Wisconsin Public Land Survey Records: Original Field Notes and Plat Maps, Dec. 3, 2019. <http://digicoll.library.wisc.edu/SurveyNotes/SurveyInfo.html>.

surrounding texts in this way underscores their value to a reading public that would have recognized the specific symbolic value that surveys and surveying in the texts that this project does take up. Nevertheless, field notebooks are a rich site in which to consider how surveyors framed their labor and the labor of imperial expansion across the nineteenth century and warrant further exploration elsewhere.

Lastly, I would be remiss if I did not acknowledge that literary study (and much of liberal higher education) has been beholden to the survey as an organizing pedagogical principle for course design. In “survey” courses, we allege to introduce students to the boundaries of a literary field, be they geographical, historical, or topical. American literature, for example—already subject to a geographical/national boundary—is conventionally divided into two historical surveys separated by the conclusion of the Civil War in 1865. These organizing decisions insist on the notion that specific traumas and triumphs shape the borders of our shared cultural heritage but have historically failed to interrogate whose experiences dictate that boundary. Likewise, survey courses have historically held up certain authors as emblematic of a given field’s literary parameters, thus establishing its canon, often to the exclusion of gendered and racial experiences that do not conform easily to the cultural narrative. While much recent scholarship and educational praxis has thankfully challenged such assumptions, the underlying settler-colonial linkages between literary and land surveys as objects that determine boundaries and belonging remain. As Christopher Hager and Cody Marrs note of American literary study, “the 1865 divide weaves its way through graduate education, the definition of jobs in English departments, and the conceptual organization of scholarship in the field.”<sup>19</sup> The outsized formal impact that the survey thus has on our discipline has also influenced the organizational and substantive decisions I have made in undertaking this project.

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<sup>19</sup> Christopher Hager and Cody Marrs, “Against 1865: Reperiodizing the Nineteenth Century.” *J19* 1, no. 2 (2013): 259.

*The Survey and Environmental Justice*

Though I argue for the consideration of the survey as an act of literary production, one of the critical arguments that informed my early inquiry was an art historical text that examined landscape art as a scopic extension of American imperialism. In *The Magisterial Gaze*, Boime argues that nineteenth-century American artists participated in the imperial project of Manifest Destiny through their sweeping depictions of the Western landscape. Though such artists as Thomas Cole, Frederic Church, and Thomas Moran celebrated nature in their public lives, their paintings adopted a top-down vantage—what Boime calls the magisterial gaze—that reflected market capitalism’s vision of land as a commodity anticipating expansion. In a concluding chapter, Boime turns to the survey, which he characterizes as performing the same function as the landscape painting, imagining the earth from a magisterial position and anticipating the growth of the American nation into the West. More than imposing order on wilderness, Boime observes, the survey was a tool used to control “wild” populations—Indigenous Americans and Mexicans—that opposed the encroachment of the settler-colonial state. In this characterization, in which the survey is inseparable from the violence of nationalism and imperial hegemony, surveying emerges as a productive site through which to explore the relationship between environmental justice and the politics of land and land use in the nineteenth-century U.S. and beyond.

Expounding on that relationship, I draw on Pamela D. McElwee’s theorization of “environmental rule,” a strategy of social planning in which the state appeals to some environmental need as a means of justifying its action. Through environmental rule, McElwee argues, states make calculated interventions “in such disparate areas as land ownership, population settlement, labor availability, or markets” by framing their interventions within programs of environmental

improvement or protection.<sup>20</sup> While the U.S. government ordered surveys of the West in preparation for the sale and settlement of public lands there, it benefited from the labor in other ways. The rectilinear order imposed by the PLSS on the present-day Midwest created a coherent and legible system for the American public, but it also made tangible, in space, the republican ideology of one of its principle authors, Thomas Jefferson. With its even sections and orderly townships, the PLSS was a leveling system that encouraged an egalitarian yeomanry, precluding the growth of an aristocratic class. Though the practical application of the PLSS may have diverged from its theoretical underpinnings—speculators and land monopolists ultimately profited from the system, regardless of its authors' intent, and the land itself precluded uniformly equal division of territory—Jefferson and his allies hoped to create a citizenry that was wholly republican in its formation.

At the same time, the Western surveys posed a threat to dissidents and sovereign peoples living beyond the purview of federal oversight. As a tool of surveillance, these surveys provided the state with territorial knowledge that secured its land claims, superseding the possessive rights of squatters—rendered as dissidents who eschewed participation in the American body politic and threatened the legal foundations of property—and Indigenous nations—for whom settler-colonial order would be a panacea against their perceived barbarism. More often than not, these populations were simply dispossessed of their land to make way for citizens who cooperated with state governance. Such was the case when the Ahwahneechee residents of Yosemite Valley were killed or removed in the Mariposa War (1850-51) to accommodate the ongoing gold rush; their removal was later justified by the formation of the Yosemite National Park, ostensibly a boon to all American citizens.

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<sup>20</sup> Pamela D. McElwee, *Forests Are Gold: Trees, People, and Environmental Rule in Vietnam*. (Seattle: University of Washington Press, 2016), 3-28.

Black Americans, too, found themselves at odds with the nation's surveying vision and subject to environmental rule. Before the abolition of slavery and the emancipation of enslaved people, the legal status of the enslaved as chattel property rendered them analogous to the land on which they were forced to labor. Because the state-sanctioned survey authorized real property and guaranteed the rights of its owner, its protections extended symbolically to chattel property as well.<sup>21</sup> In Frederick Douglass' short story, "The Heroic Slave" (1853), the titular Madison Washington declares that "even before I made part of this breathing world, the scourge [of enslavement] was platted for my back; the fetters were forged for my limbs."<sup>22</sup> Douglass draws an explicit connection between surveying and enslavement, using the plat map as a symbol of Washington's status as property; in time the imagined lines of the plat would be overlain with the physical scars of beatings and overwork—material evidence of the man's station.

The story ends with Washington leading a mutiny aboard the slave ship *Creole* and sailing the ship to freedom on Nassau in the British Bahamas. Amidst a storm, Washington declares to one of the story's white narrators, "Mr. mate, you cannot write the bloody laws of slavery on those restless billows. The ocean, if not the land, is free."<sup>23</sup> Here, Washington once again observes the relationship between real property and chattel property, noting that the physically mutable space of the ocean resists the organizing principle underwriting property laws. Where land is "written" upon by the surveyor, the ocean is not, and in that context Washington is able to imagine both a space and condition of freedom outside of property.

While surveying has not been exclusively used in support of state oversight and control—a narrative I expand on in the chapters that follow—its success does rely on the state's approval; indeed, it might be said that the survey affords surveillance. Many present-day issues of land and

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<sup>21</sup> Patrick Chura, *Thoreau the Land Surveyor*. (Gainesville: University Press of Florida), 8.

<sup>22</sup> Frederick Douglass, *Autographs for Freedom*. (Boston: John P. Jewett and Company, 1853), 177.

<sup>23</sup> *Ibid*, 237.

resource discrimination such as urban red lining, the location of undesirable industrial projects and facilities, and the maintenance of Native American reservations, consequently, stem from nineteenth-century efforts by the federal government to impose environmental rule through land surveying. These programs and policies have overwhelmingly benefited white citizens while disadvantaging, especially, black and Indigenous citizens.

### *Chapter Breakdown*

This dissertation is ultimately concerned with space, placemaking, and belonging in the U.S. American historical imaginary, both from the point of view of the state and from a position of alterity. It is, moreover, about concerted efforts to extend the boundaries of the American frontier, whether those exist as literal places or as a metaphorical occupation of previously restricted space. Finally, this project is deeply concerned with the survey as a literary form that mediates the relationship between land and property, citizenship and personhood, but which does not conform neatly to the traditional periodization of American literature. As a result, I have organized my chapters around geographical sites that enable me to follow the trajectory of this story, not only as a historical development but as a spatial one too. By focusing in turn on these sites—Upstate New York during the Anti-Rent War of the early 1840s, John C. Fremont's exploration of the Great Plains in the 1840s and the subsequent settlement debates that lead to the passage of the Kansas-Nebraska Act in 1854, the discourse surrounding black community development in Manhattan and Brooklyn in the early 1850s, and John Wesley Powell's exploration and ethnological research of the American Southwest in the decades after the Civil War—I narrate the uneasy growth of American empire and the strategies employed to conform to or resist the social and legal frameworks of American citizenship.

In my first chapter, I analyze James Fenimore Cooper's *The Chainbearer* (1845), a novel set on New York's post-Revolution frontier, within the historical context of the Anti-Rent War. During this period of social and political upheaval, tenant farmers in the Hudson River Valley organized for the dissolution of the state's antiquated manorial system. Through his surveyor protagonist, Cooper defends the property rights of the landed elite and in the process, dismisses the political efforts of reformers who argued that land monopolies cultivated a form of aristocratic privilege that was incompatible with the republican government of the United States.

Building on my consideration of frontier space and political conflict in that chapter, my second chapter follows the formation of the Free Soil and Republican parties alongside efforts to organize and settle territory on the Great Plains. Here, I read the surveying work of John C. Frémont and John Brown and the hagiographic texts about both as critical bookends to the slavery debate. Both Frémont and Brown were abolitionists who opposed the expansion of slavery into newly formed territories in the West. Yet Frémont, as a military officer who surveyed overland routes from Missouri through the Rocky Mountains and helped to dispel the myth of the Great American Desert, precipitated the Western settlement rush and the question of popular sovereignty that fueled the political disputes about slavery; Brown, conversely, used the guise of a federal surveyor during conflict on the Kansas-Nebraska border to pass safely through pro-slavery encampments and gather information as he went. Brown understood the impression among the Missourians of surveyors as defenders of property—including human property—and exploited that belief to combat the spread of slavery in the West.

In my third chapter, I turn to New York City where I show how the black community there, like Brown in Kansas, used surveying as an anti-racist tool to challenge white supremacy. I argue that the educator and abolitionist, William J. Wilson, metaphorically surveyed the urban spaces of antebellum Manhattan and Brooklyn to foster socioeconomic independence among black New

Yorkers who were perpetually marginalized by white strategies of urban development. Wilson wrote sketches for *Frederick Douglass' Paper* under the pseudonym “Ethiop,” and, using his platform, challenged the Fugitive Slave Act that threatened the safety of northern black communities. Wilson also critiqued the emigrationist rhetoric of his contemporaries like Martin Delany, who argued that black Americans could never achieve true liberty in the United States and would need to seek it elsewhere. My final chapter, set in the American Southwest during the concluding decades of the nineteenth century, examines the work of the Western surveyor and ethnologist John Wesley Powell. The first white man to navigate the Colorado river in its entirety, Powell is frequently commemorated for his extensive policy work on agricultural water consumption in the Southwest. Less often remembered are his repeated calls for the removal and assimilation of Native Americans there. While the former texts are held up by today’s environmentalists as evidence of early sustainable planning in the United States—a moment of missed opportunity—I argue that they cannot be read outside the context of Powell’s contribution to the cultural annihilation of Ute, Southern Paiute, and Shoshone peoples.

Because the events of the past continue to shape and influence the present, I conclude with a meditation on how nineteenth-century land debates have impacted civic and environmental discourse in the contemporary United States. Specifically, I examine two episodes that grabbed headlines in 2016: the illegal occupation of the Malheur National Wildlife Refuge by a white militia and the peaceful Lakota-led protest of the Dakota Access Pipeline. These events, for which land access was a central issue, coevolved from and in response to settler-colonial policies of resource extraction and discrimination shaped by the expansion of the U.S. frontier. At Malheur, militia members exploited their racial privilege to challenge the federal government’s right to hold land in the public trust where private citizens might otherwise profit; meanwhile At Standing Rock, Indigenous Lakota fought to protect reservation lands from environmentally destructive corporate

intrusion, a campaign that directly challenged the paternalistic narrative of economic progress touted by the oil industry and the federal government alike. The capitalistic vision of land that precipitated both events is rooted in liberal notions of property that were concretized by the labor of surveying across the nineteenth century. In this concluding section, I argue that by drawing attention to the historical roots of such practices, contemporary activists can better support the successes and learn from the failures of anti-capitalist climate action like that of the Standing Rock Lakota.

## Chapter 1: Surveying, Citizenship, and Contested Space on the U.S. Frontier

In 1835, Thomas Ainge Devyr, a white political activist, land reformer, and Irish nationalist, first published a pamphlet entitled *Our Natural Rights*. The treatise harshly criticized the imbalance of power that existed between the English gentry and the lower classes, calling for substantial land reforms to mitigate the hardships of the working class. By controlling Parliament, the source of juridical power, the aristocracy had afforded itself the right to lay claim to its source of material power, land. As Devyr argues, “[the gentry] have confirmed to themselves the *absolute ownership* of all land, and water too, as far as they can throw their chain about it.”<sup>1</sup> Effectually, the consolidation of power that Devyr describes here is inseparable from the practice of bounding territory for possession. The nobleman’s “chain,” which has all the overtones of enslavement or imprisonment—not to mention of surveying, as in the surveyor’s chain—claims the land as property, at once symbolizing the revocation of free use for others. Absolute ownership enabled the aristocracy to manage their estates—largely acquired by birth rather than merit—and, therefore, their tenants, as they pleased. Without available land of their own to acquire, these working- and agrarian-class citizens were locked in a near-feudal system of dependence that precluded true liberty in England’s supposedly parliamentary-democratic government. As Devyr framed it, at stake were two mutually exclusive rights: “. . . it is plain that if landlords possess absolute ownership of the land, the people never can become really independent. Either the landlords have a right to absolute ownership, or the people have a right to independence.”<sup>2</sup> Since it was unlikely that the aristocracy would act against its own interest for the greater liberty of the English people, only the “reforming spirit of the age” could effect the change necessary to elevate the lower classes.

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<sup>1</sup> Thomas A. Devyr, *Our Natural Rights: A Pamphlet for the People* (Williamsburg: printed by the author, 1842), 8.

<sup>2</sup> *Ibid*, 19.

In the final section of the 1835 edition, Devyr issues a cautionary “Word to the Americans,” warning them lest they allow such a tyrannical law as the right of absolute ownership to exist in their midst. The American people are fortunate, Devyr writes, to have both an entrenched enmity towards tyranny and a vast territory of “free hills and chain-less rivers”, but, he continues, “let only two hundred or three hundred of our wealthiest capitalists bring their resources to bear on [the country] for some twenty or thirty years, and I doubt they would not be able to purchase the *entire territory*.” Given the choice between power and principle, even the most ardent supporters of the republic would choose the acquisition of property and capital over liberty and equality and begin to corrupt those ideals in the process. As Devyr notes, “It needs little perception to see that where an individual possesses uncontrolled [sic] ownership of any given territory of ground, he can prescribe to its inhabitants whatever *terms* his will may dictate; or should they not accede to his dictation, he can lay waste the territory.” The possibility that a single group of men might warp and destroy the republic for the pursuit of capital seemed antithetical to the spirit of the American Revolution, but would become an inevitable reality should the market and real property dictate political power; even those pioneers whom Devyr identifies as the vanguard of “American freedom” might “degenerate into a vile aristocracy, and grind and trample down a future tenantry” if left alone to buy up the frontier.<sup>3</sup>

Unbeknownst to Devyr, he would soon play an integral role in organizing an American movement against “the tyranny of their landlords.”<sup>4</sup> After participating in a failed Chartist rebellion in 1840, Devyr fled to New York where he found mounting hostility among tenants of the Hudson River Valley toward the wealthy, old families who owned and leased huge portions of the state. In an area known as the Helderbergs, in Albany County, the tenants of the enormous Rensselaerswyck

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<sup>3</sup> Ibid, 38-9.

<sup>4</sup> Ibid, 7.

estate were presenting grievances to a new and beleaguered landlord. As lessees, the largely agrarian population of the estate had no legal claim to the improvements they and their forebears had produced in the territory. The landlord, they worried, could claim that labor and force the tenants to move in search of their own land to purchase, unless concessions could be made to buy out existing leases. The white landlord Stephen Van Rensselaer IV, who had little to gain from such an arrangement, was disinclined to accede to the tenants' requests, and so the Anti-Renters, as these and other tenants and their allies came to be known, began to push for state-wide reform.

Amidst this turmoil, Devyr published a second edition of his pamphlet, including an appendix featuring "An Examination into the merits of the Controversy between Stephen Van Rensselaer [sic] and the Helderberg Farmers" and an extended meditation on the dangers of large-scale land monopoly. In that appendix, he traces the history of the large New York estates, beginning with the colonial activities of the Dutch West India Company, an enterprise Devyr associates explicitly with piracy and the plunder of Spanish and Portuguese vessels "laden with rich merchandize [sic], and gold and silver."<sup>5</sup> By linking those first Dutch magnates to piracy, Devyr envisions a direct relationship between land monopoly and theft and violence. This relationship is made clearer elsewhere, when Devyr imagines the consequences of allowing the systematic monopolization of land to be left unchecked: "if we do our children, hereafter, will not be permitted to till a field, or touch a morsel of food without first subscribing to whatever conditions the 'lords of the soil' may choose to dictate."<sup>6</sup> Deprived of the complete freedom to build a livelihood from the land, the members of the tenant class are reduced to virtual serfdom without the rights of full citizenship.

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<sup>5</sup> Ibid, 49.

<sup>6</sup> Ibid, 46.

In this context, absolute ownership ceases only to be a class problem and becomes a matter of ecological destruction akin to what Rob Nixon calls “slow violence”—that is, “a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all.”<sup>7</sup> For Devyr’s tenant audience, independent agency and the change of agricultural success—even mere access to food and water—ebb to the landlord’s whims. Devyr even uses the language of environmental distress when he allows that elite might enrich themselves in other ways without endangering the lives of the lower classes: “Let him take all else he pleases; let him add house to house, let his storerooms groan with accumulated merchandize—let him heap all the gold and silver he can scrape together with his clutching and palsied hand—but oh preserve THE SOIL from his *pollution*.”<sup>8</sup> In the context of 1830s and 40s New York, pollution is an apt metaphor for the slow violence the tenants faced; soil quality was diminishing, and western agricultural markets were pricing out farmers near the Hudson via the Erie Canal and railroad, but a lack of available land prevented those tenants from remaining competitive. As such, Devyr’s plea for free access to land becomes an essentially conservationist campaign wherein the Rensselaerswyck tenants organize not only for their own rights but also to protect the lands of the Hudson River Valley and make visible the slow violence committed there.

I invoke Devyr’s pamphlet because it succinctly narrates the stakes of the historical conflict at the heart of this chapter, a conflict that has received critical historical attention as an issue involving property rights and civic equality but which also cannot be separated from the environmental history of the Hudson River Valley. New York’s so-called Anti-Rent War offers a glimpse into the messy nexus of local and regional political organization, land use, and environmental thought as they influence public notions of citizenship in the antebellum period, a

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<sup>7</sup> Rob Nixon, *Slow Violence and the Environmentalism of the Poor* (Cambridge: Harvard University Press, 2011), 2.

<sup>8</sup> Devyr, *Our Natural Rights*, 60; emphasis added.

discourse that I wish to assess in this chapter. To do so, this chapter focuses on the white author James Fenimore Cooper who, as I will discuss, embroiled himself in New York state political conflicts, legal and social debates surrounding citizenship, and a burgeoning American environmental discourse and who, as a contemporary of Devyr, responded to the Anti-Rent movement from a nearly diametric position. Cooper's engagement with citizenship and the environment is readily evident in his most widely read early novels. *The Pioneers* (1823) is perhaps most widely known for its environmental engagement. The novel asks its readers to consider the interdependence of property and the law, of expansion and extraction. By narrating the animosity over resource consumption between the white squatter Leatherstocking and the settlers under the patronage of the white Judge Marmaduke Temple, Cooper tests the ability of the state to impose and maintain its own rule of law in a frontier space where natural law and self-determination might otherwise prevail. The author's evenhanded portrayal of both Leatherstocking and Temple suggests an attempt at impartiality in this representation.

*The Pioneers* does not mark the end of Cooper's literary engagement with civic organization, land use, and the law. Rather, the continued appearance of these themes in Cooper's later work suggests a lifelong investment. The perpetuation of conflict between the landed class and its challengers, coupled with the author's increasingly partisan-aristocratic convictions within and without his fiction, points to Cooper's continued efforts to reconcile the complicated relationships between land use, state governance, and citizenship in antebellum political life. With its discussions of resource extraction, rights of ownership, and frontier development, *The Pioneers* stands, throughout this chapter, as a familiar benchmark of Cooper's political vision for the early republic. My primary focus, however, is on his late novel, *The Chainbearer* (1845), a text that reveals how out-of-step Cooper, in his commitment the rule of law and the preservation of social order, was with the future of American democracy.

*The Chainbearer*, published over twenty years after *The Pioneers*, dramatizes a conflict between the titular surveyor, his white, aristocratic employer and companion Mordaunt Littlepage, and a group of squatters profiting from timber resources on the Littlepage estate in Upstate New York. For an increasingly conservative Democratic Cooper, the technocratic surveyor serves to uphold traditional class interests and federal authority over land apportionment against the historical backdrop of the Anti-Rent Wars; the squatter, who stood as an emblem of frontier self-reliance, is meanwhile relegated to lawless villainy. In *The Chainbearer*, the figure of the surveyor is employed to reassert establishment politics and, in doing so, thwart the spread of radical political action to the national level. The surveyor, moreover, enables Cooper to contemplate the environmental implications of property ownership and the urgent need for conservation, themes that have been comprehensively explored without political affiliation in his early novels but which, as I will argue, are inextricably tied to Cooper's conservative politics in this later work. Mobilized in these directions, the labor of surveying serves as a challenge to populist attempts to remake civic organization, mediating state authority and unregulated practices of frontier self-governance to articulate citizenship and subjectivity in the antebellum U.S. as a material practice rooted essentially in land use.

James Fenimore Cooper's *The Chainbearer* is the second in a trilogy treating the estate dealings of a landed Upstate New York family from the colonial period to the antebellum era. It draws on the figure of the surveyor in ways remarkably analogous to the Lincoln narrative that I begin this project with, though Cooper's is mobilized to serve a competing political ideology. Cooper's novel, like the anecdote, focuses on property rights in a frontier space; he narrates a shifting political ideology—in this case, his own increasingly conservative fears about the vulnerabilities of American republicanism; and he voices concerns over the way that land and resources are properly—or improperly—managed. In this narrative, as with the Lincoln anecdote,

the surveyor's labor inscribes on the landscape the boundaries of inclusion and exclusion that the aspiring citizen must navigate, complicated by the availability and access to land in a nation strained by its own growing pains.

Unlike the Lincoln narrative or Thomas Devyr's pamphlet, however, *The Chainbearer* is an impassioned defense of property rights for the landed class against the incursion of squatters and would-be improvers. The narrative follows the young Littlepage heir, Mordaunt, as he asserts his authority as landlord and consolidates his enormous family estate, negotiating new leases and selling off portions of the Mooseridge and Ravensnest land patents. Accompanied by his on-again-off-again companions Andries "Chainbearer" Coejemans (a white surveyor, hereafter Chainbearer), Chainbearer's niece Dus, the enslaved black person Jaap, and the Onondago Susquesus, Mordaunt contends first with the duplicitous Yankee, Jason Newcome, and then, more critically, with the embittered Aaron "Thousandacres" Timberman (hereafter Thousandacres) and his large family of white squatters. The conflict with Thousandacres over land use and the terms of ownership serves as the set piece of the novel and results in the deaths of both Chainbearer and Thousandacres following the illegal imprisonment and subsequent escape of Littlepage.

Compared to *The Pioneers*, *The Chainbearer* takes a hardline approach to squatting and the rights of the landholder. The squatters in that later novel are rendered as lawless subverters of the social contract who constantly skirt about the periphery of the state. In *The Pioneers*, conversely, Natty Bumppo—the famed "Leatherstocking," "Pathfinder," etc.—is a squatter on Judge Temple's land in Templeton. Yet the two men have a clear understanding of the frontiersman's freedom to live and hunt on the land, and Bumppo at points suggests that others ought to recognize his occupancy, before the judge staked his legal claim, as something amounting to prior possession. Temple still sees himself as bringing the frontier under the jurisdiction of republican law, but nowhere does Cooper castigate Bumppo as lawless or pre-political, something that Dana Nelson

reminds us of in *Commons Democracy* (2016): “Quite differently Natty asserts that the judge’s laws replace by fiat one vision of lawful community with another. His arguments directly invoke a tradition of local self-government, of citizen sovereignty and communal self-determination that local actors carried forward in the early republic. . . .”<sup>9</sup> The one character who routinely stands as Bumpo’s foil, Temple’s cousin Richard Jones, is shown to be rash and wasteful. While Jones asks of the judge, “Do you not own the mountains, as well as the valleys? are not the woods your own? what right has . . . the Leather-stocking, to shoot in your woods, without your permission?” he elsewhere abuses the judge’s beneficence by hunting and fishing well beyond his need.<sup>10</sup> Through his depictions of Bumpo and Judge Temple, Cooper holds two modes of political organization—one of frontier self-determination and one firmly regulated within the bounds of the state—up to impartial scrutiny, even as the latter had already begun to eclipse the former in Cooper’s 1820s New York. By giving the final imagery of the novel to Bumpo, who “had gone far towards the setting sun,—the foremost in that band of Pioneers, who are opening the way for the march of the nation across the continent,” Cooper even suggests some mutualistic relationship between squatters and the state.<sup>11</sup>

None of this beneficence is present by the 1840s, however, and while Cooper’s positions in *The Pioneers* seem evenhanded, by the time he writes *The Chainbearer*, his political preferences appear fixed, even in scenes that are remarkably similar between the two novels. Cooper began work on *The Chainbearer* and its surrounding series of frontier romances in the 1840s, aiming to chronicle a frontier history of New York settlement and, as he noted in a letter to his British publisher, give an “exhibition of the Anti-Rent commotion that now exists among us, and which certainly threatens

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<sup>9</sup> Dana D. Nelson, *Commons Democracy: Reading the Politics of Participation in the Early United States* (New York: Oxford University Press 2016), 93.

<sup>10</sup> James Fenimore Cooper, *The Pioneers* (Cambridge: The Belknap Press of Harvard University Press, 2011), 105.

<sup>11</sup> *Ibid*, 538.

the destruction of our system.”<sup>12</sup> The novel is presented as a found manuscript, authored by the narrator and edited by Cooper. Early in the novel, Cooper suggests to the reader that “Mr. Mordaunt Littlepage must have written his account of himself and his times, about the close of the last, or the beginning of this century” and regularly stresses the lessons the narrative might impart for the contemporary moment.<sup>13</sup> Cooper-as-editor consequently advances *The Chainbearer* both as a “historical” parable about the dangers of unchecked populism, depicting squatters and would-be political activists as nefarious threats to property ownership and the social order of his contemporary New York, and as an apology for the legal system called into question by the Anti-Renters. Strict deference to the law, Cooper would argue, is the surest way to maintain balance within the republic.

In antebellum New York, social order lay, to a great extent, in the state’s unique, longstanding, and near-feudal manorial system. Across sixteen counties in and around the Hudson River Valley, wealthy, white families like the Livingstons and Van Rensselaers owned enormous swaths of land that they leased in parcels to New York farmers. As lessors, the patroons as they were called—a holdover from Dutch colonization—exercised a great deal of power over their lessees, who were committed to complicated contracts that blurred the lines between tenancy and ownership. Though a tenant on one of these estates might purchase, as Dana Nelson describes, “a perpetual interest in an undeveloped plot of land” the “original landholder retained all the rights of a landlord. . . : they could claim a significant portion of, and sometimes all, improvements made to the property by tenants. . . ; they could take land from the tenants for their own designs; they could repossess all the tenants’ possessions if the rent were in arrears; and, if a tenant tried to sell his farm

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<sup>12</sup> James Franklin Beard, ed. *The Letters and Journals of James Fenimore Cooper*, vol. 5. (Cambridge: The Belknap Press of Harvard University Press, 1968), 7.

<sup>13</sup> James Fenimore Cooper, *The Chainbearer: or, The Littlepage Manuscripts* (New York: W.A. Townsend and Co., 1860), 26.

to someone else, the landlord had the right to” up to one-half the total sale. This complicated blend of grant and lease stems from England’s 1290 passage of *Quia Emptores*, a statute that forbade subinfeudation, effectively signaling the decline of feudalism there; the statute did not apply to conquered territory, however, and so the Dutch landlords were able to preserve their feudal manors, having obtained British title to their lands, when the colony passed into English possession in 1664.<sup>14</sup> Without legal challenge, the wealthiest patroons maintained their control on the Hudson River Valley during the colonial period through the practices of primogeniture and entailment—the legal method of ensuring an estate remained within the family-line—thus ensuring their families’ total domination of the region.

The social disparity resulting from the patroon-tenant relationship was moderated by a social arrangement that historian Reeve Huston terms “deference and benevolence.” Under this system, Landlords made a habit of looking the other way for late or partial rent payments, permitting easements for the use of resources on unoccupied land (the so-called landlord’s commons), and throwing the occasional public gala; in return, tenants were expected to lend their public support to their landlords, particularly at the ballot. In this way, the patroons frequently found their way into public office. While landlords claimed to have done so on their own merit, notes Huston, their opponents alleged coercion and aristocratic privilege.<sup>15</sup> As many patroons abandoned primogeniture and entailment after the Revolution so they could divide their holdings among all their children—creating, as Huston describes, a social elite “based on merit, not birth”—and increasingly encouraged their children to marry for love rather than to strengthen inter-family bonds, the partition of the large estates yielded new hardship for the tenants. In order to offset their debts, they abandoned the mutualistic traditions that had benefited the tenants, instead calling for back-rent and

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<sup>14</sup> Nelson, *Commons Democracy*, 143.

<sup>15</sup> Reeve Huston, *Land and Freedom: Rural Society, Popular Protest, and Party Politics in Antebellum New York* (New York: Oxford University Press, 2002), 30-1.

restricting access to commons-land resources so that they might supplement their own fortunes.<sup>16</sup>

Two heirs who faced this dilemma, Stephen Van Rensselaer IV and his brother William, would ultimately face some of the earliest backlash for this new way of handling the family estate.

To make matters worse for the tenants, mounting environmental stressors in the region hindered agricultural success there. Although farmers relied heavily on wheat—a product that both did well in the markets and served as a portion of their annual rent—as their primary cash crop, repeated planting and monoculture depleted the soil. This was particularly true in the hilly, forested counties that spread into the Adirondacks and Catskills where soil was already shallow and acidic.<sup>17</sup> Counties in those regions numbered among the most politically disenchanted in antebellum New York and often coincided with activism and unrest. Soil difficulties were compounded by grain blights and, most dramatically, by the ongoing devastation in the 1820s and '30s wrought by the Hessian fly, whose larvae sustained themselves on the wheat crop. One particularly disastrous epidemic in 1836 wiped out wheat crops in the Eastern United States and exacerbated economic conditions leading to the Panic of 1837.<sup>18</sup> Nor did many of the Upstate New York tenants find relief in their local markets, as the completion of the Erie Canal in 1825, though a boon to many in the state, saw a drastic decrease in grain prices as cheap wheat poured in from the West. While farmers attempted to improve the quality of their soil with innovative conditioning methods or else turned to livestock or new crops, these changes proved costly and many were forced either to move west and lose their investments in the land they had rented or stay and risk the mercy of the likewise-beleaguered landlords.<sup>19</sup>

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<sup>16</sup> Ibid, 45-6.

<sup>17</sup> Jonathan H. Earle, *Jacksonian Antislavery and the Politics of Free Soil, 1824-1854* (Chapel Hill: The University of North Carolina Press, 2004), 55.

<sup>18</sup> Max Grivno, *Gleanings of Freedom: Free and Slave Labor Along the Mason-Dixon Line, 1790-1860* (Urbana: University of Illinois Press, 2011), 69.

<sup>19</sup> Huston, *Land and Freedom*, 47-9.

These coalescing social, economic, and environmental factors contributed to mounting discontent among the Hudson River Valley tenants, who, beginning with the Van Rensselaer estate, began to organize in the late 1830s to negotiate with the patroons for leniency, compromise, or fair sale of leased lands. Though the patroons widely rebuffed or balked at their efforts, the Anti-Renters as they came to be known had, by the 1844 publication of *The Chainbearer*, achieved enough momentum as a movement to capture the imagination of the regional press—including authors like Cooper—and to challenge the ideological stability of New York state politics. Meeting in Bern (now Berne), the tenants of the Van Rensselaer estate rallied to declare the manorial leasehold system antithetical to their right as citizens to hold property of their own. While the patroons defended the rental contracts at the heart of the dispute as agreements entered into by civic equals and thus inherently just, the tenants maintained that their forebears were coerced and cajoled into agreement and had no choice save to abandon the lands they had worked so hard to improve. Thenceforth, the Anti-Renters resisted the patroons by boycotting rent payments, terrorizing estate agents, and challenging the legal basis of the original estate grants.<sup>20</sup>

All the while, New York's main political parties, the Democrats and the Whigs, sought to control the Anti-Renters and harness them as potential voters, even as the populist movement exerted its will in return and fundamentally altered the balance of political power in the state. Ironically, the Democrats and Whigs had unwittingly armed the Anti-Renters with the tools to organize in the first place. In the preceding decades, the expansion of suffrage created a new source of white, male voters that the various political parties sought to enroll to their cause. Politically partisan grassroots organizations, fraternal orders, and conventions were successful at integrating

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<sup>20</sup> Ibid, 91-101; Huston describes, for example, how attorneys for the Anti-Renters found that the original grant for the Van Rensselaer estate included no northern boundary and was therefore invalid. Efforts like these attempted to weaponize the language of law and contract to which the patroons and their supporters in the state legislature frequently appealed.

voters such as the Hudson River tenants into party life, but they also had the unintended consequence of giving those men the leadership and organizational experience necessary to generate and maintain the broad appeal of their movement.<sup>21</sup> As the Anti-Rent cause gained momentum, the limited-government Democrats, who counted the patroons among their number and had dominated state politics at the beginning of the nineteenth century, found themselves ill-equipped to quell the agitators; likewise, conservative Whigs, who had earned a reputation as favoring industry and the wealthy urban elite, gained little traction. Instead the progressive wing of the Whig Party, led by the white governor of New York, William Seward, and the Whig Press, behind white writers and editors like Horace Greeley, gained a significant degree of power by appealing to the Anti-Renters on the grounds of agrarian progress, popular sovereignty and the creation of an activist state that would limit the wealthy elite's ability to prey on either.<sup>22</sup>

Prefiguring the political climate of the Anti-Rent era, *The Chainbearer* is set in 1784 on the post-Revolution New York frontier and depicts the insurrection of squatter groups emboldened both by the turmoil of the war and by the new national government's uncertain enforcement of land rights. For a novel centered around land use and the rights of property owners, Cooper could not have chosen a richer historical setting: circulating also in the moment were federal deliberations over the use of public lands and the state-level debate over the future of slavery in New York. On the issue of public lands, Congress determined to divide the territory into distinct states. A year later, Thomas Jefferson set that course in motion with the Land Ordinance of 1785, authorizing the appointment of surveyors to begin the demarcation of the West. That same year, the New York Manumission Society began to lobby for gradual emancipation, a process that would ultimately

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<sup>21</sup> Ibid, 57-8, 108.

<sup>22</sup> Ibid, 66-7, 99-100; Sean Wilentz, *The Rise of American Democracy: Jefferson to Lincoln* (New York: W.W. Norton & Co., 2005), 591-2.

unfold between 1799 and 1827.<sup>23</sup> With these events in the periphery, Cooper recounts the political unrest of the period across his trilogy, purportedly believing the regional squabble of the Anti-Rent War would register his novels' broader national appeal.

The book didn't sell, but Cooper did understand that the Anti-Rent movement in New York state politics was, at the time, an accurate barometer of the stability of national party politics threatened by increasing class and sectional divisions—most prominently the continued existence of Southern slavery. Issues of land appropriation had likewise proven regionally divisive, Lowell Stewart argues, and stemmed from

. . . conflict between the New England and the Southern Colonies regarding the manner of [territorial] subdivision. The former favored a definite and orderly survey before settlement, while the latter favored 'indiscriminate location' in which the settler took up a piece of land and had a metes and bounds survey made later. This latter method has resulted frequently in endless confusion in both surveys and titles.<sup>24</sup>

While the second U.S. party system had remained relatively stable throughout the 1830s, the 1840s saw the creeping influence of sectionalism on civic formation, hastened by westward expansion, newfound social mobility, and the resulting questions about the perpetuation of chattel slavery.<sup>25</sup> Against this backdrop, lower-class, white American men increasingly pushed for (and achieved) new political rights and protections. For the conservative, well-to-do elite eager to maintain its position atop the American class hierarchy, these movements threatened to upend the status quo of U.S. society.<sup>26</sup>

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<sup>23</sup> New York's history of gradual emancipation is detailed further in chapter three of this dissertation.

<sup>24</sup> Stewart. *Public Land Surveys*, 2-3.

<sup>25</sup> Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War*. (New York: Oxford University Press, 1970), 9.

<sup>26</sup> This chapter is informed by Corey Robin's argument that "Conservatism is the theoretical voice of [the] animus against the agency of the subordinate classes. It provides the most consistent and profound argument as to why the lower orders should not be allowed to exercise their independent will, why they should not be

*The Chainbearer* takes stock of the central fault line of the Anti-Rent movement—property ownership and the availability of salable land—and mobilizes the figure of the land surveyor as a guardian of social order against the threat of populist demagoguery and class upheaval. This defense underscores Cooper’s conservative convictions and, considering the author’s self-proclaimed allegiance to Democratic principles if not to the party itself, demands a reevaluation of what constitutes civic equality within the framework of the liberal Jacksonian democratic project. In her examination of the novel, Dana Nelson takes up these issues, favorably critiquing the “Littlepage Manuscripts” as texts that explore their historical conflicts with no less rigor than, among others, Cooper’s “Leatherstocking” tales. For Nelson, *The Chainbearer* and its companion novels *Satanstoe* (1845) and *The Redskins* (1846) chronicle the process by which a viable commons democracy—the intensely local, collective, and self-organizing political spirit that animated the Revolutionary era—was eclipsed, on the New York frontier, by the “advancing social and legal forces of liberal democracy” favored by the political elite.<sup>27</sup> The latter was achieved, as *The Chainbearer* demonstrates, by such technologies as land surveying that hindered the successes of squatter communities and bolstered the privileges of wealthy and landed Americans. As long as white men remained ostensibly equal under the law, actual equality could be limited to the realm of theory.<sup>28</sup>

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allowed to govern themselves or the polity. Submission is their first duty, agency, the prerogative of the elite.” Corey Robin, *The Reactionary Mind: Conservatism from Edmund Burke to Sarah Palin*. (New York: Oxford University Press, 2011), 7.

<sup>27</sup> Nelson, *Commons Democracy*, 133-34.

<sup>28</sup> The most explicit example of this disparity in the antebellum era was the relationship between slave-holding and non-slave-holding white Southerners. While an economic gap, not unlike that of tenants and landlords, existed between these groups, slaveholders succeeded in appealing to lower-class whites on the basis of racial privilege, a strategy illustrated by Edmund Morgan in *American Slavery, American Freedom* (1975). Robin likewise argues that American slavery succeeded in selling itself as a democratic institution in the South “because it made every white man, slaveholder or not, a member of the ruling class by virtue of the color of his skin.” The liberal democratic notion that all (white) men are created equal functionally served to palliate economic differences even where the actual achievement of socioeconomic equality vis-à-vis the acquisition of slaves proved virtually impossible for most poor, Southern whites. Robin, *The Reactionary Mind*, 56.

As if to endorse this false equality, Cooper makes his surveyor protagonist a slaveholder. In doing so, Patrick Chura argues, “Cooper directly associates the surveyor’s upholding of land ownership with his upholding of slave ownership . . .” and underscores “the constitutional enshrinement of absolute owner autonomy [that] effectively intertwined all forms of property, including human, under the uniquely American legal umbrella of absolute owners’ rights.”<sup>29</sup> Though Chainbearer is hardly of the means or class to afford slaves, his ownership of human property nevertheless grants him a symbolic station akin to what Mordaunt derives from his massive landholdings. Cooper’s conflation here of human and real property privileges ownership as the basis for legal rights and places the surveyor squarely in the camp of the landholding elite. The result is an interpretation of the Lockean creed of natural rights to life, liberty, and property wherein the first two are subordinate to and dependent on the presence of the third. Not that landless white men should be denied the rights of citizens for their lack of property—racial privilege and the mere possibility of property ownership for white men suggested otherwise—but that they must adhere to the socioeconomic order of things and acquire land in the proper way, through capital, deed, and survey. Surveying, Chura argues, exists in *The Chainbearer* as “the exclusive technology of the white male . . .” and “offers the plainest evidence of the racial supremacy of the Anglo-American.”<sup>30</sup> Surveying, and enforcement of ownership enabled by it, is what won the American continent from its Indigenous inhabitants for white men and it is the foundation on which rested the order of U.S. republicanism. Squatters, pre-emptors, and Anti-Rent advocates threatened the class hierarchy that Cooper staunchly defended by unjustly refusing the patrician class recognition of their land titles. Worse, in doing so these factions threatened the racial hierarchy at the center of Cooper’s conservative politics. By eschewing inherently white methods of property acquisition, squatters

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<sup>29</sup> Chura, *Thoreau the Land Surveyor*, 8.

<sup>30</sup> *Ibid*, 6.

effectively forsook their claim to the tenuous civic equality the landed class believed it had achieved through racial appeal, even where their insistence that such equality existed rested firmly on an ever-widening class disparity.

As the apparent editor of the text, Cooper affords himself room to sermonize to his readers through added paratexts, ensuring that political arguments are made clear where (so Cooper fears) the reader might otherwise miss the point. The effect is to compound the motivations of the notes on the text with the motivations of the protagonist within the text. To that end, in his preface to the volume, Cooper decries the motives of the Anti-Rent movement:

The column of society must have its capital as well as its base. It is only perfect while each part is entire, and discharges its proper duty. In New York, the great landholders have, and do still, in a social sense, occupy the place of the capital. On the supposition that this capital is broken and hurled to the ground, of what material will be the capital that must be pushed into its place!<sup>31</sup>

By the 1840s, Cooper had come to fear that society's capital might be broken by just such a force as the Anti-Rent movement. That campaign, as he saw it, could only be the result of the public will's corruption and excitement into anti-democratic hysteria by influential and self-interested demagogues. It was in the interest of the landed class, then, to preserve the social order against the threat of tyranny, for a tyrant would cast aside the rule of law for his own gain. Yet Cooper seemingly, perhaps knowingly, evades the ironic conundrum that advocating for the preservation of a virtual landed aristocracy at the expense of increased rights for marginalized citizens amounted to a tyranny in its own right. As John P. McWilliams, Jr. impassively declared, offering one of the staunchest critical defenses of the author's reactionary political fidelity, "Cooper had the moral courage necessary to argue publicly that a republic that cannot combine political equality with

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<sup>31</sup> Cooper, *Chainbearer*, viii-ix.

inequality of condition was doomed to failure.”<sup>32</sup> A citizen’s rights, not his economic well-being, were the true measure of equality in the republic.

Cooper demonstrates this conviction, drawing on the vocabulary of Lockean rights, in a scene pitting Mordaunt against his Yankee tenant Newcome. Mordaunt soliloquizes his intention to “deal liberally” with Newcome’s perceived greed as a tenant; Newcome complains, meanwhile, citing the spirit of the Revolution that had only recently ended, that the terms of his initial lease were not “right.” Mordaunt rebukes him, asserting that “it is *right* I should do exactly what my grandfather agreed to do for me, five-and-twenty years ago, in relation to these mills; and it is *right* you should do what you agreed to do, for yourself.”<sup>33</sup> Cooper plays on the ambiguity of what is “right” between the two men. For Newcome, it is morally unjust—and therefore not right—to create inequality between men as he believes his previous lease had done. Contract laws at the time enable a would-be tenant to enter into a lease set to correspond to the lifetime of the lessee. This encouraged the renter to name a child in the contract—a practice that could drastically increase the longevity of a rental at the risk of the child dying young. As all of Newcome’s children had died, Mordaunt’s decision compounds the financial injury dealt with the emotional reminder of his loss. Newcome’s case also echoes Anti-Renter arguments that New York landlords held a monopoly on property that afforded them special privileges of a virtual aristocracy. As Reeve Huston notes, this established a relationship

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<sup>32</sup> John P. McWilliams. *Political Justice in a Republic*. (Berkeley: University of California Press, 1972), 402. McWilliams examines the critical frustrations surrounding Cooper’s anti-egalitarian political posturing, characterizing those assessments as willful misreadings of the novelist’s later works. At the same time, McWilliams’s apologetic echoes the logic of liberalism replete in those narratives and quibbles over the political difference between the landed gentry heroicized by Cooper’s novels, and the European-style aristocracy that he so vocally eschewed. The novel is replete with moments like this, in which Cooper creates a circumstance for his protagonist to rhetorically undress his ideological opponent, effectively mirroring the political sentiments espoused by the author in his editorial remarks. It is little wonder then that, save for Dana Nelson and Patrick Chura who I have already mentioned, the bulk of criticism surrounding the novel dwells on its artistic failure. cf., for example, Charles Hansford Adams, “*The Guardian of the Law*”: *Authority and Identity in James Fenimore Cooper*, and Donald Darnell, *James Fenimore Cooper: Novelist of Manners*.

<sup>33</sup> Cooper, *Chainbearer*, 200-01, emphasis added. The novel is replete with moments like this, in which Cooper creates a circumstance for his protagonist to rhetorically undress his ideological opponent, effectively mirroring the political sentiments espoused by the author in his editorial remarks.

between tenant and landlord that the Anti-Renters held could not render the former civically equal to the latter.<sup>34</sup> For Littlepage, however, what is right is due attention to the letter of those laws and the contracts formed on their upkeep. It follows for the protagonist as well as for Cooper that society bends to the order of law, not law to the order of society; moreover, Cooper, unlike Lincoln the surveyor, did not maintain that property was an essential component of civic belonging or equity so long as equal political rights were extended to all white men. Even if the lease proved burdensome (and no alternatives could be arranged), Newcome was free in his choice to enter into the contract with Mordaunt's predecessor. Thus, Mordaunt sees himself, unquestionably, as the inheritor of both his grandfather's estate and his grandfather's legal decisions and sets out to conserve the order of law by making an example of Newcome.

Yet for all this focus on the landlord's duty with respect to the maintenance of the republic, it is the surveyor who makes the enforcement of the landlord's power possible. It is Chainbearer, after all, and not Mordaunt whose character is reflected in the novel's title. In his sweeping biography of Cooper, Wayne Franklin points to this odd elevation of the surveyor, indicating that the character receives much more narrative treatment than his "overt part in the plot" would merit.<sup>35</sup> He argues that Chainbearer's Dutch heritage, made all the more evident by the character's heavy dialect, provides a counterpoint to the Yankee background of the tenants on the Littlepage estate, thus pointing to broader Dutch-Yankee (that is, Anglo-American New Englanders) cultural conflicts pervading the novel's post-Revolution New York context.<sup>36</sup> For Cooper, the Dutch represented a more refined and ordered vision of society that had come under attack by forces attempting to gain something without having earned it. David M. Ellis describes the Dutch patroonage as resenting

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<sup>34</sup> Huston, *Land and Freedom*, 102, 111.

<sup>35</sup> Wayne Franklin. *James Fenimore Cooper: The Later Years*. (New Haven: Yale University Press, 2017), 366.

<sup>36</sup> Franklin also offers a gloss of Chainbearer's name, Andries Coejemans, pointing to Cooper's childhood and memories of his father's trying estate dealings, 360-61, 366-67.

Yankee “upstarts who lacked manners, sang psalms, and chased dollars,” moreover deploring “Yankee religion and especially their leveling ideas about land ownership.”<sup>37</sup> The dispute over territories that would become part of the New Hampshire Grants in the mid-1700s is emblematic of the Dutch distrust of Yankee motives. When New Hampshire settlers tried to claim rights to lands west of the Connecticut River and east of Lake Champlain (territory that now makes up Vermont), New York claimed the territory as its own, successfully bringing the suit before England’s Board of Trade; the onset of the Revolution, however, found white Vermonters such as Ethan Allen defending their claims and, excluded from the Articles of Confederation by New York after the war, briefly declaring an independent republic.<sup>38</sup> Cooper spends a lengthy digression on this history, during the course of which he questions the allegiance of the Vermont Republic to the Revolutionary cause by suggesting that they preferred their own independence and neutrality to submitting “to the regular administration of the law.” Cooper goes on to assert that the Vermonters were the last to join the new American government, doing so only after all opposition was removed, and he even implies that they acted disloyally toward the end of the war, “coquetting with the English authorities.”<sup>39</sup> While Cooper omits New York’s role in excluding Vermont from the post-war confederacy, he clearly believes the former state, comprised of earnest Dutch landholders, has been beset upon by the latter, a collection of self-interested opportunists, even if this formulation over-simplifies New York’s own complicated Dutch-Anglo history. That Thousandacres, the primary antagonist of the novel, is not only a Yankee but also a Vermonter—or “Varmounter” as he

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<sup>37</sup> David M. Ellis, “Yankee-Dutch Confrontation in the Albany Area,” *The New England Quarterly* 45, no. 2 (1971): 263.

<sup>38</sup> The territorial discrepancy stemmed, in part, from ambiguities over New Hampshire’s letters patent declaring its southern boundary with the Massachusetts colony. New Hampshire interpreted the grant to mean that its border extended as far west as Massachusetts did, well beyond the Connecticut River. New York claimed these territories, however, and both colonies sent surveyors to determine ownership. New York prevailed, citing a pre-existing decree that granted the land west of the Connecticut to the Duke of York.

<sup>39</sup> Cooper, *Chainbearer*, 242-43.

and his family inflect in their Yankee dialect—dramatizes this historical enmity on the scale of Mordaunt’s property dispute. Cooper’s representation of regional speech ensures that his readers understand clearly that Thousandacres’ intentions are injurious. He and his family are literally vermin in New York, hostile both to the laws of the state and Mordaunt’s rights as landlord.

Chainbearer, then, is vitally important to the plot because his occupation might right the wrong dealt by the usurpation of the Vermont territories by the New Hampshire Grants. And unlike Lincoln’s egalitarian approach to surveying, Cooper’s surveyor champions estate property rights and the old New York social order. Although Chainbearer is, himself, hardly from the political elite, he is, to echo Dana Nelson, ideally suited to serve that class’s liberal investment in combatting the mounting challenge of Yankee, communitarian frontier politics. He is from a historically respectable family but never assumed the position of gentleman; indeed, class aspiration seems an anathema to Chainbearer who lives in relative poverty as an accomplished woodsman. Illiterate and uneducated, he has never succeeded in rising above his station. Once offered the opportunity to lead a surveying team of his own, he found he had no head for figures necessary to do the work. He maintains his military rank of captain despite blanket promotions following the conclusion of the war—a change in title that Mordaunt’s own father quickly accepted. When, early in the novel, Mordaunt’s father suggests making a gift of farmland for Chainbearer, Mordaunt gently reminds him that it is the government’s job to disburse land to officers who served during the Revolution and that Chainbearer might not know what to do with a farm anyway. Chainbearer seems, altogether, antithetical to Mordaunt Littlepage’s character, yet the surveyor maintains a healthy respect for his social better, even desiring to see his niece wed the man. He is deferential to authority and believes in acting within the bounds of the law. Moreover, he is routinely commended for his honesty and diligence in labor, claiming unto his death that if he had the chance to live again he would “at least

measuret t'e lant wit' fitality" and do "his work ast well ast he knew how."<sup>40</sup> Fraudulent surveys were difficult to detect and required extensive reworking if discovered, and the meticulous and arduous nature of the work demanded diligence. The General Land Office thus made it clear that deputy surveyors "must be ever vigilant over the conduct of his subagents (chainmen, marker and flag bearers)" and maintain "a strict regard to the moral integrity of these subagents."<sup>41</sup> While his position leaves him unable to formally lead a survey of his own, Chainbearer proves trustworthy in his command of practical authority. His thorough work, once completed, leaves no room for questioning the boundaries of the Littlepage estate and gives unimpeachable material proof to anyone who might challenge the family's claim to ownership. As Chura suggests, this renders Chainbearer heroic "In Cooper's world . . . to the extent that he furthers American imperialism and serves the propertied classes. Honest, brave, and modest but skilled only in practical work, [Chainbearer] is fit to reinforce, but not to challenge, the economic order."<sup>42</sup> Chainbearer is admired by the Mordaunts of the novel because he represents a technological affirmation of their class status.

By yoking the protection of the socioeconomic order to property ownership in *The Chainbearer*, Cooper builds on themes of natural conservation that pervade his earlier writings. The connection between these equally conservationist themes, and their personal importance to the author, is made clearer through the lens of the much-documented Three Mile Point incident—a land dispute between Cooper and the residents of Cooperstown, New York over the public use of private family land. In July of 1837, vandals damaged or destroyed a tree on the Lake Otsego's Three Mile Point, a prominent landmark for the village near the late William Cooper's estate. The tree was evidently of some importance to William, and James, then the executor of his father's holdings though not himself a landlord, promptly issued a public notice warning against trespassing and

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<sup>40</sup> Ibid, 440.

<sup>41</sup> Qtd. in Stewart, *Public Land Surveys*, 154.

<sup>42</sup> Chura, *Thoreau the Land Surveyor*, 8.

declaring his intention to “enforce the title of the estate of which he [was] the representative.”<sup>43</sup> Cooper believed it was his duty to protect the land that had become so imbued with his family legacy and was convinced that, had he not acted, the public might further damage the estate whether by accident or by willful neglect of its symbolic value. Following his missive, the residents of Cooperstown met to draw up resolutions affirming their rights to public use of the land in direct defiance of Cooper. Three Mile Point, they claimed, had been made available for use under the elder Cooper’s patronage (any analogy to Mordaunt’s own appeal to the unassailability of his grandfather’s legal decisions was apparently lost on Cooper) and, as one of the regional Whig papers, the *Otsego Republican* reported, “had become *almost* synonymous with public property.”<sup>44</sup>

Had Cooper left well enough alone, the incident would likely have faded into obscurity, but he believed he was being taken advantage of by the politically-motivated Whig press and out-of-towners who had no understanding of Cooperstown politics and were only seizing upon an opportunity to posture for political gain. Capitalizing on the Three Mile Point incident, the Whigs declared Cooper an unfeeling “Aristo”; Cooper, believing the *Otsego Republican*’s assumption of access to the land audacious, declared the sentiment “an aggravation of the tyranny and oppression of those who would intimidate its real owners from the possession of their own!” and sued for libel.<sup>45</sup> Without firm protections of law and property as a safeguard, or even despite them, Cooper believed that the lands and resources of others might suffer similar misfortune at the hands of an

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<sup>43</sup> James Franklin Beard, ed. *The Letters and Journals of James Fenimore Cooper*, vol. 3. (Cambridge: Belknap Press of Harvard University Press, 1964), 271. James Fenimore Cooper was not himself a landlord, though his father, the founder of Cooperstown and a judge and congressman, aspired to that class. While I argue that Cooper’s response to the Three Mile Point incident is rooted in his fears about populist demagoguery, it is equally important to note, as Stephen Railton does, that he had a vested interest in protecting his father’s legacy and reputation; Stephen Railton. *Fenimore Cooper: A Study of His Life and Imagination*. (Princeton: Princeton University Press, 1978), 156-65.

<sup>44</sup> Beard, *Letters and Journals*, vol. 3, 281.

<sup>45</sup> James Fenimore Cooper. *The American Democrat*. Edited by George Dekker and Larry Johnston. (New York: Penguin Books, 1969), 7-56; Beard, *Letters and Journals*, vol. 3, 281.

unruly and misguided public; given enough strength and organization, moreover, such a public might threaten the very legal foundation of the American republic—a fear he would contextualize in *The Chainbearer's* editorial asides.

Two works of English political philosophy, John Locke's *Second Treatise of Government* (1689) and William Forster Lloyd's *Two Lectures on the Checks to Population* (1833), help to contextualize Cooper's equation of property ownership, natural conservation, and the social order and provide a framework for understanding the author's reactionary politics during the Anti-Rent era. In his *Second Treatise of Government* (1689), Locke gives rationale for property enclosure as an act of conservation, declaring that

. . . he who appropriates land to himself by his labour, does not lessen, but increase the common stock of mankind: for the provisions serving to the support of human life, produced by one acre of inclosed and cultivated land, are . . . ten times more than those which are yielded by an acre of land of an equal richness lying waste in common.<sup>46</sup>

Property stands as a common good even if it manifestly benefited only a few, insofar as it reduced the strain of production and realized the potential of lands held in common. Late eighteenth- and early nineteenth-century notions of environmental viability upheld waste as a category pertaining to use and ownership. Lowell Stewart points to one Virginia law from 1779 that provides for the re-surveying of such waste land so that it might be sold off and developed.<sup>47</sup> Here surveying prepares land for conversion from waste to property and resounds with Locke's musing on the origins of property, a narrative contextualized by Russ Castronovo in his reading of *The Pioneers*. In the scene under Castronovo's investigation, Natty Bumppo and the yet-unnamed Oliver Edwards track and kill a deer when they encounter Judge Temple travelling with his daughter Elizabeth. In the process,

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<sup>46</sup> John Locke, *Second Treatise of Government*, 1689. Urbana: Project Gutenberg, 2005. <http://www.gutenberg.org/files/7370/7370-h/7370-h.htm>, Section 37.

<sup>47</sup> Stewart, *Public Land Surveys*, 11.

the judge also fires shots at the deer, thereby establishing—so he claims—his own right to the carcass. Moreover, the judge suggests, the deer was killed on his land and so belonged, first and foremost, to him. In Locke’s analogous formulation, a hunter gains title, so to speak, to a hare by pursuing it. “Significantly,” Castronovo writes, “his possession of said rabbit exists before he actually captures it and has it in his hands. Instead, pursuit makes it property; tracking the animal through the woods is enough to establish a claim upon it.”<sup>48</sup> Thus, Bumppo and Edwards enter their own claim for the deer, noting that “There’s them living who say, that Nathaniel Bumppo’s right to shoot on these hills, is of older date than Marmaduke Temple’s right to forbid him.”<sup>49</sup> For the potential landlord seeking to establish his ownership of a parcel of land against the claims of prior possession and improvement advanced by squatters, the survey stands in as the technology of pursuit, realizing the potentiality of the land as property.

Locke’s evident influence on Cooper’s conceptions of ownership in that earlier novel may have lent itself to the novelist’s more evenhanded treatment of the subject. In considering the validity of Natty Bumppo’s rights and political agency, Cooper suggests that multiple forms of land use constitute the same public good, even if Bumppo’s frontier usufruct possession is doomed to obsolescence. Not all men share Leatherstocking’s principles, Cooper seems to suggest, and so bounded, state-endorsed property inevitably triumphs as the preferred mode of protecting the land and its resources. By the mid-1830s, however, Cooper’s views on property take a decidedly conservative turn, mirroring comments on land commons made by another British political philosopher, William Forster Lloyd. Echoing Locke’s expression of available stock, Lloyd contemplates the net yields of cattle grazing on enclosed property versus lands held in common. In the former situation, the cattle would reach a “point of saturation . . . beyond which no prudent man

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<sup>48</sup> Russ Castronovo, “James Fenimore Cooper and the NSA: Security, Property, Liberalism,” *ALH* 28, no. 4 (2016): 686.

<sup>49</sup> Cooper, *The Pioneers*, 24.

will add to his stock." It is in the owner's best interest to limit the use of his finite property because it ensures his long-term well-being. On the commons, however, a man might oversaturate the land with his grazing cattle, creating "a deduction which is shared between all the cattle, as well that of others as his own" but feeling no compunction to limit his cattle's consumption lest another's use up the available food resources first.<sup>50</sup> Lloyd's argument is overtly Malthusian in its anxieties about resource availability and overpopulation and forms the basis of the "tragedy of the commons."<sup>51</sup>

The themes of public excess and overuse stemming from these arguments punctuate both *The Pioneers* and *The Chainbearer*. Though the former novel predates the Three Mile Point incident, Cooper's depiction of environmental stress in *The Pioneers*' famous birding scene suggests a sustained interest in resource protections as a means of safeguarding the nation. In this scene, Richard Jones leads the assault on the pigeon flock while Natty Bumppo sermonizes against the massive culling, declaring in his patois, "I don't relish to see these wastey ways that you are all practysing."<sup>52</sup> The scene hinges on the conflict between expansion and conservation, and Bumppo argues that the latter would not be necessary without the former: "This comes of settling a country. . . . [H]ere have I known the pigeons to fly for forty long years, and, till you made your clearings, there was nobody to skear or hurt them. I loved to see them come into the woods, for they were company to a body;

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<sup>50</sup> William Forster Lloyd. *Two Lectures on the Checks to Population*. (Oxford: S. Collingwood, 1833), 31.

<sup>51</sup> Lloyd's argument also makes a case for property ownership as a means of preventing overuse. Surveying in the antebellum era has two purposes regarding such arguments. First, it realized existing property boundaries concretely and measurably. John Stilgoe notes that by the 1750s, the majority of land deeds in the U.S. had transitioned from including lengthy, yet potentially indeterminate, descriptions of the property to brief but irrefutable surveyor's measurements; John Stilgoe. *Landscape and Images*. (Charlottesville: University of Virginia Press, 2005), 60. Secondly, surveying divided the U.S. public lands into saleable property. The state's objective in doing so, even before parceling out the lands to prospective yeoman farmers, was to forestall squatters and preemptors from destroying the western territories before they could be brought to production. By bringing utile environmental resources to the attention of the state, the surveyor ensures—to draw on Castronovo's thesis—a degree of security against the exploitation of an unregulated public. *Chainbearer*, whose role in the broader context of the novel had been "of subdividing the great lots laid down before the revolution, into smaller lots, for present sale," establishes the legal surety with which Mordaunt administers his property. The survey anticipates and, when properly enforced, thwarts contestation by those looking to exploit ill-defined boundaries. In effect, surveying aims to recover the commons from waste.

<sup>52</sup> Cooper, *The Pioneers*, 288.

hurting nothing; being, as it was, as harmless as a garter-snake.” That is, the pigeons existed without consequence until incipient agriculture recategorized them as a pest. Making Bumpo’s point for him, the Yankee Bill Kirby retorts “If you had to sow your wheat twice, and three times, as I have done, you wouldn’t be so massyfully feeling’d to’ards the divils.” Judge Temple, who seeks to tame the wilderness, is nonetheless moved by Bumpo’s appeals against waste—upon the conclusion of the pigeon hunt, he declares, “the field is covered with them; and, like the Leather-stocking, I see nothing but eyes, in every direction, as the innocent sufferers turn their heads in terror. Full one half of those that have fallen are yet alive: and I think it is time to end the sport; if sport it be.”<sup>53</sup>

Afterwards, the judge more fully embraces a utilitarian and protectionist approach to resource management, as when he surveys a mine to ensure that its contents are not extracted without his knowledge, an action that reinforces his ability to conserve the resources therein.<sup>54</sup>

Evidently struck by the pigeon’s capacity as a symbol for responsible use and the danger of publics, Cooper less famously revisits birding in *The Chainbearer*. In a scene that affords Mordaunt the space to lecture Chainbearer’s niece, Dus, on the dangers of demagoguery, the two marvel at an enormous roost of pigeons, which the young landlord compares to the new republic. Meanwhile, Chainbearer and Susquesus easily hunt the flock, and Mordaunt notes that their sheer numbers have made the pigeons over-confident, exposing them to the will of the hunters: “God forever protect me against the tyranny of numbers.”<sup>55</sup> Mordaunt’s warning is trenchant criticism of republicanism that reflects Cooper’s own fears, despite his faith in the American system. Unchecked, the public’s sense of its own power might grow to the point where it can fall prey to a savvy few manipulating public sentiment. And, as it did in *The Pioneers*, the warning carries an environmental tenor as well—about the dangers of rampant extractivism—and underscores Cooper’s conservationist approach to

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<sup>53</sup> Ibid, 286-87; 290.

<sup>54</sup> Ibid, 379.

<sup>55</sup> Cooper, *Chainbearer*, 220.

property.<sup>56</sup> Situated between the two major conflicts of the novel, Mordaunt's reaction to the pigeon hunt closely echoes Judge Temple's in his call for the hastened demarcation of land so that the public might use, but not overuse, the country's resources.

Soon after moralizing about pigeons and republicanism, Mordaunt encounters the main extractivist threat to his own estate in the form of the Vermonter, Aaron Thousandacres. Now traveling incognito with Susquesus, Mordaunt finally meets the squatter and his family who unknowingly engage the landlord on friendly terms. Thousandacres expresses his disdain for property and property owners, saying of the presumed-absent Littlepage, "He's got a paper title, they tell me, and I've got possession, which is always a squatter's claim; and a good one 'tis, where there's plenty of pine and a mill-seat, with a handy market."<sup>57</sup> The Timberman family comes down on the side of improvement as a justifiable claim to possession. That is, by working the land, they should naturally enjoy the benefits of their labor. Thousandacres and his sons had done the labor of felling the trees they intended to transport to mill, title enough in their minds even though the region was owned by the Littlepages. Such usufruct arguments were taken up by the Anti-Rent tenants who had developed their farmsteads for years with little interference by the aging Stephen Van Rensselaer III before his sons split the estate following his death in 1839 and began demanding rent in arrears. Perhaps animated by his experiences following Three Mile Point, Cooper aimed to expose "the aggressive character of all publics," describing the Timberman family in various animalistic terms and characterizing their presence as an infestation on the otherwise healthy Littlepage estate.<sup>58</sup>

Thousandacres narrates his scheme to Mordaunt, and it soon becomes clear that the Timbermans—

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<sup>56</sup> When I use the term "extractivism" and its derivatives, I do so primarily in the pejorative sense to refer to the removal of resources for consumption without adequate attention paid to replacement or sustainability. It is worth noting that Jefferson envisioned an American national economy built fundamentally on extraction and exchanged for manufactured products from England and on the European continent.

<sup>57</sup> Cooper, *Chainbearer*, 263.

<sup>58</sup> Beard, *Letters and Journals*, vol. 3, 280

like the plague of vermin that Mordaunt believes them to be—intend to clear-cut the land and profit from its resources before moving west to repeat the process. It is further revealed that Thousandacres has dealings with Newcome, who has been buying timber from the family in exchange for “groceries, women’s cloth, and rum.”<sup>59</sup>

Against the advisement of Susquesus, Mordaunt reveals himself to an outraged Thousandacres, declaring himself “the son of General Littlepage, one of the owners of this spot, and the attorney of both.”<sup>60</sup> Mordaunt is quickly apprehended, his self-identification as an attorney vexing Thousandacres, who mistakes the young heir’s role as agent of the estate for his professional title. The confusion over terminology, not only underscoring Thousandacres’ ignorance, demonstrates the squatter’s fear of the state’s legal authority and its power to render his political beliefs moot. He subsequently treats Mordaunt with open hostility and, though the latter corrects his misunderstanding, says that having power of attorney is “not much better than being a downright lawyer” because he still possesses a degree of state-sanctioned legal power that Thousandacres cannot claim.<sup>61</sup> Susquesus, meanwhile has evaded capture and fled into the woods to, as it is soon revealed, arrange help before allowing himself to be recaptured so that he might aid Mordaunt. Astutely recognizing that Thousandacres’ sons will attempt to forestall his rendezvous with Chainbearer, Susquesus instead finds Jaap and sends him for help. Though it is never acknowledged as such in the novel, the two characters most representatively maligned by U.S. state authority—the Indigenous Susquesus and the enslaved Jaap—thus prove integral to ensuring Mordaunt’s eventual liberation and the consolidation of his estate.

Yet at the moment in *The Chainbearer* when Cooper might disclose his opposition to the Anti-Rent agenda most strongly, the narrative seems to fall apart. The drama of Mordaunt’s capture

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<sup>59</sup> Cooper, *Chainbearer*, 266.

<sup>60</sup> *Ibid*, 267.

<sup>61</sup> *Ibid*, 273.

and subsequent confrontation with Thousandacres is spread over ten of the remaining twelve chapters, a full third of the novel's length, and yet, for all this sustained attention, the novel does not seem to offer a truly satisfying rebuttal of the squatter's theories on property. Dana Nelson makes much about the interactions between Mordaunt and Thousandacres during the captivity, and she attributes the philosophical stasis of these chapters to Mordaunt's unwillingness to receive Thousandacres' arguments as anything but "pre-political primitivism." If politics and capitalism are to be conflated, then Mordaunt has his point, as Nelson notes, for Thousandacres "refers to landholding in the pre-capitalist terms of agrarian radicalism, as the only sure basis for human freedom" and "sees land as the peoples' commonwealth, and not itself a commodity to be monopolistically controlled by the few who best in competition."<sup>62</sup> Thousandacres' belief in an agrarian commons echoes fears that Mordaunt—and by extension Cooper—hold about waste and overuse resulting in a pre-modern state of nature. When the squatter opines, "I call it liberty to let every man have as much land as he has need on, and no more, keepin' the rest for them that's in the same situation," Cooper intervenes with one of his lengthier editorial notes, decrying the state of current political affairs and pointing to Mosaic law as a basis for property:

An attempt to prove that the institutions of this country are unsuited to the relations of landlord and tenant, is an attempt to prove that they are unsuited to meet the various contingencies of human affairs, and is an abandonment of their defence, as that defence can only be made on broad, manly, and justifiable grounds. As a political principle, it is just as true that the relations of debtor and creditor are unsuited to the institutions, and ought to be abolished.<sup>63</sup>

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<sup>62</sup> Nelson, *Commons Democracy*, 154-55.

<sup>63</sup> Cooper, *Chainbearer*, 386.

Cooper's note is dismissive, refusing to take on principle Thousandacres' argumentative premise as anything but incompatible with the American system. This is a surprising moment in the text, and one that crucially plots Cooper's own political anxieties. He permits Thousandacres to raise a dissenting opinion regarding the compatibility of the estate system with American democracy; fearing that his reader will fail to see the apparent absurdity of Thousandacres' logic, however, Cooper contributes his annotation refuting the stance. The thought that his reader might need help parsing the squatter's declarations echoes Cooper's views on governance that he delineates at the outset of the novel: without authority, the public risks being led astray. The note also parallels a disdainful postscript he includes in an 1845 letter: "You see what anti-rentism is about? It is the great American question of the day."<sup>64</sup> Cooper sees the force of the Anti-Rent movement and, fearing its national political cache, attempts to cast it as a movement built on the self-interest of its partisans.

More compelling than the philosophical colloquy between Mordaunt and Thousandacres is the latter's fierce enmity for Chainbearer. At a moment when the surveyor and squatter are arguing about Mordaunt's release, Thousandacres attempts to appeal to him on the grounds that they are ostensibly class equals, using metaphors of land use that specifically appeal to the Chainbearer's station and occupation: "You're woods, mainly; [Littlepage's] open country; and I'm clearin'. There's a difference atween each; but woods and clearin' come clussest. . . ."<sup>65</sup> Thousandacres is resentful that the surveyor's labor has bolstered the landed class to his detriment, confiding in Newcome that "He's thwarted me now three times in the course of his life. . . ."<sup>66</sup> The squatter's hatred stems from the enforcement of property laws that have prevented him from earning a meager existence for his family and, in a conversation with Susquesus—no more predisposed to the idea of property than

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<sup>64</sup> Beard, *Letters and Journals*, vol. 5, 52.

<sup>65</sup> Cooper, *Chainbearer*, 391.

<sup>66</sup> *Ibid.*, 286.

Thousandacres—avers “if there warn’t no chains and chainbearers, there could be no surveyors; and, if there warn’t no surveyors, there could be no boundaries to farms but the rifle; which is the best law-maker, too, that man ever invented.”<sup>67</sup> Thousandacres’ declaration advances an alternative reading of Locke’s hunter, where possession begins and ends with pursuit. The law, vis-à-vis property, only establishes inequality and, though it is suggested to Thousandacres that he would appreciate the enforcement of laws were his own lands impeded upon, he remains steadfast in his belief that need ought to dictate use. The squatter redoubles his scorn for the work that surveying accomplishes, proclaiming “Curse on all chains and compasses, says I!”<sup>68</sup>

Chainbearer’s evident power over the squatter does not deter him in his course of action, however, and Thousandacres tries to quickly dispense with as much timber as he is able, more determined to succeed in his plot. The very work of surveying that should succinctly end the contest over the Littlepage estate’s resources by bringing the force of law to bear on the Timbermans instead exacerbates the crisis. Chainbearer is subdued after a violent struggle and Thousandacres’ son, Zephaniah narrates the straits the family finds themselves in: the water is too low in November to adequately transport the timber downriver and “it’s risky to keep one like you [Littlepage], and to keep Chainbearer, too, three or four months, in jail like; and it wunt do to let you go neither, sin’ you’d soon have the law a’ter us. If we keep you, too, there’ll be a s’arch made, and a reward offered.”<sup>69</sup>

No clear exit is provided the desperate squatter and, when other members of Mordaunt’s party arrive, Thousandacres attempts to broker a peaceful end to the situation through the marriage of his son, Zephaniah and Chainbearer’s niece, Dus. Chainbearer is, however, galled by Thousandacres’ proposition, saying that Dus “shalt nefer marry a son of T’ousantacres—she shalt

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<sup>67</sup> Ibid, 250.

<sup>68</sup> Ibid, 339.

<sup>69</sup> Ibid, 321.

nefer marry a squatter—she shalt nefer marry any man t’at ist not of a class, ant feelin’s, ant hapits, ant opinions, fit to pe t’e huspant of a laty.”<sup>70</sup> This class demarcation affirms Chainbearer’s allegiance to the landed elite and seemingly seals the fate of the captured group at the hands of the Timberman family. Suddenly, though, shots are fired, and amidst the ensuing chaos, both the surveyor and the squatter fall. The Timbermans flee the estate; Chainbearer makes his peace, and Thousandacres dies thoroughly hateful, unwilling to concede his wrongs or make amends. Dus and Mordaunt are married, accepted by the Littlepage family, and a surprise inheritance facilitates the resolution of other romantic entanglements. Charges are brought against neither the Timberman family nor Newcome, and the latter, Mordaunt notes, dies of old age, relatively unmarred in his social and political efforts by his duplicitous nature. Indeed, Newcome runs against Mordaunt for a Congressional seat at one point and, though he loses, it is implied he might have won “Had it been attempted forty years later” by playing on the unrest of the Anti-Rent era.<sup>71</sup> It is easy to dismiss this prolonged ending as haphazard, even unsuccessful. After all, multiple plots are left unfinished and the reader is never afforded definitive knowledge concerning the deaths of either Chainbearer or Thousandacres. The coroner rules Chainbearer’s death “murder by the hand of some person unknown” and Thousandacres’ shooting an “accident,” though Mordaunt posits that Susquesus’ “steady hand, and . . . unerring eye” guided that bullet.<sup>72</sup>

Given the circumstances surrounding Cooper’s composition of the ending, which Wayne Franklin suggests he altered just prior to publication, this messiness makes sense.<sup>73</sup> In August, 1845, Osman Steele, a white deputy sheriff and an integral figure in combatting the Anti-Renters’ efforts

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<sup>70</sup> Ibid, 396.

<sup>71</sup> Ibid, 485.

<sup>72</sup> Ibid, 456.

<sup>73</sup> Franklin, *The Later Years*, 371-72.

to obstruct title enforcement, was murdered by a band of Anti-Renter “Indians.”<sup>74</sup> Those men, blending charivari spectacle and paramilitary violence, masqueraded as Native Americans and were among the most demographically disaffected by the rent system—young, landless or land poor white men who stood to gain the most by a major structural change. Meeting in secret, these “Indians,” whose costumes evoked both the spirit of the Boston Tea Party and the land-use practices of the Native Americans, harried and intimidated rent collectors, whom they saw as agents of injustice.<sup>75</sup> Those agents frequently faced a range of humiliations, from having to buy entire bands rounds of drinks to being tarred and feathered. Susquesus’s inclusion in *The Chainbearer* as the only “real Indian” of the novel—a stoic and understanding, if not like-minded, ally of Mordaunt and a critic of Thousandacres’s wastefulness and duplicity—is a blunt rejoinder to the Anti-Rent Indians whose actions struck the wealthy white elite as terrorism. Steele’s murder marked an unprecedented crescendo in the violence, however, that Cooper could not ignore and that, echoing the hopelessness the author felt, resolved him to produce an ending that precluded real state-sanctioned justice against the novel’s antagonists. Franklin suggests Cooper modified the ending “both to echo the Steele murder and to hint at the darker turn public events seemed to be taking.”<sup>76</sup> Cooper likewise alludes to the murder in his preface, writing

. . . bloodshed has come to deepen the stain left on the country by the widespread and bold assertion of false principles. This must long since have been foreseen; and it is perhaps a subject of just felicitation, that the violence which has occurred was limited to the loss of a single life, when the chances were, and still are, that it will extend to civil war.<sup>77</sup>

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<sup>74</sup> Huston, *Land and Freedom*, 116-24; Charles W. McCurdy. *The Anti-Rent Era in New York Law and Politics: 1839-1865*. (Chapel Hill: The University of North Carolina Press, 2001), 215-17.

<sup>75</sup> Earle, *Jacksonian Antislavery*, 59.

<sup>76</sup> Franklin, *The Later Years*, 372.

<sup>77</sup> Cooper, *The Chainbearer*, v.

These closing revisions heighten the narrative tension and underscore the sectional violence taking place, but from a characterological standpoint they also undermine the novel's project of upholding the centrality of land rights in a functioning democratic society. While the possibility remains that surveying might affirm the validity of the manorial titles and quell doubts about land ownership, Chainbearer's labor is made meaningless by the violence of the ending. Thousandacres answers for his crimes, but that seemingly haphazard event undermines the state's authority to enact and enforce the rule of law, a theme that otherwise permeates the novel.

Cooper however invests much symbolic value in the deaths of Chainbearer and Thousandacres and, in doing so, affirms the surveyor's capacity to give order to the republic. When the coroner rules Chainbearer's murderer "some person unknown"—presumably one of the Timbermans though this is never verified—Cooper challenges the status of the squatter as a political actor in the American system. The squatter is rendered anonymous, a *persona non grata* who has no place within the expanding territory of the U.S. This move is reinforced by the twin burials of Thousandacres and Chainbearer. While the squatter is promptly given an apparently unmarked grave in an unidentified field, Mordaunt arranges great preparations for Chainbearer's burial:

Directions had been sent to the 'Nest to dig a grave for Andries, in the orchard, and at no great distance from the verge of the rocks. As I afterward ascertained, it was at the very spot where one of the most remarkable events in the life of the general [Littlepage] had occurred, an event in which both Susquesus and Jaap had been conspicuous actors.<sup>78</sup>

The surveyor's grave serves as a monument around which space within the Littlepage estate is organized. The grave, moreover, provides a historical dimension to the estate, recovering for Mordaunt a memory of his paternal grandfather. Combined, these gestures create place within Mordaunt's land and, more broadly, conceptualize how the labor of surveying creates place within

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<sup>78</sup> Ibid, 462.

the nation out of unorganized space. It is only within thus organized territory, Cooper suggests, that a citizenry might ultimately succeed without falling prey to demagoguery, disorder, and waste.

Placing Chainbearer's monument so close to the end, Cooper mirrors the "column of society" with which he began. Like that initial column, Chainbearer's grave upholds the principle that landlords and rent provide the supporting structure for civil society—the surveyor's body serving as a literal foundation. The Chainbearer is ultimately more useful to Mordaunt dead than alive, since only after his death is the property dispute settled in favor of the Littlepages. The death of the Chainbearer dramatizes the notion that while the ongoing, active process of surveying necessarily invites conflict and contest over questions of land ownership and class divisions that may not benefit the landlord, the completed survey is far less ambiguous and supports the landholder's interests. Once completed, the surveyor no longer needs to ask questions and make decisions; the completed survey, like the grave of the Chainbearer who created it, authorizes a space that has already been organized, and about which questions of title and ownership have been settled.

Though Cooper does not resolve the conflicts of *The Chainbearer* in an overtly satisfying way, even suggesting that further violence is a distinct possibility beyond the bounds of the novel, he maintains the fantasy that justice might yet be served by the maintenance and administration of social order. *The Chainbearer* makes the case that landholding is fundamental for political stability and points to the surveyor as the chief artisan—the survey, the chief technology—of property-making. Cooper's fantasy proves at least partially true in the New York context. Though the Anti-Rent movement would never strictly achieve its major goals let alone do so by Cooper's conclusion of the Littlepage trilogy, it portended the fragmentation of traditional party politics in the state. The property issues advanced by the movement, coupled with broader national debates about citizenship and personhood, proved too complex for the Whigs and Democrats to organize around cohesively. In the wake of the old order, groups like the Free Soil party and eventually the Republican party

coalesced around appeals to alienated men such as the Anti-Renters, who had by then largely bought out their farmsteads or emigrated westward, offering slogans like “Free Soil, Free Labor, Free Speech, Free Men . . .” and, the man figuring centrally in the next chapter, “Frémont.” The limit of Cooper’s fantasy is that his ideal social order—a limited landholding class and a renting public—could not transcribe itself onto the U.S. frontier where the same class of white men who had been disenfranchised in the eastern states were now establishing property claims of their own. Even his efforts to imagine such a frontier hierarchy in *The Chainbearer* result in stasis rather than the advancement of the manorial system. Lincoln, conversely, provides an alternative narrative—one in which land ownership is afforded to all citizens and prized as the essential component of civic belonging, over and above state support. The surveyor’s ability to mediate individual autonomy and state authority is evident in each narrative, though Cooper ultimately refuses to envision a propertied republic in which social equality and political equality are coequal.

## Chapter 2: The Great American Desert and the Slavery Debate

The 1856 presidential election was the culmination of state-approved pro-slavery violence prior to the Civil War. By the time the white surveyor and explorer John Charles Frémont received the nascent Republican Party's nomination to run against the Democrats' James Buchanan, the white Indiana Congressman George Washington Julian recalled, the contest had transformed into "a conflict of principles."<sup>1</sup> Frémont, who had earned public acclaim and the James Fenimore Cooper-inspired sobriquet "Pathfinder" for his expeditions to the Great Plains and Rocky Mountains, possessed a reputation as an opponent of slavery and the Fugitive Slave Act as well as a political outsider. He was married to the charismatic and savvy Jessie Benton Frémont, daughter of white Missouri Democratic Senator Thomas Hart Benton and "quite the female politician" in her own right, as Abraham Lincoln once noted disparagingly; and, Frémont was largely praised for his exploration efforts that potentially opened up new territory in the West to white agrarians. Buchanan conversely supported the Fugitive Slave Act, believed that abolitionism was at fault for the country's sectional divide, and favored further expansion south into Mexico. In his memoirs, Julian described the platforms of the two candidates in starkly binary terms, writing that the election was "a struggle between two civilizations, between reason and brute force, between the principles of Democracy and the creed of Absolutism; and the case was argued with a force, earnestness, and fervor, never before known."<sup>2</sup> Though bombastic, Julian's rhetoric nevertheless captures the intense sectionalism that had, by 1856, gripped the American body politic over the extension of slavery.

In 1848, the politically divisive Free Soil Party advanced a platform that would lay the groundwork for subsequent Republicans. And like the Republicans, the Free Soilers, running behind former president Martin Van Buren, were accused of deliberately fomenting sectional divisions in

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<sup>1</sup> George Washington Julian, *Political Recollections, 1840 to 1972* (Chicago: Jansen, McClurg & Co., 1884), 152.

<sup>2</sup> *Ibid.*

order to destroy the Union.<sup>3</sup> As one Maryland paper, the *Republican Citizen* reported, the Free Soilers, composed of “Abolitionists and Amalgamationists, White and Black, Free Negroes and Fugitives Slaves,” were attempting “to insult the South, and in its consequences to tyrannize [sic.] over that glorious portion of the Union, and dissolve the Union itself.”<sup>4</sup> A speaker at the 1848 Free Soil Convention in Buffalo meanwhile exclaimed, “we are told, fellow citizens, that we are raising up a sectional party. . . . This issue was forced upon us by the South.—Her representatives come up to Baltimore with pledges to support no man who was in favor of the Wilmot Proviso.”<sup>5</sup>

Meanwhile, the conflict over slavery had steadily increased, especially on the frontier, centered around the organization of territories west of Missouri. Before the 1840s, much of this land was doubly inaccessible to the bulk of American citizens. The so-called Great American Desert had earned a reputation for its infertility and forbidding landscapes; consequently, the territory was set aside as Indian Country through the Nonintercourse Act of 1834 following Andrew Jackson’s removal campaign in the Eastern United States. In the early 1850s, however, a steady westward incursion of squatters forced federal action there. Frémont, who in 1842 had been tasked with reconnoitering present-day Wyoming’s South Pass as a potential overland route to the Oregon Territory, did much to encourage settlement on the Great Plains by reporting on the region’s agricultural potential.

As Congress worked to define the Kansas Territory, it grappled over the future of slavery in the West. Pro-Slavery Democrats, led by white Illinois Senator Stephen A. Douglas, prevailed in

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<sup>3</sup> Controversially, Van Buren was hardly a candidate that fit the Free Soil bill as it was laid out. As Andrew Jackson’s Vice President, he was a major architect of the Democratic Party. He also oversaw, as President, the forced removal of Cherokee from Georgia begun by Jackson; moreover, during the Amistad case, Van Buren sought to return the enslaved rebels to the Spanish government for fear that any anti-slavery sentiment might provoke trouble with the Southern states.

<sup>4</sup> “Freesoil Convention of 1848!” *Republican Citizen* (Frederick, MD), Oct. 14, 1848.

<sup>5</sup> Oliver Dyer, *Oliver Dyer’s Phonographic Report of the Proceedings of the National Free Soil Convention at Buffalo, N.Y. August 9<sup>th</sup> and 10<sup>th</sup>, 1848* (Buffalo: G.H. Derby & Co., 1848), 17.

1854 with the passage of the Kansas-Nebraska Act that effectively nullified the Missouri Compromise, instead granting the citizens of the territories popular sovereignty to choose for themselves. Pro- and anti-slavery forces began to converge on Kansas to force the direction of the territorial legislature, and soon violence broke out along the Missouri-Kansas border, fomenting some of the earliest conflicts of the Civil War era. The 1856 election would hinge directly on this violence, as would the parameters of civic belonging in an ever-expanding American empire.

Beginning with the 1842 expedition that launched Frémont into the public eye and encompassing the frontier violence that preceded his failed presidential bid, this chapter sketches the tumultuous interrelationality of surveying labor, U.S. American imperialism in the West, and the expansion of slavery—a morass captured by the frontier literature of the 1840s and 50s. With the passage of the Northwest Ordinance in 1787 (later amended in 1789), Congress explicitly tied the expansion of slavery to the determination of the boundaries of the state. The act, which organized the Northwest Territory and established the terms for statehood, also included language pertaining to slavery: “There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted: Provided, always, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.”<sup>6</sup> Effectively, the Northwest Ordinance established the Ohio River as the border between slave and free states, an arrangement that would remain in place until 1820 when Congress reached the Missouri Compromise to set a new boundary along the 36°30' parallel and admit Missouri to the Union as a slave state.

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<sup>6</sup> Northwest Ordinance, July 13, 1787; (National Archives Microfilm Publication M332, roll 9); Miscellaneous Papers of the Continental Congress, 1774-1789; Records of the Continental and Confederation Congresses and the Constitutional Convention, 1774-1789, Record Group 360; National Archives.

By attending to the organization of the Kansas Territory as a free state, we begin to see not only how surveying facilitated black disenfranchisement and the expansion of the Southern slave power, but also how abolitionists succeeded in subverting legal strategies of land apportionment in order to combat the spread of chattel slavery. Frémont may have been an ardent abolitionist who issued his own emancipation proclamation as a Union major general in Missouri two years before Lincoln would give his more famous order, an action that earned Frémont a reprieve of command; however, the surveys that he led and the subsequent reports that he published arguably expedited the expansion of slavery into the West by helping to dispel the myth of the Great American Desert and encouraging settlement on the prairie. Conversely, the white abolitionist John Brown used the labor of surveying to combat the violence of slavery on the prairie. By exploiting the invisibility and perceived neutrality of the labor, Brown effectively gathered intelligence on pro-slavery ruffians for his free-state allies in Kansas, a venture that Henry David Thoreau embellishes in his hagiographic account of the abolitionist, "A Plea for Captain John Brown." Moreover, Frederick Douglass, along with white activist writer Lydia Maria Child, saw the organization of the Kansas Territory as a pivotal moment to decry the federal government's overt support for the preservation and growth of slavery, regardless of standing law, under the Franklin Pierce administration. Douglass sought to do so with his essay "Our Plan for Making Kansas a Free State," by highlighting the collective political force of black citizens who were otherwise broadly erased from popular sovereignty debates, except as victims of slavery; Child with her short story, "The Kansas Emigrants," a piece of pro-Frémont campaign literature meant to galvanize anti-slavery activism among her sympathetic readership. Taken together, these texts underscore the messy racial and organizational politics that accompanied the settlement of the Great Plains and foreground further trouble as the United States' imperial designs extended further into the West.

By the time Frémont made his first major expedition, in 1842, public notions of the Western prairies as an uninhabitable wasteland were well bolstered by a body of contemporary American scientific and literary works. White contributors to this corpus, Washington Irving and Zebulon Pike produced readings that took the superficial desolation of the vast and treeless prairie landscape as a signifier of its natural hostility to agriculture and human settlement. Pike, who recorded his observations in his *Account of Expeditions to the Sources of the Mississippi, and through the Western Parts of Louisiana* (1810), narrated his journey across the increasingly varied prairie terrain using inversely flat language; finally nearing the Rocky Mountains, he compared the western prairies to the African Sahara.<sup>7</sup> Irving's *A Tour of the Prairies* (1835) and *Astoria: Or, Enterprise Beyond the Rocky Mountains* (1836) frequently characterize the prairie in terms of sterility and absence. In *Astoria*, for example, Irving describes the northern prairie as “a region almost as vast and trackless as the ocean,” spreading “forth into undulating and treeless plains, and desolate sandy wastes, wearisome to the eye from their extent and monotony, and which are supposed by geologists, to have formed the ancient floor of the ocean, countless ages since, when its primeval waves beat against the granite bases of the Rocky Mountains.”<sup>8</sup> Though starkly different, ocean and desert function similarly as points of metaphorical comparison for the prairie: each is an outwardly blank landscape, sublime in its potential danger, seeming resistance to life, and hugeness rebuffing close inspection. Consequently, they both invite a macroscopic vision that elides the great diversity and variability of the ecosystems there, a legacy inherited by the prairie. Nor was this an easy critical reputation to shake. Even by 1847, the white author and historian Francis Parkman could only describe what he saw before him,

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<sup>7</sup> Andrew Menard, “Striking a Line through the Great American Desert,” *Journal of American Studies* 45, no. 2 (2011): 268-69.

<sup>8</sup> Washington Irving, *Astoria: Or, Enterprise Beyond the Rocky Mountains* (London: McCorquodale and Co., 1850), 139-40.

upon leaving Westport in Missouri, as “the green, ocean-like expanse of prairie, stretching swell over swell to the horizon.”<sup>9</sup>

Slowly, the prairie lost these negative associations, but the process was hindered, at least in part, by the technical and physical demands of topographical surveying in the West that preceded the actual circulation of data. The sheer scope of the land under observation and fragility of equipment meant that errors and unsubstantiated conjecture could not be quickly corroborated.<sup>10</sup> While Cooper’s Chainbearer was involved in corroborating property boundaries over comparatively small tracts, the surveying expeditions in the West, largely conducted by the U.S. Army Corps of Topographical Engineers, were tasked with collecting a host of spatial and scientific data over huge areas of undocumented (or just as likely, spuriously documented) land. This branch, under which Frémont served, operated from 1838 to 1863 when it merged with the Army Corps of Engineers. Though only operational for a relatively brief tenure, the Topographical Corps was, as William H. Goetzmann argues, “a central figure of Manifest Destiny” whose members “laid out national boundaries and directly promoted the advance of settlement by locating and constructing wagon roads, improving rivers and harbors, even performing experiments for the location of subsurface water in the arid regions. In short, they functioned as a department of public works for the West.”<sup>11</sup> By making the West increasingly legible for settlers in these ways, Alex Hunt notes, surveyors acted

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<sup>9</sup> Francis Parkman, *The Oregon Trail and The Conspiracy of Pontiac* (New York: The Library of America, 1991), 16.

<sup>10</sup> Frémont describes how the loss of their only barometer—and along with it, the loss of scientific certainty—soured moods within the expedition party: “We had brought this barometer in safety a thousand miles, and broke it almost among the snow of the mountains. This loss was felt by the whole camp . . . . The height of these mountains, considered by the hunters and traders the highest in the whole range, had been a theme of constant discussion among them; and all had looked forward with pleasure to the moment when the instrument . . . should stand upon the summits, and decide their disputes. Their grief was only inferior to my own.” The situation is remedied when Frémont ingeniously repairs the instrument, enabling the expedition to record the height of the mountains as planned; Horace Greeley, *Life of Col. Frémont* (New York: Greeley and M’Elrath, 1856), 9.

<sup>11</sup> William Goetzmann, *Army Exploration in the American West, 1803-1863* (New Haven: Yale University Press, 1959), 4.

in support of the state by “imposing its structures of power” there. As narrators of the unknown, they labored “on the one hand, to describe the strangeness of [the West], and, on the other hand, to imagine that space to be already ripe—if not indeed predestined—for U.S. annexation and settlement.”<sup>12</sup>

Frémont, along with his silent co-author and wife Jessie Benton, negotiated this messy binary in *A Report on An Exploration of the Country Lying Between the Missouri River and the Rocky Mountains, on the Line of the Kansas and Great Platte Rivers* (1843) by making the alien prairie appear at once extraordinary and pre-eminently accessible to Easterners. The pair set about writing a narrative that would recontextualize the West in its readers’ eyes by combining scientific observation with romantic adventure, a testament to Jessie Benton Frémont’s deft editorial guidance during the shaping of the report. As Jessie’s biographer, Pamela Herr, argues, “While John’s observations and experiences formed [the first report’s] solid core, Jessie’s hand can be seen in the graceful style, the skillful pacing, and the vivid scenes and vignettes that make it so readable.” Herr goes on to posit that “Without [Jessie’s] sharp eye for a good story, the report, if completed at all, would have been another dry treatise, to be filed and forgotten.”<sup>13</sup> Where Irving and Pike repudiate the prairie as a

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<sup>12</sup> Alex Hunt, “Mapping the Terrain, Marking the Earth: William Emory and the Writing of the U.S./Mexico Border,” in *American Literary Geographies: Spatial Practice and Cultural Production, 1500-1900*, ed. Martin Brückner and Hsuan L. Hsu (Newark: University of Delaware Press, 2007), 129.

<sup>13</sup> Jessie first stepped in to help with the writing process because John found the change in pace from expedition life debilitating. As she describes in her memoirs: “The horseback life, the sleep in the open air, had unfitted Mr. Frémont from the indoor work of writing—and second lieutenants can not indulge in secretaries. After a series of hemorrhages [sic] from the nose and head had convinced him he must give up trying to write his report, I was let to try[.]” Jessie “thus slid into [her] most happy life work” writing for John and drawing the narrative out of him in detail as he paced the room dictating to her. The extent to which Jessie, who later became a successful author in her own right, contributed to the writing of the report is ultimately unknown but nevertheless critical. In their commentary on her letters, Pamela Herr and Mary Lee Spence note that Jessie only wrote the first nineteen sheets and contributed notes and corrections to the remaining pages written in John’s hand. Regardless of the extent of her contribution, John’s political detractors would scoff that Jessie was the text’s primary author, a testament to her public visibility, and even his political supporters held her up as an equal force behind the couple’s successes. During the 1856 election, Republican boosters penned songs celebrating John and Jessie, and Lydia Maria Child wrote in a letter to Sarah Shaw that if women could vote, they would carry “our Jessie” into the White House. Jesse Benton Frémont, *The Letters of Jessie Benton Frémont*, eds. Pamela Herr and Mary Lee Spence (Champaign: University of

vast wasteland, John and Jessie promote the region, in part, by changing the scale at which they described the land. Eschewing the sweeping panoramas those earlier writers employed to qualify the sublime emptiness of the prairie, the pair instead describes in fantastic, picturesque detail the dynamism and variability of the land, the day-to-day movements of his party, and their interactions with Native Americans.<sup>14</sup> Informed by thorough astronomical readings and atmospheric data, attention to geological change, and close studies of abounding plant and animal species, Frémont narrates a series of intriguing but habitable spaces worthy of further investigation by a growing nation.

Frémont's description of expedition movements on June 20<sup>th</sup>, 1842 is indicative of this narrative strategy and demonstrates the report's success both as a compelling narrative and as an imperialist call to action. Departing from latitude 39° 30' 40" north, longitude 96° 14' 49" west (near the northeast corner of present-day Kansas), Frémont and his men headed twenty-four miles northwest, noting that "the country to-day was rather more broken, rising still, and covered every where with fragments of siliceous limestone." In the less rocky areas, "whenever the soil was good and protected from the winds, in the creek bottoms and ravines, and on the slopes," Frémont notes an abundance of plants—particularly *Amorpha canescens*, or Leadplant, a member of the Pea family—

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Illinois Press, 1993), 12, 13; Pamela Herr, *Jessie Benton Frémont: A Biography* (New York: Franklin Watts, 1987), 82. Tom Chaffin, *John Charles Frémont and the Course of American Empire* (New York: Macmillan, 2002), 138-39, 143-44. Carolyn Karcher, *The First Woman in the Republic: A Cultural Biography of Lydia Maria Child* (Durham: Duke University Press, 1994), 398.

<sup>14</sup> Geneva M. Gano makes the case that Frémont's *Report* raises "a number of issues critical to understanding how American expansionism presents exploration in the American West as a romantic yet wholly scientific project," arguing that in the construction of the document, Frémont points to the methodological similarity between mapping and narrative. Gano suggests, moreover, that Frémont was well aware of the entrenchment of the picturesque in natural philosophy, and so made use of romantic descriptions in order to establish his credentials in that field to the end that his scientific contributions would be taken seriously—he still privileged the *Report's* scientific contributions over its literary ones. Andrew Menard however characterizes Gano's thesis as a misreading and argues that rather than being forced to utilize the picturesque for the advancement of the scientific, Frémont purposefully created a document that conceptually combined the two. Geneva M. Gano, "At the Frontier of Precision and Persuasion: The Convergence of Natural Philosophy and National Philosophy in John C. Frémont's 1842, 1843-44 Report and Map," *American Transcendental Quarterly* 18, no. 3 (Sept. 2004): 131-154; Menard, "Striking a Line," 267-280.

and timber, as well as antelope that “were seen running over the hills.” Stopping for the day at latitude 39° 45’ 08” north, longitude 96° 32’ 35” west, Frémont records the sunset temperature at 75°.<sup>15</sup>

Details like the antelope running over the hills provide an entertaining glimpse into a wild and alien country that any reader could enjoy, but sections like this one were also brimming with subtext about a rich territory that was up for grabs. The right reader—particularly one who was well-versed in the agricultural and geological sciences—was invited to enter the frontier first textually and then physically as an ideal homesteader.<sup>16</sup> Frémont’s multiple references to timber instead of any specific tree species underscore an extractionist vision of the region that would provide ready building resources without need for transport from the East. Likewise, the presence of the antelope points to both the availability of game and the possibility of sustainable grazing for domesticated animals. Equally informative is Frémont’s identification of the *Amorpha* as abundant and “characteristic” of the region. The leadplant was an integral part of the prairie landscape—edible to grazing animals, deeply rooted to prevent soil erosion, and, like other legumes a nitrogen fixer for the soil—and would have signaled the possibility of agriculture there, against representation of prairieland as sterile and desert-like. By providing his coordinates as he travels, Frémont depicts a viable destination for his readers—a place not only imagined but also physical. The culmination of

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<sup>15</sup> John Charles Frémont, *Report of the Exploring Expedition to the Rocky Mountains in the Year 1842, and to Oregon and North California in the Years 1843-'44* (Washington D.C.: Gales and Seaton, Printers, 1845), 13.

<sup>16</sup> In New York, political supporters of a contemporaneous state geological survey stressed the importance of this kind of scientific literacy for the public: “A knowledge of geology in all its departments will be especially interesting and useful to the agricultural population of our State. In fact, no step can be taken in this survey without benefitting agriculture. If the existence or character of a rock be pointed out, or the occurrence of marl, peat, tufa, or clay be noticed, sooner or later it becomes of advantage for agricultural purposes. Sandy soils can be rendered of proper consistence, and clay soils light and productive, by using the materials placed by nature within the means of every one, and generally upon every man’s farm.” It was their hope that a geological survey would “awaken a spirit of inquiry among the cultivators of the soil” and lead agricultural advancements across the state. New York State Assembly, Report on Geological Survey, April 28, 1840, A.S51, Box 67, Folder 9, William Henry Seward Papers, University of Rochester Rare Books, Special Collections, and Preservation, Rochester, New York.

these details creates what Andrew Menard calls “a four-dimensional space—irregular, fleeing, full of contrast—as Frémont abandons an aesthetic of the sublime for a fairly radical version of the picturesque in which scenery and science exist as off-setting elements within a sphere of ‘topographic geology.’”<sup>17</sup> The prairie of Frémont’s prose was not an abstract landscape but a rich and tangible space open to further investigation.

Even Frémont’s most sensational passages, if lacking in this kind of concrete, legible scientific data, served to rhetorically underscore the federal government’s interest in fostering programmatic Western Expansion. One scene from the 1843 report stands out as exceptionally spectacular. Having crested what he believed to be the highest peak in the Rockies, Frémont gestures toward his scientific obligations before setting these aside to wax patriotic:

We mounted the barometer in the snow of the summit, and, fixing a ramrod in a crevice, unfurled the national flag to wave in the breeze where never flag waved before. During our morning’s ascent, we had met no sign of animal life, except the small sparrow-like bird already mentioned. A stillness the most profound and a terrible solitude forced themselves constantly on the mind as the great features of the place. Here, on the summit, where the stillness was absolute, unbroken by any sound, and the solitude complete, we thought ourselves beyond the region of animated life; but while we were sitting on the rock, a solitary bee (*bromus, the humble bee*) came winging his flight from the eastern valley, and lit on the knee of one of the men.

It was a strange place, the icy rock and the highest peak of the Rocky mountains, for a lover of warm sunshine and flowers; and we pleased ourselves with the idea that he was the

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<sup>17</sup> Menard, “Striking a Line,” 271.

first of a species to cross the mountain barrier—a solitary pioneer to foretell the advance of civilization.<sup>18</sup>

This encounter is an prominent reminder to the reader of the expedition’s goals.<sup>19</sup> Frémont’s orders (to which he affirms his adherence throughout the *Report*) were to explore the region along the Kansas and Platte rivers between Missouri’s western frontier and the Rocky Mountains in order to “form some opinion of the country relative to the establishment of posts on a line connecting the settlements with the South pass of the Rocky mountains, by way of the Arkansas and the South and Laramie forks of the Platte.”<sup>20</sup> From there, in his second and third expeditions, Frémont would survey lands that would become the Oregon Territory and Utah in order to “ascertain the lines of communication between the mountains and the ocean in that latitude.”<sup>21</sup>

The solitary, pioneering bee attests, as well as any detail that Frémont provides, that establishing through-lines of communication between East and West would be possible. The bee—like the American settler-colonizers who followed—had the power to change the ecology of the land as it migrated West, making the territory suitable for Euro-American ideas of agrarianism. Ten years prior to Frémont’s encounter atop the mountain, the white poet William Cullen Bryant plotted the same prophetic narrative in “The Prairies” (1832). There, despite characterizing the prairie variously as “Desert,” “ocean, in his gentlest swell,” and “the verdant waste,” Bryant predicts the inevitability

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<sup>18</sup> Frémont, *Report*, 69-70. Frémont or a subsequent editor appears to have made an error in this passage. *Bromus* is a genus of grasses, while Frémont’s humble bee (this is not a qualitative judgement but rather the name used by Charles Darwin and his contemporaries for the bumblebee) is a member of genus *Bombus*.

<sup>19</sup> While Frémont regularly attests to the veracity of his account, it is difficult to know the degree to which moments like this were fabricated to heighten the romance or political import of the narrative. As was customary for an exploratory expedition, Frémont had the first opportunity to publish his version of events. Evidently, however, he prohibited journal-keeping among his men, and so little corroborating evidence survives. The German cartologist, Charles Preuss, did keep a private diary and groused about the conditions, finding, as Pamela Herr notes, “the prairie monotonous, the Rockies disappointing in comparison with the Alps, and the touted climb to the highest peak disagreeable.” He also notes Kit Carson’s tendency toward exaggeration and Frémont’s propensity for emotion. Preuss’s diary was not published, however, until the twentieth century, well after both his and Frémont’s deaths; Herr, *Jessie Benton Frémont*, 81.

<sup>20</sup> *Ibid*, 23.

<sup>21</sup> *Ibid*, 3.

of white civilization's usurpation of the West from its Indigenous peoples just as, he mythologized, "The red man came— / The roaming hunter tribes, warlike and fierce, / And the mound-builders vanished from the earth." The bee—"a more adventurous colonist than man"—is one of the heralds of this change in the poem, and is a sure signal that American empire would soon be realized.<sup>22</sup>

Horace Greeley, too, recognized the importance of the imagery, and recalled the scene in his 1856 campaign biography of Frémont, adding that the bee "was pressed between the leaves of a large book of flowers. They regarded him as the emblem of civilization, the precursors in which often meet his fate: they perish but are preserved in books."<sup>23</sup> With little subtlety, Greeley compares Frémont to the bee, elevating both to a mythic status as fathers of empire; Frémont, more importantly, had survived his endeavors *and* been "preserved in books" that quickly circulated and increased fervor for Western emigration by underscoring the readiness of the Great Plains for settlement and celebrating the individualistic, white masculinity that Western boosters like Frémont's father-in-law, Thomas Hart Benton, peddled.

The report became an immediate public success despite an initial print run of only one-thousand copies. It would see further circulation in the national press, and in 1845 was widely distributed alongside Frémont's second expedition narrative when Congress distributed thousands of copies to the public for free, a decision that magnified the impact Frémont's expedition would have in shaping the public's image of the prairie and popular discourse around the West.<sup>24</sup> Readers

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<sup>22</sup> Unlike Frémont's indigenous "humble bee," the insect that Bryant describes is almost certainly the invasive Western honeybee, a species that arrived in North America with European colonists in the 1600s. Bryant describes its journey "across the eastern deep"—the Atlantic Ocean—and its "sweets" hidden "Within the hollow oak." In Query VI of *Notes on the State of Virginia*, Thomas Jefferson observes that these "bees have generally extended themselves into the country, a little in advance of white settlers. The Indians therefor call them the white man's fly, and consider their approach as indicating the approach of the settlements of the whites." William Cullen Bryant, *The Poetical Works of William Cullen Bryant, Roslyn Edition*. (New York: D. Appleton and Company, 1903), 130-133.

<sup>23</sup> Greeley, *Life of Col. Frémont*, 10.

<sup>24</sup> Stephen Craig Weiss, "The John C. Frémont 1842-'44 Report And Map," *Journal of Government Information* 26, no. 3 (1999): 306.

included California-bound Forty-niners, who frequently mentioned the reports in their diaries and journals, emigrants making their way to the Oregon territory and sites west of the Rocky Mountains, and white literary figures who would themselves have an outsized influence on perceptions of the West and American empire.<sup>25</sup> Ralph Waldo Emerson purchased the *Report* in 1845 and maintained an ongoing interest in Frémont's career.<sup>26</sup> Henry Wadsworth Longfellow read the *Report* while working on *Evangeline* and evidently modeled some of his prairie scenes after it, even writing in his journal that "Frémont has particularly touched my imagination; and I trust something may come of that."<sup>27</sup> The California poet, Joaquin Miller recalled being read the expedition reports as a child: "I never was so fascinated. I never grew so fast in my life. Every scene and circumstance in the narrative was painted on my mind to last, and to last forever."<sup>28</sup> And John Greenleaf Whittier demonstrated a familiarity with Frémont's narratives, likening the labor of surveying to the work of abolitionists in his 1856 campaign poem, "The Pass of the Sierra." The speaker of the poem follows the surveyor's band through the Sierra Nevada mountains where they stop to take astronomical readings before pressing on toward the verdant lands of California. It is there that the speaker declares that Frémont has yet another trail to survey:

Strong leader of that mountain band,

Another task remains,

To break from Slavery's desert land

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<sup>25</sup> Stephen Fender, *Plotting the Golden West: American Literature and the Rhetoric of the California Trail* (New York: Cambridge University Press, 1981), 38.

<sup>26</sup> Kris Fresonke, *West of Emerson: The Design of Manifest Destiny* (Berkeley: University of California Press, 2003), 104.

<sup>27</sup> Murray Gardner Hill, "Some of Longfellow's Sources for the Second Part of *Evangeline*," *PMLA* 31, no. 2 (1916): 163, 166-67. Hill notes, also, that Longfellow's character Gabriel Lajeunesse, "son of Basil the blacksmith," was almost certainly named after one of Frémont's companions, Basil Lajeunesse.

<sup>28</sup> Joaquin Miller, *Joaquin Miller's Poems [in six volumes]* (San Francisco: Harr Wagner Press, Co., 1917), vol. 1, 26.

A path to Freedom's plains.<sup>29</sup>

Whittier's poem links the practice of surveying to the process of emancipation and the transformation of landscape. Just as Frémont was integral to changing public notions of the Great American Desert, so too, Whittier hoped, would he play a major role in abolishing slavery, ushering in an era in which the South could heal from the spiritual and ecological repercussions of the institution and return to fruition.

A healthy culture of borrowing, reprinting, and outright plagiarizing brought the reports to still more readers who turned to written guides as they prepared to emigrate westward. These guides, as Brendan C. Lindsay caustically puts it, “educated about the trail and the savage Indians that lived there along the way and offered suggestions for dealing with both challenges.”<sup>30</sup> They also owed a large debt to Frémont's *Report*. Following the 1845 dual-publication of the first and second reports, a variety of reprinted editions and excerpts were made available by various publishers (L.W. Hall, Gales and Seaton, Blaire and Rives to name a few), making it increasingly easy for the authors of many emigrant guides to plagiarize Frémont's work.<sup>31</sup> There is at least one case of an author directly citing Frémont, however, and the surveyor's influence on Joseph E. Ware's *The Emigrant's Guide to California* (1849) is evident at only a cursory glance. Although he had not actually been to California, Ware begins his book asserting that “the author has aimed at one thing only—accuracy” and notes that he has based his distances “upon actual survey, made by the talented Frémont.”<sup>32</sup> Yet, per John Caughey who edited and annotated Ware's guide in 1932, the author used Frémont's measurements “carelessly, both in copying and in applying them,” and though he credits Frémont at the beginning,

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<sup>29</sup> John Greenleaf Whittier, *The Complete Works of John Greenleaf Whittier: Poems*. vol. 3. (Boston: George F. Bagley and George W. Cate, Executors and Trustees, and Houghton, Mifflin & Co., 1892), 189.

<sup>30</sup> Brendan C. Lindsay, *Murder State: California's Native American Genocide, 1846-1873* (Lincoln: University of Nebraska Press, 2012), 70.

<sup>31</sup> *Ibid.*, 84-5.

<sup>32</sup> Joseph E. Ware, *The Emigrants' Guide to California*, ed. John Caughey (Princeton: Princeton University Press, 1932), xxiii.

he fails to do so thereafter.<sup>33</sup> Describing the South Pass, for example, Ware writes “It is difficult, from the gradual ascent of the Pass, to find the precise summit; the point of culmination is between two low hills, about sixty feet high. The pass is about nineteen miles in width, without any gorge-like appearance.”<sup>34</sup> Frémont’s text reads similarly:

The ascent had been so gradual, that, with all the intimate knowledge possessed by [Kit Carson], who had made this country his home for seventeen years, we were obliged to watch very closely to find the place at which we had reached the culminating point. This was between two low hills, rising on either hand fifty or sixty feet. . . . It is difficult for me to fix positively the breadth of this pass. From the broken ground where it commences, at the foot of the Wind river chain, the view of the southeast is over a champaign country, broken, at the distance of nineteen miles, by the Table rock[.]<sup>35</sup>

Whether despite or because of his liberal reliance on Frémont’s prose, Ware’s guide was considered one of the best of its kind for several years following its publication.<sup>36</sup> Between his text and the other guides that borrowed amply from Frémont, readers who had not familiarized themselves with the reports but were interested in the West, either as emigrants or enthusiasts, could not have avoided Frémont’s uneven hand in shaping the public vision of the West.

As the report circulated through these various media, one newspaper commented on the perceptive shift its depictions of the prairie brought about, writing that “The popular idea regarding the Rocky Mountains is a lofty, vast, continuous mass of rocks partially covered with soil, on which impenetrable forests find root and sustenance” but claiming, then, that Frémont’s survey had

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<sup>33</sup> Ibid, 14.

<sup>34</sup> Ibid, 24

<sup>35</sup> Frémont, *Report*, 60.

<sup>36</sup> Weiss, “The John C. Frémont 1842-’44 Report And Map,” 307. Caughey notes that Ware ironically died of exposure on the same trail that he had written about. After falling ill, he was abandoned by his party and, though he was found alive several days later by another group of travelers, soon succumbed to his condition; Ware, *The Emigrants’ Guide to California*, xviii-xix.

corrected that notion. Another exclaimed that the report reflected “honor on the scholarship of its author, and its details bear ample testimony of his unsurpassed perseverance, fortitude and fertility of resources as an officer.” That paper also linked Frémont’s expedition explicitly to his father-in-law’s expansionist rhetoric, arguing that Benton ought to lead Congressional efforts to settle the West because of his close identification with “the public lands and the PRE-EMPTION POLICY, the most powerful of all agents of civilization and colinzation [sic].” The *New York Herald* noted “the universal interest which has been awakened through the discussion of the Oregon question in Congress”—that is, how the organization of the Oregon Territory would be settled with the British—and published excerpts from the report across two issues. The report, the paper suggested, would satisfy “the number of missionaries and emigrants to the borders of the Columbia” with accurate information on the region; the casual reader, likewise, would be rewarded by “the romance, the freshness, the chivalric pastimes of life in the wilderness” depicted by Frémont. The *Herald*, meanwhile, triumphantly declared the immediate reward and legacy of Frémont’s expedition: “a new empire will at once be created on the shores of the Pacific, the twin sister of our glorious Union, a new field for the enterprize [sic] of starving thousands, a new step to the advancement of the human race, a new era in its history.”<sup>37</sup> Frémont, according to his favorable press coverage, had brought about nothing short of a sea change for the course of American expansion.<sup>38</sup>

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<sup>37</sup> “A Pass through the Rock Mountains.” *The North American and Daily Advertiser* (Philadelphia, PA), October 19, 1843; “The Far West—Lieut. Frémont—fertility of the West—Facility of Reaching Oregon—British Aggressions—the Popular Pulse—Senators Benton, Walker and Linn, the Great Advocates of the Western Settler, the Champions of the Pre-emption Policy.” *Mississippi Free Trader and Natchez Gazette* (Natchez, MS), October 7, 1843; “Literary Notices.” *The New York Herald* (New York, NY), September 18, 1843.

<sup>38</sup> In the long term, Frémont’s *Report* would prove so successful in overcoming long-held beliefs about the sterility of the West that it would result in an expansion crisis of a different sort. By the time John Wesley Powell submitted his *Report on the Lands of the Arid Regions of the United States* in 1876, he was firm in his belief that the Southwest could not sustain agriculture on the scale that it had reached in the East and Midwest. Still, state and corporate interests had large-scale settlement of the region in mind and so ignored Powell’s warnings.

As the discourse of trans-continental empire was enlivened by Frémont's expedition narratives and the expansionist rhetoric of boosters like Thomas Hart Benton, public debate surrounding Western settlement intensified in earnest with the annexation of territory taken from Mexico following the Mexican-American War of 1846-48. That acquisition made settlement of the lands between Missouri and the Pacific Northwest feasible but also raised many new questions about how to do so. One major site of conflict stemming from that problem developed between the burgeoning Free Soil ideology and the interests of the Southern Slave Power. For Northern white men, the Free Soilers argued, Western emigration presented an opportunity to establish capital and political cache. This was especially true in regions where residents who depended on agriculture were effectively disenfranchised as a result of poor farming conditions or wealthy land monopolies.<sup>39</sup> In the West, this political base believed, rich soil and an abundance of land meant that any able-bodied white man who desired it could obtain a farm of his own. The westward expansion of slavery—and with it, plantation-model land monopolies and soil depletion—stood as an obstacle to the Free Soil ideology, however, and laid the groundwork for conflict between its proponents and pro-slavery forces made up of Southerners and sympathetic Northern opponents of abolition. Whether Free Soil opposition was rooted in actual sympathy for abolitionist causes (it usually wasn't), closing off new states to slavery would significantly hamper the South's political power and clear the way for white Northern homesteaders. Short of taking a moral stance, Free Soilers argued against slavery in the Western territories with proto-environmental claims about slavery as a failed agrarian system and Jeffersonian appeals to the creation of a yeoman empire of laboring white men.

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<sup>39</sup> In upstate New York, for example, Free Soil Activity was strongest in areas least suited for agriculture. Shallow, acidic soil coupled with market competition spurred by the completion of the Erie Canal in 1825 only made it worse for farmers living in counties like Herkimer and Delaware, not far from the Hudson River Valley and the heart of Anti-Rent fervor. Earle, *Jacksonian Antislavery*, 55.

These arguments focused on the irresponsibility of Southern planters to maintain and improve good soil quality—seemingly without any sense of irony that poor northern farmers too fled west to escape suboptimal agricultural conditions. In his book *An Agrarian Republic: Farming Antislavery Politics, and Nature Parks in the Civil War Era* (2016), Adam Wesley Dean argues for renewed attention to the role Free Soil agrarian reform rhetoric had in both the settlement of the West and the coalescence of the Republican Party, suggesting that their free labor arguments have received unequal attention from scholars like Eric Foner. And it is true that while the arguments about soil improvement are discussed widely in historical studies of antebellum Free Soil politics, rarely are they engaged as being indicative of a growing national environmental consciousness that linked soil improvement and land stewardship to national vitality and the advancement of civilization.

One of the tried-and-true strategies that the Free Soilers employed in their campaign against the expansion of slavery was to selectively compare the agricultural development of a Southern state with that of a Northern state. In a speech to Congress decrying the Annexation of Texas in 1844, white Ohio congressman Joshua Giddings proclaimed:

Let us look to the largest states at the time of forming our Constitution; I refer to Virginia and New York. Let us examine the latter; take notice of her turnpikes, her railroads, her canals, her industrious and thriving population, her commerce and universal prosperity. Then look at Virginia! Mark her miserable highways, her deserted plantations, her dilapidated dwellings, her ragged slaves of almost every shade of complexion, her uncouth implements of husbandry, the indolence and extravagance of her people, her extensive forests, the almost total absence of all evidence of thrift and prosperity.<sup>40</sup>

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<sup>40</sup> Joshua R. Giddings, *Speeches in Congress* (Boston: John P. Jewett and Co., 1853), 134.

In 1850 and '51, George Julian and the white Pennsylvania Representative Thaddeus Stevens made similar gestures before Congress, comparing Virginia to neighboring Ohio. Their conclusion—the soil of Virginia had been left to waste because of slave labor and irresponsible agricultural practices. Enslaved men and women, they reasoned, had no reason to care for land that was not producing wealth for them. Planters, meanwhile, were overly interested in the wealth their land produced and so stuck to cash-valuable but soil-exhaustive crops like tobacco and cotton instead of rotating through other crops for multiple years at a time to maintain the condition of the earth.<sup>41</sup> In his published travel letters to the *New York Daily Times*, the white landscape architect Frederick Law Olmsted compared free labor and slave labor as it affected soil productivity in Virginia. He recounted anecdotally that while slave labor produced only an average of three bushels of wheat per acre, an enterprising Northern transplant brought his land to produce an average of twenty bushels per acre “by plowing eight inches, turning up not only virgin soil, but clay to mix with the sand of the surface, and applying 150 barrels of guano.” Planters, conversely, plowed to only four inches and instead of manuring often left fields fallow to avoid overtaxing the soil. The growth of scrub pines and other such plants on the fallow fields added to the Northern impression that the land was going to waste and improper manuring slowly depleted soil nutrients.<sup>42</sup> And so, the Free Soilers reasoned, the Southern slave power would naturally need to expand west—and even south into the Caribbean as many white filibusters like William Walker desired—in order to replace its depleted resources. This would preclude not only Northerners but also small Southern free holders from benefitting from the abundance of resources there.

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<sup>41</sup> Adam Wesley Dean, *An Agrarian Republic: Farming, Antislavery Politics, and Nature Parks in the Civil War Era* (Chapel Hill: The University of North Carolina Press, 2015), 34-5.

<sup>42</sup> Frederick Law Olmsted, *Writings on Landscape, Culture, and Society*, ed. Charles E. Beveridge (New York: The Library of America, 2015), 56-7.

By reserving the West for potential small landholders who stood to gain or lose the most from their attempts to improve the land, Free Soilers hoped to instead transform the prairie from a barren ocean into a sea of productive agriculture. Selling Western lands off at affordable prices would ensure that individual families could both carve out a self-sufficient lifestyle and contribute to the demise of slavery by restricting the access of large plantation holders, not that total abolition or racial equality was the endgame for many who opposed slavery in the West—just because these men sought to halt the extension of slavery into a territory like Kansas did not mean they welcomed black emigrants to those lands. Among this camp, the white supremacist biases that shaped their free soil arguments are readily evident. Just one upstate New York meeting of Barnburners, the anti-slavery Democrats who would leave the party rather than support the white Michigan Senator (and former surveyor) Lewis Cass’s candidacy in 1848, produced enough rhetoric to demonstrate this, as their published proceedings show: “*Resolved*, That we believe (sic) in the dignity and the rights of free labour; that free white labour cannot thrive upon the same soil with slave labour, and that it would be neither right nor wise to devote new territories to the slave labor of a part of the States to the exclusion of the free labor of all the States”; “Where negro slavery is, there free white labor cannot come, without sharing in its degradation and partaking of its dishonor”; and “The southern white man can go there side by side with the northern man, but no northern farmer or laborer can go there, if slavery also goes there”<sup>43</sup>

The same year, Pennsylvania Congressman David Wilmot, who was pushing his eponymous free soil/free labor legislation to deal with territory acquired from Mexico during the Mexican-American War, made his own white supremacist ideology and disdain for total abolition as clear as he could: “The negro race occupy enough of this fair continent. Let us keep what remains for

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<sup>43</sup> “Proceedings of the Herkimer Mass Convention of October 26, 1847.” *Albany Atlas* (Albany, NY), Extra, November 1847

ourselves, and our children—for the emigrant that seeks our shores—for the poor man, that wealth shall oppress.”<sup>44</sup> The admission of slavery, the Free Soilers were certain, would undercut the value of white labor, precluding Northerners from settling there and laying the groundwork for a virtual aristocracy of slaveholders in the West. This second claim, notably, is the same argument that Anti-Rent activists made against land monopolies in the Hudson River Valley before turning West for new opportunities.

While black activists did support the Free Soilers—Frederick Douglass attended the Buffalo convention, for example, and later wrote that “Anti-slavery thus far had only been sheet-lightning; the Buffalo convention sought to make it a thunder-bolt”—the racism of Wilmot and his cohort was not lost on them.<sup>45</sup> In his “Address to the Four Thousand Colored Voters of the State of New York” published in *The North Star*, Samuel Ringgold Ward decried the Free Soilers for their selection of Van Buren as candidate and their lack of support for total federal abolition of slavery. One point of contention for Ward was the Preemption Act of 1841 and the uneven hand it would have in distributing public lands in the West. “Among its provisions,” he wrote,

is one allowing the privilege of pre-emption to ‘free white male citizens,’ and to such only. If, therefore, black men settle in any of that territory which is now or shall hereafter become the property of the government, white settlers can buy the lands upon which such blacks have settled at government price, and the blacks be ejected, because the latter are not ‘free white male citizens.’ No alteration of this abominable law is sought or desired by the new Free Soil party.

Even if slavery were excluded from newly acquired territories in the West, he reasoned, that would not make the region amenable to black emigrants who could still legally be dispossessed of their

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<sup>44</sup> Earle, *Jacksonian Antislavery*, 131.

<sup>45</sup> Frederick Douglass, *Life and Times of Frederick Douglass*. (Hartford: Park Publishing Company, 1881), 343.

land; nor would the Free Soilers venture to make black men the equals of white men, despite anti-slavery rhetoric steeped in the prevention of an inegalitarian planter aristocracy. Rather, Ward believed that the opposite would be true. “Many of [Free Soil’s] warmest advocates,” he declared, “are as ready to rob black men of their rights now as ever they were.”<sup>46</sup> Although some prominent black activists like Douglass were supportive and optimistic of the party’s goals, the Free Soil ideology remained largely a white man’s venture.

For all the rhetoric of the Free Soilers, it was the passage of the Kansas-Nebraska Act in May of 1854 that would force the issue of how the Western territories would be settled. The act’s principle author, white Illinois Democrat Stephen A. Douglas, had long been a supporter of popular sovereignty as a means of determining territorial governance and believed that “a proper democracy transplanted to the frontier should allow actual settlers in a territory to vote on whether their territory was slave or free.”<sup>47</sup> By organizing territories in this way, the federal government could better inculcate frontier citizens with the ideals of liberal democracy—the same process that Dana Nelson observes developing in Cooper’s “Satanstoe Trilogy.” While opponents to the Kansas-Nebraska Act cited the Missouri Compromise as establishing guidelines for the expansion of slavery, Douglas held that that 1820 legislation had been superseded by the Compromise of 1850. Accordingly, he declared in the body of the act, that the Missouri Compromise, “being inconsistent with the principle of non-intervention by Congress with slaves in the States and Territories . . . is hereby declared inoperative and void.”<sup>48</sup> Slavery, effectively, had been made legal in Kansas, pending the will of its citizens—a will that encroaching pro- and anti-slavery forces sought to control by any means necessary. As this process played out, committed abolitionists sought to influence public

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<sup>46</sup> Samuel Ringgold Ward, “Address To the Four Thousand Colored Voters of the State of New York,” *North Star* (Rochester, NY), Sept. 1, 1848.

<sup>47</sup> James A. Rawley, “Stephen A. Douglas and the Kansas Act.” In *The Nebraska-Kansas Act of 1854*. Edited by John R. Wunder and Joann M. Ross. (Lincoln: University of Nebraska Press, 2008), 68.

<sup>48</sup> An Act to Organize the Territories of Nebraska and Kansas (1854).

sentiment and encourage anti-slavery emigration there. Though their media were widely different, Frederick Douglass, Lydia Maria Child, and John Brown registered their outrage at the ensuing violence along the Missouri-Kansas border, the violence of slavery, and the federal government's complacency to resolve either.

Frederick Douglass was a vocal opponent of the Kansas-Nebraska Act in the press and used his own paper to publish an essay rallying black citizens and white allies against the possible expansion of slavery. In "Our Plan for Making Kansas a Free State," he outlined what he saw as the best course of action for taking advantage of the system Stephen Douglas has brought into law, typographically emphasizing the most distilled argument of the text, lest anyone misunderstand: "This plan is, simply, THE SETTLEMENT, IN THE KANSAS TERRITORY, AT THE EARLIEST POSSIBLE PERIOD, A LARGE AND WELL DISCIPLINED BODY OF FREE COLORED PEOPLE FROM THE NORTHERN STATES." To accomplish this, Douglass sought to form "an association of wealthy men" and a network of agents who would support one-thousand black families, primarily from New York, Philadelphia, and Boston, in their emigration to strategic locations in Kansas.<sup>49</sup> Once there, these citizens—a term that Douglass uses pointedly to assert the rights of black Americans to shape the civic organization of Kansas—could act as a bulwark against slavery by voting against its extension into the territory.

In effect, Douglass sought to weaponize the anti-black attitudes of pro-slavery forces. The Missourians, Southerners, and other white supremacists who poured across the border to influence Kansas elections, he wryly reasoned, would soon flee the territory "as if it were infested by famine, pestilence, and earthquakes." By leveraging the discomforts of his pro-slavery adversaries, Douglass hoped to gain the political upper hand, a strategy with some precedent in anti-slavery action and

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<sup>49</sup> Frederick Douglass, "Our Plan for Making Kansas a Free State," *Frederick Douglass' Paper* (Rochester, NY), Sept. 15, 1854.

literature. Tony C. Perry describes, for example, how slaves exploited harsh environmental conditions—winter, in his account—to their benefit. Although enslaved people suffered disproportionately in winter months because they often lacked adequate protection, they nevertheless took advantage of slave catchers' own aversion to severe cold in their pursuit of freedom.<sup>50</sup> In *Incidents in the Life of a Slave Girl* (1861) and *Dred: A Tale of the Great Dismal Swamp* (1856) the formerly enslaved black activist Harriet Jacobs and the white abolitionist Harriet Beecher Stowe likewise portray the dangerous environments that escaping slaves took advantage of precisely because they were inhospitable to their pursuers. Douglass's plan emphasizes these strategies by metaphorically portraying black citizens as the dangerous environmental conditions that would rebuff pro-slavery supporters.

As Tekla Ali Johnson asserts, by clearing the way for slavery on the Great Plains, “the Kansas-Nebraska Act meant the inevitability of violence” there as well.<sup>51</sup> With knowing irony, Douglass mobilizes the violent image of natural disaster in the hopes of preventing actual ecological and human destruction. He describes Kansas as “that Eden-like country” and later declares that it is “one of the finest countries in the world. . . . The climate, soil, and productions are precisely such as are adapted to develop the energies of Colored laborers, reared in the Middle and Northern States of the Union.”<sup>52</sup> By bringing sustainable agricultural practices to the territory, Douglass's settlers would prevent the prairie soil from being ruined by large-scale monoculture while ensuring the preservation of free labor.

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<sup>50</sup> Tony C. Perry, “In bondage when cold was king: the frigid terrain of slavery in antebellum Maryland,” *Slavery and Abolition* 38, no. 1 (2017): 30-2.

<sup>51</sup> Tekla Ali Johnson, “Frederick Douglass and the Kansas-Nebraska Act: From Reformer to Revolutionary,” in *The Nebraska-Kansas Act of 1854*, eds. John R. Wunder and Joann M. Ross (Lincoln: University of Nebraska Press, 2008), 113-128.

<sup>52</sup> Douglass, “Our Plan for Making Kansas a Free State.”

This strategy of direct action appealed to one of Douglass's frequent interlocuters, John Brown, who moved to Kansas amidst the Border War to support the free-state cause. While Brown is best remembered for his violent anti-slavery actions at Harpers Ferry, Virginia and Pottawatomie Creek, Kansas, he was also a surveyor who mobilized his labor in support of peoples marginalized by slavery, racism, and Native American removal. In the late 1810s, the young and uneducated John Brown, who knew "no more of grammar than one of your calves" and "would have left a Greek accent slanting the wrong way" as Henry David Thoreau put it, trained himself as a surveyor by reading Abel Flint's *System of Geometry and Trigonometry Together with a Treatise on Surveying* (one of the same texts Abraham Lincoln would read in the 1830s).<sup>53</sup> While surveying was only one of the occupations Brown took on in his lifetime—he made do, variously, as a tanner, a wool salesman, and a land speculator—it nevertheless figured largely in his many abolitionist schemes. David S. Reynolds speculates, for example, that Brown used a surveying assignment he undertook in western Virginia in 1840 to familiarize himself with the lands in and around the Allegheny Mountains, territory to which he later planned to flee, pending the success of his raid on Harpers Ferry.<sup>54</sup> What's more, surveying certainly played a prominent role in Brown's anti-slavery efforts along the Missouri-Kansas border in the mid-1850s.

In 1849, Brown relocated his family to North Elba, New York not far from Lake Placid. There, nestled deep in the Adirondacks, the white abolitionist Gerrit Smith—with the aid of Henry Highland Garnet, James McCune Smith, and other black activists—had begun selling off plots of land to free black families after New York voters chose to uphold the \$250.00 property requirement

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<sup>53</sup> Henry David Thoreau, "A Plea for Captain John Brown," October 30, 1859. The Avalon Project: Documents in Law, History and Diplomacy. Accessed May 31, 2019. [http://avalon.law.yale.edu/19th\\_century/thoreau\\_001.asp](http://avalon.law.yale.edu/19th_century/thoreau_001.asp)

<sup>54</sup> David S. Reynolds, *John Brown, Abolitionist: The Man Who Killed Slavery, Sparked the Civil War, and Seeded Civil Rights* (New York: Knopf Doubleday Publishing Group, 2009), 111.

for enfranchisement in 1846.<sup>55</sup> Although the conditions were hardly ideal for agriculture, with acidic, rocky soil, huge boulders from the surrounding mountains, and forest to contend with, Smith, an agrarian in the Jeffersonian mold, conflated land ownership with moral and political good; he hoped consequently that the residents of the community—often referred to as Timbuctoo—would succeed in farming the land and organizing themselves politically. Smith’s vision was to create a society in the Adirondacks based on the mutual relationship between human and land, and among human subjects, quite distinct from the Southern agrarian model that created a leisure class based on exploitation and plunder of human and non-human resources.<sup>56</sup> For his part, Brown found living among a majority-black population invigorating and did what he could to aid the community, including replacing an anti-black surveyor who had attempted to swindle the new residents there.<sup>57</sup> In doing so, Brown and his neighbors enacted a project of radical civic formation founded on communitarian and egalitarian ideals.

As tensions on the Missouri-Kansas border mounted, however, Brown felt compelled to aid anti-slavery efforts there and so, in 1855, relocated to Osawatomie where his sons had already established a camp.<sup>58</sup> Once in Kansas, Brown donned the mantle of surveyor to strike at pro-slavery

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<sup>55</sup> Smith was a social reformer and political activist who had inherited nearly a million acres of land in New York from his fur baron father. Financial burdens brought on by the massive inheritance coupled with pressure from fellow reformer George Henry Evens prompted Smith to make good on his activist rhetoric. Consequently, he organized 120,000 acres into three-thousand 40-acre plots and sold them to black families for the nominal price of one dollar; Daegan Miller, “At Home in the Great Northern Wilderness: African Americans and Freedom’s Ecology in the Adirondacks, 1846-1859,” *Environmental Humanities* 2 (2013): 117-46; John Stauffer, *The Black Hearts of Men: Radical Abolitionists and the Transformation of Race*. (Cambridge: Harvard University Press, 2002), 135-158.

<sup>56</sup> Miller, “At Home in the Great Northern Wilderness,” 122-27.

<sup>57</sup> Reynolds, *John Brown, Abolitionist*, 125.

<sup>58</sup> Brown felt conflicted about leaving Timbuctoo and so out to his fellow-members of the North Elba community to ask their counsel, a moment that Reynolds reads as a critical demonstration of Brown’s commitment to racial justice: “Since he had given his life to ‘the service of the colored people,’ they had the ‘right to vote’ on his course of action. This was far more than a call for black suffrage, which would have been rare for that era. It was a request by a white person for blacks to vote on his private actions—rare for any era.” Brown’s actions are a refutation of liberal individualism and a radical embrace of commons democracy; Reynolds, *John Brown, Abolitionist*, 134.

forces in every way he could. When a neighboring band of Indigenous Ottawa found their territory increasingly occupied by border ruffians and Southern militiamen, Brown surveyed the boundary of their land—an act that both affirmed the political sovereignty of the Ottawa and also closed off a section of territory to the pro-slavery cause. By supporting the territorial claims of the Ottawa, Patrick Chura argues, Brown upends the surveyor’s historical contribution to the erasure of Indigenous sovereignty on behalf of the state and instead challenges the imperial mandate of Manifest Destiny.<sup>59</sup>

Elsewhere, Brown used the authority of his position to travel discreetly and infiltrate enemy encampments. In “A Plea for Captain John Brown,” Thoreau describes the ruse:

...at a time when scarcely a man from the Free States was able to reach Kansas by any direct route, at least without having his arms taken from him, he, carrying what imperfect guns and other weapons he could collect, openly and slowly drove an ox-cart through Missouri, apparently in the capacity of a surveyor, with his surveying compass exposed on it, and so passed unsuspected, and had ample opportunity to learn the designs of the enemy.<sup>60</sup>

When many free-state travelers and supply shipments from Eastern emigrant companies were raided by border ruffians, Brown found he was able to operate without provocation. The suitability of surveying work for this purpose is made artfully apparent by Thoreau’s attention to movement. Brown’s travel pace is open and slow, and like the labor of surveying evinces a kind of patient intentionality. Without any conspicuous sense of urgency, Brown positions himself as non-threatening to his foes. Thoreau likewise underscores the paradoxical visibility of the surveyor. While the compass is “exposed” as a visible surface-level symbol of the bearer’s occupation, the internal identity of the surveyor is nevertheless concealed from the public, rendering Brown

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<sup>59</sup> Chura, *Thoreau the Land Surveyor*, 136-37.

<sup>60</sup> Thoreau, “Plea.”

anonymous. Despite his ardent free-state beliefs, Brown can pass safely because the ruffians view him, through the lens of his occupation, as objectively neutral—an agent of the State whose impartiality was coded as pro-slavery or at the very least pro-status quo. Exploiting this assumption, Brown knowingly turned the federal government’s inaction on the expansion of slavery into a boon for the free-state cause.

Throughout his essay on Brown, Thoreau points to the labor of surveying to redeem the abolitionist in the eyes of an antagonistic public, exploring the survey’s capacity to combat State-endorsed violence (and perhaps justifying his own participation as a surveyor). Because the Missourians assumed—safely—that any federal surveyor on the border would produce data favorable to their cause, Brown adopted a veneer of sympathy to gather intelligence. In one incident, Brown passed through a camp of four-hundred pro-slavery troops. There, he overheard a colonel declare that he would see all the Browns and every abolitionist killed—a claim that would contribute to Brown pre-emptively striking out at Pottawatomie.<sup>61</sup> Thoreau narrates a similar story about Brown:

When, for instance, he saw a knot of ruffians on the prairie, discussing, of course, the single topic which then occupied their minds, he would, perhaps, take his compass and one of his sons, and proceed to run an imaginary line right through the very spot on which that conclave had assembled, and when he came up to them, he would naturally pause and have some talk with them, learning their news, and, at last, all their plans perfectly; and having thus completed his real survey, he would resume his imaginary one, and run on his line till he was out of sight.<sup>62</sup>

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<sup>61</sup> Reynolds, *John Brown, Abolitionist*, 153.

<sup>62</sup> *Ibid.*

In the wake of the failed raid on Harper's Ferry, Brown was broadly depicted as being fanatical and impulsive, but here Thoreau cannily reverses the characterization. It is the ruffians who are monomaniacally focused on the extension of slavery; Brown is, conversely, calculating and analytical. Chura argues that by repeatedly pointing to Brown's surveying background, Thoreau hoped to emphasize the rationality behind his actions for an audience that would have held the occupation in high esteem.<sup>63</sup> What Thoreau calls Brown's "real survey"—the gathering of anti-slavery movements—attests to the abolitionist's careful planning and understanding of the stakes of his labor. Should his ruse be revealed, Brown would have undoubtedly suffered personal violence. Instead, he shrewdly he knows how his adversaries will receive him in the role of federal surveyor, and he manipulates them into brashly volunteering sensitive information to a stranger. By referring to the traditional work of surveying as the "imaginary one," Thoreau meanwhile sees Brown disavowing the labor's capacity to facilitate the violence of slavery and rendering the relationship between human and real property a fiction.

When violence continued on the border, however, Brown answered in kind. Many white abolitionists—chief among them, William Lloyd Garrison—preached non-violence in the face of slavery. Garrison's American Anti-Slavery Society held up the U.S. Constitution as a "covenant with death and an agreement with hell" over what they saw as its tacit approval of slavery, and its members eschewed both violence and political participation as actions irrevocably tainted by slavery. Brown, who had lived and worked among the victims of the institution (and whom Thoreau declared "an old-fashioned man in respect for the Constitution") felt that violence was justified and indeed necessary. Like Douglass, he felt that violence had been made inevitable by the Kansas-Nebraska Act. Several events that followed in the spring of 1856 only fortified Brown's belief. On May 21<sup>st</sup>, white border ruffians led by Sheriff Samuel J. Jones ransacked the town of Lawrence,

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<sup>63</sup> Chura, *Thoreau the Land Surveyor*, 145.

Kansas. Jones, who had been the target of anti-slavery violence for abusing his position, sought reprisal and so attacked the free state stronghold at Lawrence. While the victory was largely symbolic—only one belligerent was killed—the ruffians destroyed two anti-slavery newspapers as well as the Free State Hotel, a prominent meeting place for Kansan activists. The following day, racist South Carolina Congressman Preston Brooks walked into the white Massachusetts Senator Charles Sumner’s office and beat him nearly to death for delivering the “Crime Against Kansas” speech, a lengthy oratory that compared slavery to rape and slavery’s supporters to rapists. Brown, who would not endure further inaction, responded by overseeing the murder of five pro-slavery men near Pottawatomie Creek on the night of May 24<sup>th</sup>.

While Brown’s actions may have been on the fringe of abolitionist responses to pro-slavery violence, others were no less perturbed by the seeming-inaction of Eastern anti-slavery advocates. Among them was the writer and activist, Lydia Maria Child, who supported the free-state cause in Kansas from the outset, collecting and sending supplies to the emigrants living there. Like Brown, Child was deeply affected by Sumner’s assault and sought to bring together the many disparate branches of the anti-slavery crusade. As the 1856 election loomed, she wrote “The Kansas Emigrants,” to do just that. The story follows a group of white New Englanders as they set out for Kansas but soon find their new home beset by pro-slavery violence. Though the emigrants’ lives are radically affected by the ongoing conflict—the death of one protagonist’s husband causes her mental break, for example—Child nonetheless depicts the endurance of the settlers in the face of hardship and ends on a speculative note of happiness, with one character envisioning a free Kansas.

Published serially by fellow reformer and vocal abolitionist Horace Greeley in his *New-York Daily Tribune*, “The Kansas Emigrants” appeared alongside actual news on the Kansas crisis. With this juxtaposition, Child’s biographer Carolyn Karcher notes, Child skillfully maneuvers between fact and fiction in order to cast her emigrants as a heroic new generation of American founders

completing the Puritan “errand into the Wilderness—even referencing William Bradford and John Winthrop in the names of her primary protagonists, Kate and John Bradford and Alice and William Bruce. Comparing their emigration to the nation’s founding mythos, William tells Alice of “... those heroic pilgrims, who left comfortable homes in England and came to a howling wilderness to establish a principle of freedom; and what they have done for Massachusetts, John Bradford and his companions may do for Kansas. It is a glorious privilege to help in laying the foundation of states on a basis of justice and freedom.”<sup>64</sup> Child moreover elevates the conflict of the border to international prominence, writing that with its “genial climate, and beautiful scenery” Kansas “would be the Italy of the western world.”<sup>65</sup> This description calls to mind sweeping vistas of Tuscan hills and romantic villas, suggesting that Kansas has possesses some yet-uncovered Arcadian quality, but Child also evokes the political struggle of Italian *Risorgimento*, the republican convictions of Giuseppe Mazzini and Giuseppe Garibaldi, and the efforts of the Italian people to create union out of political discord. By endowing her narrative with such historic stakes, Child hoped to arouse sympathy in her Republican readers who might oppose slavery in Kansas but not otherwise endorse abolition, who might support a free Kansas but accept a broken Union.<sup>66</sup>

In pursuit of these goals, Child makes the argument that traditional gender roles are no longer suitable for the preservation of the republic and presents Kansas as a model for the rest of the nation. Though it is the men whose ideological convictions initiate the journey West, it is Kate who becomes one of the principle defenders of the justice and freedom that they seek there. As her cousin Alice observes, “Kate, who had earned her own living ever since she was sixteen, and assisted her widowed mother, and educated her younger brother and sister, in a manner well adapted to

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<sup>64</sup> Child, *Autumnal Leaves*, 303.

<sup>65</sup> Lydia Maria Child, *Autumnal Leaves: Tales and Sketches in Prose and Rhyme* (New York: C.S. Francis & Co., 1857), 312.

<sup>66</sup> Karcher, *The First Woman in the Republic*, 392.

make them useful and active members of society, was just the woman to emigrate to the West.”<sup>67</sup>

Kate is ideally suited to Child’s new vision of the nation because she participates in both the public sphere as a wage earner and in the private, domestic sphere, molding her siblings as republican citizens. Alice, who is depicted as anxious and timid, desires Kate’s strength and independence, but does not aspire to those virtues herself, instead choosing a domestic role in support of her husband. Kate, meanwhile, quickly takes a more public position fighting for the free-state cause.<sup>68</sup>

When, for example, the Missourians began raiding wagon caravans for supplies, Kate volunteers to covertly transport much-needed weapons:

“They will never suspect that women carry such luggage.” Another woman in the neighbourhood promptly offered to accompany her, and they started in a wagon for that purpose. They were accosted by Missouri scouts, but as their place of destination seemed to imply nothing more than visiting a friend, they deemed it gallant to let the ladies pass unmolested. The kegs of powder were covered by their ample skirts, and brought safely into Lawrence. The young men on guard threw up their caps, and cried, “Hurra! Worthy of the women of ’76!”<sup>69</sup>

Kate plays on the misplaced chivalry of the pro-slavery men, undermining their expectations that a woman could contribute to the ongoing fighting. Her comparison to “the women of ’76,” however, suggests that Kate is not an anomaly but rather an integral part of the project of freedom underway

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<sup>67</sup> Ibid, 309

<sup>68</sup> Karcher suggests that Alice and Kate perform two models of femininity and marriage, both corresponding to a period in Child’s life. The meek and domestic Alice is characteristic of the cult of True Womanhood which Child unhappily performed early in her own marriage to David Lee Child. Alice’s identity is completely wrapped up in her husband’s, and William’s eventual murder in the story devastates her mental health. Kate, conversely, is depicted as having an equal partnership with her husband—not unlike Child’s activist work with David—and takes an active role in the political, administrative, and defense work required to foster a free society on the prairie. As Karcher adroitly summarizes, “The task of rebuilding American society on a foundation of true liberty, Child suggests, requires a new woman, ready to take her place in the public arena;” Karcher, *The First Woman in the Republic*, 397.

<sup>69</sup> Child, *Autumnal Leaves*, 348-9.

in Kansas. This is even more evident as the violence begins to escalate. A band of border ruffians rape a woman suspected of caching ammunition, and Kate, who “had such pride in American institutions, she *could* not believe that the government of her country was in league with such abominations and outrages,” begins practicing with pistol and rifle, becoming proficient in both.<sup>70</sup> Mirroring Charles Sumner, Child depicts sexual violence as a catalyst for action where the violence of slavery is, itself, inadequate to a potentially ambivalent readership; like Brown, moreover, she rejects the ethos of the Garrisonians, affirming instead the possibility of violence as a necessary course of action when faced with the monumental evil of slavery. Through her admirable protagonist, Kate, Child argues that a victory for Kansas cannot be won without the leadership of women, mutual respect among citizens, and the total abhorrence of slavery.

Child’s imagined Kansas is a triumph of egalitarian inclusion and a radical model for how the United States might remake itself in the wake of slavery’s abolition. In “The Kansas Emigrants,” she sees this transformation taking place, literally, around public education, as one of the prominent hills her protagonists are drawn to is to become the future site of a university. This site, “called Blue Mound, was immediately singled out by Mr. Bradford as the site of a future Free State University; and his equally active-minded wife forthwith matured the plan by proposing that [Alice’s husband] William Bruce should be its first president, and her baby boy become a professor of some ‘ology or other.” Briefly, Kate slips into the logic of true womanhood, asserting that the university is a space for men and that, consequently, the work of civic organization should fall to men as well. John cheerfully replies, saying “I am afraid we can’t wait long enough for *him* . . . We shall have to choose *you* for a professor, Kate; I, for one, will give you my vote.”<sup>71</sup> His intervention underscores how urgent the establishment of a free Kansas is and, with the election looming for Child’s readers,

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<sup>70</sup> Ibid, 355-6.

<sup>71</sup> Ibid, 316.

couches the solution within an act of enfranchisement. John gives Kate his vote—a radical gesture, as Karcher notes, at a time when women did not even attend universities and a “veiled reference to the campaign for woman suffrage.”<sup>72</sup>

By the end of the story, we see all the efforts of the Kansans, abolitionists, and Republicans come to pass in a vision of the future. After her husband is murdered in cold blood by ruffians, Alice becomes a frail shell of herself, completely dependent on the care of others. On her death bed, Alice summons Kate to her side and describes a fevered dream. In it, she walks with William over the hills of a now developed and agrarian Free Kansas—“From Mount Oread, he showed me the prairies all covered with farm-houses and fields of corn.” Then, she describes how William directs her attention to the site of John Bradford’s proposed school: “he pointed to a great University on the highest of the hills, and said, ‘Little Johnny is President, and the Blue Mound is called Free Mont.’”<sup>73</sup> In the context of the 1856 election, this final vision is a clear narrative of what Child hopes will pass. While Johnny is the name of Kate’s son (who she foresees as a professor) and Free Mont is a declaration of the state’s victory over slavery, the names echo that of the Republican candidate. And, while Child was no great supporter of Frémont—she disapproved of his role in fomenting war with Mexico while in California in 1846—she saw him as a staunch opponent of slavery and, perhaps more importantly, as the husband of Jessie.<sup>74</sup>

John C. Frémont, of course, was not victorious in the 1856 presidential election, nor did the resolution of the campaign quell any frontier violence. Instead, the political divisions sparked by the issue of popular sovereignty grew wider still. Frémont only appeared on the ballot in four slave states; yet, he took thirty-three percent of the popular vote as well as most of the Northern states that then included Maine, New Hampshire, Vermont, New York, Massachusetts, Rhode Island,

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<sup>72</sup> Karcher, *The First Woman in the Republic*, 396.

<sup>73</sup> Child, *Autumnal Leaves*, 363.

<sup>74</sup> Karcher, *The First Woman in the Republic*, 398.

Connecticut, Ohio, Michigan, Wisconsin and Iowa. Buchanan took the remaining states (excluding Maryland which went to a fusion party of Know Nothings and Whigs running Millard Fillmore) corresponding with 174 electoral votes and victory in the election, as well as forty-five percent of the popular vote. Despite Frémont's loss, the election demonstrated the capacity for a platform founded on anti-slavery politics to garner significant popular support. The loss, moreover, may have proven the more desirable outcome, as several prominent Republicans suggested. Julian mused that with "a Congress against [Frémont], and only a partially developed anti-slavery sentiment behind him," the Republican "revolution so hopefully begun might have been arrested by half-way measures, promoting the slumber rather than the agitation of the truth, while the irritating nostrums of Buchanan Democracy, so necessary to display the abominations of slavery, would have been lost to us."<sup>75</sup> John Bigelow, white editor of the *New York Evening Post*, recalled more artfully that "A wedge may be useful in splitting a log, but useless in converting either of its parts into a chest of drawers."<sup>76</sup> Frémont may have lost, but he ensured that the Republican cause surrounding issues like territorial expansion and slavery would remain vibrant in the run-up to the 1860 campaign.

That election brought political as well as ecological change to the United States. The Illinois surveyor Abraham Lincoln, who once aspired to head up the General Land Office, succeeded with the Republican Party where Frémont had failed, winning every free state (save New Jersey, which he split) and thus the presidency. The party ran on a platform that, as Sean Wilentz adroitly summarizes,

condemned John Brown[s actions at Harpers Ferry]; opposed nativist changes in the naturalization laws; backed a homestead act, federal aid to internal improvements, and an

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<sup>75</sup> Julian, *Political Recollections*, 156.

<sup>76</sup> John Bigelow, *Retrospection of an Active Life*. (New York: Baker & Taylor, 1909), 145.

upward adjustment to tariff rates; and, quoting the Declaration of Independence, asserted that the normal condition of all American territories was and always had been freedom.<sup>77</sup>

The Republicans were, in effect, complete in their backing of free soil and free labor in the West. In the lead-up to the election, they bolstered their public image as “a white man’s party” by focusing on economic and infrastructural issues as well as denouncing their Democratic counterparts.<sup>78</sup> For the time being, they affirmed the primacy of whiteness as a factor of belonging in the increasingly-settled lands to the West. At the same time, one of the most severe droughts in U.S. history seemed to substantiate the political arguments highlighting slavery’s deleterious environmental effects.

Across the prairielands and Southeast, temperatures spiked, soil blistered, and crops were ruined even beyond use as fodder.<sup>79</sup> With cracked and dry fields and a ruined root system unable to handle the heavy rains of the ensuing hurricane that came too late to bring relief, flooding caused widespread damage across the South. Free labor advocates had all the ammunition they needed to settle the debate on slavery’s viability in the West. Lincoln’s presidency did however offer hope that the criteria of belonging in the West would soon extend beyond race. Lincoln’s experiences as a surveyor on the Illinois frontier helped to shape his understanding of citizenship’s relationship to land and labor. Altering the terms of citizenship determined, as Mark Fiege writes,

which Americans had the greatest freedom to claim parts of nature essential to survival, the accumulation of wealth, and the exercise of power. It determined who had the most control over material property, generally land, but more precisely soil, minerals, plants, and animals; who had the right to dominate other human bodies and the products of their labor; and who

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<sup>77</sup> Wilentz, *The Rise of American Democracy*, 762.

<sup>78</sup> *Ibid*, 764.

<sup>79</sup> Stephanie F. Dodds, Dorian J. Burnette, and Cary J. Mock, “Historical Accounts of the Drought and Hurricane Season of 1860,” in *Historical Climate Variability and Impacts in North America*, ed. Lesley-Ann Dupigny-Giroux and Cary J. Mock (New York: Springer, 2009), 61-77.

governed, perhaps the most important means by which citizens sorted out who had access to the biophysical world.<sup>80</sup>

Even if slavery could not stretch into the West, Lincoln understood that maintaining racial distinctions for citizenship would ensure that black Americans would remain systematically under-equipped to succeed there or anywhere else in the United States.

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<sup>80</sup> Fiege, *The Republic of Nature*, 175.

### Chapter 3: Black Space and the Infrastructure of White Supremacy in Antebellum New York

In February of 1852, the East River froze solid—an occurrence so rare that it had happened “But twice within the memory of [Brooklyn’s] oldest inhabitants.” From his vantage atop Brooklyn Heights, William J. Wilson watched as thousands “snapped their fingers at the *ferry-master*, buttoned up their pockets, stepped off the end of the wharf, and passed over *from Brooklyn* to New York in safety[.]” For the black Brooklyn activist and educator, “this living column” spanning the river was “one of the grandest spectacles the mind can conceive of” and represented a significant rejection of Manhattan’s established infrastructure.<sup>1</sup> Normally beholden to the ferry’s schedule and fee, enterprising Brooklynites could instead descend upon Manhattan at will and invest their money elsewhere. That Wilson reserves his astonishment for the crowd and not the extraordinary spectacle of the frozen river is indicative of the author’s interest in the social use of urban space and the circumnavigation of an infrastructural technology designed to control access within and around Manhattan.<sup>2</sup> For black citizens in particular, the frozen East River provided a truly democratic means of travel between Brooklyn and the city whose planners claimed embodied the egalitarian political principles of the Early Republic.

This scene is emblematic of a broader movement in antebellum black literature to interrogate space, nature, and built environments in order to, as Judith Madera describes it, “write over white principles of containment” and “dismantle dominant organizational codes of place.”<sup>3</sup> Writing about the frozen river, Wilson exposes the fragility of the spatial, temporal, and economic

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<sup>1</sup> Ethiop, *Frederick Douglass’ Paper*, February 5, 1852.

<sup>2</sup> Katherine McKittrick refers to such sites as “geographies of domination,” sites that imperil black personhood by preserving “racist paradigms of the past and their ongoing hierarchical patterns.” Katherine McKittrick, *Demonic Grounds: Black Women and the Cartographies of Struggle*. (Minneapolis: University of Minnesota Press, 2006), xii-xxi.

<sup>3</sup> Judith Madera. *Black Atlas: Geography and Flow in Nineteenth-Century African American Literature*. (Durham: Duke University Press, 2015), 3.

structures regulating urban life and posits alternative possibilities, however fleeting, for his readership to take up in search for safe and autonomous space. This, in essence, is the work of surveying.

In this chapter, I examine the survey as a critical mode of writing in antebellum black literature. Chapters 1 and 2 have approached the survey as a technology of power for the state to regulate land use and, accordingly, individual rights derived from property ownership often to the exclusion of populations from without the dominant settler-colonial class. Even where John Brown used his status as a surveyor to undermine pro-slavery forces along the Missouri-Kansas border, his subterfuge relied on the conferred authority of the federal government. For black activists whose legal status as citizens, let alone as people, was perpetually in question in the decades before the Civil War, such authority was unavailable. Yet, place-making was a vital project for black citizens searching for safe and autonomous spaces in which to live, whether in the United States or abroad, whether in a single room, a neighborhood, a city, or a nation. Lacking the state-sanctioned authority to legibly codify space, black citizens turned instead to literature as a medium that could circulate crucial spatial data to a reading public. Not surveys in the literal sense, the texts they produced nonetheless perform the work of surveying necessary to build viable communities, navigate safe transit routes in and around the nation, and identify useable and non-usable land and resources. This labor is evident, for example, in Frederick Douglass's "Our Plan For Making Kansas a Free State" (discussed in Chapter 2), or in Harriet Jacobs's *Incidents in the Life of a Slave Girl*. In that latter text Jacobs/Linda Brent narrates her refuge from slavery in swamp and attic, and later in New York and Boston. Doing so, she frames her own liberation through a constellation of places that enable her to move further from the site of her enslavement.

I follow William J. Wilson because he so deliberately uses his literary platform to speculate—both imaginatively and economically—about different models of black community space and the

dissolution of white supremacy. As the project of black institution-building expanded in the antebellum era and black communities attempted to emerge from the shadow of white urban growth and economic control, Wilson wrote sketches under the pseudonym “Ethiop” for *Frederick Douglass’ Paper*, the Rochester, New York publication that ran from 1851 to 1858. Wilson utilized this pseudonymity and the sketch form to navigate the economic, political, and geographical challenges confronting New York’s black community in the post-Fugitive Slave Act era. As Douglass’ “Brooklyn Correspondent,” he detailed life in Brooklyn and Manhattan, corresponded with other prominent black activists, and promoted the development of an engaged and well-to-do class of black citizens to lead the community in the post-emancipation antebellum era. This “black aristocracy,” as he first terms it in a January 1852 letter, was rooted in Wilson’s recognition of the role that money played in U.S. political life—his faith in market forces to elevate individuals and communities—and would be thoroughly republican in its practice of representative leadership.

Because of the pervasive reality of white supremacy in the antebellum North, however, Wilson had to adapt his theories for New York’s black community to a precarious and volatile social landscape. Two early sites of free black settlement, the Fifth and Sixth Wards in Lower Manhattan, faced constant surveillance from middle- and upper-class white New Yorkers who feared the proximity of a growing black citizenry. When black New Yorkers formed a community in Seneca Village further up Manhattan in the 1820s and 30s, the city’s white elite vilified their attempts to achieve social and economic independence. By the 1850s, the city seized the land and began construction of Central Park, scattering residents there. In Brooklyn communities like Weeksville, which I will discuss at length, as well as Carrsville and Fort Greene, black citizens ultimately fared better. But the passage of the Fugitive Slave Act in 1850 threatened the safety and sovereignty of free black citizens everywhere. While Wilson remained focused on New York in this period, other black activists like Martin Delany argued that black citizens could not remain in a nation where the

threat of violence remained constant. Working through much the same speculative place-making modes as Wilson, these emigrationists provided contrasting views of black community life that might confer the kind of state-given authority that Wilson ultimately lacked.

The abolition of slavery came slowly to New York. Among the Northern states, only New Jersey maintained the institution longer, and by the mid-1780s when the New York legislature began to consider any serious efforts to end slavery, five other states—Pennsylvania, New Hampshire, Massachusetts, Connecticut, and Rhode Island—plus Vermont had already enacted abolition legislation.<sup>4</sup> Early calls for abolition from white politicians were led by the New York Manumission Society, founded in 1785 by John Jay and others. These efforts gained little traction at first, particularly among white New Yorkers who were not part of the political elite; by 1799, however, the state legislature succeeded in passing a gradual emancipation act that guaranteed the liberation of enslaved New Yorkers by 1827.<sup>5</sup> The act's passage was hardly a triumphant victory for abolition, however. No one was freed immediately, no provisions were made for slaves born before 1799, and the law overwhelmingly favored the economic interests of slaveholders. The act did guarantee, after a period of indentureship, the eventual liberation of enslaved children born after July 4<sup>th</sup> of that year, and many slaveholders, eager to profit from slavery while they still could, negotiated favorable

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<sup>4</sup> Under *Dutch* colonial rule, enslaved Africans petitioned for emancipation in the mid-seventeenth century, receiving something called “half-freedom.” These half-free men and women were able to take lands of their own (though the “half” portion of the equation meant they were obligated to pay a yearly tribute to the company and that their children remained enslaved). Settling in the swampy land north of the city—around present-day Washington Square Park—and serving as a buffer between New Amsterdam and the displaced Lenape people, they organized what would be Manhattan’s first black community, the “Land of the Blacks.” These lands remained under black ownership until punitive laws passed during the British colonial period following a 1712 insurrection made it virtually impossible for enslaved blacks to gain their freedom and stripped free blacks of the right to own or inherit land. Cf. Burrows and Wallace, *Gotham*, 33; “Land of the Blacks,” MAAP: Mapping the African American Past, accessed January 31, 2019, <http://maap.columbia.edu/place/30.html>; Ira Berlin and Leslie M. Harris, “Uncovering, Discovering, and Recovering: Digging in New York’s Slave Past Beyond the African Burial Ground,” *Slavery in New York*, eds. Ira Berlin and Leslie M. Harris. (New York: The New Press, 2005), 13.

<sup>5</sup> Patrick Rael, “The Long Death of Slavery,” *Slavery in New York*, eds. Ira Berlin and Leslie M. Harris. (New York: The New Press, 2005), 119-25.

manumissions that might result in extended service and eventual payment by their slaves; still, many enslaved people were sold illegally to Southern buyers.<sup>6</sup> In 1817, the state passed further legislation, this time providing a date for the eventual emancipation of enslaved people born before the 1799 act.

In theory, July 4, 1827 saw the end of slavery in New York, but because the terms of indentureship persisted, some children born prior to that date effectively remained in bondage until the late 1840s.<sup>7</sup> The state and city continued to benefit, moreover, from the subjugation of black Americans both at home and in the South. As the U.S.'s principal port for trade with Great Britain, New York City became a key component of the Southern cotton trade. New Orleans may have been responsible for shipping the most cotton abroad, but the prevalence of financial and insurance institutions in New York, coupled with the array of other markets there, made Manhattan an attractive port for buyers from the British textiles industry. By 1810 one-quarter of American cotton headed for England left from the port of New York; eventually, forty cents of every dollar paid for cotton exports supposedly went to New York merchants.<sup>8</sup>

Meanwhile, New York's black citizenry faced mounting disenfranchisement even as emancipation bolstered its ranks. Afraid that a black voting bloc would overwhelmingly support the Federalists who were instrumental in passing emancipation legislation, white Democratic-Republicans moved to place restrictions on the franchise at the 1821 constitutional convention. Though their motives were unabashedly racist, the Democratic-Republicans couched their reasoning in paternalistic concern, arguing that slavery had withered black New Yorkers' sense of self-

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<sup>6</sup> Ibid, 130-32; Edwin G. Burrows and Mike Wallace, *Gotham: A History of New York City to 1898*. (New York: Oxford University Press, 1999), 349; children born into slavery after the passage of the 1799 Gradual Emancipation Act were instead indentured for a period lasting into their twenties.

<sup>7</sup> Rael, "The Long Death of Slavery," 132-33; "When Did Slavery End in New York State," New-York Historical Society Museum & Library, accessed January 31, 2019, <https://www.nyhistory.org/community/slavery-end-new-york-state>.

<sup>8</sup> Burrows and Wallace, *Gotham*, 335-36.

determination; left unchecked, they might fall victim to artful politicians buying up their votes and so could not be trusted with the important civic duty. The convention arrived at a compromise: a property requirement would provide black New Yorkers the means to demonstrate their independence and ability to function as republican citizens.<sup>9</sup> The two-hundred fifty dollars-worth of taxable property that the convention set was, however, no small feat for black citizens (nor would it have been for many of their white counterparts, who no longer faced similar restrictions) and even those who had previously held the right to vote found themselves disenfranchised. By 1826, only sixteen members of New York City's quickly growing black population were eligible to vote.<sup>10</sup>

During the emancipation era, black citizens from New York and beyond looked to Manhattan as a space where they could establish themselves and build a free community. There, they settled in areas of the city that middle- and upper-class white New Yorkers avoided whether because of poor urban planning or the proximity of undesirable industries. The Five Points neighborhood, bounded on the north by Canal Street in Manhattan's Sixth Ward, was one such site, made accessible by the squalid environmental conditions there. Canal Street took its name from a drainage ditch that had been engineered in the early 1800s to carry water away from lands previously occupied by Fresh Water (or Collect) Pond. The pond, which was long a major source of water for Manhattan, had become polluted by industrial runoff before the turn of the century and was subsequently drained, filled, and developed. Because springs continued to feed the land, rendering it swampy and mephitic, however, city planners authorized the construction of the ditch which, as a result of poor planning, soon became irredeemably polluted as well. As property values fell and the area earned its noxious reputation, wealthier white Manhattanites avoided settling there.

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<sup>9</sup> Rael, "The Long Death of Slavery," 139-42; David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class*. Revised edition. (New York: Verso, 2007), 57.

<sup>10</sup> Burrows and Wallace, *Gotham*, 514. In 1820, Manhattan's free black population topped ten thousand—nearly triple the 1800 census numbers—out of a total population nearing 124,000.

Along with its environmentally dismal reality, Five Points soon earned a reputation as the source of Manhattan's crime and decay. Because the neighborhood's residents were largely black citizens and white Irish immigrants, the proximity of their living and working conditions incited fears of amalgamation among the city's white establishment. The neighborhood was, moreover, located inconveniently between Manhattan's economic and political centers and one of its most affluent neighborhoods on the East Side. Accordingly, Five Points was the frequent object of policing and reform efforts to eliminate what the New York elite saw as the threat of degraded white and aspiring black citizens.<sup>11</sup> Numerous white-authored texts from the 1840s and 50s, including Charles Dickens' "American Notes for General Circulation" (1842) and George G. Foster's "New York by Gas-light: With Here and There a Streak of Sunlight" (1850), depict the neighborhood as a den of squalor and vice. Though Dickens reserves admiration for the dancers he sees performing at Almack's Place, the dance hall owned by black entrepreneur Peter Williams, describing with some awe the energy of the scene, he is less sympathetic to the residents whom he encounters in the Five Points. Departing a prison in which he casually inspected cells and perused their denizens, Dickens notes that his "plunge into the Five Points"—as though it existed in some nether region separate from the rest of the city—required the escort of two police officers. Foster, whose account is overtly racist and moralistic, meanwhile notes that a large gas-lamp illuminates an intersection formerly engulfed in "complete darkness," a condition which "furnished almost absolute security and escape to the pursued thief and felon" and which heightens the neighborhood's reputation as a hub for the black community. Both authors repeatedly describe the neighborhood's residents in animalistic terms. Dickens muses that the pigs who roam the streets there must wonder "why their masters walk upright in lieu of going on all-fours ... [and] talk instead of grunting." As he enters a home, he invites

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<sup>11</sup> Leslie M. Harris, *In the Shadow of Slavery: African Americans in New York City, 1626-1863*. (Chicago: The University of Chicago Press, 2003), 72-76; Dorceta E. Taylor, *The Environment and the People in American Cities, 1600s-1900s*. (Durham: Duke University Press, 2009), 278.

the reader to "grope your way with me into this wolfish den." And Foster, sketching the oyster saloons that dot the Points, describes their clientele as "obscene night-birds who flit and howl and hoot by night" and who "burrow in their secret holes and dens all day."<sup>12</sup> Not only dehumanizing to their subjects and sweeping in their characterizations, these passages downplay the participation of white landlords and residents in the Five Points. In doing so, they pin the blame for the neighborhood's supposed woes on the black community and invite reformers to assert paternalistic control over its members.

In these and other such spaces around Manhattan, black community leaders set about establishing the many institutions from which their equal participation was elsewhere prohibited. These churches, schools, mutual aid societies, and leisure sites, to name a few, comprised the fabric of urban civic life and formed the foundation of New York's black public. Religious institutions were among the first of these formed. Dissatisfied with their relegated roles at the turn of the century, black parishioners from many of New York's Christian churches set out to establish worship spaces of their own. One of these, the Zion Chapel, even broke away from its denomination, the Methodist Episcopal Church, to form the still-active Episcopal Zion Church. Taken together, these churches became centers—not only spiritual but also civic—of black community life in New York where members develop leadership skills and coalesce as a political bloc around the pursuit of black liberation and equality.<sup>13</sup>

Despite the success of many black churches, other institutions nevertheless fell victim to white anxieties about the growing influence they might leverage on social and political life. In many cases, black institutions succumbed to white-supremacist violence. The brief tenure of the African

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<sup>12</sup> Charles Dickens, *American Notes for General Circulation*. (London: Chapman and Hall, 1850), 55-66; George G. Foster, *New York by Gas-Light: With Here and There a Streak of Sunshine*. (New York: Dewitt & Davenport, 1850), 52-63.

<sup>13</sup> Burrows and Wallace, *Gotham*, 398-400; Rael, "The Long Death of Slavery," 135.

Grove Theater is an unfortunate illustration of that process. Founded as a community theater in 1821, the African Grove, onetime home to the prominent black actors Ira Aldridge and William Hewlett, produced both Shakespearean and contemporary plays for a black audience for whom the experience would otherwise be prohibited. White critics took to the press to mock the spectacle black theatergoers for “aping” leisure class society, but, as Leslie M. Alexander argues, they also feared more deeply that the black community was laying the groundwork for permanent institutions that would challenge the balance of power in New York and subvert the social order. In point of fact, the African Grove maintained for its white attendees a segregated section comprised of the worst seats in the house. As the theater prospered and its owner, William Brown, moved to open a new location next to the Park Theater, a popular white venue, white anxieties grew. Police raided the theater in 1822, ordering Brown to cease operations; when he would not, a white mob later destroyed much of the property and violently assaulted Brown.<sup>14</sup>

As emancipation unfolded in fits and starts on the streets of New York, the city found itself in the midst of a massive infrastructural project intended to remake Manhattan in the democratic, egalitarian spirit of the Revolution era. In 1807, accommodating for future growth estimates, the New York State Legislature charged three white commissioners with creating a comprehensive urban development plan. Those men, Simeon De Witt, Gouverneur Morris, and John Rutherford, adopted a grid plan for the island. Though the grid itself was not a novel design tool, having already been used before in tabula rasa planning in Spanish New World colonies and for cities like Philadelphia and Savannah, Manhattan “was already divided into privately owned parcels, a circumstance that was not conducive to systematic change.”<sup>15</sup> So, when John Randel, Jr., the white

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<sup>14</sup> Leslie M. Alexander. *African or American: Black Identity and Political Activism in New York City, 1784-1861*. (Urbana: University of Illinois Press, 2008), 32-34; Harris, *In the Shadow of Slavery*, 78-9.

<sup>15</sup> Hilary Ballon, *The Greatest Grid: The Master Plan of Manhattan, 1811-2011*, ed. Hilary Ballon. (New York: Columbia University Press, 2012), 27.

surveyor tasked with mapping Manhattan, began his work, he faced ongoing harassment from landowners worried that the survey would adversely affect property values. In her sweeping chronicle of New York City, the white historian and writer Martha Lamb describes landowners driving the surveying team away with dogs and pelting them “with cabbages and artichokes until they were compelled to retreat in the exact reverse of good order.”<sup>16</sup> Others barred the surveyors from their property or else had them arrested for trespassing. Still others pulled up the pegs and monuments that Randel’s team used to lay lines, thus necessitating extensive rework.<sup>17</sup>

Though Randel’s complete survey of the island took fourteen years to complete, by 1811 he had laid the groundwork to present “A Map of the city of New York by the commissioners appointed by an act of the legislature passed April 3rd 1807”—the so-called Commissioners’ Plan of 1811. Randel’s map is a simple but richly detailed line drawing of the island gridded up to 155<sup>th</sup> Street. The solid lines of the grid overlay lightly hashed topography as if to suggest the triumph of built environment over the natural world. But this imagery does not orient the narrative of the Commissioners’ Plan on its own; as Hilary Ballon stresses, “Words, not pictures, tell the story,” and as such, specific attention is given to what the words convey and how they do so. Randel uses “standard lettering for old institutional buildings, slanted, italic writing for property owners, larger italic for the new streets, and capital letters for the new squares.” Each of these textual choices is meant to help orient citizens who would have to adjust to the coming reality of the Manhattan grid. This suggests that Randel’s survey map performed an important civic function as a text to which New Yorkers would refer, time and again, until the theory of the grid became lived practice. It was, like all surveying, a kind of performative speech act that slowly changed the reality of Manhattan’s

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<sup>16</sup> Martha J. Lamb and Burton Harrison, *History of the City of New York: Its Origin, Rise, and Progress*. Vol. 3. (New York: A.S. Barnes and Company, 1896), 572.

<sup>17</sup> Marguerite Holloway, *The Measure of Manhattan: The Tumultuous Career and Surprising Legacy of John Randel Jr., Cartographer, Surveyor, Inventor*. (New York: W.W. Norton & Company, 2013), 88, 145.

urban landscape. “The 1811 plan does not describe a place,” observes Ballon. To be sure, the Manhattan of Randel’s map did not yet exist. Rather, she argues, “it records an ordering system”—both of urban space and of the populace therein.<sup>18</sup>

Ostensibly the grid democratized space in Manhattan, rendering all lots virtually identical on a plat map. The numerical street system that the commissioners imposed was likewise intended to prevent the wealthy from inscribing their influence in the landscape. These features were to differentiate New York from the old, aristocratic spaces and winding thoroughfares of European cities and establish the city as a physical testament to the nation’s revolutionary founding ideals.<sup>19</sup> One opponent of the grid, the white president of Columbia College, William Alexander Duer, resented that departure from Old World tradition, describing the Commissioners’ Plan as a “levelling system” that “has since reduced the superficial aspect of the city to an equality corresponding with the political condition of its inhabitants. In this process, not only that variety and undulation of surface, which contributed both to its health and beauty were destroyed, but the ‘scythe of equality moved over the’ Island[.]”<sup>20</sup> Duer’s criticism is plainly directed at the loss of a certain aesthetic quality that might have otherwise rivalled European urban spaces in their design, but this notion of beauty is necessarily rooted in the preservation of inequality that made grand estates and the sweeping promenades that serviced them possible. Duer’s language reveals deeper apprehensions about how the grid would transform Manhattan’s sociopolitical order. Thus levelled, New Yorkers from across race and class lines might think themselves the equals of their social betters.<sup>21</sup>

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<sup>18</sup> Ballon, *The Greatest Grid*, 33.

<sup>19</sup> Burrows and Wallace, *Gotham*, 421-22.

<sup>20</sup> William Alexander Duer, “New-York As It Was, During the Latter Part of the Last Century. An Anniversary Address Delivered Before the St. Nicholas Society, of the City of New-York, December 1<sup>st</sup>, 1848.” (New-York: Stanford and Swords, 1849), 18.

<sup>21</sup> Duer’s “scythe of equality” previously appears in a July 4<sup>th</sup>, 1801 address given by then-Rhode Island State Representative William Hunter in which he contemplates the Revolutionary notion that “all men are created

Perhaps to Duer's relief, the democratizing fantasy of the Commissioners' Plan never occurred as such. Instead, the plan would invariably serve the class interests of the New York elite. While the blank, rectangular lots of the grid are magnificently uniform on Randel's map, in practice, the land was anything but. Underlying topographical, ecological, and socioeconomic factors dictated the value of property that now entered the market as easily parceled commodities. Toward the end of the eighteenth century, wealthy, white New Yorkers like John Jacob Astor began to amass valuable property along Manhattan's waterfront and increasingly north of the city's expanding boundaries. With control of the real estate market, these magnates held considerable sway over the course of urban development and could drive city improvement efforts that invariably affected property values.<sup>22</sup> In turn, black New Yorkers (as well as lower-class white European immigrants) were forced to buy, or more likely to rent, well outside the most desirable areas of the city.<sup>23</sup> If the grid was theorized as the materialization of the nation's founding democratic principles, in practice, it served instead to further inscribe inequality onto New York's urban landscape. Thus marginalized,

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equal"—an idea that "though badly expressed" was "rightly understood." He argues that "if it be true, that all mankind are created equal— . . . Why do the Southern States, exclude from the exercise of every right their Negroes, forming the largest portion of their population?—Why do we, in this State, insist on certain qualifications, to bestow the right of suffrage?" He proceeds, offering the natural world as an example of his argument against true equality: Look at nature, she no where presents the image of equality. Her operations and productions are infinitely diversified. Her stupendous whole is bound together, by a concatenated series of gradations and inequalities[.] . . . Destroy these gradations and inequalities and you violate the law, invert the plan, and annihilate the system of nature.—And as it has been happily illustrated.—Lower but the summits of the mountains and level the surface of the earth, and from that moment there will be no longer vallies [sic] or rivers, circulation or vegetation, there can remain no medium either an universal aridity or one general inuudation [sic] will prevail." True equality, Hunter argues, would destroy man's drive to succeed and raise himself above his station: "In the moral world, let but *the scythe of equality* [emphasis added], mow down to one level, all the gradations and elevations of society, what a dull and uninteresting flat, would present itself." Cf. William Hunter, "An Oration; delivered in Trinity-Church in Newport on the Fourth of July, 1801. (Newport: Office of the Newport Mercury, 1801), 9-11.

<sup>22</sup> Ballou, *The Greatest Grid*, 87; Burrows and Wallace, *Gotham*, 337-38.

<sup>23</sup> Such spatial relegation did not strictly equate to segregation. Leslie M. Harris notes that Manhattan's black community lacked the resources to establish complete autonomy from the white community; moreover, "Whites did not see residential segregation as essential to the maintenance of white supremacy." Segregation and discrimination instead manifested in other ways, such as the type of housing—often cellar apartments with poor conditions—available to black New Yorkers. Harris, *In the Shadow of Slavery*, 75-76.

black New Yorkers undertook a kind of counter-survey—really a correction of the work authorized by De Witt, Morris, and Rutherford—to open the city for black citizens and undermine the infrastructure of white supremacy.

It was against this milieu that the educator and activist William J. Wilson began writing about black community life around New York City. Though he was born in New Jersey, Douglass’s “Brooklyn Correspondent” called New York home after settling in Brooklyn Heights in the 1830s. In 1842 he began his career as a teacher; by 1843, he was principal of Brooklyn’s Colored School No. 1, a position he held until 1863. Beyond his vocational duties, Wilson was an active participant in Brooklyn’s social and cultural communities. He was a founding member of a literary society, a proponent of the black national convention movement, and a member of the Committee of Thirteen, a group of black community leaders in New York who led efforts to combat the violence of the Fugitive Slave Act.<sup>24</sup> This critical investment in Wilson’s community is readily evident in his writing. Atop Brooklyn Heights, Wilson had an ideal vantage from which to observe Manhattan’s black community in development; later, as Wilson grew frustrated with continued white opposition in New York City, he turned his speculative gaze to Brooklyn, a still-independent city with roughly a quarter of Manhattan’s population and significantly less existing infrastructural development. There, communities like Weeksville provided an alternative site for black citizens to determine the course of urban growth free from the strictures of Manhattan’s white supremacist socioeconomic environment.

Wilson’s Ethiop letters respond to the vital issues circulating in the public discourse of black New Yorkers in the 1850s—economic independence from white paternalism, the viability (or

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<sup>24</sup> Radiclanı Clytus, “Visualizing in Black Print: The Brooklyn Correspondence of William J. Wilson aka ‘Ethiop.’” *J19: The Journal of Nineteenth-Century Americanists* 6, no. 1 (Spring 2018): 32-3; Derrick R. Spires. *The Practice of Citizenship: Black Politics and Print Culture in the Early United States*. (Philadelphia: University of Pennsylvania Press, 2019), 131.

necessity) of emigration, and the threats to personal liberty and community self-determination posed by the Fugitive Slave Act. Though the public identities of Douglass's pseudonymous correspondents were an "open secret" among the paper's readership, the guise of anonymity enabled Wilson to spar on those and other topics with his colleagues and fellow community leaders. These other correspondents to *Frederick Douglass' Paper* included the physician and scholar, James McCune Smith, who took on the pseudonym Communipaw, as well as Philip Bell and T. Joiner White, who wrote as Cosmopolite and Observer respectively.<sup>25</sup> Immersed in this community of discourse, Wilson uses the urban sketch to chart order and direction overtop the chaos of the antebellum city.

Radiclani Clytus interprets Wilson's literary project through the lens of the urban flâneur, reading Ethiop's outings around Manhattan as performative acts that reclaim the narration of black identity from the derisive accounts of contemporary white writers and reframe it "according to the self-affirming logic of their own vernacular culture."<sup>26</sup> However, the flâneur's role as consumerist spectator and easy-going interpreter of modern life only partly encompasses Ethiop's achievement as a literary activist.<sup>27</sup> More than leisurely accounting the urban habitus of antebellum New York, Ethiop is performing labor on behalf of the black community. By employing the vocabulary of territorial analysis and spatial demarcation in his sketch writing, Wilson adopts for Ethiop the persona of a surveyor of black urban life and the social utility of space. Rather than survey new territory, he instead labors to recapitulate developed space for equal use by a black public. In doing

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<sup>25</sup> Carla Peterson provides a thorough gloss of the Frederick Douglass's pseudonymous interlocutors, arguing that Wilson et al. took up the debate both to consider the place of African Americans in the national body politic and as a refutation of white pundits who advanced their own prejudiced theories on race. Carla Peterson. *Black Gotham: A Family History of African Americans in Nineteenth-Century New York City*. (New Haven: Yale University Press, 2012), 217-18.

<sup>26</sup> Clytus, "Visualizing in Black Print," 30.

<sup>27</sup> Dana Brand. *The Spectator and the City in Nineteenth-Century American Literature*. (New York: Cambridge University Press, 1991), 5-9.

so, Wilson plays the part of an Astor, speculating on property's ability to politically empower black New Yorkers and provide them access to publics from which they had been excluded previously.<sup>28</sup>

Wilson/Ethiop outlines his spatial agenda in the first of his letters to *Frederick Douglass' Paper*, published on December 11, 1851. Noting, first, how he arrived in Brooklyn, Ethiop professes his intention to “to give ‘NEW YORK AS NOW,’ that is, MEN and THINGS in NEW YORK, as I understand them, and be assured, I intend to use my own eyes and ears, and arrive at my own conclusions.”<sup>29</sup> With this declaration, Ethiop taps into a formal element typical of both the sketch and survey.<sup>30</sup> This statement of authenticity seeks to establish a relationship of trust with the paper's readership and commits to providing a firsthand account of the city, untarnished by sentimental and nostalgic impressions of “New York, as then” and without undue outside influence. By focusing on the “NOW,” Ethiop underscores one of the formal characteristics of the sketch—what Derrick Spires notes is its “open-ended speculation” that instills in the reader “the sense that the future as well as the past were always in the making and open for critique and revision.”<sup>31</sup> Though the survey, unlike the sketch, invites conclusivity in its completion, New York's constantly shifting socioeconomic and political landscape necessitates adaptation. Through the sketch, Ethiop permits

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<sup>28</sup> Madera, *Black Atlas*, 12.

<sup>29</sup> Ethiop, *Frederick Douglass' Paper*, Dec. 11, 1851.

<sup>30</sup> Washington Irving, for example, begins his *Sketch-Book* (1819) with “The Author's Account of Himself,” contextualizing the project to follow and framing narrator as possessing the “sauntering gaze with which humble lovers of the picturesque stroll from the window of one print-shop to another” rather than “the eye of a philosopher; Washington Irving, *The Sketch-Book of Geoffrey Crayon, Gent.* (New York: Oxford University Press, 1996), 13. Such evidence of authorship and accomplishment was likewise expected from public lands surveyors who were required to give surety bonds and attest to the accuracy of their labor, often providing affidavits to that effect in their field notes. In one example, the Wisconsin surveyor Lucius Lyon attests that “I have surveyed into townships a part of the country ceded to the U.S. by the treaties at Prairie du Chien of 19<sup>th</sup> July and 1<sup>st</sup> of August 1829, and I certify that the foregoing are the true, correct, and original field notes of said survey, as taken on the ground when the survey was made.” Stewart, *Public Land Surveys*, 49-50; Lucius Lyon, *Field Notes of Township Lines in the N.W. Territory*, 1832. Pg. 211 <http://digicoll.library.wisc.edu/cgi-bin/SurveyNotes/SurveyNotes-idx?type=PLSS&town=T001N&range=R001E>.

<sup>31</sup> Derrick R. Spires, “I read my Mission as ‘twere a book’: Temporality and Form in the Early African American Serial Sketch Tradition.” *A Question of Time: American Literature from Colonial Encounter to Contemporary Fiction*, ed. Cindy Weinstein. (Cambridge: Cambridge University Press, 2018), 48.

himself to revise and adjust his assumptions in real time and in doing so, emphasizes the processual nature of surveying as a labor of observation, circulation, and social interaction. He then implicates the reader in his literary project, drawing them in as collaborators: “I have fixed my lodging here [in Brooklyn], and hence, shall write you *from* this place.” Martin Brückner observes how surveyor and survey become inseparable through the process of recording the labor:

For the duration of [the survey], the symbolic center of the station (the “O”) collapses the individual surveyor’s bodily position with that of the instrument and the land he is standing on. The surveyor is conflated with, even becomes, the O—he is, we might say, the point, or the eye, or the I, of the exercise. As O, he becomes the perspective dominating and constructing the figure, yet in the end he also becomes enmeshed in the alphabetic order, at home in a lineup of [the plane] ABCODEF.<sup>32</sup>

Fixing his lodging in Brooklyn, Ethiop establishes that center point of his survey, from which he sets forth into Manhattan. While Ethiop’s survey is foremost the product of those ventures, he crucially imagines a second level of the survey emerging from the circulation of text between himself and “you” the reader.

Blending survey and sketch, Ethiop highlights the relative strength of each form as a speculative mode of writing. Caroline Levine’s language of affordances, outlined in the introduction to this dissertation, provides a useful framework for thinking about how each form supports the other and contributes to Ethiop’s literary project.<sup>33</sup> To paraphrase, the survey affords boundary-making and empirical specificity, the protections and guarantees of property ownership, the development, organization, and expansion of human space, and the collection of abstract spatial

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<sup>32</sup> Brückner, *The Geographic Revolution in Early America*, 32.

<sup>33</sup> Drawing on design theory, Levine describes “affordance” as “the potential uses or actions latent in materials and designs.” Applied to the literary and the social, affordances call attention to “both the specificity and generality of forms,” their limitations but also their latent potentialities. Levine. *Forms*, 6-11.

knowledge and quantitative analysis of the visual. The sketch operates in markedly similar but crucially different channels. It affords aesthetic spatial knowledge and qualitative analysis of the visual. In its attention to the specific (a certain street, a certain storefront), the sketch affords generality. The sketch affords temporality.<sup>34</sup> Taken together, the sketch and the survey each bolster the functional deficiencies of the other while augmenting what each can accomplish. While the sketchiness of Ethiop's letters enables him to artfully but not exhaustively capture the cyclical spatiotemporal regimentation of the black urban experience, the language of surveying provides him a speculative, capitalistic vision of community futurity. Each mode does the work of plotting black participatory citizenship—one by narrating civic engagement, the other by tracing opportunities for market competition and property consumption.

In a January 1852 letter, Ethiop considers the state of black entrepreneurship in Manhattan using language that showcases how the survey and sketch modes complement each other. Noting a history of recent successes, he nevertheless laments the present entrepreneurial landscape, writing that: “some years ago, some one bolder than his fellows commenced in *Gotham* a business operation. Wonderful as it seemed to many, the example was soon followed by another and another, &c.” In an effort to mirror the successes of their forebears, these business-owners have instead mired themselves in stasis for fear of failure elsewhere. Ethiop advocates for change in spatial terms, surveying a network of growth for the black community:

If two or three find it inconvenient to hang out their signs in Canal Street, let them betake himself to Broadway, and the next to Bower, Chatham Street, Greenwich Street, Grand Street, &c. The Next decade to *Brooklyn* or adjacent towns, and especially let the pursuits be as varied as the towns or streets in which they are conducted; and when we grow so corpulent that these aforesaid streets will not contain us, let us abandon them to others, and

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<sup>34</sup> Brand, *The Spectator and the City*, 49-50.

take *our* stations down town, say, Wall, Cedar, South, or Front Streets, or any other of a like stamp.<sup>35</sup>

This list of connected streets and communities maps both physical movement within the city and class growth. From Canal Street, a largely black and lower-class white thoroughfare wracked by poor urban planning, Ethiop points would-be entrepreneurs to nearby streets of Lower Manhattan that, by mid-century, were not as affluently developed as the city's downtown. From these sites, black business-owners might grow their wealth and social standing until such time when a now-established elite class—Ethiop's "black aristocracy"—ensconces itself in Manhattan's wealthiest areas of its own accord. Ethiop's plan is practical and aimed at the betterment of New York's black community as a whole, but it is also firmly rooted in capitalistic practices of land speculation and ownership. Targeting the still-developing streets of Chatham, Greenwich, etc., he effectively surveys an economic course for community growth.

On the matter of economic elevation, Ethiop found like-minded voices among several of the other contributors to *Frederick Douglass' Paper*. For example, after a white abolitionist reader compared the pursuit of wealth to thievery, T. Joiner White/Observer came to Ethiop's aid, arguing that in the face of overwhelming poverty and economic exclusion, black New Yorkers needed to "build up business on their own account, proving to the eyes of the world, that they are, in enterprise, at least the equals of their white neighbors."<sup>36</sup> Philip Bell/Cosmopolite would meanwhile argue that "education and wealth are the ladders by which we must rise," similarly tying racial uplift to economic gain.<sup>37</sup>

Other contributors, chiefly James McCune Smith/Communi paw, sparred with Ethiop on the matter of wealth. While Ethiop advocated for a representative monied class to speak for black

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<sup>35</sup> Ethiop, *Frederick Douglass' Paper*, January 8, 1852.

<sup>36</sup> Observer, *Frederick Douglass' Paper*, April 8, 1852.

<sup>37</sup> Cosmopolite, *Frederick Douglass' Paper*, March 16, 1855.

interests on the national scale, Communipaw envisioned racial progress fostered by “average” black Americans imbued with the nation’s foundational ideals, a theme he touches upon frequently in his sketch series “‘Heads of the Colored People,’ Done with a Whitewash Brush.” The second of these sketches, “The Boot-Black,” traces an otherwise-nameless man’s journey from slavery to freedom and relative success. Communipaw notes that boot-black was the descendent of a man who had been kidnapped in Africa and brought as a slave to Livingston Manor, one of New York’s large estates located north of Manhattan along the Hudson River. “Finding himself in possession of himself on Emancipation day, 1827,” the boot-black found work on a ship before marrying and taking up residence in a Manhattan cellar. Thus reenacting the Middle Passage, the boot-black returns to New York a freeman and a laborer.

Not unlike Ethiop, Communipaw stakes his narrative of racial progress on spatial mobility. Thenceforth, each of the boot-black’s successes is tied to movement. He travels “with his long pole of boots through the streets” and as he works, “such men as the Lawrences, the Jays, the Goelets, &c., became his walking advertisements in the streets, the parlors and the counting rooms” of Manhattan’s Financial District, Broadway, Greenwich Street, and Wall Street.<sup>38</sup> Soon, he can afford to rent a shop separate from his apartment and, eventually, to purchase “a fine property in sight of the Manor on which he was ‘raised.’” Each of these changes brings added opportunity and responsibility to the boot-black. He is elected church-warden—a demonstration of his civic participation—and has upgraded the tools of his trade. All the while, he has been in the proximity of, but not the possession of, wealth. He benefits from the patronage of the city’s wealthiest families

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<sup>38</sup> The Lawrences, Jays, and Goelets, along with the Clintons, Hones, and Vanderhoevds also mentioned by Communipaw, were among the wealthiest and politically connected of New York’s white families. One of Jonathan Lawrence’s children, for example, served as president of the New York and Harlem Railroad while another presided over New York’s Union Insurance Company. Peter Augustus Jay, son of John Jay and grandson of William Livingston, was a founder of the New York Bank for Savings, a trustee for numerous academic institutions, and a politician in his own right. And Peter Goelet made a fortune in real estate, acquiring property in, for example, Manhattan’s financial district along Pearl Street and Exchange Street.

but does not seek their station; he owns property adjacent to one of the monied estates but not in excess of his need. This, Communipaw argues, is the example that the black community ought to follow. Responding to Ethiop, he asserts that boot-blackening “is *the* calling which has produced the best average colored man, and has made men of *character*, not of *wealth*.”<sup>39</sup>

In his rejoinder, Ethiop argues that Communipaw’s narratives are woefully incomplete in their depiction of urban black life and offers his own sketches as in their stead: “I am, upon the whole, rather pleased with neighbor Communipaw’s ‘*Heads of the Blacks, with a white-wash brush*,’ since it leaves me free to sketch more faithfully their HANDS, and HOMES, and HEARTS, as time and occasion present themselves for doing.”<sup>40</sup> This exchange of barbs is indicative of the playful camaraderie that existed between the two men off the page, but it also demonstrates each writer’s effort to gain the ideological upper-hand. As if to call it forgettable, Ethiop intentionally mistitles Communipaw’s sketch series. Doing so, he also suggests he is more attuned to the realities of black life in New York, noting his attention not simply to the character of black New Yorkers—their heads—but to their labor (their hands), their socioeconomic conditions and community networks (their homes), and the fundamental crux of their identities as both black and American (their hearts).<sup>41</sup>

By criticizing Communipaw’s evidently misplaced attention, Ethiop declares himself a more attuned observer of black life than his counterpart. Within their correspondence, surveying provides the vocabulary for rhetorical and intellectual sparring. Because Ethiop situates his comparative proficiency in terms of spatial knowledge, he effectively declares himself a better surveyor for the future of New York’s black community than Communipaw. “*Position is everything*,” he begins one of his sketches:

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<sup>39</sup> Communipaw, *Frederick Douglass’ Paper*, Apr. 8, 1852.

<sup>40</sup> Ethiop, *Frederick Douglass’ Paper*, May 13, 1852.

<sup>41</sup> Peterson, *Black Gotham*, 218.

It enables us to see or not to see. ... [B]y peculiarity of *position*, I am enabled to take a better survey of matters. Even that old fellow, *Communi-paw* [sic], who boasts his skill in *roots* with which he intends to cure you, ... even this old Sage himself, cannot so well overlook affairs – and for this reason, his wigwam *is* located far away among the boggs of the Jerseys – my hut *is* on Brooklyn heights.<sup>42</sup>

Ethiop's essential critique is one of competence and reliability. From his lowland base and “with the great orb of day peering in his face,” Communi-paw is “compelled to strain his vision in taking a morning survey of Gotham.” Not only does he lack a suitable vantage, he faces a panorama obscured by the sun's backlighting. Ethiop, meanwhile, has “but to look down from my pleasant height” to see Manhattan spread out before “that *bright Eye of the morning* in the back-ground, gilding beautifully all before me and around me.” Comparing their respective homes, Ethiop underscores his superiority as a surveyor. While Ethiop begins his survey from an auspicious vantage. Brooklyn Heights sits atop a solid base and provides clear sightlines for the aspiring surveyor. Stressing the “pleasant height” of his home, Ethiop also echoes the foundational sermon that John Winthrop delivered to Puritan colonists before embarking for North America. Here, Brooklyn Heights serves as the basis for a black “city upon a hill,” a visible community positioned to weather the persecution facing them. Communi-paw, conversely, has demonstrated poor judgement in his choice of position and, consequently, cannot be trusted in his conclusions: the sun obstructs Communi-paw's vision of Manhattan, and the boggy soil of New Jersey (where emancipation was happening even more gradually than in New York) defies efforts to build an effective foundation, literal or metaphorical, for the metropolitan black community. Ethiop describes Communi-paw, moreover, in terms of Indigeneity, connoting that his means of observation are primitive. Though James McCune Smith was an accomplished physician, the first African American to hold a medical degree, and a graduate

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<sup>42</sup> Ethiop, *Frederick Douglass' Paper*, Jan. 22, 1852.

of the University of Glasgow's medical school, he is nevertheless presented in terms of Indigenous stereotype as a quack herbalist dealing in "roots." And while Ethiop lives in a hut—a structure that, if crude, implies foundation and stability—Communipaw's home is the impermanent wigwam. Castigating Native American cultural traditions, Ethiop thus implies that Communipaw has an archaic sense of property and would make for a poor arbiter of socioeconomic success for black New York.

Communipaw may have resided in "the boggs of the Jerseys," but James McCune Smith lived and practiced in Manhattan, a fact that Wilson was well aware of.<sup>43</sup> These subtle differences between biography and pseudonymy were central to the discursive project of Douglass's correspondents. The critical distance afforded by their adoptive personae enabled Ethiop, Communipaw, and others to comment on matters with which they were otherwise personally involved. Though the correspondents' identities were a known secret, readers understood that it was not Wilson or Smith needling the each other and the public over pressing social and economic matters, but Ethiop and Communipaw.<sup>44</sup> In one illustrative example, Communipaw remarks on the betrayal of a self-emancipated black man by a police officer, asking "Where was the Committee of Thirteen?"<sup>45</sup> Though he was a member of the protective body, Smith takes to his Communipaw persona as a nonconfrontational way to express frustration over this instance of failure. Wilson similarly uses the character of Ethiop to confront what he saw as the foremost internal threat to progress for black citizens, the emigration debate. As Ethiop, Wilson criticizes his fellow community leaders who have advocated for emigration abroad, appealing instead for economic investment in

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<sup>43</sup> When Smith returned from the University of Glasgow in 1837, he settled in New York City, later building a sizeable estate in Manhattan's Fifth Ward. His Manhattan practice doubled as a meeting place for black activists, and he also served as the only permanent doctor for New York's Colored Orphan Asylum. Following the violence of the 1863 Draft Riots, however, Smith moved his family to Brooklyn.

<sup>44</sup> Peterson, *Black Gotham*, 217-222.

<sup>45</sup> Communipaw, *Frederick Douglass' Paper*, Feb. 26, 1852.

the U.S.—if not in Manhattan, a city that was increasingly antagonistic to black community development, then elsewhere—and redoubling his call for a black Aristocracy.

The issue of emigration was not new to the 1850s but had rather been championed in the early decades of the nineteenth century by black activists like Paul Cuffee, who would lead numerous expeditions to a growing colony in Sierra Leone during the 1810s, and John Russwurm, co-editor of *Freedom's Journal*. These emigration advocates believed that black citizens would never be permitted to achieve full political equality in the United States and so looked to West Africa, the Caribbean, Canada, and South and Central America as sites for potential settlement beyond the purview of white supremacy. Still, many black activists were wary of emigration efforts because they resembled, on a surface level, the odious machinations of white-led programs to re-settle free black citizens in Africa. Groups like the American Colonization Society (ACS), which was founded in 1816, argued that the true home of black Americans was Africa and advocated for their removal. ACS supporters argued that white Americans would observe the successes of black colonies in Africa and, in turn, move to deport enslaved people, thus gradually ending the institution in the United States. What white colonizationists interpreted as benevolent philanthropy, however, black activists saw as an effort to quell abolitionist sentiment and prevent black citizens from achieving civil rights in the North while increasing the value of enslaved people in the South. So, when Russwurm took an administrative position in Liberia the 1830s, he was met with harsh opposition by other black activists who felt he had betrayed their cause.<sup>46</sup>

Despite the criticism leveled against him, Russwurm was not alone among activists in considering emigration as a viable plan for black Americans. Emblematic of early nineteenth-century emigrationists, the Methodist minister Daniel Coker moved his family in 1820 to West Africa, where

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<sup>46</sup> Alexander, *African or American*, 69; Harris, *In the Shadow of Slavery*, 141-42; James Brewer Stewart, "The Emergence of Racial Modernity and the Rise of the White North, 1790-1840," in *African American Activism Before the Civil War* ed. Patrick Rael. (New York: Routledge, 2008), 227-29.

he hoped to evangelize and educate black Africans while exercising the political and economic powers he was otherwise denied in the U.S.<sup>47</sup> The emigration debate reached a new scale in the 1850s, however, as the national political climate increasingly underscored the civic precarity of black Americans. Following the passage of the Fugitive Slave Act in 1850, as much as fifteen percent of Manhattan's black population fled to Canada and elsewhere.<sup>48</sup> The Fugitive Slave Act, along with the Kansas-Nebraska Act in 1854 and Roger B. Taney's decision in the 1857 *Dred Scott v. Sandford* case, collectively denied the rights of citizenship for black Americans and were met with mounting fear and urgency among many activists who explored the viability of land acquisition in, for example, Ontario and Haiti. As black citizens faced the increasingly state-sanctioned violence of enslavement in the North and West, argues Madera, many looked for a communal home beyond the United States "rather than a space that shared slavery's national infrastructure."<sup>49</sup> Accordingly, activists like Mary Ann Shadd and Henry Highland Garnet issued calls for emigration, highlighting the ready availability of land, resources, and accessible infrastructure elsewhere.<sup>50</sup> Beyond the juridical boundaries of the United States, black emigrants could exercise their power as citizens in political and economic pursuits, backed by the kind of state authority that black Americans were still working to achieve.

In 1852, one of the prominent voices of the emigration movement, Martin R. Delany, published *The Condition, Elevation, Emigration, and Destiny of the Colored People of the United States*, a treatise exploring the history and present of black citizens in the United States and the necessity of a

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<sup>47</sup> Albert J. Raboteau, "Ethiopia Shall Soon Stretch Forth Her Hands': Black Destiny in Nineteenth-Century America," in *African American Activism Before the Civil War* ed. Patrick Rael. (New York: Routledge, 2008), 211-14.

<sup>48</sup> Manisha Sinha, "Black Abolitionism: The Assault on Southern Slavery and the Struggle for Racial Equality," in *Slavery in New York* eds. Ira Berlin and Leslie M. Harris. (New York: The New Press, 2005), 261.

<sup>49</sup> Madera, *Black Atlas*, 70.

<sup>50</sup> Judith Wellman, *Brooklyn's Promised Land: The Free Black Community of Weeksville, New York*. (New York: New York University Press, 2014), 102-106.

future beyond its borders. Delany, who had worked with Douglass editing the *North Star*, espoused his emigrationist convictions as early as 1831 when, at a black convention in Philadelphia, he announced his desire to found a “black Israel” in West Africa.<sup>51</sup> Like his peers, Delany believed fundamentally in the rights of black Americans to citizenship; in *Condition*, he asserts that “We are Americans, having a birthright citizenship—natural claims upon the country—claims common to all others of our fellow citizens—natural rights, which may, by virtue of unjust laws, be obstructed, but never can be annulled.” Obstruction, nevertheless, is the watchword of Delany’s outrage, the result of coordinated and systemic efforts by whites Americans to deny black citizens their rights that renders it a “pitiable mockery, to talk about equality and elevation in society.” Responding to the obstructionist intent behind the passage of the Fugitive Slave Act, Delany does not mince words: “We are slaves in the midst of freedom, waiting patiently, and unconcernedly—indifferently and stupidly, for masters to come and lay claim to us, trusting to their generosity, whether or not they will own us and carry us into endless bondage.” The choice that Delany left black Americans with, then, was to accept an indeterminate and interminable slavery or embark on an Exodus from an American Egypt.<sup>52</sup>

Though he would ultimately return to the United States at the outbreak of the Civil War, Delaney soon chose exodus. In 1856, he moved his family to Canada where he practiced medicine, and in 1859, he mounted an expedition to West Africa with the hope of establishing a colony there. There, traversing the Niger River valley, Delany observed the suitability of the climate and soil for agriculture; he recorded existing plant and animal species, agricultural byproducts, and local health concerns; and, he took note of the region’s existing and potential socioeconomic infrastructure in

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<sup>51</sup> Ibid, 107.

<sup>52</sup> Martin Robison Delany, *The Condition, Elevation, Emigration, and Destiny of the Colored People of the United States*, 1852. (Urbana: Project Gutenberg, 2005), <http://www.gutenberg.org/files/17154/17154-h/17154-h.htm#VI>.

the form of towns and cities, municipal services and government organization, and routes for travel. Delany even developed plans to undermine American chattel slavery by challenging U.S. cotton production. The labor of the expedition, recorded in the *Official Report of the Niger Valley Exploring Party* (1861) was, in every sense, a survey that envisioned a safe and autonomous black nation. More importantly, as a sovereign citizen, Delany had the bureaucratic power to enter into treaties with local nations in order to make that vision possible. Though Wilson, Smith, and others decried emigration, finding it more satisfying to work toward black liberation and egalitarian citizenship in the U.S., Delany's spatial schemes for a black populace were markedly similar; and critically, they rested on an exercise of power that Wilson and Smith could not likewise claim.

Wilson was not ignorant of the myriad challenges threatening the development of Manhattan's black community that made mass exodus so appealing in the 1850s, even to its former critics. Still, he dismissed in principle and in practice. Black labor, after all, had been and continued to be an essential component of United States' success as a nation. More fundamentally, America was home. To leave willingly was to surrender those most basic rights. As Delany began to build his case for emigration, Wilson/Ethiop retorted, asking, "Has he got the colonization fever? His symptoms were strange, and curious inferences have been drawn, who will answer? The best thing afloat in *Gotham*, at present, is the hurling out of the Colonization Synagogue ...."<sup>53</sup> Drawing on anti-colonization rhetoric, Wilson dismisses Delany's program as complicit with white supremacy and constitutive of a victory for white racists working to exclude black Americans from even the most basic semblance of civic participation and self-governance.

Accordingly, when a conference was convened in December 1851 at one of Brooklyn's Methodist churches to discuss a proposed Jamaican emigration plan, Wilson's response was similarly caustic: "A *distemper* long prevalent among the whites, has broken out here among the blacks. ... I

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<sup>53</sup> Ethiop, *FDP*, Jan. 8, 1852.

allude to what is commonly called *African Colonization* or *negro Colonization*.” Diagnosing emigrationist sentiment as distemper—both an affliction typical of draft and domestic animals and a disruption of the body politic—Wilson cleverly inverts the antebellum racial hierarchy, casting white bodies as an animalistic source of affliction for wholesome and typically fair-minded black bodies. He then criticizes other community leaders who, like Delany, he saw as repudiating the civic institutions that black citizens had theretofore labored to build and participate in. Wilson levels his challenge at the conclusion of his letter, declaring that

I always thought, up to this time, that what we most wanted, and continually sought after, was full admission into, and not secession from these institutions of our country; that even that meeting was to express our determination to stay here, and be fully incorporated into all the institutions of the country, and to let go no hold already gained, either in *church, school, or state*. Was I mistaken?<sup>54</sup>

Despite the dangers posed by the Fugitive Slave Act and other developments in the 1850s, Wilson argued, emigration would constitute a total rejection of the civic advancements made by their forebears and a tacit acceptance of white supremacy as the guiding feature of black self-determination.

Nevertheless, around the same time that Delany expanded calls for black emigration, Wilson, too, began to consider the possibility that black Americans would have to remove themselves from the immediate reach of white supremacy. In many areas of New York City with significant black populations, environmental and economic conditions worsened as basic services were withheld, but this purposeful neglect was not the only tool of white hegemony. When middle-class black communities successfully established themselves on the fringes of Manhattan, city governance and white economic interests actively and aggressively worked to stamp them out under the guise of

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<sup>54</sup> Ethiop, *FDP*, December 25, 1851.

fostering urban progress. Under these circumstances, Wilson looked increasingly to his Brooklyn home, then considerably less developed than Manhattan, as a site where the black community could flourish in time without competition from an existing and antagonistic infrastructure.

Two communities, Manhattan's Seneca Village and Brooklyn's Weeksville are illustrative of Wilson's frustration with and hope for independent black community development in the 1850s. The Seneca Village community, north of 81<sup>st</sup> Street and within the confines of what is now Central Park, was first settled in the 1820s by black citizens when Andrew Williams, a bootblack, and Epiphany Davis, a trustee of the African Methodist Episcopal (AME) Zion Church, purchased lots sold off by John Whitehead, a white cartman. Following their example, several other churches and individuals followed suit so that, by 1832, some twenty-four lots had been sold to black families.<sup>55</sup> During the 1830s and 40s, Seneca Village grew steadily, bolstered by the effects of gradual emancipation and by migration from the York Hill neighborhood, another prominent black community, in what is today the Upper East Side, that was destroyed during construction of the Croton Aqueduct. By 1850, the community had at least 260 residents, two-thirds of whom were black (and the remaining third, largely white Irish immigrants).

The factors that protected Seneca Village from white interference provided a means for sustainable living for many of the community's residents. The land was far enough from Lower Manhattan and the northern course of urban development that it remained affordable for the families settling there. Two bone-boiling plants stood between the village and Lower Manhattan, providing an unpleasant bulwark against the incursion of New York's white elite, and the surrounding area was forested, rocky, and uneven, further hindering the incursion of outside development. Community members, on the other hand, used these features to their advantage. They put their livestock out to graze in the surrounding forestland and gathered fuel there as well; they

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<sup>55</sup> Harris, *In the Shadow of Slavery*, 74-75.

earned additional money selling scavenged bones to the rendering plants; and they supplemented their farms and gardens by fishing the nearby Hudson.

This security ensured that Seneca Village's residents could maintain ownership of their real property, even while working the low-paying, unskilled jobs that many black New Yorkers could secure. Village residents even sustained several churches and their own school, Colored School No. 3, institutions that remained vital to black community development during the emancipation era. By 1850, the likelihood of property ownership among black residents of Seneca Village was thirty-nine times that of other black New Yorkers—indeed, half the families residing there owned their own land. Seneca Villagers, compared to residents of the Five Points, also ensured a higher percentage of their children received more than a basic education despite the lack of easily accessible secondary schools. Accordingly, many Seneca Villagers afforded a rooted, middle-class lifestyle where many black New Yorkers and indeed many urban residents in general could not. By 1845, Seneca village counted ten of the city's ninety-one black voters among its residents.<sup>56</sup>

This success ultimately attracted the ire of New York City's white establishment, who grew increasingly anxious at the prospect of a thriving black community. Economic growth pushed development north on the island and eventually within reach of Seneca Village, a shift that corresponded with public debates about the creation of what would eventually be Central Park, setting the community in conflict with the interests of Manhattan's wealthy white elite.<sup>57</sup> The wealthy magnates who had laid claim to lands surrounding Seneca Village saw the potential park site as a boon to property values and so lobbied increasingly for their own interests while speculating on

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<sup>56</sup> Cf. Roy Rosenzweig and Elizabeth Blackmar, *The Park and the People: A History of Central Park*. (Ithaca: Cornell University Press, 1992), 65-73; Diana diZerega Wall, Nan A. Rothschild, and Cynthia Copeland, "Seneca Village and Little Africa: Two African American Communities in Antebellum New York City." *Historical Archaeology* 42, no. 1 (2008): 97-107.

<sup>57</sup> Jones's Wood, in what is now the Upper East Side along the East River, was another site that received serious consideration for the city's major park project, but its location meant that only a few families who already owned land there would benefit financially from its construction.

lands that would border the new park. At the same time, legislators made life increasingly difficult for the Seneca Village community, first by criminalizing the subsistence activities many residents relied on and eventually by authorizing their removal entirely. Even as boosters pushed the Central Park site in the 1840s, highlighting the natural beauty of the varied landscape and the potential for lakes and groves, white New Yorkers condemned the site as a wilderness of shiftless squatters. The writer Oliver Bell Bunce called the land “a mass of rude rocks, tangled brushwood and ash heaps” that “had long been the ground for depositing city refuse,” and the surveyor and author of an 1855 map of the Central Park site, Egbert Ludovicus Viele, claimed that it was “as uncompromising an acreage as could be found in Manhattan, inhabited by roving animals and about 5,000 squatters, most of them, of foreign birth.” In the 1840s, an Episcopal clergyman capitalized on the nativist and racist anxieties of the era, exclaiming that Seneca Village had “many families of colored people with whom consorted and in many cases amalgamated, debased and outcast whites.” The construction of Central Park could be used to resolve these issues, scattering the established black population there, raising the cost of living beyond their means, and forcing them to make their homes elsewhere lest, as the white Alderman and future mayor Daniel Tiemann wrote in an 1852 letter, the site “be covered with a class of population similar to that of Five Points.” Effectively Tiemann and his allies used the notion of a grand park and all of its benefits to the public good—international cachet, a site of leisure for the entire city, a boon to public health—as an opportunity to impose environmental rule on the community that had initially settled in Seneca Village as a means of outmaneuvering the very development that now threatened them. In 1853, city governance authorized the site for Central Park and appraised the lots that lay within its boundaries, undervaluing the property of residents and ignoring improvements that residents had made to the land. Black residents, who only two weeks prior to the authorization celebrated the groundbreaking of a new AME Zion Church building, were unaware of the coming developments. While those residents who owned land

received some compensation for their property, Seneca Villagers who rented or squatted in and around the future park site had little recourse but to accept their losses and relocate or face often-violent eviction.<sup>58</sup>

While systemic marginalization was part of the quotidian experience of black life in New York's emancipation era, the targeted violence of Seneca Village's erasure was indicative of a broader trend across Manhattan that sought to make the economic success of the black community there an impossibility. In Five Points, for example, street-widening projects throughout the 1830s were used to justify evicting tenants from the neighborhood, enabling wealthier business owners to take up the renovated spaces.<sup>59</sup> So, as public debate narrowed in on determining Central Park's location, Wilson turned increasingly to his Brooklyn home as a viable foundation for a black aristocracy and as a haven for the community to overcome both white racism and internalized defeatism. He marks this conceptual shift narratively with an orientational shift in his movement and an unprecedented attention to Brooklyn's economic landscape. Beginning in Brooklyn Heights, Ethiop observes the "thrifty little shops conducted by active and intelligent colored men; or ... here and there vacant spots where such *shops* might be conducted. The one seems a fresh and green spot: the other a barren waste[.]" The descriptive dichotomy between developed and undeveloped plots is indicative of Ethiop's surveying project. While thriving business yields productive and aesthetically pleasing ground, the undeveloped plots, having left to "waste," represent a failure of land management. This latter assertion is an implicit critique of Brooklyn's black community, which Ethiop laments "despise[s] *our* own efforts, and cripple[s] *our* own hands, however properly put forth, when nothing short of a firm stand on *our* own footing is demanded." By falling into the entrepreneurial cycles that Ethiop earlier criticized, black Brooklynites have wasted the opportunity of available land and

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<sup>58</sup> Taylor, *The Environment and the People in American Cities*, 272-77; Rosenzweig and Blackmar, *The Park and the People*, 46-49, 83, 89-91.

<sup>59</sup> Taylor, *The Environment and the People in American Cities*, 278-79.

untapped markets. Yet, Ethiop's declaration is also hopefully aspirational; as surveyor, he is demarcating viable lands for economic cultivation.

Disinterested in his destination "so long as the gentle zephyr fanned me full in the face," Ethiop then heads further from Manhattan. Guided by the wind, a natural affirmation of his new direction, he moves eastward further into Brooklyn along Fulton Ave, one of the city's main east-west thoroughfares, where he marvels at Brooklyn's potential for economic growth:

Three years ago, lots in this street might have been purchased for three hundred dollars, now they cannot be, for three thousand. . . . Such is the rapid rise of property on business thoroughfares, that I am fully persuaded that what few capitalists we have, have greatly erred, in not taking advantage of the infant condition of growing Towns by securing good business localities especially, not only as a source of profit to themselves, but as a great means of inducting Africo America into the business world; for after all, it is the want of such good stations at fair rents and undisturbed, that mostly produce the sad wreck of *our* fortunes on the vast and turbulent business ocean.

Ethiop's narration of his walk along Fulton is an admission that he and others should have had the foresight to look to Brooklyn, where a black community might have dictated the course of economic growth instead of adapting to a pre-existing infrastructure, sooner. But the sketch is not without speculative hope; not only does Ethiop proceed to find a multitude of successful black-run businesses on the surrounding streets—praising, for example, one business run by a woman and another whose clientele were largely white—he also reminds his readers to look beyond to Long Island's "growing Towns," that he might remedy his initial speculative error.

Ethiop's final thought in the sketch is rooted optimistically in land-use imagery. Returning home from his walk, he reflects that "these are beginnings not to be despised; if encouraged and fostered they will grow to great results; yet but *Oasis*, they may with care and attention, flourish and

spread over the whole surface.”<sup>60</sup> Using the language of cultivation and fertility, Ethiop plats a territory for his readership to settle and develop. This is the extent of Ethiop’s narrative labor. As a surveyor, he works to bound the potential “Oasis;” with that labor complete, it becomes the work of the community to settle and develop the territory responsibly.

A consummate example of Ethiop’s speculative vision, the Weeksville community some four or five miles east of Brooklyn Ferry was one of several black enclaves that flourished during the antebellum era and beyond. Whereas Seneca Village fell victim to environmental rule and a racist land market in Manhattan, Weeksville avoided a similar fate and even thrived before being absorbed holistically into the surrounding urban landscape in the late-nineteenth and early-twentieth century. Advertised as “for sale to colored people,” Weeksville was conceived in the 1830s by its early black settlers—Henry C. Thompson, a prominent Brooklynite, James Weeks, a stevedore, Samuel Anderson, who had been born into slavery in Flatbush, and Francis P. Graham, a freeman from South Carolina to name a few—as an intentional community for black citizens both emerging from New York’s emancipation era and fleeing slavery and racial violence elsewhere in the Americas. The growth of the community was a frank response to targeted legislation and de facto racism that hindered the full participation of black New Yorkers as citizens in the antebellum era.<sup>61</sup>

Judith Wellman identifies five primary goals that Weeksville’s founders had in their planning: to affirm their status as a free people; to assert their rights as citizens and to foster economic opportunity for black New Yorkers; to protect against kidnappers who would sell or return residents to slavery (particularly after 1850); and to challenge colonization efforts that would remove black Americans from the United States. The success of this plan would require a visible and prosperous community, and indeed Weeksville flourished. Residents purchased land for fair prices and without

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<sup>60</sup> Ethiop, *FDP*, May 27, 1852.

<sup>61</sup> Wellman, *Brooklyn’s Promised Land*, 13-17.

stipulation and flocked to Brooklyn, as Wellman notes, not only from around New York, but from the Mid-Atlantic states, the coastal South, Africa, and the Caribbean. Black Manhattanites regularly made the trip to Weeksville to support the community's social and cultural institutions. Brooklyn's access to intra- and international ports and railroads strengthened Weeksville's cosmopolitan milieu, and by 1855 its population reached 521—more than triple its population fifteen years prior (and nearly twice as large as Seneca Village before its demise). Most importantly, by 1850 10.4 percent of the population owned property there, qualifying those residents for the franchise. At a time when property ownership rates were much lower among concentrated black urban communities, Weeksville stood as a rejoinder to the racist credo that black Americans lacked responsibility or the ability to organize as republican citizens; equally important, Weeksville was proof positive that market-driven economic development could yield the social and political results that Wilson believed in, a clear message that emigration need not be the last resort of black citizens in the United States.<sup>62</sup>

None of these factors strictly explain, however, why Weeksville survived the targeted racial violence that destroyed many of Manhattan's black communities before and during the Civil War. The answer, I argue, is a problem of surveillance—and, for that matter, of surveying. Though Wilson was not involved in Weeksville's establishment, the speculators and investors who were performed a similar kind of social mapping in their selection of territory conducive to free and unhampered growth. Examining the relationships between privacy, security, and property, Russ Castronovo argues that “even as privacy and security are opposed, they are also linked by the uncanny relation of insecurity/security that treats the surveillance state as the necessary foundation for privacy.” Property, the zone of the private, cannot exist in the liberal state without some degree of surveillance ensuring that an individual's property remains secure; at the same time, Castronovo

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<sup>62</sup> Ibid, 2-3; 31-52; Craig Steven Wilder, *A Covenant with Color: Race and Social Power in Brooklyn*. (New York: Columbia University Press, 2000), 113-14.

asserts, “Property, along with the notion of privacy that it underwrites, emerges as the prophylaxis against surveillance.” Just as property is made possible by surveillance that protects it from the threat of seizure or invasion, it becomes also the site in which an individual most expects to be free from surveillance. As a bounded space and an extension of its owner, real property acts as a measure (prophylaxis) to protect the liberal subject from unwanted intrusion.<sup>63</sup> Within the context of the antebellum North, this discourse of privacy and liberal individualism becomes racialized as well, as the fate of Seneca Village demonstrates. The assumption of privacy against surveillance was restricted to Manhattan’s white residents who unironically bolstered their own sense of security by undermining the privacy of the black residents whom they subjected increasingly to surveillance in the form of the heightened scrutiny of the park debates and the resulting land appraisals. The Fugitive Slave Act, meanwhile, enacted this inversion on a national level, flouting black Northerners’ Fourth Amendment rights to security in their property—including their own bodies—against “unreasonable” search and seizure to the benefit of Southern slavers looking to maintain the security of their own chattel property. Weeksville, set beyond the limits of Manhattan’s potential for development, afforded black citizens privacy in an urban setting that New York City could not.

Though not immune to the legal infrastructure of enslavement that the Fugitive Slave Act empowered, Weeksville prospered because its founders and later advocates like Wilson maintained an artful counter-survey of the speculative interests of white Manhattanites. Weeksville’s success—to draw on Neil Roberts’ analysis of the Haitian Revolution—was the result of something akin to a canny act of *grand marronage* by community leaders who understood space as an intrinsic component of black civic progress. Acts of marronage are understood within two scalar categories, *petit* and *grand*. The former involved “individual acts of truancy” by enslaved persons from the plantation setting, the latter “the mass flight of individuals from slavery to form an autonomous community of

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<sup>63</sup> Castronovo, “James Fenimore Cooper and the NSA,” 683, 685.

freedom emphasizing physical escape, geographic isolation, rejection of property relations associated with a slavery regime, and avoidance of sustained states of war through compacts, treaties, and negotiations for political recognition.”<sup>64</sup> Prominent communities existed, for example, in Virginia’s Great Dismal Swamp (as fictionalized, for example, in Harriet Beecher Stowe’s *Dred*), on many of the Caribbean islands, and in Brazil where, in the *quilombo* (maroon society) of Palmares, as many as thirty-thousand citizens lived. Weeksville was not precisely the product of maronage because it was founded and developed in the free North by free black citizens, but Carla Peterson, writing about the idea of “country” in Frances Watkins Harper’s “Fancy Sketches,” argues that marronage effectively became a metaphor for safe and autonomous black space.<sup>65</sup> Because the Fugitive Slave Act extended the legal reach of slavery into the North, Weeksville represented just such a space. With the autonomy afforded by this quasi-marronage to develop economic and social regimes unimposed upon by white interests, the residents of Weeksville could mount significant challenges against enslavement by providing aid to the Underground Railroad. Black institutions like the Bridge Street AME, Concord Baptist, and Siloam Presbyterian churches contributed to efforts harboring fugitives and funding Underground Railroad operations. Similarly, the white Congregationalist Plymouth Church, presided over by Henry Beecher Ward, aided fugitives by conducting mock slave auctions for their freedom. And prominent black Brooklynites Wilson, Junius C. Morel, and T. Joiner White served on the Committee of Thirteen.<sup>66</sup> Enmeshed in the legal and economic systems of New York City’s white establishment, black Manhattanites could not hope to accomplish such a systematic disruption of American slavery so easily.

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<sup>64</sup> Neil Roberts, *Freedom as Marronage*. (Chicago: The University of Chicago Press, 2015), 10, 98-100.

<sup>65</sup> Carla L. Peterson, “Literary Transnationalism and Diasporic History: Frances Watkins Harper’s ‘Fancy Sketches,’ 1859-60,” in *Women’s Rights and Transatlantic Antislavery in the Era of Emancipation*, eds. Kathryn Kish Sklar and James Brewer Stewart, (New Haven: Yale University Press, 2007), 196

<sup>66</sup> Peterson, *Black Gotham*, 296; Wilder, *A Covenant with Color*, 69-70, 72-73.

Traditional surveys of New York City, Brooklyn, Weeksville, *et al* abound in the antebellum era. A reader need not look much further than John Randel Jr.'s survey of Manhattan island for one of the period's most comprehensive examples. Likewise, there were black Americans performing traditional surveys—Benjamin Banneker was an integral member of the District of Columbia Survey and Martin Delany's expedition to the Niger Valley was rooted in surveying the territory—though the historical racial bias of the archive leaves much to be desired here. This chapter has been less interested, however, in traditional surveying than in the conceptual use of surveying as a means of drawing attention to the organization and racialization of space. At a historical moment when surveyors like John C. Frémont were beating a path for westward settlement and precipitating debates about imperialism and the future of American slavery, activists like William J. Wilson drew on a national vocabulary of spatial organization as they considered how best to build black communities, whether overlain upon existing white infrastructure or at a remove in a kind of quasi-marronage. Doing so, they equipped black citizens with the means to assert their own civic belonging and to subvert the “principles of containment” imposed on them by the forces of white supremacy. Though Albert Boime has argued that surveying is an inseparable tool of imperialism, Wilson provides a vital refutation of this claim through his literary persona of Ethiop by demonstrating the survey's capacity for generative, non-violent place-making.

## Chapter 4: Surveying, Settler-Colonialism, and Environmental Thought in the Southwest

In a 2018 article for *The Atlantic*, historian John F. Ross describes white geologist and ethnologist John Wesley Powell as the loser of America's "first climate war." That "war," between Powell and the political and economic interest behind American empire, was fought in the last decades of the nineteenth century over how and how quickly to populate the arid lands of the West—and particularly the Southwest. Drawing on his immense scientific and experiential knowledge of the region, Powell would draw a boundary along the hundredth meridian: east of that line, large agrarian populations could rely comfortably on the precipitation needed to sustain their crops; to the west, more deliberate planning would be necessary if settlers there hoped to achieve the successes of their eastern counterparts. Accordingly, Powell advocated for an overhaul of the Homestead Act, a gradual settlement plan, and the organization of territories around existing aquifers and waterways. The wealthy capitalists and politicians who, meanwhile, had much to gain from large-scale expansion, declared Powell's platform an affront to American independence and ingenuity and continued to encourage emigrants to buy up land and head west. For Ross, Powell's legacy is one of lost opportunity, a chance to implement a visionary and scientific plan for sustainable life in the Southwest that was instead obliterated by greed and political grandstanding. Powell's efforts, he writes, "resonated with moral courage but amounted at last to political suicide: He had sinned against the prime American idol, optimism."<sup>1</sup>

Ross's depiction of Powell as an environmentalist Cassandra, the unheeded forbearer of an alternate history of sensible prosperity in the West, is hardly unique; rather, Powell's prescience has

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<sup>1</sup> John F. Ross, "How the West Was Lost," *The Atlantic*, September 10, 2018. <https://www.theatlantic.com/ideas/archive/2018/09/how-the-west-was-lost/569365/>. See also, Ross, *The Promise of the Grand Canyon: John Wesley Powell's Perilous Journey and His Vision for the American West* (New York: Viking Press, 2018).

rendered him an attractive subject for academic and popular historians alike, who have cast him in an environmental-heroic tradition. In Wallace Stegner's biography, *Beyond the Hundredth Meridian* (1954), Powell is rendered a champion of the professionalized federal bureaucracy and communal labor in the Southwest. In *Cadillac Desert* (1986), Marc Reisner examines the failures of land and water policies in a West that rebuked Powell. Donald Worster, who wrote unequivocally about the surveyor's legacy in "Landscape with Hero: John Wesley Powell and the Colorado Plateau" (1997), updates his biography in *A River Running West* (2000) to present a man lately embodying all the positive qualities of the Early Republic even as the nation has strayed from its founding ideals. In this way, Powell comes to play the ambiguous role of hero to Americans across the political spectrum. And Ross, in *The Promise of the Grand Canyon* (2018), shows us a Powell unafraid to question the ideology of a burgeoning empire.

None of these versions of Powell is inherently wrong. Powell's scientific and governmental achievements are momentous for his day, and his theories, should they have been implemented, could well have served as the foundation of a new direction in American sustainability. Each paean to his career, however, relies on a selective fiction that government administration driven by sound, rational science would result not only in a better West, but also in more ethical and humane policy implementation. This particular historical revisionism operates within a framework that Imre Szeman calls "techno-utopianism," the discourse that scientific progress will mitigate climate disaster through the innovation of alternative forms of, and forms of access to, resources and energy.<sup>2</sup> Though typically future-facing, this discourse imagines a version of society moving painlessly from a self-destructive past into a new age of unprecedented sustainable development. The fiction of

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<sup>2</sup> Imre Szeman, "System Failure: Oil, Futurity, and the Anticipation of Disaster," *South Atlantic Quarterly* 106, no. 4 (2007): 812.

techno-utopianism is that such a society could exist without sacrificing its recognizable patterns of resource consumption, social formation, and economic engagement.

The techno-utopia imagined out of Powell's writing is an American West of thoughtfully planned agrarian communities, developed around the region's existing living streams. In between these, huge swathes of territory have remained undeveloped for grazing, and massive urban development has neither taxed the available resources there nor created the heat islands of high temperature zones experienced by cities relative to their rural surroundings. This West is still a symbol of progress, of liberty, of independence, and masculinity, selectively empty and vast. This West is also still the product of a swelling empire, a source of wealth for a small elite and subsistence for many more. But most of all, it is unmistakably white.

This last fact, perhaps unsurprisingly, is not given critical attention in most treatments of Powell's legacy. Characterizing the problem of representation in contemporary Western literature, Dakotah author Elizabeth Cook-Lynn laments the preponderance of (mostly white, mostly male) American writers claiming "possession of the American West," bemoaning the vanishing of the American Indian, and then claiming a kind of American Indigeneity of their own.<sup>3</sup> The ascendancy of whiteness is so ingrained in national stories of science, progress, and the West that the rhetorical erasure of Indigenous participants from those narratives all-too-frequently goes unquestioned, an elision that echoes the physical displacement and annihilation of Indigenous bodies within the lived and imagined histories of American empire. Powell was an ardent proponent of state-sanctioned removal and assimilation to resolve the so-called "Indian Problem." Yet his support for these policies, bolstered by his own engagement with Native Americans as an ethnologist and surveyor, is too-often handwaved as progressive for his era, deemed inconsequential to his more marketable—

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<sup>3</sup> Elizabeth Cook-Lynn, "Why I Can't Read Wallace Stegner," *Why I Can't Read Wallace Stegner and Other Essays* (Madison: The University of Wisconsin Press, 1996), 29-40.

and prescient—hydrological predictions, or outright ignored. Stegner claimed, for example, that “What destroyed the Indian was not primarily political greed, land hunger, or military power, not the white man’s germs or the white man’s rum. What destroyed him was the manufactured products of a culture, iron and steel, guns, needles, woolen cloth, things that once possessed could not be done without.”<sup>4</sup> Unfortunate as this argument is, it discharges Powell and his contemporaries of any responsibility for the tangible repercussions of their assimilationist policies. In truth, Powell saw assimilation as the best possible outcome for an antiquated people. Removal was a necessary component of his major settlement proposal, the *Report on the Lands of the Arid Region of the United States*, and he wrote it directly into the text. What scholars have held up as an environmentalist foundation tale and a challenge to American imperialism looks, upon closer examination, like business as usual.

This is not to dismiss Powell’s contributions to the history of environmentalism out of hand, but rather to call attention to how insidiously the architecture of white supremacy pervades even our most progressive discourses. Indeed, the current conversation around sustainability demands that we interrogate the slow violence of complacency. This chapter examines the life and work of John Wesley Powell to demonstrate how closely enmeshed strategies of environmental and racial engineering become at the end of the nineteenth century. Whether or not Powell was successful in advocating for his specific set of policy recommendations, he was—to draw again on Pamela McElwee’s notion of “environmental rule”—an active participant in a federal bureaucracy that brandished climatic concern as an excuse to manage land and the resources, people, and non-human animals there in favor of white settlers. The surveying work that brought Powell public renown as the first white man to fully navigate the Colorado River informs his management project, as is

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<sup>4</sup> Wallace Stegner, *Beyond the Hundredth Meridian: John Wesley Powell and the Second Opening of the West* (New York: Penguin Books, 1992), 256.

evident in both his exhaustively taxonomic ethnology of Indigenous North American cultures and languages and in his systemized approach to the conditions of the arid region. These systems ultimately operated in tandem to highlight the salable commodities of the Southwest—indeed the salability of the broader West as an idea—and to erase any Indigenous presence there.

By calling attention to this erasure, and the inconsistencies in our inherited narrative of history that it creates, it becomes apparent that Indigenous experience does not exist at the center of techno-utopian thought. After all, Ute, Southern Paiute, and Shoshone peoples—all subjects of Powell's ethnological vision—lived sustainably in the Southwest long before Powell theorized the dangers of excessive resource extraction, yet none are credited for their knowledge of the region and its resources. From the Indigenous perspective, Powell's congressional feud over Western settlement is far from America's "first climate war," but rather one piece of an unceasing climate disaster that began in the first moments of European contact. Through direct interference with Indigenous sovereignty, the settler-colonial state has waged a yet-unresolved war resulting in the fundamental distortion of Native Americans' collective relationship to the land. Powell's legacy as a forward-thinking opponent of capitalistic self-interest and heedless expansionism does not negate his contributions to that *other* conflict and must be reexamined as contemporary environmentalists work to remedy the historic suppression of Indigenous bodies, voices, and thought.

By the time he presented *The Report on the Lands of the Arid Region of the United States* to Congress in 1878, John Wesley Powell had already established himself as an authority on the American Southwest. As the first white man to navigate the Colorado River in its entirety, a feat he accomplished in 1869, Powell proved himself a bold explorer and a rigorous scholar. In the subsequent decade, he built on that reputation by leading an expedition to survey the Colorado Plateau region, conducting ethnological research among the Indigenous nations there, and participating in a commission that studied those groups with the end goal of coercing them onto

reservations organized around shared cultural and linguistic traits. In the heroic tradition, the *Arid Region* report is the sum of Powell's experience, the synthesis of wide-ranging spheres of knowledge from the earth- to social sciences into a cohesive and convincing indictment of prevailing settlement practices in the West as dictated by the Preemption Act of 1841, the Homestead Act of 1862 and its Reconstruction-era addenda, and a series of grants particularly furnishing land to state and corporate interests.

This body of legislation established the criteria for settlers to legally acquire land in the West. Under the Preemption Act, squatters were given preferential access to purchase up to 160 acres of federally owned lands at \$1.25 per acre, as long as they could give proof of at least fourteen months of residency there.<sup>5</sup> The Homestead Act extended the ability to settle 160 acres of public land to all U.S. citizens provided they could occupy and improve the land over the course of five years. Two amendments to the Homestead Act, the Timber Culture Act of 1873 and the Desert Land Act (1877), furnished settlers with even more land provided they meet the conditions of the legislation. The first of these permitted homesteaders to claim an additional 160 acres if they devoted a quarter of the land for tree growth and occupied the property for five years. The second amendment, which had no occupancy requirement, meanwhile encouraged homesteader to irrigate an ambiguously defined portion of desert land in exchange for up to 640 acres. In addition to stimulating public interest in westward emigration, these acts comprised a legislative effort to transform the treeless prairies of the Great Plains and the arid deserts of the Southwest into a homogenous agrarian landscape. Eventually, some 1.6 million individuals—only a third of pre-1900 applicants—met the requirements to be considered successful under the Homestead Act, though they were only a fraction of the beneficiaries of the federal government's public lands drive.<sup>6</sup>

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<sup>5</sup> Dean, *An Agrarian Republic*, 22-24.

<sup>6</sup> Donald Worster, *A River Running West: The Life of John Wesley Powell* (New York: Oxford University Press, 2001): 338-340; Stegner, *Beyond the Hundredth Meridian*, 221.

Two interrelated issues contributed to the relatively meager success of Western homesteaders: the inherent self-interest of capitalist forces there and the negligent use of land and water resources. While individual settlers applied for millions of acres of land in the West, millions more flowed to the benefit corporate interests driving westward expansion. The same year he authorized the Homestead Act, Abraham Lincoln signed the Pacific Railway Act into law. The act and its 1864 revisions granted the Central Pacific and newly created Union Pacific railroads access to build across public lands as they worked toward the completion of the first transcontinental railroad. For each mile of track built, the Pacific Railway Act stipulated that the railroad companies could claim loans in the form of federal bonds as well as ten miles of checkerboarded land—five sections on each side of the track.<sup>7</sup> In this way alone, railroad companies acquired thousands of square miles of land that they were free to mine, log, or sell.

Like the railroads, banking institutions, mining corporations, and large-scale ranchers stood to gain much from a hasty, even haphazard, settlement of the West. Thwarted by the region's frequently harsh climate, many homesteaders fell into debt. Because the Homestead Act included no provisions for federal repossession, settlers who failed to meet its conditions forfeited their land to banks; the banks, in turn, sold them on the open market to the highest bidder—often ranchers whose cattle required enormous tracts on which to range and graze. Others took advantage of the transferability of desert land claims by selling to corporations that could afford the cost of irrigation. Unscrupulous speculators even persuaded settlers to file claims that they would then buy out, amassing huge tracts of land in the process. Rarely the exception, this kind of fraud was involved in as much as ninety-five percent of Desert Land Act acquisitions, and ranchers—not individual homesteaders—became the largest beneficiaries of public lands in Montana, Wyoming, and Colorado. Regardless of how land passed into the hands of wealthy capitalists under the auspices of

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<sup>7</sup> Fiege, *The Republic of Nature*, 235-36.

the Homestead Act, “in the end,” Stegner writes, the legislation “stimulated the monopolizing of land that its advocates had intended to prevent.”<sup>8</sup> In the face of capitalistic speculation, the Jeffersonian agrarian vision for the West was doomed to fail.

For the individual homesteaders who did succeed in securing land through homestead legislation, climatic conditions still manifested as an omnipresent challenge to successful farming. Powell recognized the hundredth meridian as a critical isohyet—a boundary demarcating regions that receive similar amounts of rainfall—between what he calls the Humid and Arid regions of the United States. “Experience teaches,” Powell writes, “that it is not wise to depend upon rainfall where the amount is less than 20 inches annually, if this amount is somewhat evenly distributed throughout the year.”<sup>9</sup> Settlement patterns east of the hundredth meridian were shaped by adequate rainfall. In the Midwest and Northeast, for example, agriculture was not limited by seasonal rains or the availability of water. This meant farmers could expand freely and develop their land with little fear of resource competition. In the Southwest, a region characterized by sparse seasonal rains, this settler-colonial model could not make inroads without substantially taxing available water sources, however few there were. To make the Southwest productive, homesteaders needed either to carefully plan their water usage or else to resign themselves to the fact that the wealthiest landowners might dominate entire rivers worth of water. Neither seemed an acceptable choice.

Spurred on by folkloric claims that increased farming would bring about a steady and permanent increase in rainfall, Western emigrants settled wherever they could stake a claim. Though the white journalist Charles Dana Wilber would not pen the epigrammatic phrase, “Rain follows the plow,” until 1881, the pseudoscientific rhetoric surrounding agricultural climate engineering had existed since before the Civil War and arose alongside the campaign to reimagine the prairie, not as a

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<sup>8</sup> Stegner, *Beyond the Hundredth Meridian*, 221-23; Worster, *A River Running West*, 339-40.

<sup>9</sup> John Wesley Powell, *Report on the Lands of the Arid Region of the United States, with a More Detailed Account of the Lands of Utah. With Maps*, 2<sup>nd</sup> ed. (Washington: Government Printing Office, 1879), 2.

trackless desert but as a garden waiting to be brought into bloom. While there was, as Henry Nash Smith explains, a “folk expectation” among civilian settlers “of a permanent increase of rainfall on the Plains,” prominent scientific voices also rose in support of the notion that agriculture could permanently alter the climate.<sup>10</sup> Ferdinand Vandeverer Hayden, one of Powell’s professional rivals and an accomplished Western surveyor in his own right, reported in 1867 that:

the planting of ten or fifteen acres of forest-trees on each quarter-section [160 acres] will have a most important effect on the climate, equalizing and increasing the moisture and adding greatly to the fertility of the soil. The settlement of the country and the increase of the timber have already changed for the better the climate of that portion of Nebraska lying along the Missouri, so that within the last twelve or fourteen years the rain has gradually increased in quantity and is more equally distributed through the year.<sup>11</sup>

Forests, Hayden reasoned, attracted rain. Therefore, by steadily engineering forest growth in a westward pattern, settlers could bring rainfall with them and create a climate that was more amenable to large-scale agriculture. Critically, while settlers in eastern Nebraska did succeed at planting trees along the prairie, this part of the territory lay before the hundredth meridian and already received thirty inches of rain annually. That is to say, these efforts succeeded because existing rainfall supported tree growth, not because the trees attracted more rain. Western Nebraska, which lay across the hundredth meridian, experienced around ten inches of rain annually and would not support a similar forestation campaign.<sup>12</sup>

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<sup>10</sup> Charles Dana Wilber, *The Great Valleys and Prairies of Nebraska and the Northwest* (Omaha: Daily Republican Print, 1881), 68; Henry Nash Smith, “Rain Follows the Plow: The Notion of Increased Rainfall for the Great Plains, 1844-1880,” *Huntington Library Quarterly* 10, no. 2 (1947): 170.

<sup>11</sup> Ferdinand Vandeverer Hayden, *First, Second, and Third Annual Reports of the United States Geological Survey of the Territories for the Years 1867, 1868, and 1869, Under the Department of the Interior* (Washington: Government Printing Office, 1873): 14.

<sup>12</sup> Smith, “Rain Follows the Plow,” 177-79.

One of Powell's most gifted associates on his Survey of the Rocky Mountain Region, the white geologist Grove Karl Gilbert, would find evidence to contradict these theories, if not definitively lay the issue to rest. When reports came in that the Great Salt Lake had steadily risen alongside Mormon settlement in the region beginning in 1847, Gilbert travelled to Utah to test the hypothesis that human activity in the West led to an increase in rainfall. Because the Great Salt Lake lacked an outlet, Gilbert was able to limit his observation to the relationship between evaporation and the inflow of water and determined, subsequently, that the lake had indeed risen some seven or eight feet between 1850 and 1868 before stabilizing at its new height between 1869 and 1877. Gilbert ultimately asserted his belief that human action had, in fact, contributed to the lake's rise, though not in the way the public expected: "it is frequently asserted that the cultivated lands of Utah 'draw the rain'; or that the prayers of the religious community inhabiting the territory have brought water to their growing crops; or that the telegraph wires and iron rails which gird the country have in some way caused electricity to induce precipitation; but none of these agencies seem to be competent."<sup>13</sup> Rather, he argues, "The white man has modified the conditions of drainage, first, by the cultivation of the soil; second, by the raising of herds; and third, by the cutting of trees."<sup>14</sup> Gilbert concluded that Mormon agricultural practices had not increased precipitation but rather changed how it was distributed once it fell. Through deforestation, overgrazing, and the tilling of formerly sandy soil, settlers had removed natural impediments that slowed runoff so that precipitation could be absorbed as groundwater. This water then drained into the Great Salt Lake, contributing to the illusion that agriculture had contributed to increased rainfall when in fact it was depleting available groundwater and hastening soil erosion.

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<sup>13</sup> Powell, *Report*, 70.

<sup>14</sup> *Ibid*, 73.

Though homesteaders did not, as imagined, bring the rain with them through their agricultural efforts, what they did bring was a labyrinthine system of water rights that compounded rather than alleviated the problem of aridity in the Southwest. In particular, two competing doctrines of usage—riparian rights and prior appropriation—exacerbated the poor state of water extraction in that region. Rooted in English common law, the riparian doctrine situated use and access within the public trust. An individual might make use of a river’s water supply so long as that use did not diminish the amount or quality of flow downriver. Where adequate rainfall in the eastern half of the United States means that waterways have never been threatened by extensive irrigation, setting aside river water as a public good has remained a viable legal approach; in the Southwest, however, a single upstream farm might displace enough water through irrigation that farms further downstream could not possibly share the river’s resources equally. In a system of prior appropriation, the homesteader upstream would have no obligation to their neighbors down river. Prior appropriation effectively treated water like any other form of property. Individuals with claims to a water source were not accountable for the quality of return water, even as it affected other potential users. Unsurprisingly, the mining industry led the push for prior appropriation. For a booming industry that diverted tremendous amounts of water to assay riverbeds and wash away topsoil, this framework ensured that mining corporations would not have to preserve or restore waterways and protected them from legal action by homesteaders who depended on the rivers and streams as well.<sup>15</sup> As with the distribution of land, the legislation of water use unfairly or inadvertently favored those with the means and connections to influence national settlement policies.

As these issues shaped settlement discourse in Washington and Congress debated the future of the Western surveys, Powell began work on a plan for the disposal of the public domain that

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<sup>15</sup> Donald J. Pisani, *Water, Land, and Law in the West: The Limits of Public Policy* (Lawrence: University of Kansas Press, 1996), 11-18.

encompassed all that he had observed heading up the Survey of the Rocky Mountain Region. In 1878, as the legislature prepared to pass yet another amendment to the Homestead Act, Powell quickly cobbled together his manuscript, now titled the *Report on the Lands of the Arid Region of the United States, with a More Detailed Account of the Lands of Utah*, that included an explanation of and proposals for the arid region, two draft bills for enacting his proposals, and additional chapters on hydrology, irrigation, and public lands policy by Powell's scientific collaborators, Grove Karl Gilbert, Clarence Dutton, Almon Harris Thompson, and Willis Drummond, Jr. In April of the same year, he delivered the report to the reform-minded Carl Schurz, the white Secretary of the Interior, who quickly passed it on to Congress where it was ordered into print. By the following Spring, the report found wider circulation in a second edition print run. In the meantime, Powell promoted his proposals by circulating as many copies of the document as he was able among members of the National Academy of Sciences and the Western press.<sup>16</sup>

At its most basic, Powell's report aimed to promote carefully engineered cooperation between the state and the public, between corporate wealth and individual resolve. Aware of the uneven power wielded by ranchers and industrialists, Powell calls on the forces of capitalism to aid the public pursuit of the West in good faith. On their own, Powell argued, contemporary emigrants would be ill-equipped to adequately contend with the environmental and spatial conditions of the Southwest: "The redemption of the Arid Region involves engineering problems requiring for their solution the greatest skill." This declaration is not an indictment of settlement west of the hundredth meridian *per se* but rather an acknowledgement that the imagined settler there—the independent, yeoman farmer in the Jeffersonian mold—would lack the tools to make the land productive. The climatic reality of the Western landscape stood as a barrier to the full-scale success of these

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<sup>16</sup> Stegner thoroughly narrates the circulation of the report, noting the difficulties that Powell encountered obtaining copies for further distribution to the civilian readers in the sciences and press whom he hoped to convince with his findings. *Beyond the Hundredth Meridian*, 210-11, 231-35

homesteaders who might have otherwise prospered back East, despite similar social and economic restrictions.

Instead, Powell argues, “the redemption of all these lands will require extensive and comprehensive plans, for the execution of which aggregated capital or coöperative labor will be necessary. Here, individual farmers, being poor men, cannot undertake the task. For its accomplishment a wise prevision, embodied in carefully considered legislation, is necessary.”<sup>17</sup> For Powell, the economic powers that be appear as potential allies in solving the problem of the West, not enemies of the citizen-settler. Though Powell later warn about the dangers of an unregulated market, cautioning that “the monopoly of water rights [by irrigating companies] will be an intolerable burden to the people” and predicting that “evils will result therefrom that generations may not be able to correct,” even this admonition seems tempered by the belief that land monopoly, and not the monopolists “who are now lauded as benefactors of the country,” will be the cause of evil.<sup>18</sup> Confident in the liberal pursuit of equal opportunity in the West, Powell hoped to enlist wealthy capitalists and a vast federal bureaucracy, in order to systematize U.S. imperial designs under the best-informed science of the day and, in doing so, improve the chances of a great majority of homesteaders in the Southwest.

What is radical about Powell’s work on and after the *Arid Region* report, then, is not that he represented a willful challenge to capitalism, but that his conclusions posed a subtler, if unintentional, threat to the status quo. He sought to delay the instant gratification of those who stood to benefit most from swift and extensive Western settlement; he prioritized the recognition of land and resource limitations above immediate financial gain from their extraction (even if the goal was long-term economic viability); he was willing to question entrenched assumptions about land

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<sup>17</sup> Powell, *Report*, vii, viii.

<sup>18</sup> *Ibid*, 40-41.

use to contribute to the corpus of science (albeit in the tradition of Enlightenment empiricism); and he proposed ways of community- and labor-organizing that in retrospect ran counter to the American doctrine of liberal individualism.

The report—particularly the first two chapters that Powell urged political ally and then-Ohio Congressman James Garfield to read—reflects many of these goals.<sup>19</sup> Powell’s initial analysis of the Arid region underscores the empiricist roots of the project, taxonomically identifying territorial zones based on their administrative needs and the availability and utility of resources there. The categories named in the report include: irrigable lands consisting of river- or stream-adjacent lowlands; pasturage lands found among the “valleys, mesas, hills, and mountain slopes bearing grasses” ideally suited for grazing; and timber lands in the mountainous regions “set apart by nature for the growth of timber necessary to the mining, manufacturing, and agricultural industries of the country.”<sup>20</sup> The language that Powell uses to define these areas leaves little ambiguity that his plan is rooted in the national ethos of Manifest Destiny, as nature itself has ordained certain resources for consumption by the expanding forces of U.S. American settler-colonialism. But Powell also suggests that the fundamental differences among the irrigable, pasturage, and timber lands might foment equitable cooperation rather than direct competition between homesteaders and larger economic powers.

To encourage such cooperation, Powell proposed drastic changes to the way land was disbursed according to the Homestead Act. The 160 acres allotted to each homesteader under the current system would prove too much for the farmer, too little for the rancher and lead only to further failure and abuse. Instead, allotments for ranchers would need to be increased, at a minimum, to 2,560 acres—a number Powell arrived at by conferring “with many persons living in

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<sup>19</sup> Worster, *A River Running West*, 358.

<sup>20</sup> *Ibid.*, 6.

the Rocky Mountain Region who have had experience” (a note that suggests Powell is relying primarily on the testimony of white settlers) and by making his own observations “for many years while conducting surveys and making long journeys through the Arid Region.”<sup>21</sup> This arrangement could prevent ranchers from attempting to acquire more land by illicit means or else from overgrazing a small patch of land. Similarly, Powell called for a smaller homestead of eighty acres for land devoted to agriculture because, as he notes, “The diversion of a large stream from its channel into a system of canals demands a large outlay of labor and material. To repay this all the waters so taken out must be used, and large tracts of land thus become dependent upon a single canal. It is manifest that a farmer depending upon his own labor cannot undertake this task.”<sup>22</sup> For the individual agrarian, both irrigating and maintaining a successful farm in the Southwest might simply prove too much.

To further improve the successes of homesteaders, Powell argued that land allotments should be organized into districts that would then be worked and held in common by their residents. For example, by organizing ranchland in groups near minor waterways—pasturage would require some irrigation but a minimal amount compared to farmland—and keeping property lines unfenced, ranchers could maintain enormous grazing grounds for their cattle ostensibly without depleting edible grasses or trespassing on others’ land.<sup>23</sup> Similarly, to improve agriculture, districts could be organized around major waterways to prevent conflict among individual farmers over water access. These waterways would be jointly held by members of the community who would be responsible for maintenance, regulation, and improvements. By working the land in common, farmers could irrigate the greatest portion of the Arid Region permissible by climatic conditions. In both scenarios, Powell reasoned, the settlement of emigrants with common goals and labor would result in civic

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<sup>21</sup> Powell, *Report*, 22.

<sup>22</sup> *Ibid*, 11.

<sup>23</sup> *Ibid*, 24.

communities best suited to their needs. To demonstrate the feasibility of this plan, he included two potential bills in the report, one “to authorize the organization of irrigation districts by homestead settlements upon the public lands requiring irrigation for agricultural purposes” and the other “to authorize the organization of pasturage districts by homestead settlements on the public lands which are of value for pasturage purposes only.”<sup>24</sup>

It is evident that Powell attributed the idea for these districts to Mormon communities in Utah where “cooperative labor, under ecclesiastical organization, [had] been very successful” and to the town of Greeley, Colorado, a utopian community established in 1869 as the Union Colony; the principle behind the irrigation district had, however, long been used in the Southwest by Indigenous groups and also by Mexicans under the name *acequia*.<sup>25</sup> At base, the *acequia* was a program of communal labor and maintenance in which a group of farmers would work on and draw from a shared irrigation ditch. Within the community, an official oversaw the equitable distribution of water and each community member contributed labor and money for the upkeep of the ditch, proportional to the amount of land being irrigated. Water rights remained under the authority of the state, and work within the *acequia* guaranteed only reasonable use of available water there. Under such a system, abundance and lack were ostensibly shared equally, and the good of the community necessarily entered into all discussions of resource use.<sup>26</sup>

Given the apparent suitability of the *acequia* for the Arid Region and its prevalence before extensive U.S. American occupation in the nineteenth century, it is a wonder that the system was not adopted more enthusiastically by settlers who, Powell assured, would only benefit from the shared

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<sup>24</sup> Ibid, 30, 33.

<sup>25</sup> Powell, *Report*, 11. Stemming from the Muslim occupation of Spain and brought to the Spanish Colonies in the Americas, the *acequia* was codified in New Spain by the *Recopilación* of 1681 and later in 1779 by The Plan of Pitic, a blueprint for settlement planning in the region of Sonora and in territories that would be ceded to the U.S. following the Mexican-American War.

<sup>26</sup> Donald J. Pisani, *To Reclaim a Divided West: Water, Law, and Public Policy, 1848-1902* (Albuquerque: University of New Mexico Press, 1992), 38-9.

protection of as scarce and valuable a resource as water. As homesteaders continued to flow into the region, however, they brought with them a creed of private ownership rights that could not easily accommodate a communally held resource like the irrigation ditch.<sup>27</sup> The *acequia*-style model—either as promoted by Powell or otherwise drawn from historical examples in the Southwest—was summarily rejected as incompatible with the self-assured masculinity of American liberal individualism.<sup>28</sup> Robert L. Fulton, a white agent for the Union Pacific railroad and a proponent of widespread irrigation, summarized this seeming incongruity in a racially charged statement before Congress: “the Anglo-Saxon needs no example from Mexico, Spain or Lombardy, but will find in itself the intelligence, virtue, and grit to conquer this land as it has every country where it has ever set its foot.” He goes on to describe the system of existing ditches spreading across the Southwest, claiming that “A great many of them have been constructed by men with their rifles at their sides to keep off hostile Indians and they are as much entitled to respect as the Puritan fathers.”<sup>29</sup> Powell continued for years to engage the public directly on the need for reform. In 1890, for example, he published three popular essays in *Century Magazine* (the successor to *Scribner’s Monthly*) redoubling the assertions he laid out in the Arid Region report.<sup>30</sup> Still, with such faith in the status quo as Robert Fulton’s entrenched within American expansion policy, Powell could not hope to reasonably alter how the arid region was settled. It was the myth of individual perseverance that had and would

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<sup>27</sup> Charlotte Benson Crossland, “Acequia Rights in Law and Tradition,” *Journal of the Southwest* 32, no. 3 (1990): 285; Crossland also notes that “At least sixty acequias were constructed accorded to [the Recopilacion or Plan of Pitic] in the seventeenth century, and more than one hundred were dug in the eighteenth century. More than three hundred community ditches were constructed in the nineteenth century” (280). While this doesn’t account for a given ditch’s ultimate administration under Mexican or U.S. law, it does suggest a pattern of consistent and reliable use.

<sup>28</sup> Pisani, *To Reclaim a Divided West*, 39-44.

<sup>29</sup> *Report of the Special Committee of the United States Senate on the Irrigation and Reclamation of Arid Lands*, vol. 2 (Washington: Government Printing Office, 1890), 148.

<sup>30</sup> John Wesley Powell, “The Irrigable Lands of the Arid Region.” *Century Magazine* 39 (1890): 766-76; “The Non-Irrigable Lands of the Arid Region.” *Century Magazine* 39 (1890): 915-22; “Institutions for the Arid Lands.” *Century Magazine* 40 (1890): 111-16.

continue to shape the American Southwest. Communal labor and state organization would have no place there.

The legacy of this ideology—what John Ross characterizes as Powell’s loss of America’s first climate war—is evident from the radical divergence of climatic norms from the agriculturally-friendly conditions that prevailed in the arid region during the critical years in which major civic organization occurred. When, for example Arizona entered the Union as a state in 1912, it did so amidst some of the most temperate years in the region’s history, before or since. 1911 saw an unusually high amount of precipitation, and 1905 remains the rainiest year on record for the city of Phoenix; the decade between 1909 and 1919, moreover, saw seven of the state’s ten coolest years on average (in the range of 68° Fahrenheit—Chicago, for comparison, averaged 49.9° Fahrenheit for the years 1981-2010).<sup>31</sup>

The years leading up to Arizona’s admittance following 1905, then, must have seemed to validate the spurious rhetoric touted by the boosters of Western settlement—those spiritual successors of Thomas Hart Benton and William Gilpin who imagined a limitless American empire reaching into the Garden of the West—after a decade of drought wracked the Southwest. In the short term, they saw their desires come to fruition. The entire region of the Colorado Plateau, covering the northeastern portion of Arizona in addition to large swathes of Utah, Colorado, and New Mexico (another new state in 1912), saw higher-than-average annual rainfall totals that lasted into the early 1940s, encouraging large-scale emigration, massive hydraulic projects, and new agricultural and extractionist ventures, before plummeting once again into drought.<sup>32</sup> Looking

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<sup>31</sup> “Phoenix Annual and Monthly Records,” National Oceanic and Atmospheric Administration, accessed August 16, 2018. <https://www.wrh.noaa.gov/psr/climate/annualMonthlyRcdsPHX.php?wfo=psr>; “Monthly and Yearly Normals for Chicago and Rockford,” National Oceanic and Atmospheric Administration, accessed August 16, 2018. [https://www.weather.gov/lot/ord\\_rfd\\_monthly\\_yearly\\_normals](https://www.weather.gov/lot/ord_rfd_monthly_yearly_normals).

<sup>32</sup> Richard Hereford, Robert H. Webb, and Scott Graham, “Precipitation History of the Colorado Plateau Region, 1900-2000,” Department of the Interior, last modified May 17, 2005. <https://pubs.usgs.gov/fs/2002/fs119-02/>.

backward, this collapse seems inevitable, the wet years merely part of a cyclical weather pattern and not the product of settlement activities. Although the two decades following 1978 saw an uptick in rainfall that rivaled many of the pre-40s totals, since 2000 Phoenix has experienced nine of its ten warmest years (averaging between 76 and 77° Fahrenheit) and two of its driest.<sup>33</sup> From a Euro-American environmentalist perspective, failure to heed Powell's many warnings about the ecology of the arid region has culminated in a disastrous state of affairs for both non-human nature and the U.S. citizens who have made the present-day Southwest their home.

The what-could-have-been paeans to Powell's vision of the Southwest share a common blind spot. Though these texts categorically argue the need for environmental action to reverse the nigh-irreparable damage that urban and agricultural development have brought about in the West, the end result is always a sustainable and productive U.S. American space. This happy fantasy ignores the imperial history of the American West and perpetuates the erasure of Indigenous people who called the region home long before settler colonialism began to leave its mark on the land. Neshnabé (Potawatomi) scholar and activist Kyle Powys Whyte addresses this rhetoric, arguing that while many Euro-American scholars warn of a dystopian future brought about by climate change, Indigenous peoples already exist in climate dystopia. He points, as an example, to nineteenth- and twentieth-century campaigns resulting in "anthropogenic climate change at the hands of settlers, including changes associated with deforestation, forced removal and relocation, containment on reservations (i.e. loss of mobility), liquidation of our lands into individual private property and subsequent dispossession, and unmitigated pollution and destruction of our lands from extractive industries and commodity agriculture."<sup>34</sup> While many of the items on this list have contributed to the

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<sup>33</sup> "Phoenix Annual and Monthly Records."

<sup>34</sup> Kyle Powys White, "Our Ancestors' Dystopia Now: Indigenous Conservation and the Anthropocene." In *Routledge Companion to the Environmental Humanities*, edited by Ursula K. Heise, Jon Christensen, and Michelle Niemann. (Philadelphia: Routledge, 2017).

progress narrative of U.S. American civilization, they have also resulted in what Whyte calls “the dystopia of our ancestors”—the unimaginable severance of future generations of Indigenous people from traditional culture- and life-ways for the betterment of the settler colonial state.

John Wesley Powell is a particularly useful case study for examining the omission of Indigenous experience in contemporary environmentalist narratives because his plans for sustainable Western settlement, though they have been called anti-imperialist and anti-capitalist, unambiguously relied on the kinds of settler colonial campaigns that Whyte points to as dystopian. In one instance, Powell describes the availability of timber in the arid region and suggests the ways the state might improve the utility of forests for things like fuel and building supplies. Drawing a comparison to the largely treeless prairie, he suggests that the growth of forests in the mountains of the arid region has been stunted by fire, but if they were to be protected, those forests might extend beyond their present limits and provide a ready supply of timber resources to settlers. While Powell notes that an assortment of factors—weather, aridity, a lack of natural boundaries—lead to the proliferation of wildfire, he asserts that “In the main these fires are set by Indians.” In particular, he argues, Native Americans are driven by environmental and economic stressors:

Driven from the lowlands by advancing civilization, they resort to the higher regions until they are forced back by the deep snows of winter. Want, caused by the restricted area to which they resort for food; the desire for luxuries to which they were strangers in their primitive condition, and especially the desire for personal adornment, together with a supply of more effective instruments for hunting and trapping, have in late years, during the rapid settlement of the country since the discovery of gold and the building of railroads, greatly stimulated the pursuit of animals for their furs—the wealth and currency of the savage.<sup>35</sup>

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<sup>35</sup> Ibid.

Though Powell points to the correlation between U.S. expansion and Indigenous migration, he does not pose the problem as one strictly precipitated by the nation's imperial designs. Rather, he depicts Native Americans as caught between two inevitable but passive forces, nature and civilization. This construction places the burden of action on the part of the Native Americans—they are driven, they resort, they are forced back—and renders them responsible for their condition in the face of settler colonial hegemony. The fires are characterized not as a necessary adaptation but rather as an example of Indigenous vanity and avarice caused by exposure to settler colonist goods and culture. In Powell's estimation, Native American efforts to participate in a capitalist economy are a matter of selfish desire and not of basic self-preservation. Ultimately, Powell suggests that "The fires can ... be greatly curtailed by the removal of the Indians."<sup>36</sup> Though he has already pointed to a kind of removal as the cause for Indigenous want, Powell advocates for the systematic identification and placement of Native American tribes on reservations. In favoring resource protections over the well-being of Indigenous peoples, Powell indicates clearly that the beneficiary of Western development is the white American citizen.

These views were, of course, not unusual for an American to possess in the second half of the nineteenth century, and, in contrast to earlier generations, Powell was progressive in his views, a compassionate Victorian intent on improving rather than exterminating Native Americans. The Grant administration (1869-77) oversaw a significant shift in official attitudes regarding Indigenous Americans, commencing what Frederick Hoxie refers to as the assimilationist era of U.S. Native American policy. Counting Powell among its most prominent supporters, the federal government endeavored to resolve its so-called Indian problem and achieve a moral good by hastening the advancement of the nation's Indigenous peoples. In such a paradigm, Native Americans would ultimately be afforded the privileges of citizenship within the United States through campaigns

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<sup>36</sup> Ibid, 18

pushing for relocation, education, agriculture, and individualized property.<sup>37</sup> The total violence of imperialism was recast as a force for good, reaffirming “the power of the nation’s institutions to mold all people to a common standard.”<sup>38</sup> Assimilation presented a test of American liberalism’s ability to equalize and improve all who embraced it. Not coincidentally, this attitude mirrors the agrarian-national faith in land improvement. By bringing land into better production, individuals created a better and more productive environment for the public good. Civilizing Native Americans would likewise enable more Indigenous people to enter the fold of civic and national belonging.

Powell saw ethnology as a yet-untapped resource for the assimilation process. In the nineteenth-century U.S., the practice of ethnology and its related disciplines was shaped in large part by the discourse of developmentalism, or social evolution, a theory advanced by the pioneering white anthropologist Lewis Henry Morgan. In his writings, Morgan posited that human societies exist on a sliding scale beginning with “savagery” and advancing through “barbarism” toward “civilization.” Each developmental stage was defined by a set of characteristics, “the most important of which,” notes legal historian Mark Weiner, “was its conception of property and the rules governing its use and inheritance.”<sup>39</sup> In the developmentalist model, savage societies lacked the notion of or legal protections for private ownership, while civilized societies had or were in the process of developing fee simple absolute land ownership and the legal framework and institutions necessary to safeguard it (Hoxie, incidentally, notes that Morgan’s theories arose hand-in-glove with

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<sup>37</sup> Unsurprisingly, these campaigns coincided with a drastic increase in the number of federal civil service employees. Between 1871 to 1901, the number of civilians employed by the government quintupled from around 53,000 to 256,000.<sup>37</sup> The resulting governmental bureaucracy led with a boom of professionalizing organizations, and both aimed to bring state administration under the auspices of scientific management; cf. Pisani, *To Reclaim a Divided West*, 7.

<sup>38</sup> Frederick E. Hoxie, *A Final Promise: The Campaign to Assimilate the Indians, 1880-1920* (Lincoln: University of Nebraska Press, 2001), 15.

<sup>39</sup> Mark S. Weiner, *Americans Without Law: The Racial Boundaries of Citizenship* (New York: New York University Press, 2006), 32-33.

the growing professionalized bureaucracy that was beginning to take shape in government science).<sup>40</sup> As a devotee of Morgan's work, Powell maintained that Indigenous Americans could be elevated to civilized society if only they were induced to adopt the trappings of settler colonial culture—private property, industry and agriculture, individualism, etc.

Even as he went about his geological work, traversing and surveying the Southwest's canyon country, Powell honed his ethnological vision. The crewmen on his Grand Canyon expeditions would grumble about slow progress; yet, Powell insisted on long departures from the river to observe the surrounding terrain, collect artifacts, and learn from and about the peoples he encountered.<sup>41</sup> Powell's patience had its rewards. During his canyon voyages, he earned the confidence of several Native American tribes, including Utes of the Tabuats band, who dubbed him *Kapurats*, and the Shivwits people who had been blamed (in all likelihood incorrectly but certainly intentionally) for the deaths of several of Powell's crew who had departed during the first expedition.<sup>42</sup>

Learning among the Native Americans, Powell began to build a cultural history of the Southwest that supplemented his own scientific approach to the past. He participated in Indigenous religious ceremonies and their more quotidian habitus. Witnessing the starvation that had been first brought on by encroaching Mormon livestock, Powell questioned why Native Americans resisted what he saw as the relative security of the reservation.<sup>43</sup> In one report, he explained the Native Americans' distrust of the U.S. military, saying that "They regard the presence of a soldier as a

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<sup>40</sup> Hoxie, *A Final Promise*, 16-17.

<sup>41</sup> Stegner, *Beyond the Hundredth Meridian*, 60.

<sup>42</sup> Don D. Fowler and Catherine S. Fowler, "John Wesley Powell's Anthropological Fieldwork," *Geological Survey Professional Paper 670: John Wesley Powell and the Anthropology of the Canyon Country* (Washington: U.S. Government Printing Office, 1969), 2; Powell's sobriquet, *Kapurats* (which means "arm off" in the Ute language) refers to an injury that he sustained during the battle of Shiloh, resulting in the amputation of his right arm.

<sup>43</sup> Worster, *A River Running West*, 262-66.

standing menace, and to them the very name of soldier is synonymous with all that is offensive and evil. To the soldier they attribute their social demoralization and the unmentionable diseases with which they are infested.”<sup>44</sup> Through these observations and experiences, Powell solidified his own views on the necessary virtue of assimilation. Then in 1881, the same year he took over directorship of the United States Geological Survey (USGS), he received authorization to establish the Bureau of Ethnology with which he set about systematizing his scientific practice.

Under Powell’s direction, the two bureaus took on markedly similar missions. The USGS continued the work of surveying and mapping the lands of the Southwest, while the Bureau of Ethnology began the labor of mapping Indigenous American peoples and their culture. Among his many goals in taking on this second task, Powell sought to catalogue all of North America’s Indigenous languages. In 1877, he published his *Introduction to the Study of Indian Languages*—what would amount to a handbook for the bureau ethnologists—and advocated for a synonymic study of words across languages. In doing so, he argued, ethnologists would be able to group similar languages into families and track their developments over time and space.<sup>45</sup> A year later in a report to Secretary Schurz, Powell stressed the urgency of this mission: “The field of research is speedily narrowing because of the rapid change in the Indian population now in progress; all habits, customs, and opinions are fading away; even languages are disappearing; and in a very few years it will be impossible to study our North American Indians in their primitive condition except from recorded history.”<sup>46</sup> Indigenous linguistic and cultural traditions seemed to be disappearing—though Powell

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<sup>44</sup> John Wesley Powell and George Washington Ingalls, *Report of Special Commissioners J.W. Powell and G.W. Ingalls on the Condition of the Ute Indians of Utah; the Pai-Utes of Utah, Northern Arizona, Southern Nevada, and Southeastern California; the Go-Si Utes of Utah and Nevada; the Northwestern Shoshones of Idaho and Utah; and the Western Shoshones of Nevada; and Report Concerning Claims of Settlers in the Mo-a-pa Valley, (Southeastern Nevada)*. (Washington: Government Printing Office, 1874), 25.

<sup>45</sup> Worster, *A River Running West*, 398-9.

<sup>46</sup> John Wesley Powell, *Report on the Methods of Surveying the Public Domain to the Secretary of the Interior at the Request of the National Academy of Sciences*. (Washington: Government Printing Office, 1878), 15.

neglected to draw the connection between that disappearance and federal Native American policies—and would require preservation. As historian Richard White adroitly notes, it is here in “Powell’s shifting interests” that Indigenous Americans “had gone from being sources of knowledge as well as objects of knowledge to being purely objects of knowledge” for the Bureau of Ethnology to observe and classify.<sup>47</sup>

The impetus to approach Native Americans in such a taxonomical way mirrors Powell’s categorization of the arid region’s geographic features and pushes the boundaries of scientific management’s utility as a strategy to optimize land use. Like the irrigation, pasturage, and timber districts, Powell argued that different Native American groups required distinct administrative plans based on their languages, customs, and relationships with other Indigenous nations. With proper study, he maintained, Indigenous peoples could be organized on reservations in complementary groups that would maximize the effectiveness of the assimilation process while minimizing the administrative effort required by the federal government. This preservationist approach belies Powell’s perception of Native Americans as objects of management rather than as willing participants or equal collaborators in the enterprise of assimilation. Powell’s interlocutors come to resemble more closely the land and resources of the Southwest—commodities with untapped potential—than citizens akin to the Eastern settlers quickly encroaching on the territory.

While Powell circulated his developmentalist theories regarding Indigenous assimilation in various forums, often addressing the scientific and cultural institutions at the forefront of American intellectualism, perhaps the clearest elucidation of his views can be found in his 1880 correspondence with white Colorado Senator (and future Secretary of the Interior) Henry M.

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<sup>47</sup> Richard White, *“It’s Your Misfortune and None of My Own”: A New History of the American West*. (Norman: University of Oklahoma Press, 1991), 133.

Teller.<sup>48</sup> In the letter, Powell declares that “All of our Indian troubles have arisen primarily and chiefly from two conditions inherent in savage society”—their religious connection to land and their formations of ownership. This common formulation of Indigenous Americans as a problem to be solved immediately suggests the imbalanced power structure within which Powell and his allies in the federal government were operating. Assimilation is presented as a beneficent solution to the imagined problem of savagery—really, the problem of difference—but critically casts Native Americans as recipients of the perceived benefits of settler colonial civilization or, as Scott Kirsch frames it, as “objects of the Bureau [of Ethnology’s] epistemological control.”<sup>49</sup> Consequently, Native Americans are to be understood as subordinates rather than confederates in the process of organizing the civic architecture of the United States in the West.

Continuing his letter, Powell first elucidates the need for Indigenous removal on the basis that the religious practices of Native Americans would interfere with their assimilation into the U.S. American body politic:

the land belonging to an Indian clan or tribe is dear to it not only as a region from which it obtains subsistence but chiefly because it is the locus of its religion. The Indian religion is localized. Every spring, creek and river, every valley, hill and mountain as well as the trees that grow upon the soil are made sacred by the inherited traditions of their religion. These are all homes of their gods. When an Indian clan or tribe give up its land it not only surrenders its home as understood by civilized people but its gods are abandoned and all its

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<sup>48</sup> Cf. John Wesley Powell, “The Three Methods of Evolution: Presidential Address Delivered before the Philosophical Society of Washington, December 8, 1883.” (Washington, D.C.: Judd & Detweiler, 1883); “From Savagery to Barbarism. Annual Address of the President, J.W. Powell, Delivered February 3, 1885,” *Transactions of the Anthropological Society or Washington* 3 (1885): 173-196; “From Barbarism to Civilization,” *American Anthropologist* 1, no. 2 (1888): 97-123; “Letter to Senator H.M. Teller,” 1880, Manuscript 3751, National Anthropological Archives, Smithsonian Institution, Suitland, MD.

<sup>49</sup> Scott Kirsch, “John Wesley Powell and the Mapping of the Colorado Plateau, 1869-1879: Survey Science, Geographical Solutions, and the Economy of Environmental Values,” *Annals of the Association of American Geographers* 92, no. 3 (2002): 564.

religion connected therewith, and connected with the worship of ancestors buried in the soil; that is, everything most sacred to Indian society is yielded up.<sup>50</sup>

This description of Indigenous land ties is an analysis of religious belief that supports a platform justifying removal. If Native Americans remained rooted within their own territory, they might not adopt the religious practices of the Christian U.S.; moreover, though Native Americans might ultimately achieve citizenship, their attachment to a single region or territory might preclude any real devotion to the nation writ large. Thus, Powell maintains, removal stands as the necessary means for breaking Native Americans of their superstitions and of beginning their induction as U.S.

Americans.

Once situated on their respective reservations, Powell advises Teller, Native Americans must be persuaded “to take lands and property in severalty.”<sup>51</sup> As with their religious beliefs, assimilationist reformers maintained that Indigenous concepts of collective ownership prevented Native Americans from fully embracing U.S. American civilization, in part, because the maintenance of private property ran counter to the distribution of land and goods by tribal governance and kinship structures. As Powell explains, among Indigenous families,

individual or personal rights and clan rights are very carefully differentiated. The right to the soil with many other rights inheres in the clan. . . . Indian virtue consists chiefly in the recognition of the clan rights and crime in Indian society consists of violation of these clan rights. This applies especially to rights to land. In Indian society the greatest crime is the claim of an individual to land and it is also a heinous sin against their religion.<sup>52</sup>

The successful introduction of private ownership into Native American society—what Powell calls “the ultimate settlement of our Indian problems”—would represent the defeat of Indigenous

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<sup>50</sup> Ibid.

<sup>51</sup> Powell, “Letter to Senator H.M. Teller.”

<sup>52</sup> Ibid.

resistance to settler colonial advances. Not only would this venture “prove” the superiority of Euro-American civilization, but it would also mark the dissolution of the extended family unit as the primary site of fealty, replacing it instead with the nation state. Though Powell simultaneously advocated for an increase in collectivization among white settlers working to improve the lands of the Southwest, any apparent irony was lost as he sought to impose a doctrine of liberal individualism on the Indigenous peoples there.

By proposing to Senator Teller that Native Americans be grouped on reservations according to predetermined similarities with each other, Powell indicates an implicit faith in the interdependence between the physical sciences and the social sciences. He notes to Teller, for example, that the Uinta Valley would serve as a suitable reservation for the Ute, Go-si Ute, and Pai-Ute nations of Utah and Colorado, both because of the compatibility of each group and because of the isolation of the space:

The Utes of Colorado and the Utes of Utah speak the same language, they are intermarried, live on friendly terms with each other, and are affiliated in habits, customs, and religion. ...

The Uinta Valley is peculiarly adapted to the purposes of an Indian reservation. On the west, south, and partly on the north it is surrounded by a system of elevated mountains which are uninhabitable, while on the east it is bounded by Green River. It is thus separated by mountain walls from white settlements on every side except a small settlement on Ashley’s Fork.

For Powell, removal is a problem for geology and ethnology. It isn’t enough to continually move Native Americans further west and/or into undesirable land, nor would the haphazard population of an otherwise desirable location achieve satisfactory results for the assimilation campaign. Instead, Powell applies his surveyor’s gaze both to potential reservation territory and to the peoples who would occupy it, noting the apparent compatibility of the Colorado and Utah Utes and the express

suitability of the Uinta Valley for use as reservation land. By focusing on the physical boundaries surrounding the valley, Powell makes the case, as Kirsch notes, “that the place *itself* was suited to this kind of land use, not only in terms of its potential for irrigation and pasturage farming, but also as a kind of naturally bounded space that would allow the Utes to develop civilized habits, and to be broken of their old ‘savage’ ways, in relative isolation.”<sup>53</sup> Powell’s emphasis on the space’s boundedness additionally underscores his employment of science as a tool for assimilation—the Native Americans grouped on their respective reservations are, in addition to their literal removal, metaphorically expelled from the nation-proper until they are deemed fit to rejoin as assimilated citizens.

Elsewhere, Powell’s descriptive writings of his ethnological encounters underscore the prevailing chauvinism and prejudice used to justify state intervention on behalf of Indigenous Americans in the late nineteenth century. After his second expedition down the Colorado River in 1872, Powell received a commission from the Department of Indian Affairs to conduct a formal investigation of Native Americans in the region, observing their condition and evaluating their fitness for removal. Working with George W. Ingalls, the recently appointed white Agent to the Paiutes of Nevada, Powell ranged over the American Southwest, meeting with the various nations there and conducting a general census as they went. Powell and Ingalls concluded that 10,347 Native Americans representing sixty-six tribes populated the region.<sup>54</sup> Though the estimation seems laughable in its precision, the commissioners earnestly stressed the thoroughness of their methodology. Whether or not the number was remotely accurate (Kirsch notes that they visited only about half of the tribes that they counted), the precision underscores analytical nature of the campaign and validates its placement under the purview of scientific study.

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<sup>53</sup> Kirsch, “John Wesley Powell and the Mapping of the Colorado Plateau, 1869-1879,” 565. Emphasis in original.

<sup>54</sup> *Ibid*, 558.

So, when Powell and Ingalls report that many of the Native Americans of the Southwest “depend very largely on begging, and are a serious burden to white settlers” their audience has little reason to doubt the veracity or objectivity of the claim.<sup>55</sup> Rather than question the causes behind the meager living conditions of Indigenous Americans—namely settler-colonial incursion into sovereign territory—the commissioners defer culpability, noting that “their hunting grounds have been spoiled, their favorite valleys are occupied by white men, and they are compelled to scatter in small bands in order to obtain subsistence.” The repeated use of passive voice artfully reframes the calculated violence rendered by imperialism instead as natural and unavoidable consequences of so-called savage culture. Thus, when Powell and Ingalls assert that their Indigenous subjects desire removal, the request can be construed as a desire for the trappings of civilization rather than as an urgent flight from annihilation:

The Indians ... appreciate that they can no longer live by hunting, fishing, and gathering the native products of the soil.

They fully understand that the settlement of the country by white men is inevitable and know the folly of contending against it; and they earnestly ask that they may have lands of their own and be assisted to become farmers and stock-raisers, but especially do they ask that they may have cattle.<sup>56</sup>

In this way, removal and assimilation come to resemble a transaction between equal—and more importantly, willing—parties. While all the evidence of coercion and self-preservation is present, the Powell-Ingalls Commission report cannot recognize the Native Americans’ request to be transferred to reservation lands as anything but willing desire.

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<sup>55</sup> Powell and Ingalls, *Report of Special Commissioners J.W. Powell and G.W. Ingalls*, 2. In this instance, Powell and Ingalls are referring specifically to the Pai-Ute tribe; however, they also note that Utes not already on reservations subsist “chiefly by begging from the white settlers of the country”; that the Go-Si Utes “chiefly subsist by begging”; and that the Shoshone “eke out a miserable subsistence by begging.”

<sup>56</sup> *Ibid*, 2-3.

Writing for a popular audience, however, Powell depicts the Native Americans in a different light. In 1875, six years after navigating the Colorado River for the first time, Powell answered to public demand by producing a series of articles and a monograph narrating the expedition as a tale of adventure, exploration and scientific discovery.<sup>57</sup> In addition to dangerous rapids and imposing canyon walls, he presents a people in need of intervention, unable to better themselves without the aid of white civilization. Late in the narrative, Powell recounts his overland journey from the Tusayan Province of Northern Arizona to the Pueblo of Zuñi in Western New Mexico. At one of the agencies on the way, Powell and his companions observe the condition of the Native Americans there:

We spend the 30<sup>th</sup> of October at the agency and see thousands of Indians, for they are gathered to receive rations and annuities. It is a wild spectacle; groups of Indians are gambling, there are several horse races, and every-where there is feasting. At night the revelry is increased; great fires are lighted, and groups of Indians are seen scattered about the plains.<sup>58</sup>

Though brief, Powell's description suggests that life at the agency is unruly and squalid. The Native Americans he encounters are "wild"—a dehumanizing adjective that urges civilizing intervention—

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<sup>57</sup> John Wesley Powell, "The Canons of Colorado." *Scribner's Monthly* 9 (1875): 293-310, 394-409, 523-537; "An Overland Trip to the Grand Canon." *Scribner's Monthly* 10 (1875): 659-678; "The Ancient Province of Tusayan." *Scribner's Monthly* 11 (1875): 193-213; "Physical Features of the Colorado Valley." *Popular Science Monthly* 7 (1875): 385-399, 531-542, 670-680; *Exploration of the Colorado River of the West and Its Tributaries Explored in 1869, 1870, 1871, and 1872 Under the Direction of the Secretary of the Smithsonian Institution*. (Washington D.C.: GPO, 1875). Powell's *Scribner's* essays comprised much of the first section of his monograph, while his contribution to *Popular Science Monthly*, a drier, more technical text, formed the basis for the second section. The more popular first section was republished in 1895, along with additional text and illustrations, by Flood & Vincent as *Canyons of the Colorado* and then again as *The Exploration of the Colorado River and its Canyons* by Dover Publications, Inc. in 1961. The added illustrations in *Canyons*, notes Rick Van Noy, "were some of the country's first 'exposure' to the landscape and Indian artifacts of the West, and they cater to the audience's voyeuristic tendencies, as they presented not only the views peering down into the canyon, but 'gazed' at Indian rituals and artifacts, not to mention women without clothing." Cf. Stegner, *Beyond the Hundredth Meridian*, 146-155; Van Noy, *Surveying the Interior*, 121-127.

<sup>58</sup> John Wesley Powell, *The Exploration of the Colorado River and its Canyons*, (New York: Dover Publications Inc., 1961), 353.

and shiftless, waiting in line for government relief rather than producing for themselves. Leaning on white supremacist stereotypes used to justify the dispossession of Indigenous lands since the early days of European colonization, Powell casts his celebrating subjects as wasteful, not inclined to self-control or economy. Consequently, the text implies, there is a great need for these assimilationist agencies, however disordered, as the Native Americans would otherwise succumb to their self-destructive impulses.

From the agency, Powell and his team travel to Fort Wingate in northeast New Mexico where, he declares, they are “in civilization once more.”<sup>59</sup> Here, again, Powell draws a sharp line between U.S. American and Indigenous societies—the former something to aspire to and the latter something to leave behind, both in space and in time. His description of Zuñi Pueblo is indicative of that antipathy: “Nothing can be more repulsive than the appearance of the streets; irregular, crowded, and filthy, in which dogs, asses, and Indians are mingled in confusion.”<sup>60</sup> The town itself is presented as a stark antithesis to the organized, scientifically-minded survey that Powell is conducting in the Southwest; Indigenous space, instead, is a messy entanglement of human and non-human nature. The Indigenous inhabitants appear almost monstrous, so indistinguishable and intermingled are their bodies with the domesticated animals living there. In this light, the twin goals of ethnology and geological science to order and classify humans in space are plain in their support of the assimilationist campaign.

Reflecting on another U.S. surveying expedition and the seismic change it rendered among North America’s Indigenous peoples, Umatilla writer Roberta Conner notes that Meriwether Lewis and William Clark’s exploration of the Louisiana Purchase and Pacific Northwest unequivocally advanced the expansionist doctrine forged by Thomas Jefferson and others in the Early Republic:

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<sup>59</sup> Ibid, 354.

<sup>60</sup> Ibid, 355.

Jefferson's recognition of tribes as sovereigns only made it more imperative that the expedition conduct ceremonial diplomacy councils, carve their names and dates on rocks and trees, brand what they could, erect improvements on the land, and name places and water-ways and map them. Anyone who might attempt to preempt the U.S. interests would know that these Americans had already been there by the evidence they left.<sup>61</sup>

The programmatic identification of Native Americans, places, and the flora and fauna of the West served not as an innocent expansion of settler-colonial knowledge but rather as a game of “finders-keepers” that saw the conflation of humans, non-human bodies, and land as objects to be possessed. Federal recognition of Indigenous sovereignty during the Lewis and Clark expedition undermines the notion that the sciences—geology, geography, ethnology, and related branches—were ever wielded by the state as tools to understand and improve the lot of Indigenous subjects; rather, as is evident throughout the long nineteenth century, they were used to promote the pseudoscientific notion of savagery as a justification for plunder.

Conner then poses the question that is so readily transcribed to much of the U.S. American mythos wherein heroism and historical culpability conflict: “if members of the expedition knowingly conducted reconnaissance with foresight and intent to dispossess Indians of their lands, should Americans still applaud their journey?” Her answer demonstrates a nuance and optimism not often characteristic of such debates: “Reluctantly, and conditionally, yes. When the United States and its citizens accept responsibility for the consequences that came after Lewis and Clark's mapping and recording, then they can praise a job well done.”<sup>62</sup> Conner commends the difficult labor that Lewis and Clark undertook, and their bravery and diligence in doing so; she denounces, instead, the

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<sup>61</sup> Roberta Conner, “Our People Have Always Been Here,” *Lewis and Clark Through Indian Eyes*, ed. Alvin M. Josephy, Jr. (New York: Alfred A. Knopf, 2007), 111.

<sup>62</sup> *Ibid.*, 111-12.

cultural architecture that cast the Native Americans that Lewis and Clark encountered as wild and thus subject to domestication.

The same might be said of John Wesley Powell, who, as Rick Van Noy critically observes, did as much to hasten the settlement of the West through the heroic depictions of his expeditions there as he would attempt to temper it.<sup>63</sup> His efforts to explore the Grand Canyon, to survey the Rocky Mountain region, and to publicize his labor revealed a West that was otherwise unknown and unknowable to many Americans in the East. His unheeded policy recommendations for a sustainable Southwest highlight the triumph of capitalistic self-interest in the history of U.S. settlement and development while offering an environmentalist blueprint for the future. And yet, Powell's successes cannot be extricated from his contributions to American imperialism and the annihilation of Indigenous ways of life.

The techno-utopian principle that shaped Powell's vision of the West in the latter half of the nineteenth century remains an impediment to contemporary environmental thought. Powell believed that, with enough data and sensible scientific management, the federal government could settle the arid lands of the United States without straining the land and water resources there. Today, as climate disaster looms monstrous, many environmental activists look to the sciences to ease the strain that human activity has imposed on the global ecosystem. Alternative and renewable energy sources like wind, solar, and even nuclear power, massive (and potentially disastrous) geoengineering projects like stratospheric aerosol injection, net zero energy building standards, and carbon capture technologies are offered as solutions to the problem of climate change by futurists like Tesla and SpaceX CEO Elon Musk who imagine they will effortlessly guide the planet out of the age of global petroculture and into an era of sustainability. Though many of these technologies represent meaningful breaks from fossil fuel consumption, what techno-futurism fails to imagine, at its very

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<sup>63</sup> Van Noy, *Surveying the Interior*, 100-141.

base, is the dissolution of market capitalism as a force that commodifies global resources and human labor as it drives inequality and marginalizes detractors and competing worldviews. Here, Powell's scientific achievements offer a sobering warning to contemporary environmentalists that even the most progressive-minded activism will falter if it continues to replicate the violent logic of capitalism and silences the voices of those who are already living in the midst of climate dystopia.

## Conclusion

When I began this project in 2016, the U.S. government was embroiled in two conflicts about the legal guarantees of property and citizenship. In January of that year a white, far-right militia led by Ammon Bundy staged an occupation of the Malheur National Wildlife Refuge in Harney County, Oregon to protest the federal sentencing of two local ranchers who had been convicted of setting fire to public lands that they believed were a violation of their right to graze livestock. Later, in April, Indigenous demonstrators and their allies settled into a nearly year-long protest near the Standing Rock Indian Reservation against the construction of an oil pipeline that would violate the land and water rights of the Oceti Sakowin, the Great Sioux Nation. Motivating Bundy was the belief in the primacy of individual rights against government intrusion and the totality of private property; the Standing Rock protests, conversely, gathered to protect a resource commons and to assert their political rights as a collective body. Though federal land use and overreach animated both groups, their methods and goals could not have been more incompatible, and the state and federal responses to each was strikingly unbalanced. How the government responded to each movement largely reveals how the land-apportionment and resource-use practices of the nineteenth century have continued to shape the political discourse around citizenship, race, and belonging in the twenty-first.

Ammon Bundy, the figure at the center of the illegal Malheur refuge occupation, was already accustomed to anti-government demonstration when he arrived in Harney County, Oregon. Two years earlier, he joined his father, the Nevada rancher Cliven Bundy, in an armed confrontation with federal officials over unpaid fees accrued grazing cattle on government land. In Oregon, Ammon once again challenged the limits of government oversight, this time in response to a federal decision to uphold the mandatory minimum sentences of two local ranchers, Dwight and Steven Hammond,

who had been convicted of setting fire to federal property. Though the Hammonds did not seek Bundy's help or sanction his subsequent actions, Bundy demanded the release of the two men, claiming that the federal sentencing guidelines used in the case were unconstitutional. Soon after, his militia seized control of the U.S. Fish and Wildlife Service building that served as their base of operations and settled in for an occupation that, by all accounts, would last years if necessary.

The occupation lasted a month. Bundy and several other militia leaders were apprehended as they travelled to a speaking engagement; another leader, LaVoy Finicum, was fatally shot by law enforcement agents after he challenged them to shoot him and then reached for a loaded firearm; and the remaining militiamen capitulated in the coming days as state and federal agents upped the pressure of their blockade. Yet, though they broke numerous federal laws and caused extensive damage to the refuge and Paiute cultural sites, Bundy and his followers escaped relatively unscathed. Only seven of the twenty-seven indicted militia members saw prison time, and for only one to two years each at that. Most of the remainder were sentenced to probation or house-arrest. The Hammonds received presidential pardons from Donald J. Trump in 2018 for their own crimes, and Bundy and six other members of the occupation were fully acquitted of all charges brought against them.<sup>1</sup>

What's more, the occupation provided Bundy a media platform from which to issue his anti-government convictions to the general public. More than just opposing the Hammonds' sentencing,

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<sup>1</sup> Liam Stack, "Wildlife Refuge Occupied in Protest of Oregon Ranchers' Prison Terms." *The New York Times*, January 2, 2016. <https://www.nytimes.com/2016/01/03/us/oregon-ranchers-will-return-to-prison-angering-far-right-activists.html>; Tay Wiles, "Malheur occupation, explained." *High Country News*, January 4, 2016. <https://www.hcn.org/articles/oregon-occupation-at-wildlife-refuge>; U.S. Attorney's Office, District of Oregon, "Eastern Oregon Ranchers Convicted of Arson Resentenced to Five Years in Prison." Department of Justice, October 7, 2015. <https://www.justice.gov/usao-or/pr/eastern-oregon-ranchers-convicted-arson-resentenced-five-years-prison>; OPB Staff, "41 Days: An OPB Documentary on the Oregon Occupation." *Oregon Public Broadcasting*, February 15, 2016, updated September 14, 2016. <https://www.opb.org/news/series/burns-oregon-standoff-bundy-militia-news-updates/oregon-standoff-occupation-malheur-41-days-opb-documentary/>.

Bundy saw his occupation as a censure of the federal government's land management policies. In a video interview posted to the Bundy Ranch Facebook page, Ammon presented that argument, claiming that federal possession of land violated the rights of American citizens who could not take advantage of the land themselves: "we're out here because the people have been abused long enough, really. Their lands and their resources have been taken from them to the point where it's putting them literally in poverty." While Bundy draws on rhetoric paralleling calls for an open commons and the adoption of usufruct resource management—positions that his co-organizers echoed—what he more accurately sought was an open market and the privatization of public lands. The government is controlling the public, he declares "by controlling the land and the resources, because they know where wealth generates from. Wealth generates from the earth, from the land and the resources, and so they can control [the land and the resources]. They can be the beneficiaries of [the land and the resources] and the American people have to basically beg them for whatever they give them." Adds Finicum, "if you control the land, you control the people. This land belongs to the people of the county. It doesn't belong to the federal government."<sup>2</sup>

Speaking in terms of control and economic gain, Bundy and Finicum echo complaints lodged by James Fenimore Cooper nearly two centuries prior when he lamented the Anti-Renters' efforts to restrict the political and economic rights of New York's landed class. Bundy would likely have viewed himself unironically in the position of the Anti-Renters, wresting control of vast land monopolies from an uncaring elite and returning the land to the people, writ large. In reality, "the people" whom Bundy claimed had been long abused by government overreach were not American citizens as a whole, nor more specifically members of the Paiute nation who were actually disposed of their land when Theodore Roosevelt authorized the creation of the reserve in 1908; Bundy's

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<sup>2</sup> Bundy Ranch. 2016. "Standing for the rights of men & women." Facebook, January 3, 2016. <https://www.facebook.com/watch/?v=938588846217924>.

“people,” by contrast, were, white Christians, and especially the class of wealthy, white ranchers who could afford to challenge the government so directly and whose complete monopolization of Western land and resources was prevented only by federal land protections. Occupying federal land at the Malheur refuge, Bundy hoped to effect, ultimately, a new Manifest Destiny at the logical completion of the Public Land Survey System and other Western survey efforts—the total sale, privatization, and exploitation of public land.

Meanwhile, in North Dakota, Indigenous activists readied themselves for their own fight for land rights and civic recognition. When the Dakota Access Pipeline (DAPL) received its final approvals early in 2016, young members of the Standing Rock Sioux quickly began organizing public demonstrations and awareness campaigns, including a two-thousand mile relay from North Dakota to Washington, D.C., under slogans like “ReZpect Our Water” and “Mní Wičóni”—Water is life. DAPL, owned by parent company Energy Transfer Partners (ETP), was to run from the Bakken shale formation in northwest North Dakota to refineries in Patoka, Illinois nearly twelve-hundred miles away, crossing under the Missouri and Mississippi rivers and passing near Indigenous land in the process. The pipeline, activists feared, posed an environmental hazard to those waterways and the populations and ecosystems that depended on them. Construction, moreover, threatened to damage or destroy significant historical and archaeological sites that underwrote the cultural and spatial territory of the Great Sioux Nation. Following the lead of these young activists, Sioux leaders including Joye Braun and the historian LaDonna Brave Bull Allard established the first of the water protector camps that, at the height of the DAPL protests, represented the tenth largest population center in North Dakota.

Arguing that the federal government failed to adequately consult Indigenous communities or conduct a proper impact study of the pipeline’s route, the Standing Rock Sioux took to legal channels to halt construction during the summer. Though they earned a temporary injunction

against the project, by September, a federal judge permitted ETP to resume work. And though President Barack Obama suggested in November that the federal government might intervene to reroute the pipeline, he did not provide any immediate plans to do so. All the while, Native Americans and non-Native allies flocked to protest sites where they demonstrated peacefully, holding sit-ins and prayer circles, interfering with construction sites, and blockading roadways.

In response, heavily militarized law enforcement agencies from across North Dakota treated the protesters as criminals. Officers in riot gear routinely responded to non-violent demonstrations with tear gas, dogs, and rubber bullets and, in a particularly brutal incident, used water cannons to disperse protests in freezing weather conditions. By November, police had arrested more than four-hundred protesters citing felony offenses like criminal trespass and rioting (though many of these charges have since been dismissed) and kept detainees in inadequate facilities. The governor of North Dakota called in the state's National Guard, and ETP hired the private security firm TigerSwan to run military counterterrorism operations. With winter coming on, the governor ordered the mandatory evacuation of the protest sites. David Archambault, the tribal chairman of the Standing Rock reservation, also called for protesters to disband, citing concerns about safety and sanitation in the harsh weather conditions, but some remained until February 2017 when the National Guard cleared the remaining camps. Throughout the protests, the militaristic surveillance and control exercised by the government at state and federal levels echoed nineteenth-century efforts to dispossess Indigenous nations of their land and rights at the behest of extractive industries in, for example, Georgia and the Black Hills where the discovery of gold led to the removal of Cherokee and Sioux peoples respectively. Any hope among DAPL protesters that the federal government—already reticent under Obama's Democratic leadership—would ultimately come to their aid was quashed after the 2016 presidential election when the new Republican administration

quickly announced their support of the Dakota Access project and the equally controversial Keystone XL pipeline.<sup>3</sup>

The logic of nineteenth-century land surveying set the stage for the federal response to the DAPL protests and the Malheur occupation, underscoring particularly the nation's pro-white, pro-capital, and anti-regulatory biases. The all-white Bundy militia, despite being heavily armed and lodging threats of violent resistance, was unquestionably met with leniency by federal law enforcement agents, as has consistently been the case in matters of policing at all levels of governance. Bundy may have decried governmental overreach, but the fact that his militia was not met with the kind of militaristic violence directed at the DAPL protesters exposes a racial blind spot from which the Malheur occupants openly benefited. One reporter noted the similarity between the Malheur occupation and a 1979 incident in which a group of protesters occupied a wildlife refuge in Harris Neck, Georgia that they claimed had been unjustly taken from its rightful owners. The primary difference between the two events—the Georgia protesters were black; yet, despite furnishing evidence that the land had indeed belonged to emancipated black citizens before being seized by the federal government for war production in 1942, and despite being unarmed, the occupiers were labeled squatters by the media and forcibly removed by the FBI.<sup>4</sup> The Standing Rock protesters were likewise met with undue physical and juridical force by police agencies keen to

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<sup>3</sup> Carla Javier, “A Timeline of the Year of Resistance at Standing Rock.” *Splinter*, December 14, 2016. <https://splinternews.com/a-timeline-of-the-year-of-resistance-at-standing-rock-1794269727>; Sam Levin, “Dakota Access Pipeline: the who, what and why of the Standing Rock protests.” *The Guardian*, November 3, 2016. <https://www.theguardian.com/us-news/2016/nov/03/north-dakota-access-oil-pipeline-protests-explainer>; Rebecca Hersher, “Key Moments in the Dakota Access Pipeline Fight.” *NPR*, February 22, 2017. <https://www.npr.org/sections/thetwo-way/2017/02/22/514988040/key-moments-in-the-dakota-access-pipeline-fight>; Caroline Grueskin, “More Felonies Against Pipeline Protesters Dropped.” *Bismarck Tribune*, November 29, 2016. [https://bismarcktribune.com/news/state-and-regional/more-felonies-against-pipeline-protesters-dropped/article\\_ce611b89-67fe-5b64-8974-c686883ae7f1.html](https://bismarcktribune.com/news/state-and-regional/more-felonies-against-pipeline-protesters-dropped/article_ce611b89-67fe-5b64-8974-c686883ae7f1.html).

<sup>4</sup> Joseph Rose, “Oregon Standoff: Feds Forcibly Removed Black Occupiers from Wildlife Refuge in 1979.” *The Oregonian*, January 15, 2016, updated January 9, 2019. [https://www.oregonlive.com/history/2016/01/oregon\\_standoff\\_feds\\_forcibly.html](https://www.oregonlive.com/history/2016/01/oregon_standoff_feds_forcibly.html).

perpetuate stereotypes of Indigeneity that have poisoned settler-colonial attitudes toward Native Americans since before the nation's founding.

Equally disturbing, though Bundy complained bitterly that the U.S. government was trampling the rights of its citizens and destroying their ability to make a living, the DAPL project saw the federal government actively catering to the interests of ETP over the objections of American citizens and sovereign Indigenous nations. In doing so, the government effectively chose to use state and federal resources to police and surveil the public at the behest of a private corporation. The decision to continue with construction of the pipeline has violated the treaty rights of the Standing Rock Sioux, their right to self-determination, and their ability to safeguard ecological systems that transcend borders, race, and species. Nor have issues like these been remedied in the intervening years. In the 2016 presidential election, the Republican candidate campaigned on an ethnonationalist platform touting nativism, border control, corporate production, and economic privatization and won on a wave of populist, far-right support from individuals like Ammon Bundy who believed that government had become too enmeshed in their lives. In short, the vision that fueled American imperialism and capitalistic development in the nineteenth century continues to win the day.

Yet there is reason to be hopeful. Not only did Trump lose the popular vote, signaling that the public rejection of his platform was massive and widespread, the DAPL protests have also proven that the technologies of surveying and surveillance used primarily to the advantage of the state in the nineteenth century are becoming increasingly democratic in their application. Confronted by police officers held unaccountable for their violent tactics and an energy corporation held equally unaccountable for the ecological and cultural destruction it endorsed, some protesters turned to drones as a way to accomplish their goals. Doing so, they recorded episodes of militarized police brutality in order to seize the public narrative for themselves. The drone operators also

monitored law enforcement movements so that protesters could prepare and respond in real time, if not freeing themselves from surveillance in the process, at least benefitting from it themselves. And, using their drones to capture the sweeping North Dakota landscape, protesters conveyed to the public how the pipeline construction would directly impact a sizeable yet fragile ecosystem. “By sending their drones up and over barricades,” note Adrienne Keene and Gregory Hitch, “they illuminated spaces hidden from the public, unmasked the face of force, and showed the world the beauty of the landscape that was threatened by pipeline construction and potential contamination,” and in the process, they adapted strategies of placemaking to stake their own claim to the territory.<sup>5</sup>

Even more critically the protest camps also highlighted the instability of the United States’ settler-colonial ideology rooted in nineteenth-century imperialism and shone a spotlight on alternative models of ecological citizenship and self-determination rooted in Indigenous knowledge and culture-ways. The Lower Brule Sioux scholar Nick Estes argues that the Indigenous struggle over the DAPL was “also a struggle over the meaning of land.” While white Americans have long viewed land as a resource and the source of other resources—Ammon Bundy said as much during the Malheur occupation—Indigenous Americans view land as history, the burial site of their dead. Estes writes that “because Native people remain barriers to capitalist development, their bodies needed to be removed—both from *beneath* and *atop* the soil—therefore eliminating their rightful relationship *with* the land.”<sup>6</sup> In effect, ETP sought to erase Indigenous history from the North Dakota landscape in order to claim it as U.S. American and thus open to plunder. This scheme has animated much of the erasure of Indigenous Americans from our shared national history. The protest camps were, however, a rebuke to that erasure. Estes recounts how Brave Bull Allard was

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<sup>5</sup> Adrienne Keene and Gregory Hitch, “Drone Warriors: The Art of Surveillance and Resistance at Standing Rock.” *Edge Effects*, November 7, 2019, updated November 21, 2019. <https://edgeeffects.net/drone-warriors-standing-rock/>

<sup>6</sup> Nick Estes, *Our History is the Future: Standing Rock versus the Dakota Access Pipeline, and the Long Tradition of Indigenous Resistance*. (New York: Verso, 2019), 47.

overcome by the proliferation of Indigenous culture: community members working, cooking, and eating together in community; providing for each other; children listening to stories and their elders leading them in their education; everyone speaking Dakota. There, amidst the protests and violence, the camps “embodied a brief vision of what Native life could be” and served as a reminder that, even now, there is an opportunity to move beyond a vision of land as a commodity to be organized, parceled off, and consumed.<sup>7</sup> In the era of global climate crisis, the Oceti Sakowin are an example, not simply for a brief moment, for activists and community leaders looking to reject short-sighted extractionism and instead embrace sustainable modes of land use and community development.

How does the survey contribute to this sustainable mode, and what lessons can be drawn from nineteenth-century land surveying and land-use practices? Arguing that imperialism and the survey were inalienable in U.S. American history, Albert Boime declares in no uncertain terms that nineteenth-century surveyors “all employed the same high-flown philosophical and aesthetic lingo for rationalizing national conquest and the subjugation of the Native American population.”<sup>8</sup> But this dissertation has demonstrated that surveying is a flexible tool that can be utilized in support of a range of ideologies, from James Fenimore Cooper’s conservative support of absolute ownership rights to John Brown’s radical anti-slavery activism. If surveying has indeed served the interests of American imperialism and white supremacy, it has done so chiefly because those ideologies so thoroughly embraced its exclusionary potential in the pursuit of people, land, and resources to exploit. At its most basic, however surveying is a way of seeing, a means of imagining land and gathering an archive of knowledge about it that is not inherently exploitative but rather generative. John C. Frémont’s expeditions, though tied to the expansionist rhetoric of Thomas Hart Benton and others, revealed the Great Plains as a vibrant and varied environment unbefitting of its reputation as

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<sup>7</sup> Ibid, 51-51, 57-58.

<sup>8</sup> Boime, *The Magisterial Gaze*, 148.

a desert wasteland, while William J. Wilson employed a surveying mode to safeguard New York's growing black community from the violence of white supremacy. Divorced from exploitation, surveying thus has the generative potential to support community growth, to impart land-based knowledge, and to foster land-management practices that anticipate the needs not only of the present but of the future as well.

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