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OP-ED CONTRIBUTOR

## Our Founding Illegals

By **WILLIAM HOGELAND**

EVERY nation is a nation of immigrants. Go back far enough and you'll find us all, millions of potential lives, tucked in the DNA of our African mother, Lucy. But the immigrant experience in the United States is justly celebrated, and perhaps no aspect of that experience is more quintessentially American than our long heritage of illegal immigration.

You wouldn't know it from the immigration debate going on all year (the bipartisan immigration bill-in-progress, announced this week, is unlikely to mention it), but America's pioneer values developed in a distinctly illegal context. In 1763, George III drew a line on a map stretching from modern-day Maine to modern-day Georgia, along the crest of the Appalachians. He declared it illegal to claim or settle land west of the line, all of which he reserved for Native Americans.

George Washington, a young colonel in the Virginia militia, instructed his land-buying agents in the many ways of getting around the law. Although Washington was not alone in acquiring forbidden tracts, few were as energetic in the illegal acquisition of western land. And Washington was a model of decorum compared to Ethan Allen, a rowdy from Connecticut who settled with his brothers in a part of the Green Mountains known as the Hampshire Grants (later known as "Vermont"). The province of New York held title to the land, but Allen asserted his own kind of claim: He threw New Yorkers out, Tony Soprano style, then offered to sell their lots to what he hoped would be a flood of fellow illegals from Connecticut.

Meanwhile, illegal pioneers began moving across the Alleghenies and into the upper Ohio Valley, violating the king's 1763 proclamation and a few more besides. (George would today be accused of softness on immigration; he kept shifting the line westward.) Immigrants from such déclassé spots as Germany and Ireland violated the laws and settled where they pleased. The upper Ohio was rife with illegal immigrants, ancestors of people who, in country clubs today, are implying a Mayflower ancestry.

Parallels to today's illegal immigration are striking. Then as now, it was potentially deadly to bring a family across the line. But once across, illegals had a good chance of avoiding arrest and settling in. Border patrols, in the forms of the British Army and provincial militias, were stretched thin. The 18th-century forest primeval, like a modern city, offered ample opportunities for getting lost. Complex economies thrived in the virgin backwoods, unfettered by legitimate property titles.

When conflicts developed between the first and second waves of illegals, some salient social ironies arose, too. By the early 1770's, George Washington had amassed vast tracts to which his titles were flatly invalid. The Revolution rectified that. With British law void, Washington emerged from the war with his titles legal by default. But he acquired another problem: low-class illegals were squatting on his newly authenticated, highly valuable property.

Washington harbored no fond feeling for breakers of laws that he too had recently flouted. "It is hard upon me," he lamented without irony, "to have property which has been fairly obtained disputed and withheld." He went to court to have the squatters evicted, complaining that they had "not taken those necessary steps pointed out by the law." He was appealing to righteousness from atop a high but wobbly horse.

Descendants of the great immigration experiences of the 19th and 20th centuries visit the Ellis Island Immigration

Museum to learn of the tribulations of ancestors who risked much to become Americans. Those of us whose ancestors risked everything as illegal immigrants, and in the process helped found a nation, owe our forebears a debt of gratitude, too. Without their daring disregard of immigration laws, we might not be here today.

*William Hogeland is the author of “The Whiskey Rebellion: George Washington, Alexander Hamilton and the Frontier Rebels Who Challenged America’s Newfound Sovereignty.”*

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