

# WHO IS FREE?

**CALIFORNIA JOINED THE  
UNION AS A FREE STATE,  
BUT SLAVERY WAS STILL ALLOWED**



**THE VIRTUAL SLAVERY  
OF CALIFORNIA INDIANS WAS  
ONLY PART OF THE ASSAULT  
ON NATIVE PEOPLE. THEY  
COULD NOT CHALLENGE THIS  
ABUSE IN COURT PARTLY  
BECAUSE LAWS BARRED  
INDIANS FROM TESTIFYING IN  
TRIALS INVOLVING WHITES.  
BUT INDIANS RESISTED  
IN MANY OTHER WAYS.**

An 1850 law permitted judges to declare an unemployed Indian a “vagrant” to be sold as an indentured servant to the highest bidder. Native American children could be indentured until adulthood. Many were kidnapped and sold into such slavery. The state legislature repealed the law in 1863, prompted by President Lincoln’s Emancipation Proclamation.



Before the Civil War, slave owners were allowed to keep enslaved persons in California if they were just passing through the state. Others openly defied California law and kept slaves.

**Bridget “Biddy” Mason** was a slave brought to California in 1851. When her owner decided to leave for Texas, African Americans in Los Angeles organized to free Mason. In 1856, a judge granted Mason’s freedom and ruled that her owner had given up the right to own slaves upon entering California.



**FORMER SLAVE BIDDY MASON  
BECAME A MIDWIFE, PROPERTY OWNER,  
AND PHILANTHROPIST IN LOS ANGELES.**



**RAMON BRIONES, MESA, QUIERA, AND BERYESSA OF NAPA COUNTY, ARE IN THE HABIT OF KIDNAPPING INDIANS IN THE MOUNTAINS NEAR CLEAR LAKE, AND IN THEIR CAPTURE SEVERAL HAVE BEEN MURDERED IN COLD BLOOD. THERE HAVE BEEN INDIANS TO THE NUMBER OF 136 THUS CAPTURED...AND HELD HERE IN SERVITUDE ADVERSE TO THEIR WILL.**

**- CONTRA COSTA COUNTY DISTRICT ATTORNEY, 1853**

Indian Boy: Courtesy of the Oakland Museum of California

Biddy Mason: Security Pacific National Bank Collection/Los Angeles Public Library