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ATTITUDES TOWARD SLAVERY IN EARLY CALIFORNIA

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CALIFORNIA ROOM

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History 270^{III}
Dr. Wikramanayake
Spring 1973

INTRODUCTION

Library shelves are literally overflowing with books on the history of California from its earliest times to the present. And included in most books is at least a brief mention that California was admitted to the Union in 1850 as a free state. In fact, many books have been written just on the "Compromise of 1850" and tell of the issues, the debates and discussions that went on in the United States Congress while California waited for admittance as a state.

But while we are deluged with general histories of our state, there is a definite lack in outlining the more personal problems that confronted the people in a new land. The attitudes of the people as statehood was debated over the slavery issue - indeed the attitudes of both white and black settlers who may have come West seeking the same freedoms and fortunes not available in the structured society of the East is not mentioned.

Now that many new histories of black people in the United States have been written, we are learning more and more of individuals of that race who did well in California as well as elsewhere. The stories of men like James Beckwourth who discovered the lowest pass through the Sierra Nevada Mountains, Alvin Coffey who was a slave who bought his freedom and that of his family to come to this state and became the only Negro to join the Society of California Pioneers, or William Leidesdorff who came here from the Danish West Indies as master of a trading vessel

in 1841 and stayed to become a popular merchant who in 1845 was appointed U.S. Vice-Consul, are indeed most interesting. These men are written up as "heroes" to the black people and rightly so. But what happened to the remaining black men and women who came to early California?

This paper will concern itself with an issue that may have been answered legally but perhaps not morally - what were the attitudes toward slavery in early California? Hopefully, in the scope of answering the above question it will also be possible to show the general attitude toward black people in early day California and the ramifications of such an attitude which may be felt even today.

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The year 1848 is a decisive one in the history of California. Not only did California become a U.S. possession at that time but it was also the year when gold was discovered. Both of these events helped to spearhead a great influx of Americans to the Far West - bringing with them not only their aspirations for a new life but also the old prejudices of their former one.

The first mention of Negro slavery in California was approximately 1537 when Cortes sailed from the port of Tehuantepec to the head of the Gulf of California transporting four hundred Spaniards and three hundred Negro slaves to begin a colony. All during the early period of colonization Negro slaves were brought on trading ships and with various expeditions, which they usually deserted once the destination was reached.¹ By the 1790's, at least twenty percent of the Spanish-speaking settlers and soldiers in California were of African or part-African heritage.²

The famous Pico Family of Spanish and Mexican California was a mixed-blood family of Spanish, Indian and African descent. Pio Pico became the last Mexican Governor to serve before United States possession of California.³

The first English-speaking Negro to settle permanently in California arrived in 1816 and was known as "Bob". He settled in Santa Barbara and in 1819 was baptized as Juan Cristobal.⁴

Several members of the Bouchard expedition of 1818 were Afro-

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Americans. This was an Argentine effort to liberate the Americas from Spain.⁵

Many Negroes arrived in California between 1821 and 1848, some of them escaping from U.S. vessels while others moved West as freemen.⁶ Almost all were absorbed into the Mexican nationality and no "Negro" community as such ever came into existence prior to 1848.⁷ By the time California became a territory of the United States, slavery had been abolished in Mexico for nearly twenty years.⁸

During the first few months of the 1848 Gold Rush, the Negroes who ventured to California did not at first suffer from much if any serious racial discrimination. The mining districts were not overly crowded and since there was so much gold, even the Indians were allowed to search for it.⁹

The first noticeable anti-Negro prejudice in the mining regions occurred in those areas where slaveholders from the Southern United States and free Negroes sought wealth in groups.¹⁰ Negroes were so numerous in one area in 1849 on the American River that it was known as "Negro Bar", but this particular place was destroyed a year later when the Virginia Mining Company drained the river bed at that point. While the village was in existence, there were both Negro slaves and freemen living there.¹¹

Frequently, slaves would receive their freedom as a result of their working in the mines. And there were also incidences where slavemasters brought a large number of Negro slaves to a particular area to work only to find considerable opposition from the white miners.¹² In other mining areas there was at first a general tolerance of black men. Although Negroes were not supposed to sit at the same tables as whites in restaurants, they were allowed to lose their money in the same gambling rooms.¹³ In towns or camps of any size, Negroes would stay at a hotel kept by a Negro proprietor. Where there was no special hotel in the smaller areas, the black man could find lodging with whites, but they were served last.¹⁴

In 1850 there were 962 Negroes living in California and of these only about one-third lived in the mining districts. As the census did not distinguish between free and slave Negroes, the number of slaves in California at that time is unknown.¹⁵

For some unknown reason, Negroes were thought to be "lucky" in discovering gold fields. As a result, several merchants in New York provided travel expenses to Negroes who would look for gold for them.¹⁶ Slaves of some Southerners were also used to hunt gold mines, while others were used as domestic workers near the mines to acquire money for their masters.¹⁷

The white miners who worked their own independent claims

considered slave labor to be unfair competition. Walter Colton, writing about his experiences in the mining camps noted that most miners were not concerned about the abolition of slavery or the Wilmot Proviso, but that they saw it only from their own position: "they must themselves swing the pick, and they won't swing it by the side of negro slaves."¹⁸

The absence of law and order and the fear that Negro slavery would spread finally led to the Constitutional Convention in Monterey, in September and October of 1849.¹⁹ The question of slavery was not debated as much as had been expected. The southern faction was led by William M. Gwin, who became a United States Senator from California. The northern faction was led by David C. Broderick who was later chosen a State Senator.²⁰ The convention delegates did agree to accept the same constitutional restrictions against free Negroes that occurred in the Middle West. Negroes were debarred from voting and excluded from the militia.²¹ But the final draft did contain a section which provided that "neither slavery nor involuntary servitude unless for the punishment of crime shall ever be tolerated in this state."²²

Peter Burnett of San Jose was the first governor of the new state. He advocated a policy of total exclusion of any and all Negroes in California.²³ In his annual report as chairman of the board of state prison inspectors during his term as governor, he stated that Negroes were conspicuous for their drunkenness

and improvidence and he refused to pardon any of them serving sentences in the state prison.²⁴ Burnett praised the California Constitution for prohibiting slavery but recommended that a measure be passed excluding free Negroes to the state. He felt that such a law would be justified because the constitution as it stood did not grant equal status to Negroes.²⁵ Although Burnett's policies were not approved by the legislature, resolutions were passed disapproving of any antislavery movements and protesting against any limitation of slaveholders' rights.²⁶ The voting pattern for these resolutions revealed that the mining districts were the principal strongholds for Negro exclusion to the state.²⁷

The state census in 1852 showed that 2,206 Negroes were then in the state, more than double the number in 1850. The legislature once again considered measures of exclusion. One measure which was passed and remained in force until 1855, "permitted a slaveholder to reclaim any Negro in the state whom he had held as a slave prior to the adoption of the state constitution." Also, Negroes could not testify on their own behalf in a court of law. And any white person who helped a former slave in resisting arrest was liable to a \$500.00 fine and a jail term.²⁸

At various times rumors had circulated throughout the state regarding a division of the land. Factions in the south who

avored slavery had attempted to separate a portion of southern California from the rest of the state using the argument that their interests were completely agricultural while the north's interests lay mainly in mining. An editorial in Alta California disposed of the problem this way:

Putting out of view all consideration of cost, disregarding all question as to the uncertainty of obtaining a majority of the citizens of this State in favor of the division, making no note of the danger of running into the evil of forming two States - this momentous Slavery question outweighs all others. Who does not see that the assembling of a convention to change the present constitution would be the signal for opening, upon the soil of California, that hateful and baneful discussion of the question of negro slavery which has so nearly severed the Union? Any man in his senses must know that such would be the consequences, because every person of the slightest observation or insight into our political affairs is well convinced that this impracticable and deceitful scheme for the division of the State is mainly urged on by persons known to favor the establishment of slavery upon this coast.²⁹

The first cases involving the legality of slavery in California occurred in 1850 just prior to admission to the Union. In two cases in Sacramento and San Francisco, the judges ruled that a Negro slave brought voluntarily to California by his master acquired his freedom. But an alcalde in San Jose returned a slave to the possession of his master at the same time.³⁰

The State Supreme Court began hearing slavery cases after July 1852, soon after the legislature had passed their Fugitive Slave Act. The court affirmed the right of slaveholders under

the United States Constitution to bring their property with them into California up to the time of its admission into the Union and that the state could not lawfully declare those slaves brought here prior to September 9, 1850, to be free. In other words, slaves would still be considered as such in the state of California.³¹

The law of slavery in California, as interpreted in this series of decisions, gave a legal basis for the common practices of the time. . . . most colored people were too docile and too ignorant to claim their freedom, while public sentiment would not support any interference by meddling abolitionists with the maintenance of masters' rights over their personal property. Many slaves, indeed, successfully asserted their freedom or took advantage of the general social disorganization and seized opportunities to escape by running away from their masters to mining camps and settlements where pursuit and identification were most difficult. Many more simply continued to labor obediently under a system to which they had always been accustomed, living as slaves in fact, whatever their real legal status. These general tendencies were undoubtedly maintained when the pro-slavery supreme court of the State was ready to go to almost any length to protect the peculiar institution.³²

"Discrimination against Negroes increased following the failure to restrict Chinese immigration in 1855."³³ By 1852, only three years after the first Chinese immigrants arrived in California, there were already 17,000 in the state and by 1860 were double that figure. Demands for Chinese exclusion soon took precedence over Negro exclusion proposals. The legislature did not react at once to the problem, believing that any laws excluding Chinese might violate trade agreements between

the governments of the United States and China. But finally in 1855 the legislature did pass an act, without specifically naming the Chinese, that would restrict immigration by levying a \$50.00 tax on shipowners for "each incoming foreign national who had not previously lived in the United States and who was not eligible for American citizenship." The State Supreme Court almost immediately declared the law unconstitutional.³⁴ Faced with the problem of more unwanted racial minorities in the state, white settlers began showing more outward prejudice against the Negroes.

The editor of the Indiana Sentinel, who frequently published uncomplimentary articles about free Negroes, encountered a former slave who had been liberated in California and who had returned to his master in Arkansas. Defending his action, the Negro declared: 'In California I was free, but there was a wider difference between the white and black man than in Arkansas. I labored hard, but I was a nigger and that was enough with the Yankees, and I preferred to be a slave with my old master, where I could be respected as such, than to be a free man among white men in a free State.'³⁵

Activity by free Negroes began as early as December 1849, when a "Mutual Benefit and Relief Society" was organized in San Francisco. There were at least thirty-seven members.³⁶

In 1852 a Franchise League was organized and campaigned for "the right to testify in court cases involving whites."³⁷ Indignation had been aroused among Negroes because of a court

case involving the murder of a Negro by a white man with the only known witness being a Negro. The jury acquitted the white man because the Negro was not allowed to testify.³⁸ The Negroes of San Francisco drew up a petition which was presented to the legislature in March, 1852.³⁹ The legislators not only rejected the petition but also agreed not to entertain further petitions from Negroes.⁴⁰

Another court case where a Negro was not allowed to testify resulted in a protest convention in 1855.⁴¹ The first "Convention of the Colored Citizens of the State of California" was held in the Colored Methodist Church of Sacramento for three days in November. Forty-nine delegates were present representing ten counties in the state.⁴² Several resolutions were adopted at the meeting mostly calling attention upon the "right to testify" issue, declaring the law "to be unjust in itself and oppressive, to every class in the community."⁴³ An "Address to the People of California" was also written calling attention to the fact that there were now 6,000 Negroes in the state and that they had collectively accumulated nearly \$3 million in wealth, and therefore needed the equal protection of the law.⁴⁴

We point with pride to the general character we maintain in your midst, for integrity, industry, and thrift. You have been wont to multiply our vices, and never to see our virtues. You call upon us to pay enormous taxes to support Government, at the same time you deny us the protection

you extend to others; the security for life and property. You require us to be good citizens, while seeking to degrade us. You ask why we are not more intelligent? You receive our money to educate your children, and then refuse to admit our children into the common schools. You have enacted a law, excluding our testimony in the Courts of justice of this State, in cases of proceedings wherein white persons are parties; thus openly encouraging and countenancing the vicious and dishonest to take advantage of us; a law which while it does not advantage you, is a great wrong to us. At the same time, you freely admit the evidence of men in your midst, who are ignorant of the first principles of your Government - who know not the alphabet. Many colored men, who have been educated in your first collages, are not allowed to testify! And wherefore? our Divine Father has created us with a darker complexion.⁴⁵

Petitions from the convention had no effect on the legislature and so a "Second Annual Convention of the Colored Citizens of the State of California" was held in 1856. Seventeen counties were represented this time by sixty-one delegates. The main focus of this convention was once again on the testimony issue, but with little or no success. "The convention did, however, mobilize support for the newly-founded colored newspaper, Mirror of the Times, and passed resolutions relative to education and legal equality."⁴⁶

When the third convention met in 1857, it was convened in an atmosphere of discouragement. As there had still been no change in the rights of Negroes to testify, that issue was again a primary objective.⁴⁷ Fifty-five delegates were present and resolu-

tions were passed about their right to testify and favoring continued interest in education as well as the following:

Resolved, That the opinion rendered by Chief Justice Taney, and concurred in by other Judges, in the Dred Scott case, is a palpable violation of the principles of the Declaration of Independence, of falsification of manhood, and a flagrant injustice to 800,000 freemen of the United States, and as such, merits the reprobation of every freeman.

Resolved, That the late Decision of the Supreme Court of the United States in the Dred Scott case, which declares that Colored men have no rights that white men are bound to respect, is a doctrine so horrible in its effects, that the civilized world is put to blush, when they turn their eyes toward that Government which ought to be the most liberal in its principles.⁴⁸

"Talk about leaving the United States to go to Canada or Mexico was common and, in fact, many black people did go to the British Columbia gold fields during this period."⁴⁹ It should be noted that it was not until 1863, after the Emancipation Proclamation, "was the California Negro granted the legal right to testify in cases where white men were defendants."⁵⁰

In 1858 another Negro exclusion measure was introduced in the legislature. It would require all Negroes to register by October 1, 1858. "Any Negro unable to produce proof of registration after that date was to be auctioned for six months' labor; the person purchasing the Negro's services was obligated to provide for his removal from the state after the service term."⁵¹ By an overwhelming vote, the bill was passed in the

lower house but several amendments were added in the senate that would exempt present Negro residents from punishment. The bill was returned to the lower house but did not become law only because the amendments were not acted upon before the end of the session.⁵²

Several important literary and benevolent societies were formed by free Negroes in the 1850's and 1860's. One of these was the San Francisco Athenaeum, a cultural center built and operated by Negroes, which was begun in 1853. It was housed in a two-story building with the ground floor used for stores while the second floor was set aside for a library and reception hall. "Later it was said that the Athenaeum required its members to be both moral and intelligent and that the institution was giving 'tone and character to society.' Its library already numbered some eight hundred volumes, while newspapers and magazines were available for the more casual reader."⁵³

Education was always a major concern to free Negroes. An article written by J. Holland Townsend in March, 1859, who was a Negro resident of California, tells of the efforts of Negroes in the state to achieve educational opportunities for their children.⁵⁴ Attempts were made both in Grass Valley and in Sacramento to establish schooling for black children and the first "Public School for colored children in the State of California, was established in the city of San Francisco in 1855."⁵⁵

About forty students were enrolled in the school but it was soon found that some families moving to San Francisco from the Eastern United States had children who were too far advanced in their studies for the school. "The result was that a few of the more advanced children were admitted into the Grammar Schools, in the Districts where they resided." One girl was even admitted into the High School and distinguished herself in scholastic achievements.

This was too much for a pro-slavery public sentiment, like that of California, quietly to submit to; the fact was soon heralded forth through the political press, that the children of the Negroes were admitted into the Grammar, and even into the High School of San Francisco. The Board of Education were denounced and stigmatized as Abolitionists, and called upon to exclude these children from the schools to which they had been assigned on account of their superior scholarship; all the lower and baser passions were appealed to by a corrupt political newspaper, remonstrances were sent to the Board, signed by the modern chivalry for the abatement of that great nuisance, the education of colored children, in the same schools with the white ones.⁵⁰

Constant pressure made the Board of Education adopt a resolution which "directed all colored children to attend the school provided for them in San Francisco." The Negroes did appeal to the State Superintendent of Public Instruction, but he declined to interfere in the affairs of the San Francisco Board of Education.

People in the 12th School District of San Francisco did

petition the Board of Education to admit into the Grammar School of that District, "the children of all persons who resided within the District, without reference to their complexions."⁵⁷

But it was not until 1874 that the California legislature decided that non-white children could go to the white school in those cases where no colored school existed. And the following year, in 1875, after Negro parents had boycotted segregated schools, petitioned the legislature, and even won court cases, the dual school system disappeared.⁵⁸

One of the ways in which Negro leaders worked to end discrimination and segregation in California was through the "freedom of the press." The Pacific Appeal was a Negro newspaper in San Francisco edited by Philip Bell from 1862 to 1864 and the salutatory editorial of April 5, 1862 stated that:

We have nothing to disguise; we enter the field boldly, fearlessly, but with dignity and calmness to Appeal for the rights of the Colored Citizens of this State.

As we say in our Prospectus, our paper "is devoted to the interests of the Colored People of California and to their moral, intellectual and political advancement."

It will advocate their rights, their claims to humanity and justice; it will oppose the wrongs inflicted on them, and the disabilities under which they labor. It will urge the repeal of all oppressive laws, particularly the law

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which deprives them of the right to testify in courts, in cases in which a white person is a party.

Such laws are disgraceful to the statutes of our State, are relics of barbarism and slavery, retard the wheels of justice, degrade our manhood, and inflict irreparable injury on our rights and liberties.

We shall Appeal to the hearts and consciences of our rulers, not to their passions and prejudices; we shall Appeal to their sense of right and justice, not to their feelings of pity and commiseration.⁵⁹

Churches of the free Negroes grew slowly during the 1850's and 1860's. "The denominationally affiliated California Negro was either a member of the African Methodist Episcopal Church or the Baptist Church." In the early 1850's, two A.M.E. churches and one Baptist church had been established in San Francisco and one A.M.E. church was established in Sacramento. By the close of that decade, Negro churches of at least one denomination also could be found in Stockton, Marysville and Grass Valley. The congregations of these churches were quite small but the churches in San Francisco were of sufficient number to become the "centers of organized Negro life in the state."⁶⁰

Free Negroes were most desirous of having their own independent churches and as a result, the white Methodist Episcopal Church was the only known denomination to do mission work among Negroes, with little success.⁶¹

"Within the religious bodies, as in the black society in

the early sixties, there was an absence of social stratifica-

tion stemming from vocation." In the A.M.E. Church in San

Francisco, the trustees for 1865 included a teacher, porter,

plasterer, handcartman, and bootblack. The church in many

cases was the only place where a black man could exercise "his

need for expression and political power" regardless of his

social or economic background.⁶²

By 1860 San Francisco had the largest Negro population in

the state - 1,176. Most black San Franciscans lived at that time

in the first, second and fourth wards, a sort of triangular area

bounded by San Francisco Bay and Washington and Larkin Streets.

Almost twenty percent of the 463 Negroes of both sexes who were

occupationally classified were cooks. The remainder included

walters, stewards, porters, barbers, mechanics, businessmen,

sewing women, and common laborers.⁶³

The specific urban setting of San Francisco enabled Afro-Americans to realize for the first time in their lives the creation of a viable social community. One aspect of the urban milieu which made a black world feasible was its uniquely fluid and unstratified character in its early years of growth. As this feature of the city provided numerous political, social, and economic opportunities for white residents, it also allowed Negroes to structure their group as well as their individual lives by means of their institutions. In addition, the anonymous nature of the urban environment operated with greater effect on blacks than on other residents as it

of the United States. And there was even resentment among some closer ties with their own homeland than the official government there were many foreigners living in the state who maintained the Far West feel that the fighting concerned them less. Also, of the country. Distance from the battlefronts made many in Californians differed from those people living in other parts During the early period of the Civil War, the attitude of

a separate community life from the white population.⁶⁷ that they were able to establish their own churches and have Grass Valley, Nevada City and Marysville had enough Negroes while four were in Klamath County. And cities such as Stockton, scattered. Eighty-seven Negroes lived in Los Angeles County The remaining Negro population in California was widely

census reported only one.⁶⁶ prostitutes were listed in Sacramento while the San Francisco barbers, businessmen, and skilled artisans. Eleven Negro cooks. The remaining workers included stewards, porters, mento were laborers while another twenty-five percent were thirty percent of the 151 occupationally classified in Sacramento had 468 Negroes living there in 1860.⁶⁵ Over

confronted them with the realities of their ambiguous status in the larger society. The tendency of the dominant group to exclude colored people also made necessary the creation of an Afro-American community.⁶⁴

who felt that California was not being properly administered

from Washington.

An interesting comment on the situation was expressed

by J. A. Moerenhout who was the French Consul to California.

He felt that a civil war would not affect the state very

directly but instead that "California would continue peace-

fully the exploitation of its mines and numerous other resources, and would venture its independence if the separation of the

states was irrevocably proclaimed."68

Many of the state's lawmakers and other officials held the view that California should not concern itself too readily with taking sides during the war. A typical editorial of the time stated:

It is not for her (that is, California) to take sides. By preserving a strict neutrality, and affording shelter to all who may flee to her from the storm, she will render more effectual aid to the preservation of the Union than by mixing in the deadly strife and transferring to our peaceful shores the horrors of civil war. Peace is unquestionably our policy, and if any are indisposed to abide thereby, they had better transport themselves to the scenes of war and blood.⁶⁹

Although officialdom may have suggested neutrality, there were at times extreme emotions expressed on the part of the state's residents. An intense partisanship engendered by years of controversy leading up to the war did cause many problems.

One of the best examples of partisan support for the war effort was the newspapers in California. "While most of the area's influential journals were avowedly pro-Union in their sympathies, residents who upheld the Confederate side did not lack spokesmen - and although for the most part the latter were papers of small circulation, they usually made up in vehemence what they lacked in size."⁷⁰

San Franciscans with strong pro-Southern leanings had no local newspapers that championed the Confederate cause. But

there were papers in the city that had a "consistently critical attitude toward the Northern leaders and their conduct of the war." "There were also more neutrally oriented newspapers that presented both sides and refused to pass judgment. "On the

other hand, the papers that gained most in circulation and influence were those that gave all-out support to the Union cause, and most frequently and vehemently denounced the Rebels."⁷¹ A good example of this was a newspaper called the

American Flag which began in San Francisco in 1861 and lasted for only six years. Its editor was Calvin B. McDonald and he attracted attention to his paper "by the ferocity of his attacks on those whom he suspected of being sympathetic to the Rebel cause."⁷²

The Southern viewpoint was upheld with equal fervor in the town of Visalia which had been for the most part settled

by Southerners. The newspaper published there was called the Equal Rights Expositor and President Lincoln soon became the prime target for denunciation. The paper could only foresee victory for the Confederacy because of the brave Southern soldiers and the justice of their cause.⁷³

In its congenial task of picturing the Northern leaders as unmitigated scoundrels, the Expositor did not hesitate to print occasional items of "news" that were pure fabrications. Thus, in the issue for February 6, 1863, appeared what purported to be a dispatch describing the award of a War Department contract to a New York manufacturer for fifty thousand men's suits. These, it stated, were to be distributed to "slaves who have been unlawfully wrested from their masters." "white troops are shivering with cold and suffering terrible exposure, in consequence of lack of proper and sufficient clothing." Headed "Lo the Poor White Man!", the story ends with this sentence: "The negro is provided for, and comfortably clothed - while white soldiers are neglected."⁷⁴

Other newspapers in the state that were decidedly pro-Southern were the Marysville Press, the Stockton Argus, the Stockton Democrat, the San Jose Tribune, and the Mariposa Free Press. Most of these papers spent their time denouncing President Lincoln. The Tribune in San Jose once called Lincoln "an illiterate backwoodsman, who is not only destitute of the first requirements of a statesman, but who can scarcely write a sentence of the English language correctly."⁷⁵ As the attacks on the Union and its leaders became more frequent and violent,

after the war. The Democrats won an election in San Francisco moved.⁷⁸ But anti-Negro sentiment in the state was strong even

the statute books against the Negroes in California were re-

Toward the end of the Civil War all restrictions still on

support was withdrawn and the journals went out of existence.⁷⁷

a certainty that theirs was a lost cause, most of the financial

publication, as the war entered its final months and it became

the other pro-Southern newspapers were permitted to continue

The paper had been taunting the army post for months. Although

and soldiers from the nearby army post called Fort Babbitt.

an angry crowd of local residents who were loyal to the North

In March of 1863 the Expositor was forcibly suppressed by

This act of despotism has by no means astonished us. . . A free press has never yet been tolerated by any power that conspired against the liberties of a people. Will anyone now dare to say that they live under a free government, that thus outrages the liberties of the press and of free speech? . . . Men who will continue their support of such a government, steeped in infamy as it is, are fit only for slaves. . . .⁷⁶

Expositor:

reaction of the papers thus banned was the Visalia Equal Rights

hamper enlistments into the Union army." One example of the

his reason that their traitorous utterances were tending to

outsoken of the dissenting papers from the mails, giving as

Pacific, in mid-September of 1862 barred "five of the more

General Wright who was Commander of the Department of the

in 1867 mainly on the issue of preventing Negroes and Orientals from voting.⁷⁹ Representative of the attitudes of Californians may well have been the declaration made in 1865 at a Union

party convention in Yuba County: "we still believe this to be a white man's government and the extension of the natural rights to the negro is degrading, impolitic and unnatural."⁸⁰ As late as 1869 the anti-Negro sentiment was still so strong in the state that an editorial in the Los Angeles Daily News in discussing the proposed participation of Negroes in the July 4th parade said:

With a persistency for which radicalism is remarkable, that party (the Republicans) insists every year upon insulting the white citizens of the city by claiming the right of the Negroes to a position in the procession. . . . A large majority of Californians are determined to keep their state and society free from the taint of Mongrelism both socially and politically, and all efforts of the radicals to force Negroes or Chinese into public processions will be promptly met and frown down by the people. . . . Californians have too much respect for the white race, and her sons are possessed of too much independent manhood to submit to any such outrage and insult. . . . Neither (President Grant) nor his party can induce the white men of California to follow their disgusting example, and degrade their manhood and decency by permitting Negroes to join them in public processions, and thus acknowledge their claims to social equality.⁸¹

The Fifteenth Amendment to the Constitution of the United States, granting Negroes the right to vote, was not ratified

by California. But nevertheless, it did become law after national adoption. Even though they encountered many problems including opposition to registration, Negroes were gradually able to acquire the vote during the 1870's.⁸²

"The constitutional prohibition of slavery was not of itself sufficient to prevent either the introduction or the continuance of the institution."⁸³ Free Negroes and friendly whites were able to liberate a few slaves in California but it was not until 1857 that most residents in the state became aroused. The State Supreme Court ruled in that year that an ex-slave named Archy Lee was really free but because it was the first case of its kind in California to reach the Supreme Court, the white ex-master could return Lee to slavery. This decision was denounced by many as "giving the law to the north and the Negro to the south." Lee was liberated in San Francisco by concerned citizens and not allowed to return to slavery.⁸⁴

But slavery gradually ended in California as the number of immigrants to the state lessened. Fewer slaveholders came from the South as the Civil War progressed and California no longer welcomed them as it had before. And those slaves living here were "gradually freed in two ways: either they escaped from their masters with the help of antislavery men, or worked extra hours to earn sufficient money to purchase their freedom."⁸⁵

When we consider the attitudes of Californians toward slavery, and perhaps most black people, it is a sad commentary indeed to note that what a California Negro wrote in the year 1862 in many ways holds true even today:

Everything around us indicates a change in our condition, and the resolution of events, and the change in the public sentiment toward us, all go to prove the necessity for us to prepare to act in a different sphere from that in which we have heretofore acted . . . Our relation to this Government is changing daily. . . . Our relation to this Government and our position in the history of the country will, in future, be entirely different to that which we formerly occupied. . . . The only place the colored man was in the background of a cotton-field, or the foreground of a cane-brake or a rice swamp, to adorn the pages of geography. . . . But . . . old things are passing away, and eventually old prejudices must follow. The revolution has begun, and time alone must decide where it is to end. Meanwhile, there is a work for us to do. . . . We must learn to concentrate our strength and influence, to be united, to work shoulder to shoulder, for the accomplishment of a common end.⁸⁶

FOOTNOTES

¹Delilah L. Beasley, "Slavery in California," Journal of Negro History, III (January, 1918), 33.

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⁷Ibid., p. 20.

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