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MEXICAN CANAAN: FUGITIVE SLAVES AND FREE BLACKS ON THE AMERICAN  
FRONTIER, 1804-1867

By

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## ABSTRACT OF THE DISSERTATION

Mexican Canaan: Fugitive Slaves and Free Blacks on the American Frontier, 1804-1867

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This dissertation examines the migration of free blacks and slaves across the United States' southern border into New Spain and later Mexico in the antebellum era. For fugitive slaves, Mexico offered a sanctuary from U.S. slavery. Mexico abolished slavery in 1829; never policed its borders very effectively; and at times, actively welcomed runaways. Northeastern Mexico was sparsely populated and attracted few immigrants and welcomed slave fugitives who could help defend its border. The nation also welcomed free blacks, offering them full citizenship rights—unlike the United States. Consequently, starting in the 1820s and 1830s, some free blacks began to immigrate there. The Texas Revolution and subsequent U.S. annexation of Texas made it less welcoming to free blacks, who became subjected to greater restrictions after the United States acquired the region. But some free blacks continued to migrate to Texas after 1836, and both free blacks and fugitive slaves migrated to Mexico after 1845. The consolidation of U.S. slavery in the 1850s along with the passage of the Fugitive Slave Law (1850), ensured that both free blacks and slaves would continue to see Mexico as a refuge through emancipation. This history of the transnational migration of African Americans to the Spanish-U.S.-Mexican borderlands recovers the story of a southern underground railroad that led fugitive slaves south of the border.

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## Introduction

In August 1854, slaveholders, county leaders, and pro-slavery whites in Bexar County, Texas held a meeting in San Antonio to “create additional guaranties for the safety of [their] slave property.” They decided to offer a \$200 reward for the “apprehension and delivery of” any slave who is “evidently making an effort for Mexico.” Slaves retrieved from Mexico would not return to a Texas plantation where they might “associate or converse with other negroes;” they would instead “be sent off to a foreign market.” Fugitive slaves were not the only ones targeted at this meeting. Attendees accused free people, including free blacks, of helping local property escape. In order to discourage Texans from assisting slave fugitives, those who attended the meeting resolved to offer a \$500 reward for “information leading to the apprehension and conviction of any free person guilty of enticing, stealing, or carrying off a slave from the county.”<sup>1</sup>

The Fugitive Slave Act (1850) brought national attention to fugitive slave escape to the northern United States, but runaway slaves from Texas into Mexico remained a local problem because the issue did not garner as much national attention as slave flight to the North. Texas citizens held local meetings to address the lack of intervention from the U.S. government regarding slave fugitives and the Mexican government’s refusal to extradite runaway slaves from Texas. However, enslaved African Americans were not the only source of concern in Bexar County. By incorporating free black Americans’ conduct into their discussion, white Texans revealed the ways in which they aimed to restrict and regulate free African Americans residing in Texas.

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<sup>1</sup> “Proceedings of Bexar County in Regard to Runaway Slaves,” *Texas State Gazette*, September 16, 1854.



My dissertation examines the experiences of enslaved and free African Americans on America's southwestern frontier and in Mexico—beginning with the aftermath of the Louisiana Purchase in 1804 until the death of Mexico's emperor Maximilian I in 1867. By charting the movement of free and enslaved African Americans across borders, I look at the ways in which their arrival shaped diplomatic and local Texas policies, and I discuss how their lives improved while living in Texas and Mexico. This project not only incorporates free blacks and slaves into the historical westward narrative, but also considers their economic contributions to Texas and to the local communities in which they lived.

This project also recovers the history of the southern Underground Railroad in the nineteenth century.<sup>2</sup> In doing so, it shows the Underground Railroad as a network that spanned across North America by the 1860s and reveals the ways that slave fugitives and abolitionists adapted to the extension of slavery farther south and eventually westward by seeking new places for refuge. Since the eighteenth century, southern slaves considered escaping south to freedom. In the late 1730s, slaves who participated in colonial South Carolina's Stono Rebellion planned to escape south to Spanish Florida. The Spanish King had promised freedom to fugitive slaves escaping from British colonies if they converted to Catholicism and agreed to serve the King.<sup>3</sup>

Colonial Mexican officials briefly aided slave fugitives from Louisiana in the early 1800s until they learned that the Spanish King had renounced his support of the

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<sup>2</sup> For more about the origins of the southern Underground Railroad, which led to Spanish Florida in the late eighteenth century, see Jane Landers' *Black Society in Spanish Florida* (University of Illinois Press, 1999).

<sup>3</sup> Jane Landers, *Black Society in Spanish Florida*, (Champaign, IL: University of Illinois Press, 1999), 28.; See Peter Wood's *Black Majority Negroes in Colonial South Carolina from 1670 Through the Stono Rebellion* (1974) for a broader discussion about the early history of South Carolina and Carolina slavery.

colony as a refuge from slavery. As runaways crossed into Spanish Texas, they became important to diplomacy and international relations in the Spanish-U.S. borderlands.

Ineffective border control in New Spain (another name for colonial Mexico) had allowed fugitive slaves to enter the colony and Spanish Texas officials' reluctance to return them allowed slave fugitives to temporarily find refuge there. In the early nineteenth century, diplomatic correspondence between the Louisiana governor and New Spain officials about the extradition of runaway slaves to their Louisiana owners reveal the tension that existed between the Louisiana government and colonial Mexico officials.

When colonial Mexico gained independence from Spain in 1821, the southern Underground Railroad continued and expanded farther south into interior Mexico. The arrival of white American slaveholders to Mexican Texas transformed the former safe haven into a budding slave society. But from the 1820s until the mid-1860s, the southern Underground Railroad expanded into Coahuila, Mexico to provide the slave populations in Louisiana and eastern Texas with a path to freedom.

Some features of frontier slavery, such as increased mobility and access to horses, aided slave fugitives' escape. Unlike in the U.S. South, which had had laws since the eighteenth century that controlled its slave population's movement outside of the plantation, Texas legislators' created these types of laws as problems arose.<sup>4</sup> For many

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<sup>4</sup> See Stephanie Camp, *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South*, (Chapel Hill, NC: University of North Carolina Press, 2004), 7-9 for a discussion about slave mobility. Camp expands Edward Said's theory of "overlapping territories" by developing her theory of rival geography. She defines rival geography as "alternative ways of knowing and using plantation and southern space that conflicted with planters' ideals and demands." The primary characteristic of rival geography is "the movement of bodies, objects, and information within and around the plantation space." When slaves, objects, and information travel around the plantation, the movement disrupts the slaveholders' ideals about slave knowledge and mobility. Said's and Camp's theoretical analyses engage with ideas about space and the power struggles between the group in power and the subaltern. Both authors discuss space and its use as a tool of oppression, which is central to understanding how slaves decided to

Texas slaves, however, mobility was a necessary part of the tasks that their owners gave them. Some slaves in southern Texas worked as cowboys and herders on ranches, which allowed them a degree of mobility and regular access to horses.<sup>5</sup> Texas' slaves proximity to the U.S.-Mexico border and their increased mobility confirmed slaveholders' and pro-slavery white Americans' fears about slave escape to Mexico.

This dissertation also situates U.S.-Mexico relations and the Mexican American War (1846-1848) in a new context by highlighting the importance of slavery to these two nations' diplomatic relationship. In the 1840s, westward expansion, Texas annexation, and slavery dominated political debates in the U.S. and Republic of Texas governments.<sup>6</sup> Because of the 1844 election of James K. Polk, an ardent expansionist and supporter of Manifest Destiny, the United States was interested in acquiring the Republic of Texas. Upon Texas' annexation to the United States in 1845, existing tension between Texas and Mexico and Polk's intention to increase the size of the United States became the basis for the Mexican-American War. Those who opposed the war believed that slavery would also expand to the western territory that the United States would acquire if it won the war against Mexico. The introduction of slavery into these new lands would ultimately shift the balance of power between slave and free states that U.S. Congress members had tried to uphold since the Missouri Compromise (1820).

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escape, what networks assisted them under such limited mobility, and their social contacts outside of the plantation.

<sup>5</sup> Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865*, (Baton Rouge: Louisiana State University Press, 1987), 124.

<sup>6</sup> In the 1840s, Great Britain expressed interest in annexing Texas, but a condition of Texas becoming part of England was its abolition of slavery; there was no arrangement ever made because the Texas government never agreed to abolish slavery.

In the aftermath of the Mexican-American War, fugitive slaves continued to escape to Mexico. Texas slaveholders had little recourse in recovering their slaves because the Fugitive Slave Law (1850) did not extend to Canada or Mexico. As a result, when Texas slaves escaped to border towns in Coahuila for freedom, white Texans relied on local resources—individual slaveholders and groups of pro-slavery whites—to retrieve runaway slaves in Mexico. One reason local Coahuila governments were reluctant to return slave fugitives was because runaways helped to defend these towns from Comanche Indian Raids.

As runaway slaves sought freedom in Mexico, free black Americans looked to the nation for better economic opportunities and a degree of racial acceptance not available to them in the United States. This dissertation incorporates the free black experience into American westward expansion by not only tracing their arrival to the U.S.-Mexican borderlands, but also recasts black Americans as significant actors in antebellum Texas history. Moreover, in prioritizing their experiences, this project examines the ways that nineteenth-century border politics shaped the black American experience in Texas.

In the early 1820s, free black Americans immigrated to Mexican Texas. Mexico's significant nonwhite population, which they believed fostered a less racially hostile environment than in the United States, and that its government offered them citizenship—legal rights and protections—unlike the United States attracted them to the nation. While living in Mexico, many free blacks bought property, owned businesses, and even supported Texas during the Texas Revolution (1836).

After Texas became an independent republic in 1836, free African Americans were no longer welcomed there. Although they had made economic contributions to

Texas, the Texas legislature passed expulsion laws to reduce the free black population living in the republic. Many of the racial attitudes and race-based restrictions that free blacks left in the United States reappeared in the Republic of Texas.

Over the course of the antebellum era, free African Americans' ideas about Mexico began to change. After Mexico's loss to the United States in the Mexican-American War (1846-1848), some free blacks in the United States began to wonder whether the nation could protect them from a foreign invasion or from the United States if it continued its expansion into Mexico. France's invasion of the nation in the mid-1860s validated these fears and resulted in the appointment of a European monarch, Maximilian I, as Mexico's emperor. After the American Civil War, Maximilian was sympathetic to Confederates and encouraged those dissatisfied with the U.S. government to immigrate to Mexico, which complicated the nation's reputation as a refuge for free and enslaved African Americans. While French control of the nation ended upon Maximilian's death in 1867, his short reign revealed that white, pro-slavery Americans believed that they could re-establish slavery in Mexico at the expense of free African Americans who had sought freedom and equality in the nation.

This project engages with the work of a number of historians who study the history of Texas slavery, that of blacks on the American Frontier and in the West, and Afro-Mexicans and African Americans in Mexico. Historian Rosalie Schwartz's *Across the Rio to Freedom: U.S. Negroes in Mexico* (1975) is the first study of the southern Underground Railroad from Texas into Mexico. Her short work includes Louisiana slaves who escaped to Spanish Texas, but primarily focuses on slaves from Texas who escape to Mexico from the 1820s to 1865. Schwartz uses diplomatic correspondence to explain that

the Mexican government offered “asylum to fugitive Negroes” and welcomed them.<sup>7</sup> Since the publication of Schwartz’s work, books about Texas slavery such as Randolph B. Campbell’s *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865* (1991) remind readers about Texas slavery and Texas’ economic dependence on slave labor, but do not typically focus on slave resistance, and *Nassau Plantation: The Evolution of a Texas German Plantation* by James C. Kearney (2010) primarily focuses on Texas slaveholders. Donald E. Reynolds’ *Texas Terror: The Slave Insurrection Panic of 1860 and the Secession of the Lower South* (2007) does not examine slave resistance, but looks at the experiences of abolitionists in Texas and the ways that white Texans blamed local incidents, such as fires, on slave unrest.<sup>8</sup> My dissertation expands Schwartz’s work by providing a more in-depth look at fugitive slaves who escaped from Louisiana into Spanish territory in the early 1800s. It also uses illuminates aspects of what fugitive slaves’ lives were like in Coahuila, Mexico in the mid-nineteenth century. My project adds to the history of slavery in Texas by focusing on slave resistance.

White American experiences in the West still dominate both popular images and academic studies of the region. But scholars such as Kenneth Wiggins Porter, George Woolfolk, Alywn Barr, Quintard Taylor, and Kevin Mulroy have worked hard to incorporate blacks into the larger U.S. expansion framework. Kenneth Wiggins Porter’s

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<sup>7</sup> Rosalie Schwartz, *Across the Rio To Freedom: U.S. Negroes in Mexico*, (Texas Western Press – The University of Texas at El Paso, El Paso, TX, 1975), 6.; Schwartz, *Across the Rio to Freedom*, 9.

<sup>8</sup> Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865*, (Baton Rouge, LA: Louisiana State University Press, 1991), 67.; James C. Kearney, *Nassau Plantation: The Evolution of a Texas German Plantation* (Denton, TX: University of North Texas Press, 2010). Ronnie C. Tyler’s “Fugitive Slaves in Mexico” (*Journal of Negro History*, 1972) discusses slave escape to Mexico by situating the narrative around the Callahan Expedition of 1855. Sean Kelley’s ““Mexico In His Head”: Slavery in the Texas-Mexico Border, 1810-1860” (*Journal of Social History*, 2004) discusses slave escape to Mexico prior to 1819, but a significant amount of his article focuses on runaway slaves in Mexico after 1836.

*The Negro on the American Frontier* (1971) documents the long history of those of African descent in Spanish territory, beginning in the 1500s and ending in the American West in early twentieth century. George Woolfolk's *The Free Negro in Texas, 1800-1860: A Study in Cultural Compromise* (1976) extends Porter's work by looking at the reasons why free African Americans immigrated and migrated to Texas during the first sixty years of the nineteenth century.<sup>9</sup> Woolfolk argues, "As conditions surrounding the existence of the free Negro worsened North and South, he was persuaded that the West in general and the Spanish West in particular held the key to his freedom, dignity, and security."<sup>10</sup>

Like Porter's work, Quintard Taylor's *In Search of the Racial Frontier: African Americans in the American West, 1528-1990* (1998) begins in the 1500s with people of African descent in Spanish territory. However, he expands Porter's and Woolfolk's works by providing a more in-depth discussion about black contributions to the region and the ways in which they contributed to western American society. Taylor also explores the ways in which the presence of Native Americans and Mexicans made western slavery different than southern slavery.

Kevin Mulroy's *Freedom on the Border: The Seminole Maroons in Florida, the Indian Territory, Coahuila, and Texas* (2003) continues discussing African American-Native American relations in the West by looking at the experiences of black Seminoles.

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<sup>9</sup> Kenneth Wiggins Porter, *The Negro on the American Frontier*, (New York: Arno Press, 1971), 8.; Porter's work is an antithesis to Frederick Jackson Turner's "The Significance of the Frontier in American History" (1893), which discusses frontier life as primarily a white experience.; George Ruble Woolfolk, *The Free Negro in Texas, 1800-1860: A Study in Cultural Compromise*, (New York: Bookman Associates, 1958), 9.; Alywn Barr's *Black Texans: A History of Negroes in Texas, 1528-1971* (1973) builds on Porter's and Woolfolk's works by arguing that there has been a black presence in not only the West, but also Texas as early as the sixteenth century.

<sup>10</sup> George Ruble Woolfolk, *The Free Negro in Texas, 1800-1860: A Study in Cultural Compromise*, (New York: Bookman Associates, 1958), 9.

In 1850, black Seminoles immigrated to Coahuila, Mexico along with Seminoles and runaway slaves who were dissatisfied with life in Indian Territory.<sup>11</sup> Mulroy's work presents Coahuila as a safe haven for black Seminoles and Seminoles and looks at their experiences in northeastern Mexico in the nineteenth century.<sup>12</sup>

My research enriches the stories told in these works by focusing on Louisiana as a part of the early American West and documenting free African Americans' contributions to Texas. By including Louisiana, this dissertation links slavery to the American frontier when it traces fugitive slave escape from Louisiana into Spanish Texas. This project also examines free African Americans who immigrate to Mexican Texas and their lives in the Republic of Texas. In doing so, I show black Americans' contributions to developing the American West.

Much of the early historiography about Mexicans of African descent seeks to establish blacks' early presence in Mexico and argues against the dominant *mestizo* (indigenous, European, and African) racial identity in Mexico. Gonzalo Aguirre Beltrán's *La Poblacion Negra de Mexico: Estudio Etnohistorico* (1946) (*The Black Population of Mexico: An Ethnohistorical Study*) and Colin Palmer's *Slaves of the White God: Blacks in Mexico, 1570-1650* (1976) reveals the long history of the Afro-Mexican population by discussing Spain and New Spain's direct participation in the Trans-Atlantic Slave Trade and the profits from African slavery in the seventeenth and eighteenth centuries.<sup>13</sup> Like

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<sup>11</sup> Mulroy, *Freedom on the Border*, 56.

<sup>12</sup> Brinkley, *Unfinished Nation*, 233-234.; Kevin Mulroy, *Freedom on the Border: The Seminole Maroons in Florida, the Indian Territory, Coahuila, and Texas*, (Lubbock, TX: Texas Tech University Press, 2003), 33.

<sup>13</sup> Gonzalo Aguirre Beltrán, *La población negra de México*, 2<sup>nd</sup> ed. (Mexico City: Fondo De Cultura Económica, 1972), 43. All translations by Mekala Audain unless otherwise noted.; Colin A. Palmer, *Slaves of the White God: Blacks in Mexico, 1570-1650*, (Cambridge, MA: Harvard University Press, 1976), 9.; Beltrán also argues against Mexico's mestizo (Indian and European mix) national identity by contending that the population of those of African descent at the end of Mexico's colonial period in 1821 was larger



Beltrán and Palmer, Patrick J. Carroll, author of *Blacks in Colonial Veracruz: Race, Ethnicity, and Regional Development* (2001), argues that African slaves, specifically those in Veracruz, contributed to the economic development of New Spain.<sup>14</sup> Carroll, however, highlights the history of the neighboring town of Córdoba, where the slave trade did not flourish, to illustrate that different places in Veracruz had different economic responses to the slave trade.<sup>15</sup> The differing economic prosperities of slavery in New Spain may reveal why slavery declined in some regions and survived in others.<sup>16</sup>

Ben Vinson's *Bearing Arms For His Majesty: The Free Colored Militia in Colonial Mexico* (2001) focuses on the economic and social character of black life there. Vinson argues that soldiers of African descent used the privileges associated with their military service to negotiate social mobility both inside and outside of colonial Mexico's formal institutions. He supports this argument by citing the experiences of Afro-Mexicans, such as Joseph Escobar who was able to provide 1500 pesos for his daughter's dowry in 1692 and translate his success in the free black militia into a more favorable social position for himself and his family.<sup>17</sup> However, Vinson contends that militia service did not automatically provide social benefits, rather these men had to create their own advantages. Because of New Spain's racial hierarchy, the majority of the population that had African descent still remained a permanent underclass.

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than any other racial group.; Like Palmer, Herman Bennett's *Africans in Colonial Mexico: Absolutism, Christianity, and Afro-Creole Consciousness, 1570-1640* (2003) also argues that Africans' adherence to Catholicism allowed them legal rights they would not have otherwise had.

<sup>14</sup> Patrick J. Carroll, *Blacks in Colonial Veracruz: Race, Ethnicity, and Regional Development* (Austin, TX: University of Texas Press, 2001), 21.

<sup>15</sup> Carroll, *Blacks in Colonial Veracruz*, 39.

<sup>16</sup> See Dennis Valdes' article "The Decline of Slavery in Mexico" (1989).

<sup>17</sup> Ben Vinson III, *Bearing Arms For His Majesty: The Free-Colored Militia in Colonial Mexico*, (Palo Alto, CA: Stanford University Press, 2003), 67.

This project expands these authors' works by documenting the lives of black Americans who settled in Mexican Texas and Coahuila, Mexico in the antebellum era. Despite Mexican slavery and Afro-Mexicans' economic and social disadvantages, black Americans viewed Mexico as a place where they would encounter fewer racial restrictions and more economic opportunities than in the United States. By examining the lives of free African Americans who immigrated prior to the American Civil War, my work seeks to illuminate the ways that border politics and Mexico's relationship with the United States and the rest of the world shaped free blacks' attitudes about the nation over the course of the antebellum era.

My dissertation begins by exploring the role of slave escape in diplomacy between Louisiana and Spanish Texas from 1804 to 1812. Anxious to discourage fugitives from seeking asylum in colonial Mexico, William C.C. Claiborne, Louisiana's governor, successfully lobbied the Spanish King, who agreed to return any fugitive slaves who escaped to Spanish territory to their Louisiana owners. However, colonial Mexican officials refuse to do so, which shows the antagonistic relations between the two governments. Runaway slaves in Spanish Texas, however, is a consequence of a much larger problem: American westward expansion. The second part of this chapter examines the ways that the Spanish government attempts to restrict American immigration to its territory as an increasing number of white Americans move westward.

Chapter two traces the immigration of free African Americans to Mexico and the ways that newly-independent Mexico used legislation, such as the abolition of slavery and offering citizenship to immigrants regardless of race, to address racial discrimination in the nation. Because of these laws, many free blacks and fugitive slaves thought about

Mexico as a safe haven. The country also sheltered a number of fugitive slaves from Louisiana, who continued escaping to Mexico because lax border enforcement allowed them to remain. This chapter also looks at white American immigration to Mexican Texas. The Mexican government adopted a number of pro-slavery laws in order to appeal to Texas' white American population and attract more white American settlers to the region. This chapter uses free black newspapers, Mexican laws, correspondence from members of the Mexican government to white American settlers to reveal that while the Mexican government offered free blacks and fugitive slaves benefits, attracting white settlers (many of whom were slaveholders) to Mexican Texas was its main priority.

Chapter three focuses the ways that Texas independence and annexation transformed black life in the republic from 1836 to 1845. Shortly after achieving independence, the Republic of Texas government used expulsion laws to remove its free African American population from the new nation; the republic continued to welcome slaves. Free blacks petitioned the Texas legislature to obtain permission to continue living in the republic. They used their prominent economic status to prove their usefulness in their local communities and sought the aid of white benefactors to confirm their characters. This chapter also looks at slavery's role in Texas' annexation campaign and its role in shaping Americans' opposition to the Mexican-American War.

Chapter four examines fugitive slaves from Texas who escaped to Mexico and free African American immigration to Mexico in the 1850s and 1860s. Runaway advertisements, Texas slaveholders' complaints, and correspondence between northern Mexico mayors and governors reveal that local Coahuila governments allowed runaway slaves to remain in the region because these former slaves helped defend border

communities from Comanche Indian raids. By investigating the lives of fugitive slaves in northeastern Mexico, this chapter shows that local government officials in the region actively protected runways by refusing to return them and overlooking their undocumented status. Despite fugitive slaves living as free men and women in Mexico, Texas Rangers and Texas slaveholders illegally entered Mexico to attempt to retrieve them and return them to Texas. The lack of guaranteed safety and Mexico's weakness as a nation were reasons that free black Americans in the northern United States debated whether or not Mexico would be a suitable long-term option for settlement.

## Chapter 1 - "...Nothing but the immediate arrest and return of the Negroes": Louisiana and Spanish Diplomacy and Slave Escape to Colonial Mexico, 1804 – 1821<sup>18</sup>

### Introduction

In September 1804, Captain Edward D. Turner, who monitored the Louisiana-Spanish Texas border from Louisiana, learned that the Commandant in Nacogdoches, Spanish Texas had allowed slave fugitives from Louisiana to remain in Spanish territory. The Commandant, José Joaquín Ugarte, possessed a document—which he called a royal decree—declaring that a “free and friendly assylum [sic] shall be afforded in the Dominions of his Catholic Majesty” for slaves who escaped from “territories of any foreign power.” Turner informed William Charles Cole Claiborne, Louisiana’s governor, about this policy. Claiborne believed that this document was false, and he wrote to the Marquis de Casa Calvo, the Spanish Boundary Commissioner, who responded that this was a case of “mistaken intelligence.” Casa Calvo assured Claiborne that the Spanish would not provide sanctuary for slave fugitives from Louisiana.<sup>19</sup>

Slaves heard about Ugarte’s offer and believed that they could still find freedom there. On October 14, 1804, four slaves escaped from Natchitoches, Louisiana. Other slaves had overheard them planning to escape to Nacogdoches “where they had an idea of receiving protection” and reported this information to their slaveholders.<sup>20</sup> The runaways

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<sup>18</sup> William C. C. Claiborne to Marqués de Casa Calvo, 8 November 1804, in *Interim Appointment: W. C. C. Claiborne Letter Book, 1804-1805*, ed. Jared William Bradley (Baton Rouge, LA: Louisiana State University Press, 2002), 72.

<sup>19</sup> William C.C. Claiborne to James Madison, 1 September 1804, *Official Letter books of William C.C. Claiborne*, Vol. 2 1801-1816, ed. Dunbar Rowland, (Jackson, MS: State Department of Archives and History, 1917), 315.; William C. C. Claiborne to the Marquis de Casa Calvo, 1 September 1804, *Official Letter books of William C.C. Claiborne*, 315-316.; Marquis de Casa Calvo to William C.C. Claiborne, 5 September 1804, 319-320.

<sup>20</sup> Edward D. Turner to Capt. De Argarts, 15 October, 1804, *Official Letter books of William C.C. Claiborne*, 388.

remained in Spanish Texas until Casa Calvo could write to Ugarte and demand their return to their Louisiana owners.

On the American frontier, slave escape to foreign territory was not a new idea. In the late 1790s, slaves from Louisiana, while it was under Spanish rule, tried to escape to Natchez, Mississippi, in American territory, believing that freedom existed there. But, Spanish Louisiana governor Manuel Lemos de Gayoso built a small fort and jail opposite Natchez and captured and returned slave runaways to their owners before they reached American territory.<sup>21</sup> With the onset of American rule in Louisiana, slaves had to escape across the U.S.-Spanish border for a chance to be free.

Fugitive slaves began to flee from the Territory of Orleans to Spanish Texas as a consequence of the expanding westward frontier. Spanish territory was close to Louisiana and colonial Mexican officials' ignorance about the Spanish King's policy towards slave fugitives allowed runaways to remain there for months until the officials learned that they had to extradite the slaves to Louisiana. Successful slave escapes to Spanish territory highlighted the absence of an effective policing of the border between Orleans Territory and colonial Mexico. Moreover, this issue became a source of strain in Spain's diplomatic relationships with Louisiana.

The first part of this chapter explores the emergence of slave escapes as a diplomatic issue between the Territory of Orleans and Spain from 1804 to 1812. As more and more Americans moved westward seeking new economic opportunities, colonial

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<sup>21</sup> Gilbert C. Din, "Slavery in Louisiana's Florida Parishes Under the Spanish Regime, 1779-1803" in *A Fierce and Fractious Frontier: The Curious Development of Louisiana's Florida Parishes, 1699-2000*, edited by Samuel C. Hyde Jr. (Baton Rouge, LA: Louisiana State University Press, 2004), 74.

Mexican and Spanish officials had to determine how to address the prospect of allowing Americans to immigrate to New Spain. The second section of this chapter examines the ways in which Spanish officials dealt with American immigration, which they saw as both a threat and necessity. On the one hand, they were not eager to welcome an influx of slaveholding American settlers, who would bring slavery there, and also threaten Spain's control over Mexico, but on the other, New Spain needed settlers who could help defend parts of the region devastated and impoverished by Indian raids.

#### Louisiana: French Colony to American Territory

Prior to 1803, Louisiana was at the center of French, Spanish and American interests. The region was a French colony until France ceded their North American land west of the Mississippi River to Spain in 1762 under the Treaty of Fontainebleau (1762). To keep American interests at bay in the region, the Spanish government did not allow them to trade down the lower Mississippi River beginning in 1784. Eleven years later, the Treaty of San Lorenzo (1795) reopened the river to American merchants and allowed them to deposit goods, which later shipped across the Atlantic Ocean, in New Orleans. This treaty linked American slaveholders to a European-controlled port city when it allowed goods produced by plantation labor access to an additional port city that shipped goods to Europe. It also provided an early opportunity for American westward expansion by giving the United States access to the lower Mississippi River.<sup>22</sup>

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<sup>22</sup> Peter J. Kastor, *The Nation's Crucible: The Louisiana Purchase and the Creation of America*, (New Haven, CT: Yale University Press, 2004), 37.; Joseph G. Dawson, *The Louisiana Governors: From Iberville to Edwards*, (Baton Rouge, LA: Louisiana State University Press, 1990), 38.

The Louisiana Purchase (1803) did much more, adding millions of acres of land to the United States. Eager to sell French Territory in North America because of a pending war with Britain and the loss of thousands of French soldiers in attempting to restore slavery in former French colony Haiti (Saint Domingue), French military leader Napoleon Bonaparte sold French landholdings extending from Louisiana to what would become Oregon to U.S. President Thomas Jefferson.<sup>23</sup> The American government created new laws and boundaries for Louisiana. The Governance Act (1804) divided Louisiana into two territories—Upper Louisiana comprised of present-day northern Louisiana, Missouri, Illinois, and Indiana and Lower Louisiana included the southern part of present-day Louisiana, including New Orleans. This legislation provided a temporary government, under which Claiborne, the former commissioner of the region, became Louisiana's first governor.<sup>24</sup>

The Louisiana Purchase was met with resistance from the Spanish. During the late eighteenth century and early nineteenth century, the Spanish Crown was committed to maintaining its territory in North America despite America's rapidly expanding western frontier. But this commitment was complicated by the fact that the Spanish and United States governments had differing opinions about where each country's borders ended (see Map 1). The Spanish government believed that the United States' territory began just north of St. Louis, extended south to New Orleans, and ended at Natchitoches, Louisiana; the United States' government believed their territory extended from the Mississippi

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<sup>23</sup> Richard White, "The Louisiana Purchase and the Fictions of Empire," in *Empires of the Imagination: Transatlantic Histories of the Louisiana Purchase*, edited by Peter J. Kastor and François Weil, (Charlottesville, VA: University of University Press, 2009), 37.

<sup>24</sup> Peter J. Kastor, *The Nation's Crucible: The Louisiana Purchase and the Creation of America*, (New Haven, CT: Yale University Press, 2004), 51.



River nearly to present-day Idaho. Their dispute reflected that the boundaries of Spanish and French land claims in the North American South had never been well defined, and that “the documents transferring Louisiana from Spain to France in 1800 and from France to the United States in 1803 described the boundaries in ambiguous and contradictory language.”<sup>25</sup>



Map 1 – This figure details the disputed boundaries between Spain and the United States in the wake of the Louisiana Purchase until 1819. Note that the United States claimed the area from the Mississippi River to nearly Idaho, while Spain believed that the U.S. boundary was from the Mississippi River to Natchitoches, Louisiana.<sup>26</sup>

President Thomas Jefferson’s insistence on exploring the land the United States acquired under the Louisiana Purchase, which included territory that the Spanish still recognized as its own, only exacerbated this problem.<sup>27</sup> In March 1804, Spanish Boundary Commissioner Casa Calvo wrote to Pierre Clément de Laussat, the French

<sup>25</sup> Weber, *The Spanish Frontier in North America*, 291.

<sup>26</sup> Weber, *The Spanish Frontier in North America*, 293.

<sup>27</sup> Weber, *The Spanish Frontier in North America*, 293-295.

government's commissioner during Louisiana's exchange from Spain to France and later from France to the United States to discuss how the United States was beginning to make "exorbitant propositions...in regard to the east and west boundaries of Louisiana."<sup>28</sup>

Spanish diplomats feared that Americans would begin to settle into its territory without permission and that Americans, and subsequently the U.S. government, would claim the land upon which they settled.<sup>29</sup>

### Slavery in Louisiana and Fugitive Slaves in Colonial Mexico

The Louisiana Purchase (1803) helped encourage more Americans to move westward. Moses Austin, a Connecticut-born businessman, wrote to his friend Aaron Elliot on August 18, 1803, about the opportunities for young American men on the new frontier. Austin observed that "[this country will present the grea[test opportunity for] a Young man of any in the [whole world]."<sup>30</sup> The Louisiana Purchase (1803) expanded the United States, and in turn, the possibility of greater economic opportunity and free or inexpensive land westward; these prospects encouraged Americans, including slaveholders, to migrate west. Many of the Americans who immigrated to Orleans after the Louisiana Purchase were slaveholders from Tennessee, Kentucky, Mississippi, Georgia, or Alabama.<sup>31</sup> One reason this area attracted slaveholding whites was that it was well suited for growing sugar—a very lucrative crop. While writing to President Thomas

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<sup>28</sup> Casa Calvo to Laussat, 31 March 1804, in *Louisiana Under the Rule of Spain, France, and the United States, 1787-1807*, ed. James Alexander Robertson and Paul Alliot, Volume 2 (Cleveland, OH: The Arthur H. Clark Company), 184.; Robert D. Bush, ed., *Memoirs of My Life: Pierre Clément de Laussat*, trans. Agnes-Josephine Pastwa, O.S.F. (Baton Rouge, LA: Louisiana State University Press, 1978), xvi.

<sup>29</sup> Talleyrand to General Turreau, 8 August 1804, in *Louisiana Under the Rule of Spain, France, and the United States*, ed. Robertson, 193.

<sup>30</sup> Moses Austin to Aaron Elliot, 18 August 1803, in *The Austin Papers*, volume 2, Part 1 ed. Eugene C. Barker (Washington, DC: Government Printing Office, 1924), 87-88.

<sup>31</sup> Wall et al., *Louisiana*, 96.

Jefferson, Claiborne wrote that “the ‘facility with which the sugar Planters amass wealth is almost incredible.’”<sup>32</sup> With twenty laborers, he added, plantations had the capacity to generate 10,000 to 14,000 thousand dollars. Louisiana newspaper *The Louisiana Gazette* also promoted sugar cane’s profits by announcing that “on an 800-acre estate with 60 hands, planters could expect to produce 250,000 pounds of sugar and 160 hogsheads of molasses, valued at over \$22,000” after an initial investment of \$84,000.<sup>33</sup> As the news spread about the fortune to be made in Louisiana’s sugar cane industry, the number of whites migrating to the territory increased. The new migrants were slaveholding settlers who were committed to sustaining slavery despite the territory’s proximity to New Spain.

While migrating to Louisiana offered rich opportunities for slaveholders and white Americans, slave life there was difficult. Slave owners employed slaves to clearing the land to live on and cultivate crops, which especially in Orleans Territory’s tropical climate, was laborious and exhausting. Without a willing or unwilling workforce, social mobility and landownership on the American frontier became more difficult for whites to attain. New migrants’ need of slave labor to help establish themselves in the Louisiana illustrates one of the ways in which slavery and westward expansion in the United States were linked.

In 1804, Spanish officials mistakenly thought that the U.S. government planned to prohibit the introduction of slaves into Louisiana. In May 1804, Marqués de Casa Calvo, the Spanish Boundary Commissioner, informed Don Pedro Cevallos, first Secretary of Spain, that the United States Congress wanted to prohibit introducing slaves into

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<sup>32</sup> Richard Follett, *The Sugar Masters: Planters and Slaves in Louisiana’s Cane World, 1820-1860*, (Baton Rouge, LA: Louisiana State University Press, 2005), 18.

<sup>33</sup> Follett, *Sugar Masters*, 18.

Territory Orleans beginning in October, which alarmed many Americans. Calvo contended that “it [was] impossible for Lower Louisiana to get along slaves; and it [would] be very damaging to their interests if they cannot obtain the hands necessary for their work.”<sup>34</sup> Casa Calvo’s understanding of this policy was not correct. The U.S. government restricted slaves from the Caribbean and Africa to Louisiana, welcoming only slaves from the United States. With this policy, the U.S. government helped expand American slavery and the domestic slave trade to Louisiana Purchase territory on a larger-scale. Dependence on the internal slave trade the territory’s settlers were not interested in developing the region without the use of slave labor, (can’t have a safe haven so close to a growing slave society) reasons to explain why these slaveholders were so adamant about recovering fugitive slaves from colonial Mexico.

As more slaves entered Louisiana, in addition to dealing with slave escapes, Louisiana slaveholders had to contend with slave revolts. Point Coupée, where the fugitive slaves mentioned in the beginning of this chapter had escaped, had a long history of slave resistance. In 1791 and 1795, when Louisiana was under Spanish rule, there were two separate slave conspiracies. The second one involved Afro-Indian slaves who recruited a few black slaves to rebel for freedom. However, two black slaves, Juan Bautista and María Luisa, and two Tunica Indian women revealed the plans of the plot, which led to the arrest of twenty-seven suspected conspiracy leaders. As a result of this attempted form of resistance, the Louisiana government instituted new measures to control the slave population, which included adding more slave patrols and requiring

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<sup>34</sup> Casa Calvo to Don Pedro Cevallos, 18 May 1804, in *Louisiana Under the Rule of Spain, France, and the United States* ed. Robertson and Alliot, 190.; Wall et al., *Louisiana*, 93.

planters to regularly inspect slave quarters for weapons.<sup>35</sup> Such measures, however, were not entirely successful, as revealed by the fact that nine slaves managed to run away from Point Coupée en masse in 1804.

The ongoing slave unrest in Point Coupée illustrates the many insecurities of slavery on an international frontier. When writing Casa Calvo about the nine slaves from Point Coupée who had escaped to Nacogdoches, Spanish Texas, Claiborne learned, likely from Julien Poybus who was a judge and acted as the Commander at Point Coupée, that the “protection being offered at Nacogdoches to Slaves escaping from the Service of their masters was in circulation among the Negroes at Point Coupée, and had produced a spirit of insubordination.”<sup>36</sup> Louisiana slaves expected Spain’s policies to protect them. They probably gathered their information about the surrounding area and heard about the Commander at Nacogdoches granting asylum to them from other slaves or by eavesdropping on whites’ conversations. As a result of this spread of information and insubordination, many whites in Orleans Territory became increasingly concerned about slaves’ conduct.

Claiborne attempted to address slaveholders’ concerns by strengthening his territory’s policing of its slaves. In November 1804, he wrote to Edward Demaresque Turner, whose job was to monitor the Territory of Orleans-Spanish Texas border from Natchitoches, to suggest new measures for controlling Point Coupée’s enslaved population.<sup>37</sup> Claiborne advised Turner to “establish and enforce a Strict Police among

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<sup>35</sup> Gilbert C. Din, *Spaniards, Planters, and Slaves: The Spanish Regulation of Slavery in Louisiana, 1763-1803*, (College Station, TX: Texas A & M University Press, 1999), 155-156.

<sup>36</sup> Claiborne to Commandant at Point Coupée, 8 November 1804, in *Interim Appointment*, ed. Bradley, 71.; Claiborne to Casa Calvo, 8 November 1804, in *Interim Appointment*, ed. Bradley, 71.

<sup>37</sup> Louisiana State University Special Collections, Louisiana and Lower Mississippi River Collections, Claiborne (William C. C.) Letters and Depositions, Mss. 5018 Inventory.

the Slaves,” in addition to the slave patrols that were already in place.<sup>38</sup> Given that the region already had slave patrols, it seems likely that the new policies would address slaves’ behavior on the plantation, such as communication, rather than their activities outside of it.

Slaveholders restricted slave mobility as a way to maintain control of their slaves. When slaves, objects, and information about the surrounding area traveled around and outside of the plantation, the movement disrupted the slaveholders’ plans to restrict slaves’ knowledge and mobility.<sup>39</sup> Because of the early isolation of Territory of Orleans and northeastern colonial Mexico, slaves’ networks away from the plantation were most likely very limited. Ideally, slaveholders wanted to limit slaves’ knowledge about the surrounding area and the residents nearby. Furthermore, any time slaves became more aware of outside activities and information, their risk of escape or helping others to escape significantly increased. In planning their escapes, slaves in Orleans Territory, like slaves elsewhere, had to consider a number of factors, such as the distance they had to cover and the dangers that they might encounter, before plotting their paths. Only 120 miles separated Natchitoches, Louisiana from Nacogdoches, the colonial Mexico’s easternmost trading post.<sup>40</sup> For Louisiana slaves, colonial Mexico was the closest and most feasible location for refuge. They were surrounded by slave territory, Canada was too far away, and the northern United States had not yet abolished slavery. By escaping to their nearest border, Louisiana slaves did not have to travel through a number of slave

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<sup>38</sup> Claiborne to Edward Demaresque Turner, 3 November 1804, in *Interim Appointment* ed. Bradley, 66.

<sup>39</sup> Camp, *Closer to Freedom*, 7.

<sup>40</sup> I used Google Maps to measure the distance. The present day measurements do not reflect the obstacles fugitives faced, which would have increased the time they spent traveling. An example of an obstacle would be that there were minimal roads or trails to guide them during this time. Although the distance remains the same, the ease in which one can reach Nacogdoches from these starting points varied, especially as the region became more developed.

states and territories to become free. However, escaping to Mexico held a number of dangers as well. All slave runaways ran the risk of becoming lost and running out of food. Despite these risks and the threat of extradition from colonial Mexican officials, Orleans slaves continued to seek refuge in New Spain.

On October 30, 1804, Claiborne received “dispatches from Natchitoches [Louisiana] which announce[d] the desertion of nine slaves” to Nacogdoches, Spanish Texas. There, they expected to receive “full protection from the Spanish government.” The previous month, Claiborne had received written confirmation from Casa Calvo, the Spanish Boundary Commissioner, that Spanish territory was not a sanctuary for runaway slaves. However, Claiborne suspected that the Commandant at Nacogdoches, Jose Joaquin Ugarte, offered slave fugitives asylum and asked Casa Calvo to intervene. Slaves who had escaped to Spanish Texas earlier in October had not been returned, and Claiborne warned that the consequences of this action would disrupt “the good understanding between our *two* nations.”<sup>41</sup> The Point Coupée slaves’ escape reveals both that they chose to escape to colonial Mexico and that their owners also expected them to do so.

Over a dozen slaves had escaped from Louisiana to Nacogdoches because of Ugarte’s, the Commander at Nacogdoches, policy of protecting slaves. When writing to Edward Turner, Commander at Natchitoches, Claiborne contended that “instead of being protected, [the slaves should] be arrested and restored to their masters.”<sup>42</sup> While waiting for the return of the slaves, Claiborne began asking Louisiana slave owners to give him

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<sup>41</sup> Claiborne to Casa Calvo, 30 October 1804, in *Interim Appointment*, ed. Bradley, 57.(emphasis in the original); David J. Weber, *The Spanish Frontier in North America*, (New Haven, CT: Yale University Press, 1992), 215.

<sup>42</sup> Claiborne to Edward Demaresque Turner, 3 November 1804, in *Interim Appointment* ed. Bradley, 67.

the names and the values of each slave who had escaped to compile a complete list of the property he was trying to retrieve.<sup>43</sup> Claiborne's mistrust of Spanish officials in this matter hints that slaves had not been returned in the past. To an extent, the strength of Point Coupeé slavery hinged upon whether or not the Spanish officials returned the slaves. If the fugitives remained at large, Spanish Texas would no longer be an imagined safe haven, but a real one in close proximity to Louisiana. In the case of the nine slaves from Point Coupée, Spanish territory did not prove to be a safe haven. Instead, Claiborne's persistent correspondence brought about a concrete shift in Spanish policies toward fugitive slaves from the United States. By December 1804, Ugarte had returned the slaves to Louisiana.<sup>44</sup>

#### Local Politics and Fugitive Slaves, 1804-1806

Although Spain's policy towards U.S. fugitive slaves no longer officially welcomed runaway slaves, Orleans' slaves continued to escape to colonial Mexico. At this time, Colonial Mexico's far northern frontier, where Louisiana slaves sought refuge was sparsely populated. One reason why few Spaniards settled there was because of frequent Comanche raids. In the 1750s, the Comanches rose to power in what would become the U.S. Southwest by using diplomacy to create numerous alliances (including one with French Louisiana, Spain's rival) across the Great Plains and became expert horsemen. Both of these factors helped them subdue or remove rival Indian tribes and gain access to guns, powder lead, and other goods.<sup>45</sup> Their hunting skills and population

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<sup>43</sup> Claiborne to Edward Demaresque Turner, 3 November 1804, in *Interim Appointment* ed. Bradley, 67.

<sup>44</sup> Archivo General de la Nación, Provincias Internas, vol. 200, pg. 335. Hereafter Archivo General de la Nación will be cited as AGN. The slaves were returned in either late 1804 or early 1805.

<sup>45</sup> Pekka Hämäläinen, *The Comanche Empire*, (New Have, CT: Yale University Press, 2009), 65-67.



growth ensured that they would be able to remain in the region until a formidable foe could conquer them. By the early 1760s and 1770s, the regions that comprise present day Texas and New Mexico had become buffers between the Comanches and the silver mines in northern Mexico. Settlers there faced enormous pressure from the Comanches and there was little intervention from the Spanish government.<sup>46</sup> Texas' and New Mexico's isolation from the rest of colonial Mexico, its inhabitants aligned with the Comanche empire. In the 1780s, Texas and the Comanches reached an agreement where the Comanches would return Spanish captives in exchange for an alliance against the Apaches; a peace agreement in New Mexico came later.<sup>47</sup>

In order to combat the Comanche presence in Texas, Spanish officials developed a number of plans to increase immigration to the region during the 1790s. None of the plans, however, were ever implemented because the Spanish government could not afford to offer prospective settlers free or inexpensive land, which would have been the only way to convince them to move to this area.<sup>48</sup> White American Protestants were the settlers most willing to migrate to colonial Mexico's northern frontier, but the Spanish Crown largely ignored the Americans who were interested in moving there because Spanish officials believed American settlement threatened Spanish control over the region. Spanish officials were also reluctant to open the settlement of these borderlands to American settlers for religious reasons. Potential immigrants had to be Catholic. Spanish officials did not want to accept a large number of Protestants into New Spain because of

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<sup>46</sup> Hämmäläinen, *The Comanche Empire*, 108-109.

<sup>47</sup> Hämmäläinen, *The Comanche Empire*, 116-117.

<sup>48</sup> See Gilbert Din's "Spain's Immigration Policy in Louisiana and the American Penetration, 1792-1803," *The Southwestern Historical Quarterly* 76, no. 3 (Jan. 1973) for Spain's plans to attract immigrants to isolated areas of colonial Mexico's far northern frontier.

Spain and its colonies' deep commitment to Catholicism. Spanish officials' early mistrust towards the Louisiana's new American government regarding boundaries and intentions became even more pronounced as an increasing number of whites and African slaves entered Louisiana, making defending the area against American interests even more difficult. Still U.S. runaway slaves in New Spain sometimes put the Spanish and colonial Mexican officials in a position of power, if only for a short period of time, while they kept Orleans Territory's slaveholders waiting for the return of their slaves.

The Commander of Nacogdoches, José Joaquín Ugarte, monitored the town's border with Orleans from Nacogdoches. In November 1804, he wrote to Casa Calvo, the Spanish Boundary Commissioner, about a conversation Casa Calvo had with "the inhabitants of Natchitoches about black slaves who escaped to this presidio." Sympathetic to the plight of slaves in the United States, Ugarte provided asylum to slaves from Natchitoches who regularly escaped to Nacogdoches.<sup>49</sup> His actions and confirmation that slaves often sought refuge in colonial Mexico proved that whites' fears about runaways were well founded. Natchitoches inhabitants were even going to take up arms in order to recover their property from Nacogdoches.<sup>50</sup>

Although Ugarte had a history of allowing fugitive slaves from Louisiana to remain in Nacogdoches, he eventually conceded to Casa Calvo's demands. By agreeing to return the slaves, perhaps he was attempting to avoid further tension between colonial Mexico and Orleans. His concession also illustrates that Casa Calvo, the Spanish Boundary Commissioner, demanded the return of fugitive slaves on behalf of Orleans

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<sup>49</sup> A presidio is a garrison or military post.; Casa Calvo is residing in New Orleans, Louisiana during this time.; José Joaquín Ugarte to Casa Calvo, 10 November 1804, AGN, Provincias Internas, vol. 200, pg. 337.

<sup>50</sup> AGN, Provincias Internas, vol. 200, pg. 337.; AGN, Provincias Internas, vol. 200, pg. 340.

residents and inadvertently represented American settlers' interests. Casa Calvo's true goals, however, were to restore Spanish power and influence in Orleans Territory and minimize the American presence in colonial Mexico. By placating white American slaveholders, Mexican officials such as Ugarte and Casa Calvo hoped to prevent them from illegally entering New Spain to recover slaves.

In December 1804, Claiborne accused Ugarte of promising all fugitive slaves who reached New Spain, protection and liberty.<sup>51</sup> In a letter to Casa Calvo, Ugarte complained that "the complaints of the governor [make] me the author of the insurrection of the referred slaves."<sup>52</sup> Under the impression that the *Real Cédula of 1789*, providing asylum to fugitive slaves from British colonies, was still in effect, Ugarte believed that he would have to suspend the decree, where the Spanish King provided asylum to fugitive slaves from British colonies, in order to return Louisiana slaves to their owners.<sup>53</sup> Moreover, he is possibly only one of several colonial Mexican officials who allowed fugitive slaves from the United States to remain in Spanish territory based on this decree.

Without Claiborne's persistence and the threat of violence against Nacogdoches, it is not clear if Ugarte or any other Mexican officials would have returned the fugitives on their own accord. Moreover, given the inability of Territory of Orleans' and Spain's governments to successfully monitor who obeyed the law and who did not, many slaves could remain in colonial Mexico until the governments resolved the matter.

Between 1804 to 1805, northeastern colonial Mexico did not return fugitive slaves from the United States because they had not learned that the Spanish King declared that

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<sup>51</sup> AGN, Provincias Internas, vol. 200, pg. 336.

<sup>52</sup> AGN, Provincias Internas, vol. 200, pg. 338.

<sup>53</sup> AGN, Provincias Internas, vol. 200, pg. 337.

Spanish territory would not protect runaways. All immigrants who crossed the Spanish Texas–Orleans Territory border into Nacogdoches were supposed to declare themselves to the local commander, who was supposed to keep track of who entered the colony.<sup>54</sup> But although the penalty for migrants who chose not to undergo this process was extradition to the United States, New Spain officials rarely enforced this part of the policy. The primary incentive for colonial Mexican officials to return fugitive slaves was to ease their tense relations with the Louisiana government and its inhabitants. By returning fugitive slaves, however, some of these officials, like Ugarte, believed that they would be acting against the *Real Cédula of 1789*. Consequently, some slaves successfully escaped to New Spain and remained there despite Claiborne’s dogged attempts to retrieve them.

In 1805, another local leader in colonial Mexico developed his own policy towards runaway slaves from the United States. On August 20, 1805, Nemesio Salcedo, Commander General of the Interior Provinces in colonial Mexico, declared that, “all black slaves who moved to S.M. lands would acquire their liberty when they presented themselves to the Commander at the post where he or she arrived.”<sup>55</sup> His offer came less than a year after Spanish Boundary Commissioner Casa Calvo had facilitated the return of fugitive slaves under the Spanish King’s new laws. In allowing fugitive slaves from the United States to remain in colonial Mexico, Salcedo actively undermining the Spanish King’s new position. Salcedo likely provided a haven for runaways not because

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<sup>54</sup> Center for American History, The University of Texas at Austin, Spanish Material From Various Sources – Nacogdoches.; All translations done by author unless otherwise noted.; Hereafter Center for American History will be cited as CAH.

<sup>55</sup> CAH, The University of Texas at Austin, Spanish Material From Various Sources - Nacogdoches.; S.M. means “su majestad,” which translates to your majesty in English.

he was anti-slavery, but because of the increasing hostility between colonial Mexican officials and white Americans.<sup>56</sup> By 1805, Orleans-Spanish Texas relations had become so tense that Salcedo suggested to Antonio Cordero, the Governor of Texas, that all trade and communication stop between the two areas. Cordero, however, opposed this measure because eastern Texas depended on supplies from Natchitoches and other areas of Orleans to survive.<sup>57</sup>

The presence of fugitive slaves complicated the economic tensions within the region. As “property” of Orleans slaveholders, slaves were an important economic contribution to the burgeoning territory.<sup>58</sup> Salcedo’s decision to allow fugitive slaves to enter and remain in Texas shows him using slaves as both military assets and diplomatic pawns in colonial Mexico and Orleans’ contentious relationship. The added population from the former slaves made east Texas better able to fend off an Indian attack, while officials there used negotiations over the status of fugitive slaves to secure favorable border and trade agreements with Orleans.

In September 1806, however, Salcedo’s policy towards fugitive slaves in Spanish Texas changed—probably as a result of imperial pressure. He declared that although “several fugitive slaves had found asylum in Nacogdoches” in the past, he would now extradite any slaves who arrived, returning them to their owners.<sup>59</sup> His change in his position reveals that New Spain’s local leaders were not free to rule as they saw fit, and it also suggests that the lines of communication between Spain and colonial Mexico’s

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<sup>56</sup> Carlos E. Castañeda and Texas Knights of Columbus Historical Commission, *The Mission Era: The End of the Spanish Regime, 1780-1810*, vol. 5, *Our Catholic Heritage in Texas, 1519-1936*, (Austin, TX: Von Boeckmann-Jones Company, 1942), 254.

<sup>57</sup> Castañeda, *Our Catholic Heritage in Texas*, vol. 5, 254.

<sup>58</sup> Louisiana did not become a U.S. state until 1812.

<sup>59</sup> CAH, Spanish Material From Various Sources – Nacogdoches.

northeastern frontier were very slow. It took Spanish officials weeks or even months to hear about events in New Spain and still longer to respond. With the slow rate of communication, it was difficult to know who was abiding by the laws and who was not; Salcedo allowed runaway slaves from Orleans to remain in his jurisdiction for at least a year before he began to follow the new law.

Despite these policy changes, slaves continued to escape to Spanish Texas because Spanish Florida and Canada were too far away for any hope of successful escape and slavery still existed in the northern United States. In May 1806, three black men, a black woman, and three black children arrived to colonial Mexico. They brought documentation with them, a kin to a modern-day passport, to attempt to legally enter to Spanish territory, but Salcedo discovered that the paperwork granting them permission to enter was fake.<sup>60</sup> Their use of a fake passport shows the ways in which both Orleans and colonial Mexico tried to police the border. Slaves had clearly heard about these measures, which is why the group carried a forged passport with them as they tried to enter the colony. This group of slaves were likely able to remain in there because they arrived prior to Salcedo's new policy. Although such fugitives may not have been aware that New Spain was no longer the safe haven that they had imagined, they knew that anyone who wanted to enter Spanish territory needed a passport or they would not have had any documentation at all. It is unclear how many slaves had forged passports and were able to enter because no one verified the documents. Like Ugarte, Salcedo was reluctant to punish fugitive slaves who reached New Spain by returning them to their owners until a more powerful diplomatic official intervened.

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<sup>60</sup> CAH, Spanish Material From Various Sources – Nacogdoches.

The uncertainty regarding return policies for fugitive slaves in Mexico from 1804 to 1806 illustrates the isolation of Mexico's northeastern frontier. Although Nemesio Salcedo was the Commander of Colonial Mexico's Interior Provinces, his changing policy towards fugitive slaves illuminates the difficulty Spanish officials had in enforcing its laws. These inconsistent policies were contributing factors in encouraging slave fugitives to escape after 1806.

### Louisiana Residents and the Rising Number of Captured Fugitive Slaves

As more slaves attempted to find refuge in Spanish Texas, the Louisiana government responded by imposing Black Codes in 1806. These codes defined slaves in bondage as belonging to their owners. Free blacks' in society, including those of bi-racial heritage, could not "conceive themselves equal to the white" and instead should instead "yield to them [whites] in every occasion."<sup>61</sup> Now race, not slavery and freedom, defined social status, which was a departure from French and Spanish society. Under European rule in Louisiana, free blacks and mulattoes had special privileges, but Black Codes reinforced a slaveholder's control over his or slaves and made free blacks' inferior to whites.<sup>62</sup> Louisiana slaves, however, were not deterred in their quests for freedom with the imposition of stricter laws in Louisiana. In early 1807, a Louisiana slave named Miguel Gamas escaped from Natchitoches on a horse and tried to enter colonial Mexico.<sup>63</sup> Because he did not have a passport, colonial Mexican authorities did not allow him to remain in Nacogdoches and returned him to his owner.<sup>64</sup> Gamas was not aware

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<sup>61</sup> Kastor, *The Nation's Crucible*, 81-82.

<sup>62</sup> Kastor, *The Nation's Crucible*, 81-82.

<sup>63</sup> CAH, Bexar Archives (microfilm), July 29, 1807.; CAH, Bexar Archives (microfilm), August 18, 1807.

<sup>64</sup> CAH, Bexar Archives (microfilm), August 18, 1807.

that he needed a passport. His experiences reveal passport enforcement along the Louisiana-Spanish Texas border became stricter after 1806 as a result of compliance with the Spanish King's policy. However, pressure from the Spanish King's intervention and the threat of attack from vigilante Louisiana slaveholders, officials in Nacogdoches and other Spanish Texas border towns extradited runaway slaves. And that both Spanish Texas and Louisiana governments used harsher measures to curtail the number of runaway slaves. New Spain officials began returning fugitive slaves to their Louisiana owners without prompting from American officials in Louisiana.

One reason U.S. slaveholders were so insistent about retrieving their fugitive slaves was because the closing of the Transatlantic Slave Trade made bringing slaves from outside of the United States illegal. In 1807, the United States abolished its transatlantic slave trade.<sup>65</sup> Thereafter, American slaveholders had to depend on natural reproduction and domestic trading rather than foreign imports to sustain their slave population. Increasing numbers of fugitive slaves, however, threatened the existence of slavery in Louisiana. In early 1807, two Louisiana slaves had escaped from their owner. While both reached colonial Mexico, someone, likely a colonial Mexican resident, reported one of the fugitives.<sup>66</sup> In order for the slaveholder to reclaim his property, he needed to travel to Spanish Texas Governor along with documentation of ownership and a passport.<sup>67</sup> Local Orleans residents' involvement in slave recapture by identifying fugitives and hindering their successful escape also shows an increased population in the

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<sup>65</sup> David Eltis, *Economic Growth and the Ending of the Transatlantic Slave Trade*, (New York, Oxford University Press, 1987), 33.

<sup>66</sup> CAH, Bexar Archives (microfilm), September 16, 1807.

<sup>67</sup> CAH, Bexar Archives (microfilm), September 16, 1807.; The Sabine River runs along the border between current day Louisiana and Texas. In this example, the river separates the United States and Spanish Territory.



region. Just a few years earlier, the area had been very isolated, and earlier slave fugitives would have been unlikely to encounter anyone when escaping. But by 1807, the region had become more populous and there was a concerted effort either by local whites and Mexican officials to report and capture fugitive slaves attempting to reach colonial Mexico.

Still such escapes continued. Although Spanish law instructed colonial Mexican officials to return runaway slaves and increased chances of capture, slave fugitives from Louisiana ignored or were unaware of this law and continued escaping to their nearest safe haven—New Spain. In January 1809, Spanish Texas Governor Manuel Salcedo reported that a number of slaves had been looking for asylum in the region.<sup>68</sup> Although he no longer provided a safe haven for fugitive slaves and had been trying to monitor immigration since 1806, his report reveals that slaves in Orleans Territory still viewed Spanish territory as a safe haven. At best, the better border enforcement meant that runaways were not always successful in reaching freedom in colonial Mexico. José Luis Marin and Margarita were two slaves from Natchitoches, Louisiana who escaped with only mixed success. In August 1809, they traveled to New Spain on a horse.<sup>69</sup> Shortly, after they arrived official there captured José and returned him to his owner in Natchitoches while Margarita was able to remain in New Spain undetected.<sup>70</sup> José and Margarita's experiences show the ways that runaway experiences changed as officials in Spanish Texas were no longer protecting fugitive slaves. They also suggest that The Spanish and the Orleans governments' attempts to police the border were not uniformly

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<sup>68</sup> CAH, Spanish Material From Various Sources - Nacogdoches Archive.

<sup>69</sup> CAH, Bexar Archives (microfilm), August 21, 1809.

<sup>70</sup> CAH, Bexar Archives (microfilm), September 2, 1809.

successful and did not deter all of the slaves who wanted to escape, and as a result, the slaves continued to seek refuge in Spanish territory.

### Blacks and Mulattoes in Northeastern New Spain

When slaves from the Territory of Orleans made the dangerous journey to Nacogdoches, New Spain, or to other eastern areas in the Texas province, what awaited them was not a historically prosperous region. In 1759, a bishop in the Catholic Church, which had established missions in the area earlier in the eighteenth century, reported that Spanish Texas was defenseless and its population of sixty families was very impoverished. While his description of the area was dismal, the bishop believed that the province would benefit from “the development of a large town” and the building of a “respectable fort that could furnish the settlers the security and safety required for the development of a prosperous community.”<sup>71</sup> His insights, albeit from the mid-eighteenth century, help illustrate why northeastern colonial Mexico welcomed certain settlers from Orleans or the United States, regardless of their status. Increasing the population would not only help to defend the area, but would also facilitate much needed economic growth in the province. The bishop believed that Nacogdoches, the region’s main military and trading post, was also too weak to survive an attack. Allowing fugitive slaves to remain in this region was mutually beneficial for the slaves and the region. The former slaves could begin their new lives as free while New Spain populated its frontier.

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<sup>71</sup> Castañeda, *The Mission Era: The Passing of the Missions, 1762-1782*, vol. 4, *Our Catholic Heritage in Texas, 1519-1936* (Austin, TX: Von Boeckmann-Jones Company, 1939), 16.

Farther south, San Antonio, which was “the center of Spanish power,” was developing at a slower rate than Spanish officials had anticipated.<sup>72</sup> San Antonio was sparsely populated with most of its residents living on ranches and haciendas miles apart and it did not have a strong fort.<sup>73</sup> In describing the land between Monclova, Coahuila and San Antonio, Spanish Texas, the Bishop of Guadalajara said that the land “was practically uninhabited and infested by hostile bands of Indians.”<sup>74</sup> Both the hostile Indians and the region’s poverty made many prospective Mexican settlers’ reluctant to migrate there.

One group of Mexicans willing to live in Spanish Texas were those of significant African ancestry. The province had approximately 4,000 residents by 1803, and colonial Mexicans of African descent were among those who lived in the northeastern part of the colony. In the late sixteenth century, free born Mexicans of African, indigenous, and Spanish ancestry, who lived in central colonial Mexico migrated to the northeastern region of the colony in 1598. This migration was part of a larger migration movement and to escape Spain’s *casta* system, which legally distinguished Mexico’s population based on race and assigned, denied, and prescribed legal rights and social prestige based on racial identity.<sup>75</sup> Their experiences and migration illustrates the importance of race in colonial Mexico and show how it varied from region to region. Unlike in central New Spain, the *casta* system did not have as much influence in the northern part of the colony.

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<sup>72</sup> Castañeda, *Our Catholic Heritage in Texas*, vol. 4, 1.

<sup>73</sup> Castañeda, *Our Catholic Heritage in Texas*, vol. 4, 17-18.

<sup>74</sup> Castañeda, *Our Catholic Heritage in Texas*, vol. 4, 17.

<sup>75</sup> Martha Menchaca, *Recovering History, Constructing Race: The Indian, Black, and White Roots of Mexican Americans* (Austin, TX: University of Texas Press, 2001), 62; Menchaca, *Recovering History, Constructing Race*, 67; An *afromestizo* is a person who is of Spanish, indigenous, and African descent.; See Menchaca’s *Recovering History, Constructing Race* pages 62-66 for her explanation about the Spanish racial caste system.

However, racial discrimination and racial stereotypes existed in the region. In 1760, Pedro de Labaquera, a military officer in New Spain, “asserted that most of the frontier soldiers were mulattos of low character and without ambition.” But, he maintained that these mixed-race soldiers “were absolutely essential and many of their descendants were able eventually to achieve prominence.”<sup>76</sup> Military service was one of the ways that colonial Mexicans of African descent could improve their socioeconomic status in a colony with limited opportunities not only for those who were black or mulatto, but also for virtually all the inhabitants of the colony’s economically depressed and isolated northeastern frontier.

In 1790, an estimated 18.5 percent of the Coahuila Mexican city Monterrey’s population was mulatto and 50.2 percent was *castas*, a category which included people with some African ancestry and mestizos. In Nacogdoches, Spanish Texas, twenty-four percent of Nacogdoches’ population was “Spaniards (N=109), 28 percent *afromestizo* (mulatto, lobo, or coyote) (N=130), 2 percent Black (N=10), 26 percent mestizo (N=117), and 6 percent Indian (N=29)” by 1793.<sup>77</sup> Nacogdoches’ multiracial society and significant nonwhite population likely attracted fugitive slaves.

Fugitive slaves from Louisiana were not the only black Americans attracted to New Spain. Free African American also immigrated to Mexico during the early nineteenth century. One such migrant, Felipe Elua, was a black Creole from Orleans. In

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<sup>76</sup> Jack Forbes, “Black Pioneers: The Spanish Speaking Afroamericans of the Southwest,” *Phylon* (1960-) 27, no. 3 (1966): 234.; See Ben Vinson’s *Bearing Arms for His Majesty: The Free-Colored Militia in Colonial Mexico* (2003) to learn more about black military service in colonial Mexico. He argues that these soldiers of African descent used the privileges surrounding their military service to negotiate social mobility both inside and outside of colonial Mexico’s formal institutions.

<sup>77</sup> Forbes, “Black Pioneers,” 241.; Forbes does not mention whether or not the mulatto population was free, enslaved, or both. He also does not discuss how or if this data incorporates age and/or gender.; Menchaca, *Recovering History, Constructing Race*, 117.; The two percent black statistic does not indicate national origin.

1807, he bought his freedom along with his wife's and his children's and moved to San Antonio in 1807.<sup>78</sup> In Louisiana, Elua had probably worked as an artisan, which would have allowed him to hire out his time and earn wages to purchase his and his family's freedom. After he moved to San Antonio, by contrast, he most likely worked on a ranch as a laborer because land tenure practices in San Antonio during the late eighteenth century and early nineteenth century did not allow new settlers to receive land titles.<sup>79</sup>

Immigrants, including free blacks like Elua, had to follow a number of laws in order to successfully remain in colonial Mexico in 1809. All immigrants had to become a loyal subject of the Spanish King, clear all debts incurred in Orleans, declare all property lawfully acquired in Orleans, and practice the Roman Catholic faith. Prospective immigrant had to submit these documents verifying that they had met these requirements to the local commander, who then submitted them to the Spanish government; at which point, immigrant had to wait for a decision from the government regarding their immigration status.<sup>80</sup> There were no explicit immigration restrictions based on race, which suggests that the local government was willing to accept some immigrants, regardless of race, if they met the immigration requirements.

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<sup>78</sup> Benjamin Lundy, *The life, travels, and opinions of Benjamin Lundy: including his journeys to Texas and Mexico, with a sketch of contemporary events, and a notice of the revolution in Hayti*, (Philadelphia: William D. Parrish, 1847), 54.; Benjamin Lundy is a white man, who traveled throughout Texas and Mexico in the early 1830s in order to investigate the feasibility of colonizing free blacks in Mexico.; Ruthe Winegarten, *Black Texas Women: 150 Years of Trial and Triumph*, (Austin, TX: University of Texas Press, 1995), 2.

<sup>79</sup> Menchaca, *Recovering History, Constructing Race*, 117.

<sup>80</sup> Bexar County Spanish Archives, Decrees, Edicts, Laws, and Proclamations 28b, pgs. 1-2.; Hereafter cited as BCSA, DELP.

### White Immigration to Spanish Territory and the American Frontier Prior to 1820

One group that the Spanish government was still unwilling to welcome into its territory was white Americans. In the late 1790s and early 1800s, Spain did not allow a large number of white Americans to immigrate to its territory in North America. However, a limited number of Americans had been living in colonial Texas before Austin Colony and large-scale white American settlement began in the early 1820s. Not all of the residents in Spanish Texas were approved of the American settlers living there. In 1806, the local Catholic bishop reported that there were “2,000 French and American settlers...on the eastern frontier” and described them as living “‘oblivious of religion’.”<sup>81</sup> These immigrants likely received permission to migrate from Spanish Texas Governor Manuel Salcedo who had allowed “a few Americans who had become naturalized Spaniards, such as Daniel Boone” to settle in the region in 1806.<sup>82</sup>

Officials in New Spain had difficulty continuing to limiting or blocking American settlement in the region because of colonial Mexico’s internal conflicts. One conflict was the beginnings of the colony’s independence movement from Spain. On September 15, 1810, Miguel Hidalgo began a revolt, which later led to Mexican independence in 1821. By 1811, the independence efforts reached Spanish Texas.<sup>83</sup> Although colonial Mexico would not achieve independence until eleven years later, these insurgent pockets diverted attention away from fugitive slaves and other illegal border crossers from the United States in order to focus on Spain maintaining its control over its colony.<sup>84</sup> With the

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<sup>81</sup> Castañeda, *Our Catholic Heritage in Texas*, vol. 5, 274.

<sup>82</sup> Castañeda, *Our Catholic Heritage in Texas*, vol. 5, 327.

<sup>83</sup> Bannon, *The Spanish Borderlands Frontier, 1513-1821*, 211.

<sup>84</sup> Bannon argues that Spain and its hold on all of its colonies began to weaken with the French occupation of the Iberian Peninsula, see page 211 of *The Spanish Borderlands Frontier*.

rebellions from the Mexican independence efforts and threats from American interests, Spanish Texas was increasingly vulnerable to American immigration on a larger scale.<sup>85</sup>

Austin had moved to Virginia in the 1790s, and then onto Missouri to exploit the Spanish borderlands' natural resources in 1797. While in Missouri, he began a lead mining business.<sup>86</sup> Austin had already had some financial success prior to his migration, but that was not the case for many people.<sup>87</sup> Austin immigrated to increase his fortune, but many other whites migrated in order to establish theirs. Austin chose to live in Missouri, at a time when it was a part of Spanish territory, because of the area's lead deposits. He was able to secure a Spanish passport in 1797 because he reported to be Catholic and pledged loyalty to the Spanish Crown.<sup>88</sup> While living in Spanish-controlled St. Louis, where he owned lead mines that exported the product to Havana, Cuba, Austin had had early economic success living in colonial Mexico's far northern area.<sup>89</sup> Missouri Territory began attracting settlers in the 1810s because of its mining opportunities. In the midst of these economic opportunities, there were also dangers such as hostile Native American populations.

However, even the threat of Indian violence did not deter settlers from migrating westward. An 1813 article titled "Indian Hostilities" from Washington City, Missouri newspaper *National Intelligencer* discusses Missouri rangers' battles against local

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<sup>85</sup> For a broader discussion about Spain's border issues with the United States and internal conflicts see David Weber's *The Spanish Frontier in North America*.

<sup>86</sup> Arthur Preston Whitaker and the American Historical Association, *The Mississippi Question, 1795-1803: A Study in Trade, Politics, and Diplomacy*, 2<sup>nd</sup> ed. (Gloucester, MA: Peter Smith, 1962) 7-8.; Castañeda, *Our Catholic Heritage*, vol. 6, 187.

<sup>87</sup> Whitaker, *The Mississippi Question*, 7-8.

<sup>88</sup> Barker, *Austin Papers*, 371.

<sup>89</sup> Barker, *Austin Papers*, 371.

Indians.<sup>90</sup> The Winnebago Indians migrated from Michigan to settle along the Mississippi River, and despite the violence between migrants and local Native Americans, residents “entertain strong hopes that their attempts on our frontier will be foiled.”<sup>91</sup> While violence persisted on this part of the U.S.-Spanish frontier, Missouri residents maintained that “this country is progressing in improvements.” Further confirming the territory’s progress was the creation of businesses. Earlier in 1813, someone from Philadelphia had moved there and established a lead factory.<sup>92</sup> Factories and an abundance of land ensured that migrants would continue arriving to the West. As individual settlers pursued these began moving westward, the U.S. government continued to expand, at the expense of the Spanish government, and create more land on which Americans could settle.

#### U.S. Expansion Ventures and Economic Crisis

The year 1819 was an important year for U.S.-Spain relations because it was the year of the Adams-Onís Treaty and the Panic of 1819. An agreement between the United States and Spain the Adams-Onís Treaty (1819) not only ceded Florida to the United States, but also clearly defined each country’s border within the Louisiana Purchase territory. The Spanish government, however, was reluctant to sign off on the treaty because it decreased its amount of land holdings

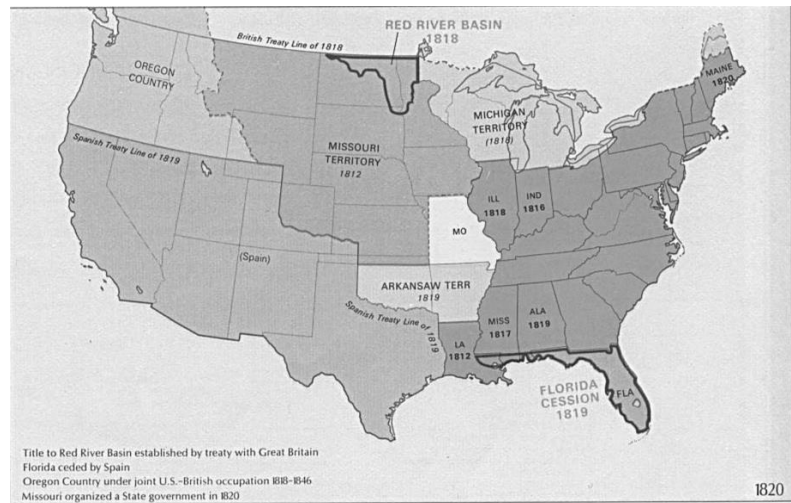
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<sup>90</sup> *19<sup>th</sup> Century U.S. Newspapers* database, “Indian Hostilities,” *National Intelligencer*, August 18, 1813. The *National Intelligencer* was a Washington D.C. newspaper, but this story was most likely first published in St. Louis on July 1, 1813 before the *National Intelligencer* picked up the story. Missouri was a part of Spanish Territory until 1812 when it became a U.S. territory. Missouri became a state in 1821.

<sup>91</sup> *19<sup>th</sup> Century U.S. Newspapers* Database, “Indian Hostilities,” *National Intelligencer*, August 18, 1813.

<sup>92</sup> *19<sup>th</sup> Century U.S. Newspapers* Database, “Indian Hostilities,” *National Intelligencer*, August 18, 1813.





Map 2- Shows the results of the Adams-Onís Treaty and the growth of the United States between 1812-1820.<sup>93</sup>

on the North American continent. As a result, the treaty did not become ratified until 1821.<sup>94</sup> Once signed, it became another example of the United States' continued growth at the expense of the Spanish. Besides the addition of Florida, the United States now included territory that would later become Missouri; Iowa; parts of Montana, Colorado, and Kansas; Nebraska; and South Dakota among other future states (see Map 2).<sup>95</sup> Moreover, the United States' future expansion plans threatened to further diminish Spain's influence on the North American continent. The year that Spain signed the treaty—1821—was the same year as Mexican Independence; both of these events signaled Spain's diminishing control and influence in North America. The Spanish government had tried to curtail American expansionist interests, the Adams-Onís Treaty illustrates that its attempts were not successful.

<sup>93</sup> Courtesy of the University of Texas Libraries, The University of Texas at Austin.  
[http://www.lib.utexas.edu/maps/united\\_states/us\\_terr\\_1820.jpg](http://www.lib.utexas.edu/maps/united_states/us_terr_1820.jpg)

<sup>94</sup> William Earl Weeks, *John Quincy Adams and American Global Empire*, (Lexington, KY: University of Kentucky Press, 2002), 173-174.

<sup>95</sup> Bill Hubbard, Jr., *American Boundaries: The Nation, the States, the Rectangular Survey*, (Chicago: University of Chicago Press, 2009), 70-71.; Hubbard, *American Boundaries*, 324.

While Spain and Louisiana negotiated both regional and diplomatic conflicts in 1819. The Panic of 1819 resulted in many whites in the Northeast and the South losing their fortunes. Consequently, many of them began to look to the burgeoning U.S. frontier for new economic opportunities.<sup>96</sup> In doing so, they looked to the land from the Louisiana Purchase, which offered affordable land on which to expand the plantation system into the Deep South and eventually Texas.<sup>97</sup>

After Austin's Missouri lead mining business failed in the early 1800s, he looked to Spanish Texas to reclaim his fortune.<sup>98</sup> By 1820, colonial Mexican officials had been trying to populate the northeastern area of the colony for decades, largely without success. Between 1813 and 1820, they had instituted a policy of Christianizing and killing off Indians tribes in the region order to attract white settlers who feared a large local Indian population and subsidizing manufacturing and tobacco agricultural industries. While some immigrants arrived, including a limited number of the Americans, these offers did not convince prospective emigrants to live in Spanish Texas.<sup>99</sup> In March 1820, the restoration of the liberal Constitution of 1812 no longer excluded foreigners from settling in Spanish Territory in North America and even awarded them public land there.<sup>100</sup> This new constitution and its decrees not only affected those already living in colonial Mexico, but also those who wished to immigrate, especially white Americans.

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<sup>96</sup> Alan Brinkley, *The Unfinished Nation*, 211. Increasing population in the East also propelled westward migration.

<sup>97</sup> Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South*, (Cambridge, MA: Harvard University Press, 2005), 117.

<sup>98</sup> Barker, *Austin Papers*, 371.

<sup>99</sup> Carlos Castañeda, *Our Catholic Heritage*, vol. 6, pgs. 178-187; See pages 178-187 for complete details about each plan.

<sup>100</sup> Castañeda, *Our Catholic Heritage*, vol. 6, 186.

In order to immigrate to Spanish Texas and establish a business, prospective immigrants had to travel to the province, meet with its governor, and have a declaration interview. Austin's interview took place on December 23, 1820, and put him in conversation with Spanish Texas' governor, Colonel Don Antonio Martínez. Austin told Martínez that after his mining business ended, "he resolved upon applying [sic] for authorization to settle in this province" in hopes of exploiting the agricultural opportunities he believed he would find in Spanish Texas.<sup>101</sup> Like other migrants to the region, Austin was eligible to acquire land through an *empresario* grant. Under this grant, the entrepreneur, or *empresario*, was responsible for recruiting settlers and received land as payment for his services. These settlers had to be Catholic, industrious, and of good moral character.<sup>102</sup> Because Austin was nearly bankrupt by 1820, he hoped to recoup most of his money by dividing up the land he received as an *empresario* and charging twelve and a half cents per acre for land to entering colonists. Austin was not alone in his dismal financial state; decreasing agricultural prices and a weakening economy from the Panic of 1819 enticed large numbers of impoverished Americans to migrate west. Creditors were unable to pursue people who lived in New Spain, and later Mexico, for debts, which allowed Texas to become an economic refuge for those who owed money in

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<sup>101</sup> Barker, *Austin Papers*, 371.; It is unclear when Austin originally submitted his application for processing.; The governor of Spanish Texas, Colonel Don Antonio Martínez, interviewed Moses Austin about conditions on the border with the United States, a group of men assembling on Galveston Island, and Austin's plans to settle in Spanish Texas. See Barker, *Austin Papers*, 370-371.

<sup>102</sup> Aldon S. Lang and Christopher Long, "LAND GRANTS," *Handbook of Texas Online*. (<http://www.tshaonline.org/handbook/online/articles/impl01>), accessed March 3, 2012. Published by the Texas State Historical Association.; Margaret Swett Henson, "ANGLO-AMERICAN COLONIZATION," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/uma01>), accessed March 3, 2012. Published by the Texas State Historical Association.

the United States.<sup>103</sup> Men such as Austin viewed Spanish Texas as a new economic opportunity for not only himself and family, but also for other white families.

Austin planned to generate income in his colony thorough the use of slave labor. During his declaration interview with the Texas governor, Austin “had been accompanied by a negro boy belonging to him,” and explained he intended “to provide for his subsistence by raising sugar and Cotton.”<sup>104</sup> The governor did not comment about the slave nor did he ask how Austin would cultivate such labor intensive crops. All the same, however, in his letter summarizing the declaration interview that Martínez conducted with Austin, the governor explicitly noted that Austin would have cotton and sugar plantations.<sup>105</sup> The governor’s silence about slavery suggests that for colonial Mexican officials, the prospect of not settling the area was more problematic than allowing white slaveholders to populate Spanish Texas. These white immigrants were needed to defend Texas and the interior of Mexico from Indian raids. Officials such as Martínez also had to accept that the introduction of slavery was an inevitable consequence of white American immigration. Indeed, Martínez laid the foundation for slavery to enter and flourish in the area without effective resistance from the Spanish or Mexican governments.

Not only did Austin discuss the use of slave labor in his new proposed colony during the interview, Austin traveled to Texas with a man who accompanied him because of slavery. During his declaration interview with Virginia resident Jacob Kirkham, revealed that he traveled with Austin to Texas in order to recapture four fugitive slaves,

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<sup>103</sup> Lang and Long, “LAND GRANTS,” *Handbook of Texas Online*; Henson, “ANGLO-AMERICAN COLONIZATION,” *Handbook of Texas Online*.

<sup>104</sup> Barker, *Austin Papers*, 370.

<sup>105</sup> AGN, Provincias Internas, vol. 251, 183.

but he only owned three of the slaves in question.<sup>106</sup> Kirkham's admission that his primary reason for coming to Spanish Texas was to recover runaways underscores that slaves continued to flee to Texas despite the numerous attempts from Louisiana and colonial Mexican officials to deter them. In addition, the fact that fugitives still viewed the territory as a safe haven suggests that many slaves had successfully escaped there. Moreover, Kirkham's interview also suggests that slaveholders were becoming more aggressive in the methods they chose to recover their slaves. Instead of waiting for the government to arrange the recapture and return of their slaves, which could take weeks or even months in some instances, slaveholders could now hire someone to recoup the fugitive slaves.

Upon their arrival, white American settlers would become valuable assets to Spanish Texas by helping defend the territory from Comanche Indians, who reneged on a 1785 peace treaty and had begun raiding Texas in 1803, the same year of the Louisiana Purchase. Spanish officials gave them 4,000 pesos worth of gifts in order to stop the raids. In doing so, the Spanish government linked gifts to Indian raids. When there were no payments or the payments were delayed, Indian raids occurred.<sup>107</sup> The Comanches, who had recently aligned with the Lipan Apaches, raided from San Antonio to the Río Grande, and the low-paid soldiers with a scarce food supply were unable to protect residents from the Indians. Texas was under constant attack and became cutoff from the rest of colonial Mexico because traders and travelers were afraid to use the roads in fear

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<sup>106</sup> AGN, Provincias Internas, vol. 251, 186-187; AGN, Provincias Internas, vol. 251, 183.; Another man named Jacob Forsyth was also interviewed. He was a Protestant from Virginia. AGN, Provincias Internas, vol. 251, 187-188.

<sup>107</sup> Hämäläinen, *The Comanche Empire*, 183-184.

of encountering Comanches.<sup>108</sup> By the second decade of the nineteenth century, both settlers and local industries, producing products such as leather and textile, began leaving the region because of the Lipan and Comanche raids. It was under these conditions that in 1819, Texas Governor Antonio Martínez warned that without reinforcements from Mexico City “this province will be destroyed unwittingly by lack of inhabitants...because no one wishes to live in the province for fear and danger and because the few inhabitants now existing are being killed gradually by the savages.”<sup>109</sup> Spanish officials could use the settlers to defend Texas from raids and finally establish a buffer between interior Mexico and the Comanches.

### Conclusion

This chapter explored U.S. and Spanish diplomatic relations with regard to slave escapes, the changing nature of Spanish borderlands, the evolution of slavery in Louisiana, and the expansion of slavery into Spanish Texas. The chapter began by explaining how the Louisiana Purchase facilitated a contentious relationship between the United States and Spain around issues of border control.

The Louisiana Purchase not only demonstrated the United States government’s increasing desire to expand its territory, but also marked the beginning of the Spanish’s waning influence in what would later become the continental United States. As more Americans began looking westward, Spain would have increasing trouble patrolling its North American borders. Louisiana, much like Florida, had long served as a buffer

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<sup>108</sup> Hämäläinen, *The Comanche Empire*, 186-187.

<sup>109</sup> Hämäläinen, *The Comanche Empire*, 187.

between American and Spanish territories on the continent, and once Americans began to settle in these regions the two nations' interests often clashed.

At the heart of many U.S.-Spanish border disputes was the issue of slavery, specifically the status and return of fugitive slaves who escaped to Spanish territory. On the American frontier, disputes with colonial Mexican officials over runaway slaves highlighted the fact that there was no clear demarcation between U.S. and Spanish territory. The two countries disputed where the boundaries were and fugitive slaves brought this issue to the forefront. Moreover, the fact that slaves were able to cross signaled that both countries did not effectively police their borders.<sup>110</sup> Slaves who managed to cross the border proved that no one was not carefully monitoring the border or that border officials were ignoring illegal border crossing because there was no significant penalty or consequence for doing so. In 1805, colonial Mexico's Commander General of Interior Provinces, Nemesio Salcedo, even briefly sheltered fugitive slaves from Louisiana in retaliation for border hostilities along the border with the United States. But he changed his policy in 1806 because it was in opposition to the Spanish King, who no longer wanted to provide asylum to fugitive slaves from the United States. Salcedo's use of runaways as diplomatic currency demonstrates the ways in which slavery was a political issue outside of the United States.

The fact that fugitive slaves had a significant role in the upheaval of the region reveals the high stakes faced by slaveholders who settled in Orleans Territory. American settlers depended on slave labor to not only develop the land, but also to contribute to the

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<sup>110</sup> Although the chapter discusses a number of cases where fugitive slaves did not reach New Spain and returned to their owners, I did not come across sources that indicate how many slaves were able to successfully remain in colonial Mexico until the 1850s when Texas slaves escape to an independent Mexico.

territory's economic development. In short, Territory of Orleans and later Louisiana needed to maintain its slave population by quelling all slave unrest and runaways, but at the same time it needed to develop favorable diplomatic relations with colonial Mexican officials to ensure the return of fugitive slaves.

The Spanish government's aim, and by extension colonial Mexican officials' aim, was to keep white Americans at bay, but fugitive slaves' arrival indicated the beginning of American westward expansion—slaves were close enough to escape there. Even though Orleans slaveholders wrote to Governor Claiborne about their runaways, the slaves were able to remain in colonial Mexico until the proper officials in New Spain learned about the presence and then decided whether or not to return the slave or slaves. Recovering slaves could take a long time and required a lot of effort, which made it difficult for New Spain authorities to quickly report and return runaways. In order to subvert this long process, Orleans slaveholders often threatened to enter colonial Mexico themselves to retrieve the runaways themselves rather than waiting for Spanish officials to send them back. Their demands for the speedy return of their slaves not only underscored their need to recover valuable property, but also suggest that they were not sure that the Spanish or U.S. governments would take action on their behalf.

The second part of this chapter focused on the Spanish government's attempts to populate colonial Mexico's northeastern frontier. A number of officials developed immigration plans, but they all failed because the Spanish government could not afford to offer prospective settlers free or discounted land. The Crown also imposed a number of restrictions and qualifications onto prospective immigrants—who had to swear allegiance to the King and become Catholic—that often deterred and dissuaded people who were



interested in settling in the region. While white Americans were interested in immigrating, Spanish and colonial Mexican officials did not trust them and were reluctant to let them move into the region. By 1820, however, the growing Comanche threat in the region forced the Spanish government to soften its policy regarding immigration by allowing foreigners, white Americans included, to immigrate to colonial Mexico in 1820. Eager to migrate there Moses Austin, a Connecticut-born, former Missouri resident, applied for and received an *empresario* grant in January 1821 in order to settle what would later become Texas. Austin told Spanish Texas' Governor Antonio Martínez that he would provide for himself with profits from cotton and sugar plantations, and Martínez allowed Austin and other slaveholders to immigrate in order to attract and maintain a population in the region. In approving Austin's colonization grant, the Spanish government effectively conceded that it could not effectively stop large-scale American immigration that it had so long tried to avoid for fear of an American takeover of the region. The next chapter looks at how that concession reshaped the region. It begins in the aftermath of Mexican independence from Spain in late 1821 and traces the ways in which American immigration and slavery transformed Texas province and Texas residents' relationship with the Mexican government.

## Chapter 2: Gone to (Mexican) Texas: Immigration and Race in Transforming Mexican Texas into Texas, 1821 – 1836

### Introduction

As 1820 came to a close, Moses Austin planned to meet with Spanish Texas Governor Don Antonio Martínez to discuss settling American families in Spanish Texas. By then, Austin's son, Stephen Fuller Austin, had become judge of the first judicial district of Arkansas Territory. Appointed by Arkansas' first territorial governor, twenty-six year old Stephen Austin was beginning his career. However, his father wanted him to assist with the new family business—settling Spanish Texas. Stephen had other plans, and intended to study law in Louisiana. But Moses Austin became ill from exhaustion and exposure on his return to Missouri from Spanish Texas in 1821. Anticipating his impending death and not wanting to abandon the new venture, Moses Austin made a death bed request that Stephen “take his place” and “go on with the business in the sameway he would have done.”<sup>111</sup> On June 10, 1821, Moses Austin died leaving Stephen Austin to arrange the final details of settling the colony.<sup>112</sup> If Austin's death complicated the process of settling the region so too did Mexico's independence from Spain, which it achieved in September 1821. Mexico's independence nullified Moses Austin's land grant from Spain. Families would not be able to immigrate until Stephen F. Austin resolved the issue with the Mexican government.<sup>113</sup>

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<sup>111</sup> Eugene C. Barker, *The Life of Stephen F. Austin, Founder of Texas, 1793-1836: A Chapter in the Westward Movement of the Anglo-American People*, 1<sup>st</sup> ed., (New York: AMS Press, 1970), 31.; Barker, *The Life of Stephen F. Austin*, 24.; Eugene C. Barker, "AUSTIN, STEPHEN FULLER," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/fau14>), accessed October 06, 2013. Published by the Texas State Historical Association.

<sup>112</sup> David B. Gracy II, "AUSTIN, MOSES," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/fau12>), accessed October 06, 2013. Published by the Texas State Historical Association.

<sup>113</sup> Mexico became independent from Spain in August 1821. In this chapter, I refer to Stephen F. Austin as Austin. I call other members of the Austin family by their first and last names.

Even before Austin had obtained permission to settle in what was now Mexican Texas, he received nearly 100 letters from people in Missouri, Kentucky, and other states who wanted to settle in the region. He believed that the colony would be popular enough to permit him to “take on fifteen hundred families as easily as three hundred” if he could get the Mexican government’s permission to do so.<sup>114</sup> Fortunately for Austin, populating Mexican Texas was important to Mexico in the same way that it had been for the Spanish government. The Comanche Indians remained a problem in Mexican Texas. Like the Spanish government, Mexican officials intended for the settler population to defend Texas and protect interior Mexico from Indian raids. Settlers were likely not aware of their role as buffers between Native Americans and interior Mexico, or perhaps they were convinced that they would have no trouble defending themselves—unlike the region’s current residents. Regardless of settlers’ expectations and the government’s plans, populating the region benefited both parties.

Mexico also appealed to free blacks and fugitive slaves. Free African Americans immigrated there in search of a less hostile racial climate existed in Mexico. Like their white counterparts, they also immigrated for economic reasons. But by the 1830s, free blacks in the northern United States were increasingly drawn to Mexico for the civic status they could achieve there. The Mexican government’s 1824 Constitution extended citizenship to everyone except Mexican slaves, and Mexico then went on to abolish slavery in 1829. These measures strengthened Mexico’s status as a prospective haven for free blacks and fugitive slaves. Moreover, fugitive slaves from Louisiana were able to

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<sup>114</sup> Stephen F. Austin to Antonio Martinez, 13 October 1821, Eugene C. Barker, ed., *The Austin Papers*, Vol. 2, Part 1 (Washington, DC: Government Printing Office, 1924), 419.

continue to escape to what was now Mexico because lax border enforcement and Mexican officials' apathy about the matter allowed them to remain.

The white Americans who settled in Mexican Texas brought an influx of slaves from the United States. Mexican Texas Governor Martínez permitted them to do so because the region needed settlers. As the slave population began increasing exponentially, however, the Mexican government disapproved of the rise of American slavery in Mexico and tried to curb its growth. White settlers resisted. They believed that slave labor was integral to the colony's success and found ways to circumvent Mexican laws aimed at halting slavery in the region. This chapter explores the ways in which the growing American population of both blacks and whites in Mexican Texas transformed the region, and how these changes shaped the black American experience living in Texas.

The Mexican government made a number of compromises in order to attract white American settlers to Texas. It exempted Texas from having to abolish slavery and repealed a law that restricted American settlement to Texas only. Accordingly, the Mexican government could only offer a limited degree of protection to free blacks and fugitive slaves. This chapter argues that the Mexican government used its laws to offer free blacks and fugitive slaves benefits such as citizenship and a degree of racial acceptance, but at the same time prioritized white settlers' demands in Mexican Texas. Free blacks and fugitive slaves could not truly rely on protection from the Mexican government while living in Mexican Texas because of white Americans' power and influence over the government.

Many Worthy Families: American Immigration to Mexican Texas, 1821-1824

While awaiting permission from the Mexican government to settle Austin Colony, Stephen Austin received a number of letters, many of which were Americans living in Missouri and Kentucky who wanted to immigrate to Texas. In December 1821, James C. Shields wrote to Austin about emigrating from Kentucky. He wanted to immigrate because “this place [wa]s very dull” and “there was no encouragement [of] mechanics.”<sup>115</sup> Shields made farm tools and stove patterns for furnaces, but had had difficulty finding work in Lexington, Kentucky, and he believed that his skills would be more marketable in the new colony.<sup>116</sup> Shields was one of hundreds of Kentuckians wanted to leave. Emigration from Kentucky was so popular that a Texas Emigration Society formed in Lexington to help prospective immigrants contact Austin.<sup>117</sup> They wrote to Austin to inquire about jobs and available land. They also asked questions about Mexico’s history and asked if its newly independent government’s stability.

The Panic of 1819 had devastated the economy, and two years later Americans were still feeling the effects. Like Shields, many potential settlers believed that living in Austin’s colony would improve their lives. For example, a group of farmers from Florida who described themselves as “generally poor,” believed that Texas was a good option for them because of its fertile soil.<sup>118</sup> Other prospective settlers were attracted to Texas because “times [were] So [sic] hard” and the people did not like the U.S. government.<sup>119</sup>

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<sup>115</sup> James C. Shields to Austin, 9 December 1821, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 443-444.

<sup>116</sup> James C. Shields to Austin, 9 December 1821, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 443-444.

<sup>117</sup> Samuel Ayers and Others to Austin, 6 June 1822, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 521-522.

<sup>118</sup> Andrew Mitchell and William H. McCurdy to Austin, 31 January 1822, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 472.

<sup>119</sup> Maria Austin to Austin, 19 January 1822, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 469.

These settlers left the country not only to escape the aftermath of the Panic of 1819, but also to get away from government policies in which they disagreed.

Slaveholders from the Lower and Deep South wanted to immigrate to Mexican Texas with their slaves. James Fort Muse, a prospective settler from Louisiana, was originally from South Carolina. He wrote to Austin in December 1821 about him, his wife, daughter, and “between ten and fifteen negro slaves” moving to Texas.<sup>120</sup> Muse noted that if he liked living in Texas, he would be able to bring “many worthy families from [his] native state South Carolina as soon as [he] could get them word.”<sup>121</sup> Austin encouraged slaveholders to settle in Austin Colony by providing them with additional land. Each slave brought into the colony was worth between forty to one hundred sixty acres of land, which was in the addition to the 640 acres white married males with children received as head of household.<sup>122</sup> Moreover, Austin even began to accept slaves “in advance...payment for lands” starting in early 1822.<sup>123</sup> The option of using slaves to pay for land gave slaveholders with a significant number of slaves to have a tremendous advantage over non-slaveholders or small-scale slaveholders, who could use their slaves to acquire large holdings.

While the slave population in Mexican Texas grew, a limited number of free blacks from the United States also immigrated there. After acquiring a settlement contract from the Mexican government, a free black barber named Samuel Hardin immigrated to,

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<sup>120</sup> James Fort Muse to William W. Little, 1 December 1821, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 439.

<sup>121</sup> James Fort Muse to William W. Little, 1 December 1821, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 439.

<sup>122</sup> Samuel Parker to Austin, 7 December 1821, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 441. In this letter, Parker wrote that a slave was worth 40 acres. It is possible that he wrote the incorrect amount. In an October 6, 1821 letter, Austin grants his friend J. H. Bell 160 acres for each slave. There are some inconsistencies about how many extra acres slaves were worth.

<sup>123</sup> Josiah H. Bell to Austin, 17 January 1822, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 466.

what later became Brazoria County, Mexican Texas in 1822.<sup>124</sup> Most scholars discuss Austin's Texas settlement as large-scale white immigration without acknowledging free blacks who also immigrated. Samuel Hardin's decision to immigrate is an example of blacks' voluntary, rather than forced, immigration during the slavery era. If Hardin remained in Mexico for at least three years, he would be eligible to obtain Mexican citizenship, which was not available to him in the United States.

Without the "Arms of Negroes: Slavery, Texas Development, and White Immigration, 1823-1831"<sup>125</sup>

As we have seen, the Spanish government had approved Moses Austin's request to settle 300 families on 200,000 acres of land at the mouth of the Colorado River (near present-day Austin, Texas) in January 1821, but Moses Austin's death and Mexican independence nullified the contract. Still committed to the colony, Stephen Austin traveled to Mexico City in April 1822 to negotiate a settlement contract with the Mexican government. The result of his trip was the colonization law of 1823.

In January 1823, the Imperial Colonization Law of 1823 addressed the question of how settlers would receive their land.<sup>126</sup> It was written by members of the Mexican government who decided that they, rather than Texas Governor Antonio Martínez, had the authority to determine settlers' land amounts and encouraged Catholic immigrants to

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<sup>124</sup> Samuel H. Hardin and Tamar Morgan Petition to remain in Texas, Legislature, Memorials and Petitions. Archives and Information Services Division, Texas State Library and Archives Commission (hereafter cited as ARIS-TSLAC).; Ruthe Winegarten, *Black Texas Women: 150 Years of Trial and Triumph*, (Austin, TX: University of Texas Press, 1995), 3.

<sup>125</sup> Campbell, *An Empire for Slavery*, 25.

<sup>126</sup> Hans Gammel and Peter Marcus Neilsen, *The Laws of Texas, 1822-1897* Volume 1, Book, 1898; digital images, (<http://texashistory.unt.edu/ark:/67531/metaph5872/> : accessed October 20, 2012), University of North Texas Libraries, The Portal to Texas History, <http://texashistory.unt.edu>; crediting UNT Libraries, Denton, Texas.

settle in Mexico by offering them land and exempting them from taxes for six years. It also established a path to citizenship for foreigners by permitting them to naturalize them when they “establish[ed] themselves in the empire.”<sup>127</sup> The act further stipulated that a person had to be married, have a useful occupation, and had to have resided in Mexico for at least three years in order to pursue citizenship, which could not be denied to anyone who met the aforementioned conditions and requested citizenship.<sup>128</sup><sup>19</sup> This law, however, was short-lived. Mexico’s first president, Agustín Iturbide, became Emperor of Mexico, which contradicted ideals of Mexican independence. As a result, Iturbide abdicated his position as in March 1823, and the Imperial Colonization Law became null and void. Despite its short tenure, this law underscored the Mexican government’s attempts to remove race from qualifications for citizenship. Additionally, the Imperial Colonization Law, also called the Colonization Law of 1823, allowed Moses Austin’s original land contract to be recognized by Mexican law.<sup>129</sup> As a result, slaveholders were able to bring their slaves to Texas, and the region became dependent on slave labor.

Like James Muse, who planned to bring between ten to fifteen slaves with him to Mexican Texas, many white settlers who immigrated to Texas were also small-scale slaveholders. In December 1821, J. M. Arthur, a schoolteacher from Kentucky, wrote to Austin about emigrating from the United States. Arthur had not had very much economic success, but hoped to find it in Austin’s Colony. He intended to bring his wife, three

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<sup>127</sup> Ernest Wallace, David M. Vigness, and George B. Ward, eds. 2<sup>nd</sup> edition, *Documents of Texas History*, (Austin, TX: Texas State Historical Association, 2002), 47.

<sup>128</sup> Wallace et al., *Documents of Texas History*, 47.

<sup>129</sup> Eugene C. Barker, "MEXICAN COLONIZATION LAWS," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/ugm01>), accessed October 20, 2012. Published by the Texas State Historical Association.; David J. Weber, *The Mexican Frontier, 1821-1846: The American Southwest Under Mexico*, (Albuquerque, NM: University of New Mexico Press, 1982), 164.



children, and most likely a slave because he was “incapable of [doing] hard labor.”<sup>130</sup>

Arthur’s letter is a reminder of the difficult, physical labor that awaited settlers. Being a slaveholder eased the burden of doing frontier tasks such as clearing the land and building a house.

In Texas, slaves soon became the primary source of labor. Most slaveholders were not large-scale ones, but rather many settlers owned “at least a small number of slaves.”<sup>131</sup> Before its nullification, the Colonization Law of 1823 stipulated that slaves brought to Mexican Texas would remain enslaved for life, but their children, if born in Mexico, would be free by age fourteen. The law also prohibited domestic slave trading. This legislation was, in effect, a gradual emancipation. Austin had originally opposed this law because it threatened slavery in two important ways: slave status could no longer be inherited and the slave system with which Americans were most familiar would cease to exist.<sup>132</sup> Iturbide’s abdication nullified these restrictions, including the provisions directed towards slavery. As a result, Texas slavery flourished.

The Constituent Congress, Mexico’s new legislative body continued to pass laws to restrict the slave trade in Mexico. The Congress even passed a decree in July 1824 that “prohibited the slave trade, domestic and foreign,” and stipulated that “slaves brought into the country by such trade recovered their freedom the moment they touched Mexican soil.”<sup>133</sup> But this decree only applied to slaveholders who planned to bring their slaves with them when immigrating to Mexico and not those who already had slaves in Mexican

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<sup>130</sup> J. M. Arthur to Austin, 4 December 1821, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 440-441.

<sup>131</sup> Bugbee, “Slavery in Early Texas, I,” 391.

<sup>132</sup> Bugbee, “Slavery in Early Texas, I,” 395.; Austin to José Felix Trespalacios, 8 January 1823, Barker, ed., *The Austin Papers*, Vol. 2, Part 1, 567.; All translations done by Mekala Audain unless otherwise noted.

<sup>133</sup> Bugbee, “Slavery in Early Texas, I,” 397-398.

Texas. Also, the law did not take effect until January 1825, which allowed settlers to continue bringing slaves to Texas until the government enforced these regulations.<sup>134</sup>

Local Mexican governments also attempted to restrict slavery. Coahuila-Texas' 1827 state constitution declared that "no one shall be born a slave in the state, and after six months the introduction of slave under any pretext shall not be permitted."<sup>135</sup> This law illustrates the short arm of the Mexican federal government. Because the Mexican government did not have the resources or the ability to effectively police who introduced slaves into Mexico from the United States and who did not, Coahuila-Texas' government intervened.

Americans who wished to settle in Texas, however, were able to use Mexico's own system of debt peonage to circumvent these national and state laws prohibiting slavery.<sup>136</sup> Before immigrating to Texas, many slave owners took their slaves to a notary, who arranged a form of peonage that did not violate Mexican law. The notary signed a document that confirmed the slaves' status in the state in which he or she lived, the slave's worth, and the slave's desire to accompany his or her owner to Texas, where he would be free under Mexican law. The slave also agreed to cover the costs of the trip, his or her value, food, clothing, and other expenses while in Texas before he or she could become free. The slaves who signed these agreements received very low wages that they used to begin paying back their owners, but the wages were not enough to pay off a significant amount of the debt, thus ensuring that they would endure a prolonged peonage.<sup>137</sup> By May 1828, peonage was no longer necessary to avoid slavery restrictions

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<sup>134</sup> Bugbee, "Slavery in Early Texas, I," 397-398.

<sup>135</sup> Bugbee, "Slavery in Early Texas, I," 407. Translated by Lester Bugbee

<sup>136</sup> Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865*, (Baton Rouge, LA: Louisiana State University Press, 1989), 23.

<sup>137</sup> Bugbee, "Slavery in Early Texas, I," 411.

because the Coahuila-Texas government passed a new decree that allowed laborers, particularly for agricultural work, to enter the state. Austin interpreted this new law as allowing “families to bring the necessary and indispensable house servants and laborers.”<sup>138</sup> He assumed that the Coahuila-Texas government supported Texas’ need for slavery despite its 1827 constitution. Although the law did not explicitly address slavery, he maintained that house servants and laborers for settlers from the United States included slaves.

Members of the Mexican government constantly had to balance their desire to restrict slavery in Mexican Texas against their aspirations to encourage settlers to immigrate. Unwilling to turn away American settlers, they sought more control over where they settled. Many governing officials in Coahuila regarded as particularly dangerous in areas close to Texas such as Coahuila, however, they feared American settlers because “their [the American settlers’] nation borders ours...[and] one day they would be able to revolt and join with their former country.”<sup>139</sup> To prevent that outcome, the Mexican Congress passed the Colonization Law of 1824. The law exempted foreigners from taxes for four years, but also prohibited foreigners from owning property within twenty leagues (sixty-nine miles) of the United States and within ten leagues of the Gulf Coast (34.5 miles). In addition, foreigners could not own more than eleven square leagues of land (48,708 acres). While the government may have created these conditions to assuage its members’ fears about an American takeover of the new nation, the law was also required American settlers to disperse throughout Mexican Texas potentially providing better defense against the Comanches. Most settlers, however, ignored these stipulations and

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<sup>138</sup> Bugbee, “Slavery in Early Texas, I,” 409-410.

<sup>139</sup> Weber, *The Mexican Frontier*, 163.; Coahuila y Texas, or Coahuila-Texas, became a Mexican state in October 1824.

settled near Nacogdoches (near the Louisiana border), near the Gulf Coast, and in other parts of east Texas.<sup>140</sup> As a result, west Texas remained underdeveloped and faced the brunt of Comanche raids.<sup>141</sup>

In 1825, Coahuila-Texas implemented a state-based colonization law requiring prospective settlers had to “‘prove their Christianity, morality, and good habits’.” Professing Catholic faith was no longer required.<sup>142</sup> With religious restrictions against Protestantism removed, any Christian settler could immigrate to the Mexican state. Upon meeting these requirements, the male head of an immigrating family received a league of land (equivalent to 4,428 acres) for grazing and a labor of land (equal to 177 acres) for farming. The land could be mortgaged and paid in installments over six years with the payments beginning in the fourth year of settlement and ending in the tenth year of living in the country.<sup>143</sup>

Mexico’s national and state laws restricted slavery. Both the Mexican and Coahuila-Texas governments linked slavery to white settlement and used laws that restricted slavery to control the white American settlers who immigrated to Mexican Texas.<sup>144</sup> However, white settlers ignored these laws. They devised clever strategies like debt peonage or indentured servitude to circumvent clauses in the Mexican 1824 Constitution and the Coahuila-Texas’ 1827 state constitution. Moreover, there was no real penalty for using these methods to continue slavery in Mexican Texas. Despite calls to

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<sup>140</sup> Pekka Hämäläinen, *The Comanche Empire*, (New Haven, CT: Yale University Press, 2009), 198.

<sup>141</sup> Hämäläinen, *The Comanche Empire*, 198.; Weber, *Mexican Frontier*, 89.; There were Mexican troops in Goliad and San Antonio to protect settlers, but their presence was not enough to stop the raids. Despite living away from the majority of the raids, settlers in eastern Texas still did not feel safe, and they often planted crops close to their homes and learned to travel everywhere with a gun.

<sup>142</sup> Weber, *The Mexican Frontier*, 163.

<sup>143</sup> Weber, *The Mexican Frontier*, 164.

<sup>144</sup> There were free black slaveholders in Mexican Texas. Records listing American settlers’ family members and possessions upon their arrival to Mexico did not list free blacks as owning slaves.

abolish slavery during the 1810s, slavery still remained in areas such as Veracruz, where the institution was economically essential until 1829.

Unlike slaves, free blacks from the United States benefited from Mexico's constitution and colonization laws. These documents did not make racial distinctions nor include race-based restrictions. The Mexican constitution granted free blacks Mexican citizenship, a right not available to their counterparts in the United States. However, in the early 1830s the Mexican government began to yield to white American settlers' demands, which ultimately complicated the black American experience in Mexico.

#### Racial Equality and the Abolition of Slavery in Mexico, 1821-1829

Vicente Guerrero was born in 1783 in Tixtla, colonial Mexico. His mother was an indigenous Mexican and his father, a mule driver, had significant African ancestry. Under the Spanish caste system, Guerrero's family faced employment discrimination and race-based tax rates and other challenges. Guerrero was twenty-seven years old when the war for Mexican independence began in 1810; his father sided with the Spanish, but Guerrero joined the independence efforts.<sup>145</sup>

After eleven years of war, Mexico gained independence from Spain in 1821. Clause twelve of the document that ended the war, the Plan of Iguala, granted citizenship to all inhabitants "without distinction of their European, African or Indian origins," and declared that they had the freedom to "pursue their livelihoods according to their merits

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<sup>145</sup> Theodore G. Vincent, "The Contributions of Mexico's First Black Indian President, Vicente Guerrero," *The Journal of Negro History*, Vol. 86, No. 2 (Spring, 2001), 148-149.

and virtues.”<sup>146</sup> These components of the Plan de Iguala underscore the racial inequalities that had existed colonial Mexico, and the new government’s efforts to change race’s role in an independent Mexico. By acknowledging racism at a national level, the Plan de Iguala sought to begin establishing racial equality for free people.<sup>147</sup>

One oversight in the Plan de Iguala was that it did not abolish slavery. In 1821, Mexico could not abolish slavery because the country had accumulated millions of pesos worth of debt during its battle for independence. Many sectors of its economy, including mining and agriculture, were in recession both during and after the fight for independence.<sup>148</sup> Without the revenues and production from slavery, government officials feared that the fragile Mexican economy might collapse. Government officials continued slavery for the benefit of the country. The Constitution of 1824, however, included liberal slave codes to help Mexican slaveholders prepare for emancipation.<sup>149</sup>

In April 1829, the people elected Vicente Guerrero as president of Mexico. Championing of the abolition of slavery, which was a guiding principle of the war for independence, he abolished slavery in September 1829. Slavery, however, remained in the Isthmus of Tehuantepec because of the region’s plans to develop a railroad line in the area using slave labor.<sup>150</sup> Meanwhile, most other regions of Mexico, slavery had dwindled into informal abolition because it was no longer profitable.<sup>151</sup> One region where this was not

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<sup>146</sup> Vincent, “The Contributions of Mexico’s First Black Indian President, Vicente Guerrero,” 151-152.; Weber, *The Mexican Frontier*, 47.; Martha Menchaca, *Recovering History, Constructing Race: The Indian, Black, and White Roots of Mexican Americans*, (Austin, TX: University of Texas Press, 2002), 161.

<sup>147</sup> Menchaca, *Recovering History, Constructing Race*, 199.

<sup>148</sup> Menchaca, *Recovering History, Constructing Race*, 162.

<sup>149</sup> Menchaca, *Recovering History, Constructing Race*, 162-163.

<sup>150</sup> Campbell, *An Empire for Slavery*, 25.; Eugene C. Barker, “The Influence of Slavery in the Colonization of Texas,” *The Mississippi Valley Historical Review* 11, no. 1 (June 1924), 21.; Fred Wilbur Powell, *The Railroads of Mexico*, (Boston: The Stratford Publishers, 1921), 149. For more about the Mexican government’s plans for railroads in southern Mexico, see Fred Wilbur Powell’s *The Railroads of Mexico*.

<sup>151</sup> See Dennis Valdes’ “The Decline of Slavery in Mexico.”

true was Mexican Texas ,where abolition of Mexican slavery also ended up as a way to deter white American immigrants to Mexican Texas.

Without slavery, Texans economy would have to consider shifting towards cultivating fewer labor- intensive crops or pursue non-agricultural avenues to achieve the same economic success. But Texans were not interested in alternatives to cotton. Austin bragged that if the tariff system in the United States continued, Texas' cotton could be exported to Great Britain and would compete with U.S. planters on the cotton market.<sup>152</sup> Abolition posed a threat to the Texas economy, Austin protested the law by arguing that the constitution and the colonization laws in which he and the colonists had settled under protected all of their property, including slaves.<sup>153</sup>

The abolition of slavery in Texas was short-lived. Coahuila-Texas Governor J. M. Viescaand Ramón Músquiz, political chief at San Antonio, were among the Mexican officials who asked President Guerrero to exempt Texas from emancipating its slaves. To justify their request, they cited Texas settlers' property rights, the potential threat to the social order posed by the release of a thousand slaves, and the fact that Texas could not develop ““without the aid of the robust and almost indefatigable arms of...negroes.”<sup>154</sup> Viesca and Músquiz's intervention illuminate the fact that even some Mexicans supported slavery in Texas. In December 1829, Guerrero agreed to exempt Texas from the law.<sup>155</sup>

Still, even after Texans' exemption from having to emancipate their slaves, many settlers there did not believe that slavery would continue in the region without harassment from the Mexican government. To protect themselves and secure their slaves, they used

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<sup>152</sup> Austin to David Porter, 16 February 1829, Barker, ed., *The Austin Papers*, Vo1. 2, 167.

<sup>153</sup> Austin to John Durst, 17 November 1829, Barker, ed., *The Austin Papers*, Vo1. 2, 288-289.

<sup>154</sup> Campbell, *An Empire for Slavery*, 25.

<sup>155</sup> Campbell, *Empire for Slavery*, 25-26.; Eugene C. Barker, “The Influence of Slavery in the Colonization of Texas,” 21-22.

indentured servitude. James Morgan was a Florida resident and a slaveholder. He intended to immigrate to Mexican Texas after 1829. In order to evade any future laws that might restrict slavery, Morgan had the Leon County court in Florida draw up paperwork to bound his slaves to ninety-nine year indenture contracts. According to these contracts, “the men and boys were to learn ‘the art and mystery of farming and planting’” while the women learned “‘the art and mystery of cooking and housekeeping.’”<sup>156</sup> Morgan was not the only settler to use these tactics. Austin advised his brother-in-law that “slaves cannot be introduced as slaves, but as indented [sic] or hired servants,” thereby suggesting a similar plan.<sup>157</sup> By counseling prospective slaveholding immigrants on how to avoid Mexico’s laws against slavery, Texas settlers actively prepared for the day when abolition might come.

Despite the possible prohibition of slavery, Texas’ flourishing economy continued to lure slaveholders and businesses to the area. Nathan A. Ware was originally from Pennsylvania, but moved to Louisiana and became a successful sugar planter in the southern part of the state. He then developed an interest in investing in Texas and contacted Henry Austin, Stephen Austin’s cousin, about establishing “a cotton factory in the colony.”<sup>158</sup> A factory with 1,000 spindles, Henry Austin predicted, would not only benefit Texas, but also neighboring states because the factory encouraged “the cultivation of cotton in the interior” and could produce a “comodity [sic] for legitimate trade” in the

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<sup>156</sup> Campbell, *An Empire for Slavery*, 24.

<sup>157</sup> Austin to James F. Perry, January 3, 1830, Barker, ed., *The Austin Papers*, Vol. 2, 317.

<sup>158</sup> Henry Austin to Austin; 15 March 1831, Barker, ed., *The Austin Papers*, Vol. 2, 613-614.; Campbell, *Empire for Slavery*, 38.; Edward L. Miller, *New Orleans and the Texas Revolution*, (College Station, TX: Texas A&M University Press, 2004), 55.



area.<sup>159</sup> On the other hand, Texas did not have enough labor to keep up with its settlers' labor demands. Austin admitted to Ware that although Texas would be an excellent place for his business, the colony still needed "*hands*, which at first must be introduced from other countries."<sup>160</sup> At the end of the letter, in what was probably a veiled reference to slavery, Austin assured Ware that property in Texas is "as secure in this colony as in the U.S. or any where else."<sup>161</sup> However, Austin's assurances were not enough to keep Ware interested: he ended up investing in another sugar plantation in Louisiana.<sup>162</sup>

#### Restricting American Immigration: The April 6, 1830 Colonization Law

Settlers continued to ignore the stipulations from the colonization law of 1824's requirement that they live at some distance from the U.S-Mexican border. Created on April 6, 1830, in response to this defiance, a new colonization law "prohibited the further immigration of settlers from the United States" to settle in the region of Mexico adjacent to the United States, suspended all of the colonization contracts that had not been completed, and prevented any more U.S. slaves from being brought into Mexico.<sup>163</sup>

The April 1830 Colonization Law targeted Americans because it did not include any restrictions on prospective European immigrants. When writing to lawyer Thomas F. Leaming, Austin surmised that "emigrants from [E]urope [were] not prohibited... [because] *above all they will oppose slavery*."<sup>164</sup> The same could not be said of U.S.

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<sup>159</sup> Henry Austin to Austin; 15 March 1831, Barker, ed., *The Austin Papers*, Vol. 2, 613-614.

<sup>160</sup> Henry Austin to Austin; 15 March 1831, Barker, ed., *The Austin Papers*, Vol. 2, 613-614.

<sup>161</sup> Austin to N.A. Ware, 24 July 1831, Barker, ed., *The Austin Papers*, Vol. 2, 681-682.

<sup>162</sup> Miller, *New Orleans and the Texas Revolution*, 55.

<sup>163</sup> Lester G. Bugbee, "Slavery in Early Texas, II," *Political Science Quarterly* 13, no. 4 (Dec. 1898), 660.; Austin to Thomas F. Leaming, 14 June 1830, Barker, ed., *The Austin Papers*, Vol. 2, 415.; Weber, *The Mexican Frontier*, 170.

<sup>164</sup> Austin to Thomas F. Leaming, 14 June 1830, Barker, ed., *The Austin Papers*, Vol. 2, 415.

settlers. Although Austin publicly maintained that he only wanted the Mexican government to tolerate slavery long enough for Texas to begin thriving, Austin's actions did not give the impression that slavery would ever end in Texas.<sup>165</sup> In reality, the slave population of Texas continued to grow. By further restricting American immigration and prohibiting the introduction of slaves, the Mexican government aimed to curtail Texas' growing slave population while continuing to populate sparse areas with white Europeans.

Some Americans in Texas believed that the reason for this legislation was that the Mexican government and military feared Texas' growing strength. Henry Austin reported to his cousin, Stephen, that a general in the Mexican army believed that North Americans were Mexico's most dangerous enemies because their "sole object was to wrest from the Mexicans their property and [as] much of their territory as they could get."<sup>166</sup> S. Rhoads Fisher, a merchant living in Matagorda County who had immigrated to Texas as a part of Austin's third colony, wrote to Austin saying that if the Mexican government would "grant us full permission to introduce slaves for 5 years [,] Texas will need no foreign aid: she [would] be the strongest arm of the Mexican confederacy."<sup>167</sup> Fisher's hypothesis that Texas' slavery could propel the state into being the strongest part of Mexico helps illuminate why the Mexican government proposed the law: they feared that Texas was becoming too powerful. As Henry Austin put it "the law of the 6 April no doubt originated in a Jealousy of the Views of the U.S. and fears of the growing

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<sup>165</sup> Austin to Thomas F. Leaming, 14 June 1830, Barker, ed., *The Austin Papers*, Vol. 2, 415.

<sup>166</sup> Henry Austin to Austin, 3 June 1830, Barker, ed., *The Austin Papers*, Vol. 2, 407.

<sup>167</sup> S. Rhoads Fisher to Austin, 14 August 1830, Barker, ed., *The Austin Papers*, Vol. 2, 465.; Wallace L. McKeehan, "Samuel Rhoads Fisher," Accessed 8 November 2012, <http://www.tamu.edu/faculty/ccbn/dewitt/fishersm.htm>

strength of the colonists in Texas.”<sup>168</sup> Fisher’s comments reveal that the colonists likewise had an increasing distrust of the Mexican government. Because this law did not differentiate between white and black American settlers, this law also applied to free African Americans. But the new restrictions were less discouraging to these prospective immigrants since free blacks in the northern United States considered Mexico as a whole, not only Mexican Texas, as a place for them to settle.

“Where We Can Be Received As Brothers:” Free Black Immigration and Colonization in Mexico, 1830-1835<sup>169</sup>

While white settlers living in Mexican Texas were deeply suspicious of the Mexican government, free blacks living in the U.S. north believed that Mexico offered them benefits and opportunities not available to them in the United States, which made them interested in immigrating to Mexico. Unlike the United States, in Mexico, there was minimal threat of a free person being kidnapped and sold in the southern United States as a slave. Mexico’s racially mixed population was another incentive. A free woman of color from Philadelphia wrote an editorial titled “Emigration to Mexico,” which appeared in *The Liberator*, William Lloyd Garrison’s weekly newspaper, in 1832. In it she explained that “the population of Mexico is eight millions of colored, and one million of whites,” and hypothesized that with “the rapid growth of amalgamation amongst them, there is every probability that it will ere long become one entire colored nation.”<sup>170</sup> Most

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<sup>168</sup> Henry Austin to Austin, 2 July 1830, Barker, ed., *The Austin Papers*, Vol. 2, 435.

<sup>169</sup> “Emigration to Mexico,” *The Liberator*, June 28, 1832. 19th Century U.S. Newspapers – [www.infotrac.galegroup.com](http://www.infotrac.galegroup.com).

<sup>170</sup> “Emigration to Mexico,” *The Liberator*, June 28, 1832. 19th Century U.S. Newspapers – [www.infotrac.galegroup.com](http://www.infotrac.galegroup.com).

important, free blacks believed that in Mexico social mobility would be easier to achieve. In Mexico, the editorial's author believed blacks would be able to "become a people of worth and respectability; whereas in this country we are kept poor, and of course, cannot aspire to any thing [sic] more than what we have always been."<sup>171</sup>

Some black Americans who immigrated to Mexican Texas already lived out west. Greenbury Logan, a free black man, was a thirty-three year old blacksmith living in Missouri. He emigrated from Missouri to Mexican Texas under Austin Colony's third contract with his wife and five children. Austin approved Logan's land contract for a quarter league of land on December 22, 1831.<sup>172</sup> Logan, however, did not escape racial discrimination. Mexican colonization laws stated that heads of households should receive one league of land upon immigration approval, but Logan only received a quarter league of land despite his status as head of household.<sup>173</sup>

Some black men and women who immigrated to Mexican Texas arrived as slaves, but later earned their freedom from their owner or from wage work. Fanny McFarland came to Texas in 1827 as a slave. While in Texas, McFarland's owner, William McFarland, freed her in 1835 because of "her long and faithfull [sic] service to himself and his family."<sup>174</sup> In 1832, Tamar Morgan also came to Texas as a slave. Morgan

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<sup>171</sup> Emigration to Mexico," *The Liberator*, June 28, 1832. 19th Century U.S. Newspapers – [www.infotrac.galegroup.com](http://www.infotrac.galegroup.com).

<sup>172</sup> Center for American History, The University of Texas at Austin, Austin Papers, Alphabetical List of Names of Receivers of Land in Col. S.F. Austin's Several Colonies (Undated). Center for American History hereafter cited as CAH; General Land Office – Austin, Austin's Register of Families, Vol. 1, pg. 105. General Land Office hereafter cited as GLO; Although Logan received the grant in December 1831, he did not immigrate to Texas until February

1832.; A league is equal to 4,428 acres. Logan only received 1,107 acres.

<sup>173</sup> GLO, Spanish Collection, Box 16, Folder 34, pg. 3; See Coahuila-Texas' 1825 Colonization Law.

<sup>174</sup> <sup>67</sup> Fanny McFarland Petition to Remain in Texas, Legislature, Memorials and Petitions. ARIS-TSLAC. Although McFarland freed Fanny, her four children remained enslaved. The letter did not reveal if Fanny and her children had the same owner.

became free by working, most likely as a laundress, until she had enough money to purchase herself in 1834.<sup>175</sup> Her entrance to Texas as an enslaved woman also shows the continued immigration of slaveholding settlers and slaves even after Mexico's laws banned slave imports and white American immigration to Mexican Texas.<sup>176</sup> McFarland's and Morgan's lives also show the ways in which gender shaped one's status when emigrating from the United States. The free black men discussed in this chapter were artisans, which allowed them to earn money prior to immigrating to Mexico. In contrast, the women arrived as slaves, and received freedom later.

Some whites also supported free blacks immigrating to Mexico. Benjamin Lundy, an anti-slavery Quaker originally from Sussex, New Jersey, is one example. An antislavery lecturer who toured the United States in the 1820s, Lundy advocated resettling free blacks in sparsely populated countries like Canada and Haiti in the 1820s. Lundy traveled around the United States giving public anti-slavery lectures in the 1820s. While lecturing in North Carolina in the early 1820s, he met a man who asked him to take eleven slaves to a place "where they could enjoy their rights."<sup>177</sup> Lundy obliged, arranging for them to be sent to Haiti. In 1825, Lundy traveled to Haiti to negotiate with the Haitian government about settling more former slaves there. From 1828 to 1829, he worked to settle over one hundred former slaves in Haiti.<sup>178</sup> Lundy and his ideas were popular in abolitionist and anti-slavery circles; he and William Lloyd Garrison even co-edited the newspaper *Genius*

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<sup>175</sup> Samuel H. Hardin and Tamar Morgan Petition to remain in Texas, Legislature, Memorials and Petitions. ARIS- TSLAC.

<sup>176</sup> President Vicente Guerrero signed a bill in September 1829 to abolish slavery, but slavery continued in Veracruz, Mexico until 1830. See Patrick J. Carroll's *Blacks in Colonial Veracruz: Race, Ethnicity, and Regional Development*.

<sup>177</sup> Lundy, *The Life, Travels, and Opinions of Benjamin Lundy* 24.

<sup>178</sup> Lundy, *The Life, Travels, and Opinions of Benjamin Lundy* 13-16, 20-30.

of *Universal Emancipation* together in late 1829 until mid-1830.<sup>179</sup> By the 1830s, Lundy had added Mexico to his list of prospective destinations for free black resettlement. From 1830 to 1831, Lundy traveled throughout Coahuila-Texas to determine if the Mexican state was a place where free blacks could settle. Lundy's realization that life in the northern United States was difficult for free blacks propelled his efforts to relocate free blacks to Mexico. He returned to the United States planning to purchase 138,000 acres of land and settle 250 black families there within two years where they could cultivate sugar, cotton, and rice.<sup>180</sup>

While in Mexico, Lundy encountered many free blacks believed who they received equal treatment from Mexicans. A free African American blacksmith working in Bexar, Texas, told him that "the Mexicans pay him the same respect as to other laboring people, there being no difference made here on account of colour."<sup>181</sup> Equal pay allowed free African Americans to achieve both social and economic mobility. In doing so, they could purchase land or begin their own businesses— investments that offered generational wealth. A man named Padilla, who guided Lundy around Bexar, said that "it is the policy of the Mexican Government to unite all colours and treat all with respect."<sup>182</sup> But there was racism farther south in Mexico. Lundy encountered two black men who experienced racial discrimination while at a hotel in Matamoros, Tamaulipas, Mexico, about 170 miles south of present-day Corpus Christi, Texas. Upon entering the hotel, owned by an

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<sup>179</sup> Benjamin Lundy, *Genius of Universal Emancipation*, "Selections. From the *Baltimore Chronicle*." Vol. XI, November 1830, (B. Lundy, 1831). Original from the New York Public Library, digitized September 25, 2006.

<sup>180</sup> Quintard Taylor, *In Search of the Racial Frontier: African Americans in the American West, 1528-1990*, (New York: W. W. Norton & Co., 1999), 38.; Lundy, *The Life, Travels, and Opinions of Benjamin Lundy*, 30-31.

<sup>181</sup> Lundy, *The Life, Travels, and Opinions of Benjamin Lundy*, 48.

<sup>182</sup> Lundy, *The Life, Travels, and Opinions of Benjamin Lundy*, 48.

Irishman, the two men asked for something to drink. The bartender replied that the establishment did not serve blacks. The men complained to the *alcalde* (mayor) about the matter, and the *alcalde* fined the business ten dollars for the discrimination.<sup>183</sup> Local Mexican governments attempted to punish establishments that engaged in racial discrimination in order to foster racial equality in the nation.

“The Restoration of Fugitive Slaves:” Fugitive Slaves Escaping to Mexico, 1827-1833<sup>184</sup>

While free blacks and slaves immigrated to Mexican Texas, fugitive slaves still continued to escape from Louisiana into Mexico. Louisiana slaves escaped to Spanish Texas in colonial Mexico in the early nineteenth century. Louisiana slaveholders who sought to recapture their runaway slaves encountered apathy from local colonial Mexican officials, imperial bureaucracy, and slow lines of communication, which delayed the process for months. After Mexican independence, slaves viewed Mexico as a safe haven because the U. S. and Mexican governments did not reach an agreement regarding the return of fugitive slaves until 1827, six years after independence. In an 1827 letter to Albert Gallatin, the Minister to Great Britain, U.S. Secretary of State Henry Clay wrote that the United States and the United Mexican States were finalizing a treaty that had a “provision...for the restoration of fugitive slaves.”<sup>185</sup> Moreover, even after the 1827 treaty, slaves from Louisiana continued to escape to Mexico because it was much closer than the northern United States and Canada. Once in Mexico, they also had a good chance of

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<sup>183</sup> Lundy, *The Life, Travels, and Opinions of Benjamin Lundy*, 149.

<sup>184</sup> Mr. Clay to Mr. Gallatin, 24 February 1827, AHSRE, 7-17-72, El Tráfico de esclavos entre EEUU e Inglaterra, 3.

<sup>185</sup> Mr. Clay to Mr. Gallatin, 24 February 1827, AHSRE, 7-17-72, El Tráfico de esclavos entre EEUU e Inglaterra, 3.

avoiding recapture, as their owners could not simply pursue them into Mexico, or expect a Mexican official to return them. Instead, prior to 1833, Louisiana slaveholders still had to request that their slaves be returned from Mexico. Frustrated with this state of affairs, the Louisiana legislature petitioned the Mexican government about “the delivery of fugitive slaves”<sup>186</sup> and eventually got a change in policy. On March 1, 1833, the Mexican consulate in New Orleans wrote to the *Secretaria de Estado y del Despacho de Relaciones* (Secretary of State), to arrange for Louisiana slaveholders to recover their slaves from Mexican territory.<sup>187</sup>

By the mid-1830s, the increasing slave population in Mexican Texas made remaining in almost any part of Texas as a fugitive slave risky. Runaways began to have to contend with being kidnapped by American slaveholders even if they managed to elude their owners. Moreover, rising slave populations made Mexico less as a refuge for slaves. Mexico’s abolition of slavery (save for Texas and the Isthmus of Tehuantepec) did not benefit fugitive slaves seeking freedom; it only helped slaves already living in Mexico. And the Mexican government continued to work with the United States regarding returning fugitive slaves. In fact, a March 1834 letter reported that “the fugitive slaves that had immigrated to Texas had been returned to their owners.”<sup>188</sup> The Mexican government’s decision to begin returning fugitive slaves without prompting from the United States complicates its previous laws, such as the Constitution of 1824, which allowed slaves to become free as soon as they arrived to Mexico. By returning slaves, the

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<sup>186</sup> AGN, Ministerio Relaciones Exteriores, Legación en América, Washington, Caja 2, exp. 2, 1831, 1832, March 23, 1832, no. 11, 55.

<sup>187</sup> AHSRE, 5-16-8599, Mexican Consulate in New Orleans, 1.

<sup>188</sup> AHSRE, L-E-1057 I, Texas, Limites, y Relaciones con los EEUU, 109.



Mexican government demonstrated that it no longer wanted the country to serve as a safe haven for fugitive slaves from the United States.

By the 1830s, Mexico's black population comprised of Mexicans of African descent and slaves and free blacks from the United States. Members of the Mexican government passed legislation to promote racial equality for blacks, but these laws were difficult to enforce throughout the nation. Demands from Mexico's growing population of American whites often overshadowed the government's efforts to implement meaningful racially-based policies geared towards those of African descent in Mexican Texas. In short, white Americans in Texas had gathered enough political power to influence policy decisions.

Anarchy and Ruin: Mexican Politics, the Fight for Texas' Mexican Statehood and the Texas Revolution, 1833-1836<sup>189</sup>

In 1833, the people elected Antonio Lopez de Santa Anna as president of Mexico largely on the basis on his proclaimed commitment to federalism and social equality. In 1834, however, he reneged on his promise for a federalist Mexico, believing that the country was not yet ready for democracy. Consequently, Santa Anna became an autocratic centralist. By 1835, Santa Anna's government had reduced the size of Mexico's state militias, put state governors under presidential control, and dissolved state legislatures. Santa Anna was clearly committed to consolidating centralized political power in Mexico, rather than adopting a more federalist form of government. States such

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<sup>189</sup> In 1833, Austin used the phrase "anarchy and ruin" in many letters when discussing the rebellions occurring in Mexico and the state of the Mexican government. See Austin to Central Committee, 24 July 1833, Barker, *Austin Papers*, Vol. 2, 990; Austin to James F. Perry, 30 July 1833, Barker, *Austin Papers*, Vol. 2, 991-992.

as Zacatecas, Guerrero, and Yucatán rebelled in protest, threatening to separate from Mexico. These rebellions thousands of miles away from the northeastern frontier show that the Texas Revolution was not an outlier event, but rather part of a larger trend of rebellions in Mexico during the nineteenth century. Uniting with other populations in Mexico, white Americans in Mexican Texas voiced their disapproval in the way the central government operated.<sup>190</sup>

Anxious to avoid the internal conflicts happening in Mexico, some Texas settlers had begun to think about returning to the United States. To assuage them, Austin reasoned that Texas was “1000 miles from the seat of revolution,” and 200 miles of nearly uninhabitable wilderness separated the settlers from neighboring Mexican states.<sup>191</sup> Austin believed that these distances kept Texas isolated from Mexico’s conflicts and turmoil that existed in nearby Mexican states. At the same time, he planned to use the disarray of the Mexican government for his own agenda.

Since the 1820s, Stephen Austin had been advocating for Texas to become its own Mexican state, largely without success. Continuing his campaign for Texas’ Mexican statehood in 1835, Austin began writing letters to his family members and members of the Mexican government about the need for Texas to become a Mexican state.<sup>192</sup> Although Austin had believed that Texas’ distance would keep settlers safe from internal conflicts, just four years later, he argued statehood was “[t]he right and the duty of every people to

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<sup>190</sup> Weber, *The Mexican Frontier*, 244.; Wilfred H. Callcott, "SANTA ANNA, ANTONIO LOPEZ DE," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/fsa29>), accessed October 14, 2013. Published by the Texas State Historical Association.

<sup>191</sup> Austin to W.H. Wharton, 24 April 1829, Barker, *The Austin Papers*, Vol. 2, 210.

<sup>192</sup> Austin to Musquiz, 28 July 1832, Barker, *The Austin Papers*, Vol. 2, 825-826.

save themselves from anarchy and ruin!”<sup>193</sup> In June 1833, Austin traveled to Mexico to deliver his petition for statehood, and address other grievances such as the need for weekly mail delivery and the repeal of the April 6<sup>th</sup> colonization law. In the end of 1833, Austin declared in a letter to his brother-in-law, James F. Perry that “Texas must be made a state by the Gov’t or she would make one herself.”<sup>194</sup> Austin’s use of this type of rhetoric was dangerous, especially given that the Mexican government was contending with small, armed revolts in other regions of Mexico.<sup>195</sup> After Austin returned from delivering his petition in January 1834, local authorities in Saltillo, Coahuila, arrested him and charged him with “attempt[ing] to separate Texas from the Mexican Republic.”<sup>196</sup> Members of the Mexican government believed that, with Austin’s help, Texas was going to join the United States.<sup>197</sup>

After Austin’s detainment, Mexican Vice President Valentín Gómez Farías sent Colonel Juan Almonte to Mexican Texas in 1834 to determine the likelihood of a rebellion occurring there. Farías and other Mexican politicians were aware of the Mexican military’s weakness in Texas, the government’s limited political control over Texas settlers, and the negative sentiments that Austin’s arrest had surely stirred up in Texas.<sup>198</sup>

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<sup>193</sup> Austin to Central Committee, 24 July 1833, Barker, *Austin Papers*, Vol. 2, 990; Austin to James F. Perry, 30 July 1833, Barker, *Austin Papers*, Vol. 2, 991-992.; There had been in-fighting in Monclova and Saltillo, which resulted in Monclova replacing Saltillo as the Coahuila-Texas state capital. The disagreements continued into 1834. In 1834, liberal politicians in Monclova (Monclova replaced Saltillo as the Coahuila-Texas capital in 1833) denounced Santa Anna’s government while politicians in Saltillo supported the government. In addition, members of the Saltillo government created its own rival government in hopes that Santa Anna would reward its loyalty by making the city the state capital again. In short, the state did not have an effective government. Consequently, Texas was nearly in a state of anarchy.

<sup>194</sup> Austin to James F. Perry, 23 October, 1833, Barker, *Austin Papers*, Vol. 2, 1008-1009.

<sup>195</sup> Weber, *The Mexican Frontier*, 242-243.

<sup>196</sup> Austin to Oliver Jones, 30 May 1834, Barker, *Austin Papers*, Vol. 2, 1058.

<sup>197</sup> Austin to Oliver Jones, 30 May 1834, Barker, *Austin Papers*, Vol. 2, 1058.; Barker, *The Life of Stephen F. Austin*, 1<sup>st</sup> ed., 449.

<sup>198</sup> Johnson, trans. Wheat, *Almonte’s Texas*, 31-32; Farías chose Almonte because of fluency in the English language, diplomatic experience abroad, and his previous experience working in the Texas-Louisiana region.

Indeed Farías instructed Almonte to tell colonists that the purpose of his trip was to hear their complaints, and also offer Texas territory status with its own representative in the National Congress, and tell them that Austin should be pardoned and returned to Texas soon. Almonte also received private instructions from Farías, which provide a more complete look into the purpose of the trip. The private instructions included: examining what could hinder colonists' resistance in the event of a rebellion, obtaining population statistics, appeasing free and enslaved blacks' (including mulattoes and quadroons) concerns by providing them with information about the existing Mexican laws that protected them, communicating with Native Americans about the government wanting to integrate them into Mexican society, determining if there was a bank in the United States that was willing to finance Texas independence, and finding out the names of the men with the most significant influence in Texas among other tasks. By examining both the trip's public purpose and these sets of the private instructions, we can get a sense of the true intentions of the Mexican government. Publicly, Almonte was to allay any ill feelings that white Americans in Texas had against the Mexican government while privately he was at the same time trying to gauge their threat to Mexico. Almonte's revised version of the confidential instructions, which did not include appealing to blacks in Mexican Texas.<sup>199</sup> This removal suggests that the Mexican government was more concerned about quelling the white American rebellious population than reiterating how Mexican laws protected free African Americans. Free and enslaved blacks did not pose as much of a political threat to the Mexican political system as white American colonists. Consequently, the Mexican government prioritized subverting white American settlers.

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<sup>199</sup> Johnson, trans. Wheat, *Almonte's Texas*, 38-39; Johnson, trans. Wheat, *Almonte's Texas*, 39-44.

Mexican authorities' fears about a Texas rebellion in order to achieve statehood were not the result of paranoia. In an August 1835 letter to his cousin Mary, Stephen Austin wrote that Texas becoming Americanized would be in the United States' best interest. Moreover, he believed that "*Texas must be a slave country. It is no longer a matter of doubt.*"<sup>200</sup> For years, Austin pledged his allegiance to Mexico in letters, and had encouraged Texas settlers to do the same. This letter showed that he had changed his mind about Texas' future. The Americanization of Mexican Texas had been a continuous process since Austin and the first colonists arrived in 1821. These early settlers were white American, Protestant native English-speakers, whose allegiance to the Catholic faith was most likely of convenience than true belief. Since the early 1830s, Mexican authorities such as General Mier y Terán worried that white Americans were not assimilating into Mexican Texas society. He believed their reluctance to integrate themselves into local culture by learning Spanish, was because Anglo Americans were the majority of the population and Tejanos did not have enough power and influence to impose their cultural hegemony onto them.<sup>201</sup> Indeed, Americans did not even obey the region's laws. The American population in Mexican Texas had continued to grow despite the clause in the Colonization Law of April 1830, which prohibited all immigrants from the United States from living in Texas. Population reports show that there were approximately 20,700 whites and slaves living in Texas in 1834, and "[f]oreigners outnumbered Mexicans 10 to 1."<sup>202</sup> The continued arrival of Americans reveals that

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<sup>200</sup> Eugene C. Barker, ed., *The Austin Papers: October, 1834-January, 1837*, Vol. 3, 101-103.; Emphasis in the original letter.

<sup>201</sup> Weber, *Mexican Frontier*, 167.

<sup>202</sup> Vázquez, "The Colonization and Loss of Texas: A Mexican Perspective," 59.; Weber, *The Mexican Frontier*, 177.

Americans simply ignored the colonization law and lived as undocumented immigrants with minimal interference from the Mexican government.

Americans, however, did not have to remain undocumented for long. On November 15, 1833, the Mexican legislature repealed the anti-immigration clause of the April 1830 colonization law, but the repeal would not take effect until May 1834. Mexican authorities like Lorenzo de Zavala and José Antonio Mexía had never agreed with the clause. They helped repeal the law because their financial interests in Texas lands were at risk—Zavala had an *empresario* land grant to settle 500 families in Mexican Texas. Mexía was an agent and lobbyist for the Galveston Bay and Texas Land Company, which worked to settle *empresario* land grants, including Zavala's land.<sup>203</sup> The repeal is another example, similar to the abolition of slavery, of the ways in which the Mexican government reneged on its efforts to restrict American immigration to Mexican Texas. In addition, Zavala's and Mexía's financial interests in Texas demonstrate that white Americans were not the only ones financially benefiting from Texas' economic success.

Repealing this clause in the colonization law, however, did not sufficiently mend Texas- Mexican relations. By late 1835, many of Texas' prominent residents in Texas wanted Texas to become its own republic. Austin, however, was apparently not among them. In September 1835, just one month after being released from prison, Austin gave a speech to Texas settlers declaring that President Santa Anna was a friend to Texas.<sup>204</sup> But

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<sup>203</sup> Weber, *The Mexican Frontier*, 175; Austin To Samuel M. Williams, 26 November 1833, Barker, *Austin Papers*, Vol. 2, 1016.; Andreas Reichstein, "GALVESTON BAY AND TEXAS LAND COMPANY," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/ufg01>), accessed January 15, 2013. Published by the Texas State Historical Association.; Raymond Estep, "MEXIA, JOSE ANTONIO," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/fme34>), accessed January 15, 2013. Published by the Texas

State Historical Association.; Weber, *The Mexican Frontier*, 165.

<sup>204</sup> Weber, *Mexican Frontier*, 245.; Weber, *Mexican Frontier*, 250.

Austin's assessment of Santa Anna was incorrect. Just two weeks after Austin's speech, General Cos and his troops set out for San Antonio under Santa Anna's orders, proving the exact opposite of what Austin had just told Texas settlers.<sup>205</sup>

Under Santa Anna's orders, General Cos and his troops arrived in Texas in September 1835, in order to restore order and end insurrections in Refugio, Goliad, San Antonio, and San Felipe de Austin. Shortly after Cos' arrival, Austin urged every district to organize its own militias, and declared that "[e]very man in Texas is now called upon to take up arms in defence [sic] of his country and his rights."<sup>206</sup> By the second week of October, the colonists had successfully defended Goliad from Mexican troops.<sup>207</sup> These events marked the beginnings of the Texas Revolution.

The Texas Revolution affected free blacks and enslaved blacks in different ways. Many free blacks participated in various battles throughout Texas. When the Texas Revolution began in October 1835, Greenbury Logan fought at Bexar, the first major campaign of the rebellion.<sup>208</sup> Just two months later, "he was badly wounded in the right arm by a ball passing through it."<sup>209</sup> Like Logan, Samuel McCulloch was a black man who served in the Texas Revolution, and was "permanently disabled by a wound in the

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<sup>205</sup> Weber, *Mexican Frontier*, 250.

<sup>206</sup> Austin to Columbia Committee, 19 September 1835, Barker, *The Austin Papers*, Vol. 3, 128-129.; Austin to Columbia Committee, 21 September 1835, Barker, *The Austin Papers*, Vol. 3, 131.

<sup>207</sup> Stephen L. Hardin, "GONZALES, BATTLE OF," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/qeg03>), accessed January 18, 2013. Published by the Texas State Historical Association.

<sup>208</sup> Greenbury Logan Land Papers, TRA B 000212, Archives and Records Program, Texas General Land Office, Austin.; Alwyn Barr, "BEXAR, SIEGE OF," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/qeb01>), accessed October 07, 2013. Published by the Texas State Historical Association.

<sup>209</sup> Greenbury and Caroline Logan Petition, Texas State Library and Archives Commission, Legislature, Memorials, and Petitions, March 13, 1837.

shoulder” during the battle of Goliad in the fall of 1835.<sup>210</sup> Logan and McCulloch were among many free African Americans who fought for the Texas’ independence.

Winning these early battles was important for Texas’ cause. With these victories behind them, in November 1835, Texas delegates were able to meet and draft a declaration of independence. They had rebelled against Mexico in support of the belief that Texas’ settlers could only be obligated to follow the 1824 Constitution. If the document was no longer in effect, Texas would withdraw from Mexico altogether and form its own government.<sup>211</sup> In short, Texas residents viewed the Mexican government’s new colonization laws and other measures as breaches of contract. But Santa Anna and his troops did not agree and were not ready to negotiate new terms with the Texans.

The conflict was complicated by the fact that there were so many slaves in Texas. Historically, slaves have used the chaos of war and political upheaval to run away. The Texas Revolution was no different. As the Mexican military moved farther north into Mexican Texas, Texas residents quite rightly feared that Mexican troops would help Texas slaves escape. During the Runaway Scrape in February 1836, when Texas’ civilians were forced to flee towards the U.S. border after Santa Anna entered Texas in February 1836, Ann Raney Thomas Coleman lost seven slaves. Coleman and her husband decided to flee to New Orleans because of the advancing Mexican military. During the trip, one of her slaves escaped early on in the trip. Two more of their slaves escaped “just before [the Colemans and their slaves] had arrived at the Sabine River.”<sup>212</sup> Their escapes illuminate how traveling away from home were opportunities for slaves to abscond. In this case,

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<sup>210</sup> Samuel McCulloch, Jr. Land Papers, BEX 000905, Archives and Records Program, Texas General Land Office, Austin. A league of land is equal to 4,428 acres.

<sup>211</sup> Weber, *Mexican Frontier*, 245.; Weber, *Mexican Frontier*, 250-251.

<sup>212</sup> Ann Raney Thomas Coleman Papers, Center for American History, The University of Texas at Austin.



unfamiliar territory worked to their advantage in that the slaveholder appeared less willing to track them down, especially with the possibility of encountering the Mexican military. In contrast, the Mexican military welcomed slaves. Coleman noted that when they were about to cross the Sabine River, four more slaves escaped to the Mexican army, which had promised them their freedom.<sup>213</sup> In an April 3, 1836, diary entry, Mexican General José Urrea wrote that he had encountered fourteen slaves and their families on that day, and he had “‘sent them free to Victoria’.”<sup>214</sup>

The Mexican military’s arrival further alarmed whites in Texas. They feared that slaves would use this opportunity to rise up against whites. In an 1835 letter to Austin, Thomas J. Pilgrim, Austin’s close friend, asked “[w]ould there not be great danger from the [n]egroes should a large Mexican force come so near?”<sup>215</sup> By 1836, William Parker, a settler who arrived as a part Austin’s first land grant in 1821, hypothesized that the reason for the Runaway Scrape was to prevent slaves from joining the Mexican military.<sup>216</sup> The threat of an alliance between Mexicans and slaves resurrected fears about armed slaves and their joining the Mexican military.

By the beginning of 1836, the Texas Revolution had begun to take a toll on Texas’ finances and military. Austin and other Texas leaders traveled to the United States to secure funding and volunteers for Texas’ independence efforts. In January 1836, Austin

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<sup>213</sup> Ann Raney Thomas Coleman Papers, Center for American History, The University of Texas at Austin.

<sup>214</sup> Campbell, *An Empire for Slavery*, 44.; Slaves also participated in the Texas Revolution. One Texas resident, Mrs. Dilue Harris, recalled slaves helping their owners’ families move westward during the Runaway Scrape. Some slaves built forts on Galveston Island. Besides these tasks, slaves also served in battles. A slave named Thomas Stephens served in the Texas army in San Antonio while others were messengers and carried military supplies in wagons. See Randolph Campbell’s *An Empire for Slavery* and Alywn Barr’s *Black Texans: A History of African Americans in Texas*, 1528-1995.

<sup>215</sup> Thomas J. Pilgrim to Austin, 6 October 1835, Barker, *Austin Papers*, Vol. 3, 162.; Samuel B. Hesler, "PILGRIM, THOMAS J.," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/fpi20>), accessed February 19, 2013. Published by the Texas State Historical Association.

<sup>216</sup> Campbell, *An Empire for Slavery*, 44.

wrote to his cousin saying he intended to travel to Washington DC and New York City with other commissioners of the Texan government in order to “raise money means and men to sustain our cause.”<sup>217</sup> Austin even traveled to Nashville, Tennessee in February 1836 where “[t]he Ladies of Nashville [had] offered to furnish the means of forming and transporting a company of [v]olunteers to Texas.”<sup>218</sup> These efforts helped propel Texas towards officially separating from Mexico. On March 2, 1836, Texas declared its independence from Mexico when Texas leaders signed a declaration of independence.<sup>219</sup> Financial assistance from the United States was a significant factor in the Texas Revolution’s success. The money the rebels received from U.S. southern states not only illuminates how profits from slavery aided the Texas Revolution, but also that Texas’ future would include more white slaveholding immigrants.

### Conclusion

Stephen F. Austin’s initial *empresario* grant allowed American (both black and white) settlers to immigrate to Mexican Texas. For white settlers, northeastern Mexico represented social mobility and new economic opportunities. For free blacks, Mexico’s 1824 constitution offered them citizenship and more civic and social equality than what was available to them in the United States. Members of the Mexican government viewed both black and white settlers in Mexican Texas as a much-needed buffer between the Comanche Indians and the rest of Mexico. While settlers may not have known the extent of the Comanche presence in Mexican Texas, they were eager to immigrate to Mexico.

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<sup>217</sup> Austin to Mrs. Holley, 7 January 1836, Barker, *The Austin Papers*, Vol. 3, 300-301.

<sup>218</sup> Austin to Mrs. M. A. Holley, 16 February 1836, Barker, *The Austin Papers*, Vol. 3, 316.

<sup>219</sup> Weber, *Mexican Frontier*, 245.; Weber, *Mexican Frontier*, 250-251.

The Mexican government continued to encourage settlers by creating a path to citizenship that offered citizenship to anyone who met requirements such as having an occupation and residing in the region for at least three years. Many Americans became Mexican citizens and pledged fidelity to Mexico. In welcoming immigrants, Mexican officials hoped that the new settlers would become Hispanicized by learning Spanish and taking Mexico's side if there should be a conflict between Mexico and the United States. But the American settlers who moved to Mexican Texas proved to be a disappointment in this regard. They continued speaking English and maintained their ties to the United States. To disperse such settlers throughout Mexico, the Mexican government passed a colonization law in 1824 that required settlers to live specific distances away from the U.S. border and the coast. The law was supposed to keep American settlers from concentrating in eastern Texas and creating English-speaking enclaves, but they ignored the law and did not face significant penalties. But these early disagreements set the stage for growing conflicts between the Mexican government used its laws to control American settlers.

Texas settlers continued to try to negotiate the question of how or if Mexican laws would apply to them. In 1829, President Vicente Guerrero abolished Mexican slavery, save for the Isthmus of Tehuantepec for future railroad construction. After receiving petitions from Texas Governor J. M. Viesca and Ramón Músquiz, political chief at San Antonio, Guerrero also exempted Texas. This exclusion allowed slavery to flourish in Texas, and white Americans, particularly southern slaveholders, to continue using slave labor in Texas. Moreover, Texas residents learned that Mexican law was negotiable and not all of Mexico's laws applied to them. In making these concessions to settlers in Texas, the Mexican government prioritized white settlers' demands and money over abolishing

slavery throughout the country with no exceptions. In April 1830, the Mexican legislature passed a colonization law that contained a clause that prohibited all Americans (black and white) from immigrating to Mexican Texas. The law privileged European immigration over American settlers, and forced prospective settlers to immigrate to other Mexican states, if they chose to immigrate at all. By May 1834, however, the Mexican government repealed the clause. By once again succumbing to white American settlers' demands about slavery, the Mexican government compromised its ideals of their independence. In exchange for economic profits and a well-populated Mexican Texas, the Mexican government reneged on its plans to abolish slavery throughout its independent nation. In the case of the 1830 colonization law, the Mexican government withdrew its plans to limit the white American and slave populations in Mexican Texas. In doing so, the Mexican government proved that it prioritized white settlers over free African Americans, who looked to the nation as a champion of their rights.

Colonial Mexico was a refuge for fugitive slaves from Louisiana in the early 1800s, but not because of Spain's anti-slavery stance. The long, bureaucratic process of arranging the slaves' return discouraged colonial Mexican officials to return runaways in a timely fashion. When Mexico became independent in 1821, its government worked with the U.S. government to recover fugitive slaves who had escaped to Mexico with a treaty in 1827. In doing so, the Mexican government positioned itself as a foe of fugitive slaves and an ally to the United States in regards to absconding slaves.

Still, in abolitionist circles in the northeastern United States, Benjamin Lundy's ideas about free blacks moving to Haiti and Mexico pervaded abolitionist circles. An editorial that appeared in *The Liberator* in 1832 touted Mexico as place where blacks could

escape racism and enjoy full civil rights. Moreover, Mexico's significant non-white population also encouraged free blacks to immigrate because it gave them reason to believe that the country would be more racially tolerant than the United States. While blacks faced less racial discrimination in Mexican Texas than in the United States and Mexican laws did not explicitly legalize racial discrimination, the Mexican government was not interested in aligning with free black Americans. Free blacks did not have as much political clout, economic means, or influence over Mexican officials as white Americans had.

In 1835, Texas, along with other Mexican states, rebelled against the Mexican government in 1835 to become its own republic. Santa Anna along with the Mexican military arrived to Texas in an attempt to suppress the rebellion, but the settlers, with the help of free African Americans, local Tejanos, U.S. money, and volunteers from the United States, defeated Mexico. When Texas became an independent republic in 1836, the Mexican laws that had once granted free blacks rights no longer existed. Moreover, fugitive slaves would have to travel even farther—through Texas, a slaveholding republic—to reach freedom in Mexico. Free blacks had immigrated to Mexico in hopes of escaping harsh racial realities in the United States, but the Republic of Texas soon established the same types of race-based discrimination laws that free African Americans had tried to leave behind. Chapter three examines how the removal of Mexican protection affected free blacks who lived in Texas and reshaped the new lives they carved out for themselves in the republic. In addition, the chapter investigates the new republic's Texas government's fugitive slave policy—or what happened when Texas residents captured fugitive slaves from Louisiana trying to reach Mexico.

### Chapter 3 - "From Whence They Fled": Free and Enslaved African Americans in the Republic of Texas and in the Age of U.S. Expansion and Manifest Destiny, 1836-1848<sup>220</sup>

#### Introduction

William Goyens was born a free African American in Moore County, North Carolina, in 1794. He immigrated to Nacogdoches, Texas, while it was a part of Spanish territory, in 1820. Goyens was a blacksmith, wagonmaker, and slaveholder who often hauled freight between Mexican Texas and Louisiana throughout the 1820s.<sup>221</sup> During one of his trips in 1826, a white man named William English threatened to enslave him. But Goyens offered English one of his slaves and agreed to sign a note becoming English's debt peon (although the note allowed Goyens to do business on his own behalf) in exchange for his freedom. Upon returning to Nacogdoches, presumably under the guise of delivering a slave to English, Goyens filed a lawsuit to annul these commitments and won.<sup>222</sup> Goyens was one of hundreds of free blacks who lived in what later became Mexican Texas in the 1820s. Free African Americans believed that in Mexico they enjoyed a degree of racial acceptance not available to them in their country of origin, as well better more economic opportunities.<sup>223</sup> Goyens' experience, however, shows that even in Mexico free blacks still risked enslavement or harassment from whites, but could use the legal system to confront their white peers.<sup>224</sup>

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<sup>220</sup> Powhatan Ellis to Don Juan de Dios Cañedo, Minister of Foreign Relations, 23 August 1839, Archivo General de la Nación, Cartas de Seguridad, Volume 16. Hereafter Archivo General de la Nación cited as AGN.

<sup>221</sup> Spanish Texas becomes Mexican Texas upon Mexico gaining independence from Spain in September 1821.

<sup>222</sup> R. B. Blake, "GOYENS, WILLIAM," *Handbook of Texas Online*

(<http://www.tshaonline.org/handbook/online/articles/fgo24>), accessed September 24, 2013. Published by the Texas State Historical Association.; This case was one of thirty lawsuits that Goyens was involved in between 1826 and 1836.

<sup>223</sup> A cornerstone of Mexican liberalism was social equality for citizens. Goyens and many other free blacks who immigrated to Texas could attain citizenship after living in Mexico for at least three years.

<sup>224</sup> R. B. Blake, "GOYENS, WILLIAM," *Handbook of Texas Online*

(<http://www.tshaonline.org/handbook/online/articles/fgo24>), accessed September 24, 2013. Published by the Texas State Historical Association.

After the Texas' Revolution in 1836, however, life in the Republic of Texas changed significantly for free black Americans. Although free blacks fought for Texas independence during the Texas Revolution, the new republic's white leaders quickly set up a provisional government that put an end to Mexican Texas' liberal immigration policy towards free black emigrants. The Mexican laws that had once protected them, no longer existed.

Without the Mexican government's interference, the Republic of Texas quickly reframed itself as a slaveholding nation. Slavery would no longer be restricted in Texas. Slaveowners could bring their slaves to Texas without calling them as indentured servants or debt peons. And the republic's growing slaveholding population meant that Texas was no longer a safe haven for runaways from Louisiana, as it had been prior to 1836. Fugitive slaves from Louisiana now had to escape through Texas—adding hundreds of miles to their journeys—to achieve freedom in Mexico. Among these fugitives were slaves from Texas who also escaped to Mexico or to Indian Territory. The fact that slave fugitives continued to escape to Mexico, however, highlight Texas' difficulty in establishing diplomatic ties with its southern neighbor. Without a diplomatic relationship with Mexico, freedom across the Texas-Mexico border remained alluring to slaves. Texas slaveholders had difficulty recovering their property there because they could not appeal to Mexican diplomatic officials for assistance.

The first part of this chapter looks at the lives of free blacks in the Republic of Texas. Amidst the Texas government's attempts to expel its free black population, that population continued to increase. This section explores the reasons why free African Americans continued to immigrate to Texas even after its revolution because they

believed that the Republic offered greater economic and social opportunities than the United States. And finally, this section also looks at how free blacks carved out new lives for themselves in this slaveholding republic.

The second part of this chapter looks at the ways that slavery and westward expansion were intertwined. Focusing specifically on Texas annexation, the ideals of Manifest Destiny, and the Mexican-American War, this section examines the ways that the presence of enslaved peoples or slavery influenced these events. For example, the Texas government was unwilling to annex itself to Great Britain because the British government required that it abolish slavery. Fugitive slave escapes to Mexico also influenced diplomatic relations between the United States, Texas Republic, and Mexico. This section also examines slavery's role in Texas annexation and the Mexican-American War.

#### Forbidden to Permanently Reside: Free Black Expulsion Laws and Petitions in the Republic of Texas, 1836-1841

On January 5, 1836, a Texas council made the act of “any free negro or mulatto” entering “within the limits of Texas” illegal.<sup>225</sup> Any person who violated this law would be sold into slavery via auction.<sup>226</sup> By contrast, Texas welcomed enslaved blacks. Adopted in March 1836, Texas' first constitution allowed slaveholders to bring their slaves with them to Texas, and stipulated that those who had been slaves prior to arriving to Mexican Texas would remain enslaved. In addition, it forbid “free person[s] of African descent” from residing “permanently in the republic without the consent of congress.”<sup>227</sup>

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<sup>225</sup> Randolph Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865*, (Baton Rouge, LA: Louisiana State University Press, 1989), 45.

<sup>226</sup> Campbell, *An Empire for Slavery*, 45.

<sup>227</sup> Campbell, *An Empire for Slavery*, 47.



With these laws, the provisional Texas government aimed to limit the free black population within its boundaries while increasing its slave one.<sup>228</sup>

This new legislation had an effect on prosperous black businessman William Ashworth and many of his family members, despite his family's economic status. Ashworth was born in South Carolina in 1793 to a black mother and a white father. He moved to Lorenzo de Zavala's colony in East Texas in 1831. Most of Ashworth's family, including his brothers Aaron and Abner and his father Moses, immigrated to Texas between 1833 and 1835. After the Texas Revolution, he lived in Jefferson County, Texas, where the board of roads and revenues granted him a franchise to operate a ferry across the Lake Sabine and up the Neches River to Beaumont, Texas. Ashworth was a successful business owner, yet Texas law required him to leave the Republic because he was black.<sup>229</sup> Recognizing free African Americans' service during the Texas Revolution and perhaps their future economic contributions, members of the Texas legislature modified the law. On June 5, 1837, the Texas Congress allowed free blacks who resided "within the republic of Texas at the date of the declaration of Independence" (March 2, 1836) to remain in the Republic.<sup>230</sup> This law permitted free blacks, such as the Ashworth brothers, to continue living in Texas. However, this compromise would be short-lived.

Nearly three years later, the Texas legislature created an even harsher law that targeted its free black population. Enacted on February 5, 1840, this act made free black immigration to the Republic illegal. Moreover, it also gave "all free persons of color who

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<sup>228</sup> Campbell, *An Empire for Slavery*, 45.

<sup>229</sup> Nolan Thompson, "ASHWORTH, WILLIAM," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/fas06>), accessed November 01, 2013. Published by the Texas State Historical Association.

<sup>230</sup> "Joint Resolution," June 5, 1837, reprinted in H.P.H. Gammel, *The Laws of Texas, 1822-1897*, 12 vols., (Austin: Gammel Book Co., 1898), 1:1292. <http://texinfo.library.unt.edu/lawsoftexas>.

are now in this Republic” only two years to leave Texas, and required that “all those who shall be found here after that time, without the permission of Congress, shall be arrested and sold.”<sup>231</sup> This time, the Ashworth brothers needed white protectors to help them avoid expulsion from the Republic. Such supporters were not difficult for him to find given William Ashworth’s prominent social and economic standing in Jefferson County, Texas. According to the Republic’s 1840 census, he owned nearly 1500 acres of titled land, and he awaited land titles for 2,214 acres from the Texas General Land Office. He also owned four slaves, 520 cattle, thirty-one horses, and one brass clock.<sup>232</sup> An influential member of the community submitted a petition on behalf of the Ashworths that contained signatures from sixty white residents of Texas, attesting to the family members’ status and good characters, in late 1840. When the Texas Congress met for a session in November 1840, this petition was among the first introduced in the session. These petitions asked that the Ashworths and Elisha Thomas, a free black man also residing in Jefferson County, remain living in the Republic of Texas without harassment. Texas’s Congress approved these petitions in December 1840, creating the Ashworth Act, which exempted the Ashworth family and Thomas from the February 5, 1840, law that called for the expulsion of free blacks from Texas.<sup>233</sup>

President Sam Houston also allowed selected free African Americans to remain in Texas. On February 5, 1842, he issued a proclamation that amended the 1840 legislation.

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<sup>231</sup> Gammel, Hans Peter Mareus Neilsen. *The Laws of Texas, 1822-1897 Volume 2, Book, 1898, 325-327*; digital images, (<http://texashistory.unt.edu/ark:/67531/metapth6726/> : accessed September 01, 2013), University of North Texas Libraries, The Portal to Texas History, <http://texashistory.unt.edu>; crediting UNT Libraries, Denton, Texas.

<sup>232</sup> Gifford White, ed., *The 1840 Census of the Republic of Texas*, (Austin, TX: The Pemberton Press, 1966), 94.

<sup>233</sup> Andrew Forest Muir, “The Free Negro in Jefferson and Orange Counties, Texas,” *The Journal of Negro History*, Vol. 35, no. 2 (April, 1950), 186-188.

Houston recognized that there were “a number of honest and industrious [free persons of color] who” had been living in Texas “for a number of years.”<sup>234</sup> His proclamation protected such blacks from expulsion by instead making them “apply to the Chief Justice of the County in which they reside[d],” “make satisfactory proof of their good character,” and pay \$500.<sup>235</sup>

In the years to come, the Texas government required such applications for continued residency of black Americans and continued considering character and socio-economic status, in addition to race, in deciding the fate of its black residents. By conceding that not all free blacks deserved expulsion, Texans compromised on their opposition to the presence Houston represented a group of Texans who offered to compromise regarding free African Americans in the Republic.

Free blacks who wanted to reside in the Republic of Texas had to submit a petition to the Texas Congress. Greenbury Logan’s case provides an example of the petition process after 1840. Born a slave in Kentucky in 1814, Logan immigrated to Mexican Texas in 1831. He fought “for the liberty of his adopted country,” and “almost entirely lost the use of his right arm” because of a wound sustained during the Battle of Bexar in 1835.<sup>236</sup> Despite his military service and the fact that he had received an additional 640 acres of land because of his status as a wounded veteran, the law forced Logan to petition the Texas Congress to remain living in the Republic.<sup>237</sup> In March 1837,

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<sup>234</sup> Sam Houston, Proclamation Concerning Free Negroes in Texas, 5 February 1842, Williams and Barker, eds., *The Writings of Sam Houston* Vol. 2, 476.

<sup>235</sup> Houston, Proclamation Concerning Free Negroes in Texas, 5 February 1842, Williams and Barker, eds., *The Writings of Sam Houston* Vol. 2, 476-477.

<sup>236</sup> Greenbury and Caroline Logan Petition to Remain in Texas, Legislature, Memorials and Petitions, Archives and Information Services Division, Texas State Library and Archives Commission. Hereafter cited as ARIS-TSLAC.

<sup>237</sup> General Land Office, TRA B 000212 (Greenbury Logan), June 21, 1838.

a white friend petitioned to secure permission for Logan and his wife, Caroline, to remain in the Republic of Texas as a response to the expulsion laws.<sup>238</sup> The petition presented on Logan's behalf highlighted his participation in the Texas Revolution in order to show his allegiance to Texas. It also noted Logan's significant landholdings and military service before concluding that he and his wife, deserved to remain in Texas because of his sacrifices and contributions to Texas. To further persuade Congress of Logan's merits, a number of other white Texas residents vouched for his character and honor.<sup>239</sup>

Another white petitioner submitted a similar petition on behalf of the married couple Samuel Hardin and Tamar Morgan's. The 1840 petition traces their separate arrivals to Texas and their subsequent successes. Samuel Hardin arrived to Brazoria County, Texas, in 1822. By 1840, he had a reputation of "being an industrious and orderly citizen" within the community.<sup>240</sup> As a barber in Brazoria County, Hardin had been able to acquire "a considerable amount of property in the country."<sup>241</sup> The white petitioner frames Hardin as being an upstanding man despite his blackness. Unlike her husband, Tamar Morgan arrived to Mexican Texas as a slave in 1832. Gifted with a "hardworking nature," Morgan bought her freedom with the "proceeds of her own labor" in 1834.<sup>242</sup> Just six years later, Tamar Morgan owned 100 acres of land, along with three

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<sup>238</sup> Greenbury and Caroline Logan Petition to Remain in Texas, Legislature, Memorials and Petitions, ARIS-TSLAC.; Greenbury Logan's petition asked permission for him and his wife to remain in the Republic of Texas. The petitioner submitted the petition for the household. The petition did not say whether or not the Logans had any children.

<sup>239</sup> Greenbury and Caroline Logan Petition to Remain in Texas, Legislature, Memorials and Petitions, ARIS-TSLAC.

<sup>240</sup> Samuel H. Hardin and Tamar Morgan Petition to remain in Texas, Legislature, Memorials and Petitions, ARIS-TSLAC.

<sup>241</sup> Samuel H. Hardin and Tamar Morgan Petition to remain in Texas, Legislature, Memorials and Petitions, ARIS-TSLAC.

<sup>242</sup> Samuel H. Hardin and Tamar Morgan Petition to remain in Texas, Legislature, Memorials and Petitions, ARIS-TSLAC.

town lots in Brazoria County and three slaves.<sup>243</sup> The petition, which contained sixty-six signatures from prominent white Texans—including two from male members of the Austin family—concluded by asking that Samuel Hardin and Tamar Morgan be allowed to remain in the Republic of Texas in recognition of their “long residence, industrious habits, and general good conduct.”<sup>244</sup>

Even William Goyens, a well-known free black man who served as a middleman between Sam Houston and Native Americans in Texas, was not exempt from having to petition the Texas legislature to remain in the Republic. Written by Thomas J. Rusk, Goyens’ lawyer, in September 1840, his petition stated that he owned a significant amount of property. The 1840 Texas census confirms this assertion with records showing that Goyens owned 300 acres of land and was awaiting approval from the Texas General Land Office to approve and issue land titles for 4,767 more acres. He also owned a town lot in Nacogdoches, nine slaves, thirty cattle, one silver watch, and one clock.<sup>245</sup> Most importantly, the document noted that he had “been of great service to the country in our Indian difficulties.”<sup>246</sup> Goyens was an asset to Texas because of his work negotiating peace with Indians on Texas’ frontier. Because Texas’ “Indian difficulties” were still ongoing in the 1840s, the government needed him to continue negotiating with the Native Americans. Like the other petitions described above, Goyens’ contained signatures from respectable members of white Texas society. However, his was much

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<sup>243</sup> White, ed., *The 1840 Census of the Republic of Texas*, 21.

<sup>244</sup> Samuel H. Hardin and Tamar Morgan Petition to remain in Texas, Legislature, Memorials and Petitions. ARIS-TSLAC.; Nolan Thompson, "ASHWORTH ACT," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/mla03>), accessed November 14, 2013. Published by the Texas State Historical Association.

<sup>245</sup> White, ed., *The 1840 Census of the Republic of Texas*, 125.

<sup>246</sup> William Goyens Petition to remain in Texas, Legislature, Memorials and Petitions. ARIS-TSLAC.

shorter than the others. Many of the petitions were at least two pages long, while his was only two paragraphs long, which suggests that his submission was merely a formality.

Single African American women also applied to the Texas Congress to remain in Texas. Fanny McFarland arrived to Texas in 1827 as a slave, but her master freed her in 1835 for her “long and faithfull [sic] service.”<sup>247</sup> In October 1840, a white petitioner submitted a petition on behalf of Fanny McFarland so that she could live in Texas. Like Greenbury Logan’s petition, Fanny McFarland’s references her experiences during the Texas Revolution. Although she did not serve in the military, she and other residents of San Felipe de Austin abandoned, and subsequently lost, their properties in March 1836 because of a suspected Mexican invasion. The document noted that McFarland’s “industry prudence and economy” had allowed her to once more “gather together a little property” by 1840.<sup>248</sup> According to the petitioner, McFarland’s ability to recoup her losses and purchase property within a few years after the Texas Revolution was evidence of her hardworking nature and industrious character. The petition also mentions her desire to remain near her children as another reason why she should be permitted to continue living in Texas. Even though McFarland was free, her four children remained enslaved in Texas.<sup>249</sup> In short, the petition cited her loss of property during the Texas Revolution, her status as a property owner, and her desire to remain nearby her children, to make the case for her to continue residing in Texas. The legislature did not approve Fanny McFarland’s petition. But she continued to live in Texas illegally until she died in

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<sup>247</sup> Fanny McFarland Petition to Remain in Texas, Legislature, Memorials and Petitions. ARIS-TSLAC.

<sup>248</sup> Fanny McFarland Petition to Remain in Texas, Legislature, Memorials and Petitions. ARIS-TSLAC.; Charles Christopher Jackson, "SAN FELIPE DE AUSTIN, TX," *Handbook of Texas Online* <http://www.tshaonline.org/handbook/online/articles/hls10>, accessed August 10, 2013. Published by the Texas State Historical Association.

<sup>249</sup> Fanny McFarland Petition to Remain in Texas, Legislature, Memorials and Petitions. ARIS-TSLAC.

1866. She remained free and even became a successful real estate investor in Houston in the 1840s and 1850s.<sup>250</sup> McFarland's occupation and success after 1840, suggests that she had \$500 to pay the county clerk as part of the petition process. McFarland's petition was one of dozens of requests that the Texas legislature rejected—although these individuals had presented evidence to show that they were industrious, hardworking, and of good moral character. But the purpose of the expulsion law was to decrease the Republic's African American population. So we can assume that the Texas' Congress denied McFarland's petition and many others' petitions to uphold the aim of the law.

Expulsion laws attempted to limit Texas' free population, and even compromised the freedom of men and women who had immigrated prior to 1836. This legislation and other restrictions on free African Americans were a part of a long tradition, beginning in the 1790s with state-based expulsion laws in the new nation, in the United States that reinforced the notion that the proximity of free blacks threatened the institution of slavery. The presence of free blacks, whites believed, threatened slavery's very existence. These men and women could plant seeds of rebellion and dispel any myths slaveholders and pro-slavery whites told slaves about the hardships of freedom, thus encouraging bondsmen to escape.<sup>251</sup>

Like the laws and policies, regulating free blacks in the southern states, Texas' regulations reminded free African Americans and slaves that their freedom came with

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<sup>250</sup> Ruthe Winegarten, *Black Texas Women: 150 Years of Trial and Triumph* (Austin, TX: University of Texas Press, 1995), 8.; It is unclear why the Texas Congress denied her petition and how she was able to avoid enslavement.

<sup>251</sup> Ira Berlin, *Slaves Without Masters: The Free Negro in the Antebellum South*, (New York: Pantheon Books, 1974), 92-93.; In the 1790s, just as the United States was beginning to establish itself as a nation, Virginia's legislature did not allow free blacks to migrate there while Georgia's required them to prove their industry and honesty prior to entering. By 1810, South Carolina, Kentucky, Maryland, and Delaware state legislatures had followed Virginia's model, prohibiting free black from migrating.

restrictions. They faced the threat of enslavement for sometimes even the slightest infractions. One way for free blacks to ensure their freedom and protect themselves; most free blacks had to find white guardians. Usually prominent businessmen in the community, these white men attested to freed people's character and defended their freedom when other members of white society challenged their status. The fact that free blacks had to rely on whites for protection not only reinforced notions of paternalism that guided black inferiority and slavery, but also reiterated white dominance in society. Although not enslaved, free blacks needed to appeal to high-ranking members of white society for protection against the very laws that many of these whites helped create.<sup>252</sup>

Despite the Texas legislature's attempt to expel a significant number of free African Americans from the Republic, their numbers increased modestly over time. There were about 150 free blacks in Texas before 1836, but by 1847, Texas' first state census counted 304.<sup>253</sup> Free blacks continued emigrating from the United States to Texas because they believed that the Republic offered them benefits and opportunities not accessible to them in the states. Under the recommendation of a white protector or under their own decision, free blacks immigrated to Texas after 1840.

Thomas McAllister was a free black man living in Mobile, Alabama in the 1830s was one such migrant. His white sponsor, Samuel A. Roberts, suggested that he move to Texas to "better his [McAllister's] fortune'."<sup>254</sup> In 1838, Roberts gave McAllister a letter of introduction for Mirabeau Lamar, Roberts' friend and the future president of the Republic of Texas. The letter praised McAllister for being "remarkable for his

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<sup>252</sup> Berlin, *Slaves Without Masters*, 339-340.

<sup>253</sup> Campbell, *An Empire for Slavery*, 110.; Harold Schoen, "Free Negro in Texas VI: The Extent of Discrimination and Its Effects," *The Southwestern Historical Quarterly*, Vol. 41, 1 (July 1937), 83.

<sup>254</sup> Schoen, "Free Negro in Texas VI," 96.



intelligence industry [and] strict honesty.”<sup>255</sup> Roberts also noted that McAllister had extensive work experience, which included employment as a waiter in a hotel and as a steward on a ship at a salary of seventy-five dollars per month. Perhaps Roberts hoped that Lamar or one of Lamar’s acquaintances would hire McAllister. Roberts also asked Lamar to lend McAllister no more than ““four or five hundred dollars”” to help him become settled in the republic and closed by promising to repay Lamar when he arrived to Texas later that year. Roberts’ action on behalf of Thomas McAllister illustrates the active role that a white protector could take in helping free African Americans circumvent expulsion laws in Texas. Instead of just gathering signatures in Texas to confirm McAllister’s good character, McAllister’s white protector validated him with a letter directly to Mirabeau Lamar.

Unlike McAllister, Mary Madison did not have a white benefactor to provide support for her arrival to Texas. Madison was born in Virginia in 1820. Likely unaware of Texas’ restriction on free black immigration, she immigrated to Galveston, Texas, in 1841. Madison worked as a nurse and lived in Texas for nearly ten years before someone submitted a petition on her behalf. Like other petitions, hers attempted to show that she would be a useful, hardworking migrant and described her as ““an honest, sober and industrious woman”” who had ““accumulated a little property’.”<sup>256</sup> The Texas Congress approved her petition in 1851 because of the services she provided to the sick “were of ‘immense value to the community.’”<sup>257</sup>

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<sup>255</sup> Schoen, “Free Negro in Texas VI,” 96.

<sup>256</sup> Ruth Winegarten, *Black Texas Women: 150 Years of Trial and Triumph*, (Austin, TX: University of Texas Press, 1995), 3.

<sup>257</sup> Schoen, “Free Negro in Texas VI,” 96.; Paul M. Lucko, “MADISON, MARY,” Handbook of Texas Online (<http://www.tshaonline.org/handbook/online/articles/fmaqg>), accessed October 01, 2013. Published by the Texas State Historical Association.

Thomas McAllister and Mary Madison were among the dozens of free African Americans who immigrated to Texas after the passage of its expulsion laws. Their emigration shows that many free blacks in the United States continued to view Texas as a place that had economic opportunities than the United States. Free blacks who migrated there, however, would not escape racial discrimination and threats to the property. In Texas, as in much of the United States, free black Americans would occupy a middle ground between slavery and freedom.

Even after submitting petitions, free African Americans still encountered racial discrimination. After the Texas Revolution, William Goyens had amassed a significant amount of property. By the 1840s, he owned thousands of acres of land upon which he built a two-story mansion, where he lived with his white wife, Mary Pate Silbey, who he had married in 1832.<sup>258</sup> Living four miles west of Nacogdoches, Texas, on land he named Goyens' Hill, his white neighbors did not approve of Goyens' success. They often took him to court in attempts to take away Goyens' land and house. As a wealthy, free African American man who had formed relationships with some of Texas' prominent leaders such as Sam Houston, Goyens employed two of the best attorneys in Nacogdoches, Thomas J. Rusk and Charles S. Taylor, to argue in his defense—that Goyens purchased the land and was its rightful owner.<sup>259</sup> Though unable to file the lawsuit himself, Goyens' instance shows that free African Americans were able to sue their white peers if they could afford legal representation.

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<sup>258</sup> R. B. Blake, "GOYENS, WILLIAM," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/fgo24>), accessed September 24, 2013. Published by the Texas State Historical Association.

<sup>259</sup> R. B. Blake, "GOYENS, WILLIAM," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/fgo24>), accessed November 8, 2013. Published by the Texas State Historical Association.; Martha Menchaca, *Recovering History, Constructing Race: The Indian, Black, and White Roots of Mexican Americans*, (Austin, TX: University of Texas Press, 2001), 239.

Free black Texans could also appeal to the legislature for protection when whites encroached on their property, as can be seen in the case of William Ashworth. In 1842, members of a land board agency traveled to Jefferson County, Texas, to identify fraudulent land certificates. Its members refused to validate land patents for William Ashworth and a number of other free African Americans because they believed that land grant laws did not apply to blacks. Ashworth and other property-owning blacks called upon their white protectors and seventy prominent white members of their community to petition Texas Congress. Describing these free African Americans as “‘good and worthy members of the Community’,” the petition asked that the Texas legislature issue the patents.<sup>260</sup> The legislature did not issue the patents, but instead passed a new law that resolved the problem by instructing the General Land Office to issue land patents to residents, instead of the Board of Commissioners. While Goyens’ successful lawsuit only helped one individual, Ashworth’s protectors were able to help protect free African Americans’ property in the future.

Free blacks who did not receive permission from the Texas Congress to remain in the Republic or those who chose to emigrate there from the United States could live in Mexico. Male foreigners who wanted to remain in Mexico for more than thirty days needed a *carta de seguridad* (letter of security), or visa. In order to procure this documentation, he needed to prove his citizenship from his country of origin and pay a small fine. Moreover, a *carta* had to be renewed annually. Mexican law did not require women to apply for a *carta de seguridad* under the assumption that a woman’s husband or father secured a *carta* that in turn supported her presence in the country. Although

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<sup>260</sup> Andrew Forest Muir, “The Free Negro in Jefferson and Orange Counties, Texas” *The Journal of Negro History*, Vol. 35, no. 2 (April 1950), 188-189.

single African American women did not typically travel alone, those who did so could enter Mexico and live there without acquiring this paperwork, thereby decreasing her chances of returning to slavery or to the United States.<sup>261</sup> These requirements created an added burden for free and formerly enslaved African American males who looked to Mexico to escape harsh racial realities in the United States. Originally intended to expel Spaniards from Mexico, a *carta* became a way that the Mexican government unintentionally restricted free black males and male fugitive slaves from seeking long-term refuge in Mexico.<sup>262</sup>

The U.S. government did not offer African Americans citizenship, but U.S. officials in Mexico allowed free blacks to emigrate from the United States. Powhatan Ellis, U.S. Minister Plenipotentiary to Mexico, allowed free people of color who could prove their freedom to “be entitled to the same protection as nation born or naturalized citizens.”<sup>263</sup> Consequently, many blacks from the United States were able to successfully secure *cartas*. In January 1844, Don Juan Carney, a free African American male from the United States received a *carta de seguridad*.<sup>264</sup> John Black, U.S. Consul to Mexico, approved his request. The next year, in January 1845, thirty-one-year-old Dranien Rivier received a visa to reside in Matamoros, Mexico, a port city in the northeastern Mexican state Tamaulipas.<sup>265</sup> The next month, the U.S. consul in Mexico also granted twenty-four-

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<sup>261</sup> Sarah Cornell, “Citizens of Nowhere: Fugitive Slaves and African Americans in Mexico, 1833-1857,” *Journal of American History*, September 2013, 361.; The average fugitive slave was a male between the ages of sixteen and twenty-five. For more about fugitive slave women’s escape patterns, see Deborah Gray White’s *Ar’n’t I a Woman?: Female Slaves in the Plantation South.*; AGN, Cartas de Seguridad, Volume 16, January 24, 1839.

<sup>262</sup> Sarah Cornell, “Citizens of Nowhere,” 361-362.; Rosalie Schwartz, *Across the Rio to Freedom: U.S. Negroes in Mexico*, (El Paso, Texas: Texas Western Press, 1975), 45.

<sup>263</sup> Powhatan Ellis to Don Juan de Dios Cañedo, Minister of Foreign Relations, 23 August 1839, AGN, Cartas de Seguridad, Volume 16.

<sup>264</sup> AGN, Cartas de Seguridad, Volume 41, January 10, 1844.

<sup>265</sup> AGN, Cartas de Seguridad, Volume 45, January 22, 1845.

year-old Don Ricardo Mason, a mulatto from the United States a *carta* so that he could “travel free and securely through all parts of the Republic.”<sup>266</sup> These three men represent a fraction of the number of free blacks who immigrated to Mexico during the 1840s.

New Routes to Freedom: Texas Fugitive Slaves in Mexico and Indian Territory, 1839-1843

Free blacks were not the ones to immigrate to Mexico during this period. Fugitive slaves were also a part of African American antebellum immigration to the country. During the early 1800s, Spanish Texas had been a safe haven for fugitive slaves from the United States. And when Mexico gained independence from Spain in 1821, its laws protected free blacks and slaves in ways that U.S. laws did not. The Texas Revolution, however, transformed Texas into a slaveholding republic. With Texas’ new status, thousands of miles separated Louisiana and Texas slaves from traditional pathways to liberty—the North—making the trek too long and dangerous, reducing their chances of survival and success. Instead, because of the Republic’s and Louisiana’s proximity and a long tradition of Mexico being an unofficial safe haven for runaways, slaves in Texas looked to Mexico and Indian territory rather than the northern United States or Canada for freedom.

When local Texans captured fugitive slaves before they reached Mexico, American slaveholders had difficulty recovering their slaves. In August 1839, a man named Moro Phillips stole two slaves belonging to a woman in Louisiana; they were most likely headed to Mexico. She hired a male agent to travel to Texas to recover the slaves, but “The Texan Government refused to interfere in the matter” unless the Chargé

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<sup>266</sup> AGN, Cartas de Seguridad, Volume 45, February 20, 1845.

d'affairs of the United States (a diplomatic substitute for an ambassador or minister) requested the surrender.<sup>267</sup> Because the United States and Texas did not have a formal agreement regarding the return of fugitive slaves from the United States in Texas, the Texas government created its own policy.<sup>268</sup> The Texas government would only return runaway slaves after receiving the proper request from the appropriate authority in the United States.<sup>269</sup> This policy was largely a way to allow Texans to keep fugitive slaves that they captured—at least temporarily. The slaves in question had run away in August 1839, but the letter asking for their return did not reach Texas' Secretary of State until July 31, 1841, nearly two years later. One reason for the delay was that the slaveowner's lawyer had to write a letter to Louisiana governor first, who then wrote a letter to U.S. Secretary of State, Daniel Webster, to get authorization to recover the slaves. In the time needed to inform the appropriate personnel in the United States, the slaves could have already been captured and sold into Texas slavery. Or, if they were lucky, the slaves could have already escaped to Mexico.

Southern slaveholders in the United States did not agree with Texas' policy regarding fugitive slaves, and they often entered the Republic to retrieve their slaves. In July 1843, Ashbel Smith, the Chargé d'affaires of Texas to England and France, admitted that "citizens of the United States [proceeded] into Texas to reclaim fugitive slaves."<sup>270</sup>

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<sup>267</sup> C. Roselius to Hon. E. D. White, 15 May 1841, ed. George P. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 1, 505.; The woman was the wife of Colonel William Thompson. Her attorney, C. Roselius, wrote this letter on her behalf to Edward Douglas White (E.D. White), then governor of Louisiana.

<sup>268</sup> Eve to the Secretary of State of Texas [J.S. Mayfield], 31 July 1841, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 1, 504.; E.D. White to the Secretary of State, undated, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 1, 506.

<sup>269</sup> C. Roselius to Hon. E. D. White, 15 May 1841, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 1, 505.

<sup>270</sup> Smith to Jones, 2 July 1843, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 1101.

Because of Texas' dismal financial state—it had accumulated millions of dollars of debt since the end of the Texas Revolution—its government likely did not have enough resources to effectively police its border with Louisiana.<sup>271</sup> In addition, more pressing concerns like the presence of Native Americans on Texas' western frontier and securing diplomatic recognition from European countries called for the government's full attention. Texas slaves used inefficient border policing to remain at large in Texas or escape to Mexico or Indian territory.

When Texas slaves escaped, slaveholders did not always believe that they had left on their own. A runaway advertisement in the *Austin City Gazette* in January 29, 1840, described Bob and Penny who had escaped from a nearby plantation. Their owner accused a white man of enticing them to escape because a number of slaves had recently absconded from the area around Rutersville, Texas (about seventy miles southeast of present-day Austin).<sup>272</sup> This advertisement shows that slaveholders and pro-slavery whites suspected that abolitionists or other sympathetic whites helped slaves escape, and that not all Texas residents were pro-slavery or slaveholders. The slaveowner who wrote the ad was convinced that a group of slaves could not coordinate an escape without a white person's assistance.<sup>273</sup>

When slaves disappeared, slaveholders also blamed local Mexicans for their absence. In a February 23, 1839, runaway advertisement, a slaveowner wrote that three

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<sup>271</sup> Randolph B. Campbell, *Sam Houston and the American Southwest*, (New York: Pearson, 2007), 113.

<sup>272</sup> "Fifty Dollars Reward," *Austin City Gazette*, Austin, Texas, January 29, 1840, Readex, America's Historical Newspapers.

<sup>273</sup> While abolition movements were never very popular in Texas, there were a limited number of abolitionists in the republic and later as a U.S. state. Abolition had little chance of widespread support in a place where slavery was the livelihood of the economy. Moreover, pro-slavery locals threatened and killed abolitionists, along with blaming them for assisting runaways or encouraging slave uprisings. See *Texas Terror: The Slave Insurrection Panic of 1860 and the Secession of the Lower South* by Donald E. Reynolds (2007).

male slaves had escaped because they had been “seduced away by two renegade Mexicans from near Fort Towson, in the Choctaw Nation”.<sup>274</sup> While it is not clear whether or not Mexicans were indeed involved in this escape or other ones, it is possible that they helped guide the slaves to the Choctaw Nation. The advertisement continued by noting that the slaves had been recently spotted in the Choctaw Nation.<sup>275</sup> Because the slaves had not been recovered more than one year later, it is likely that the slaves attempted to seek permanent refuge there. This instance shows that not only did Texas slaveholders contend with the possibility that their slaves could escape to Mexico and never return, they also lost slaves who escaped to Indian communities within or in close proximity to Texas.

However, refuge in the Choctaw Nation for fugitive slaves would be short-lived. In October 1840, the Choctaw General Council enacted a law that called for the expulsion of free blacks who were not of Chickasaw or Choctaw ancestry.<sup>276</sup> Many parts of the law paralleled Texas’ expulsion laws for African Americans. These similarities suggest that like their white neighbors, the Choctaws associated blackness with enslavement and wanted to limit the number of free blacks in their communities. Like Texas’ expulsion laws, the Choctaws’ new law held that those men and women who did not leave their territory would be sold at auction and enslaved for life. It also prohibited free African Americans from the United States from immigrating to the nation. Texas’ law allowed free blacks to petition the legislature for permission to remain in the

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<sup>274</sup> “Fifty Dollars Reward,” *Austin City Gazette*, Austin, Texas, May 20, 1840, Readex, America’s Historical Newspapers.

<sup>275</sup> “Seduced Away By Renegade Mexicans,” *Austin City Gazette*, Austin, Texas, May 20, 1840, Readex, America’s Historical Newspapers.

<sup>276</sup> Barbara Krauthamer, *Black Slaves, Indian Masters: Slavery, Emancipation, and Citizenship in the Native American South*, (Chapel Hill, NC: University of North Carolina Press, 2013), 71.



Republic, but there was no such concession for those living in the Choctaw Nation. The absence of a petition process suggests that there were not enough free blacks of a higher socio-economic class who wished to remain among the Choctaw and also had resources that might make the tribe allow them to stay or that Native American leaders did not want any free person of African descent, regardless of wealth, in their territory. Also, in Texas, free African Americans had two years to leave the Republic, while those in Choctaw Nation had to leave by March 1841, just five months after the law passed.<sup>277</sup> Unlike free blacks Texas who had to travel only between three to five hundred miles to Mexico, those leaving the Choctaw Nation had to travel through both Indian Territory and Texas to reach Mexico.

Expulsion laws in Indian Territory closed the region as a sanctuary for slave fugitives, so they continued to escape to Mexico for freedom. Even Sam Houston was not immune to his slaves running away. As president of Texas, he faced economic woes not only because Texas could barely afford to pay him, but also because two of his slaves had escaped to Mexico in 1841.<sup>278</sup> In 1847, the slaves still remained in Mexico, despite Houston's private secretary, Washington D. Miller, locating their exact whereabouts. According to Miller, one had become "an officer in the Mexican army, and the other [was] a barber in Matamoros."<sup>279</sup> The fact that Miller was able to gather information about the fugitive slaves' whereabouts, but could not recover them illustrates the difficulty many Texans had in entering Mexico to retrieve runaways. The Mexican government refused to return Houston's slaves at least in part because its government did

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<sup>277</sup> Krauthamer, *Black Slaves, Indian Masters*, 71.

<sup>278</sup> Llerena Friend, *Sam Houston: The Great Designer*, (Austin, TX: University of Texas Press), 101.

<sup>279</sup> Friend, *Sam Houston*, 183.

not recognize Texas' independence; in Mexico, Texas was still a state in rebellion. Also, since Mexico had abolished slavery earlier in 1829 (except for Texas), from the Mexican perspective these slaves were free upon reaching another Mexican state.

The Mexican government's rejection of Texas' independence meant that there were no diplomatic officials from Texas in Mexico who could be called upon to assist in the delivery of the runaways to their owners. By contrast, U. S. diplomatic officials could use Mexico's visa system to make it difficult for any individuals that they thought were fugitive slaves to enter into Mexico difficult. In 1839, several African Americans from New Orleans arrived to the Port of Santa Anna de Tamaulipas in northeastern Mexico. They attempted to apply for *cartas de seguridad* (letters of security), but the local U.S. Consul, Don Juan de Dios Cañedo, was not sure if he should grant them the documentation they needed to obtain a visa. Unable to make a decision, Cañedo wrote to Powhatan Ellis, the U.S. Minister Plenipotentiary to Mexico, in Mexico City for advice. Suspecting that these African Americans were fugitive slaves, Ellis responded by informing Cañedo that when slaves are "found absconding from their owners, and seek refuge in another country, they are not to be protected by the Diplomatic Agents of the country from whence they fle[d]." <sup>280</sup> Cañedo's uncertainty in identifying fugitive slaves suggests that some previous runaways had been able to enter the country undetected. However, without a visa and permission to be in Mexico, they remained in a middle ground status—not quite free and not a slave. Ellis' reaction to Cañedo letter hints that he anticipated the arrival of more fugitive slaves to Mexico and wanted to ensure that U.S. Consuls did not give black males from the United States documentation that might help

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<sup>280</sup> Powhatan Ellis to Don Juan de Dios Cañedo, Minister of Foreign Relations, 23 August 1839, Archivo General de la Nación, Cartas de Seguridad, Volume 16.

them remain in Mexico long-term without first securing proof of their statuses as a free people of color.

“Hail us Welcome into the Great Family of Freemen”: Diplomatic Recognition and the Quest for Texas Annexation, 1836-1841<sup>281</sup>

As a new republic, the Texas government looked to establish diplomatic relations with the United States and European countries. Cultivating these relationships with other nations would not only shape Texas’ position on the international stage, but also provide opportunities to negotiate treaties for trading and alliance building. The government and Texas residents also wanted to be annexed to the United States. The Republic of Texas’ first election asked voters to vote on annexation to the United States, and they approved the measure. Sam Houston, Texas’ first elected president, believed that annexation would happen shortly after the revolution. During his presidential inaugural address in October 1836, he hoped that the American government would restore Texans “civil, political, and religious rights, and hail us welcome into the great family of freemen.”<sup>282</sup> Instead of proceeding with annexation, the United States recognized Texas independence in March 1837. The Panic of 1837, an economic downturn that threatened the U.S. economy, and President Van Buren’s belief that annexing Texas would expand U.S. slavery, a development he opposed, delayed negotiations about Texas joining the United States. With uncertainty surrounding U.S. annexation, Texas diplomatic officials sought to secure diplomatic recognition from European countries.

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<sup>281</sup> Houston’s Inaugural Address, 22 October 1836, Amelia W. Williams and Eugene C. Barker, eds., *The Writings of Sam Houston* Vol. 1, 1813-1836, (Austin, TX: University of Texas Press, 1938), 451.

<sup>282</sup> Houston’s Inaugural Address, 22 October 1836, Williams and Barker, eds., *The Writings of Sam Houston* Vol. 1, 1813-1836, 451.

J. Pinckney Henderson, Texas' Agent to Great Britain and France, traveled to Europe and in 1837 and remained there until 1838. He arrived to London in June 1837 seeking British recognition of the Republic's independence. Henderson planned to meet with Lord Palmerston, Britain's foreign secretary. At the meeting, Palmerston informed Henderson that Great Britain already had diplomatic ties to Mexico, and was not willing to jeopardize its relationship with Mexico to recognize Texas.<sup>283</sup>

Unsuccessful in persuading Palmerston to annex Texas, Henderson traveled to France to try to obtain diplomatic recognition and financial aid. At the time, the French navy blockaded Mexican ports because of the Pastry War, which began when the Mexican government refused to reimburse French property owners for damage to their property during revolutions in Mexico in the 1830s. This blockade reduced "Mexico to a deplorable state" because of the lack of trade.<sup>284</sup> Texas planned to export cotton to France, and Henderson wanted to convince the French government that the Republic's cotton was "superior in quality to any raised in the United States except that of the Sea Islands."<sup>285</sup> By November 1837, Henderson had not yet received a response from Count Molé, France's minister of foreign affairs, about forming trade relations between Texas and France. Despite these unsuccessful attempts, Henderson and Houston remained

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<sup>283</sup> R.A. Irion to J. Pinckney Henderson, 25 June 1837, ed. George P. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3 (Washington D.C.: Government Printing Office, 1911), 808.; Henderson to Irion, 14 October, 1837, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 813.

<sup>284</sup> Henderson to Irion, 28 April 1838, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 1206.; Michael C. Meyer, William L. Sherman, and Susan M. Deeds, *The Course of Mexican History*, 8<sup>th</sup> ed., (New York: Oxford University Press, 2007), 305.; Irion to Henderson, 7 August 1838, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 1217-1218.

<sup>285</sup> Henderson to Count Molé, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 1225.

persistent in trying to convince European nations to recognize and trade with Texas, and attempting to annex the Republic to the United States.

By the summer of 1838, the U.S. Congress still had not decided the Texas annexation question. In early June 1838, Houston instructed Texas' Minister at Washington, Anson Jones, "to withdraw the proposition" if the U.S. Congress had not acted by the end of its session.<sup>286</sup> Massachusetts senator and former U.S. president, John Quincy Adams was one member of Congress who opposed annexation because he believed doing so would expand slavery in the United States and increase slaveholders' power in the United States. The expansion of slavery and slaveholders' power were controversial issues because both northerners and southerners vied for sectional power, and feared the other region gaining too much power and dictating national politics. Since the Missouri Compromise (1820), politicians used the need for sectional balance within the country to quell these fears.<sup>287</sup> Congress could not reach a consensus. As a result, the United States did not annex Texas by the end of Houston's presidency in 1838.

Houston's predecessor, Mirabeau Lamar, took office in 1839, the same year Texas secured French recognition. During that summer, French King Louis-Philippe agreed to acknowledge Texas' independence through a commerce treaty.<sup>288</sup> Henderson, Texas' minister to England and France, surmised that one reason for the French king's acquiescence was to enhance French influence into the region in order to compete with the Mexican and British alliance and to keep close tabs on the Mexican government's

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<sup>286</sup> Irion to Henderson, 6 June 1838, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 863.

<sup>287</sup> Joel H. Silbey, *Storm Over Texas: The Annexation Controversy and the Road to Civil War*, (New York: Oxford University Press, 2005), 11.

<sup>288</sup> Henderson to Secretary of State, 26 July 1839, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 1264.

treatment of French nationals living in Mexico.<sup>289</sup> While in France, Baron Pontois, French Minister to the United States, informed Henderson that “recognition by France would be immediately followed by that of Belgium.”<sup>290</sup>

Even after France and Belgium acknowledged Texas, the British government remained reluctant to follow suit—or consider annexation. For Great Britain, any alignment with Texas could damage its relationship with Mexico. By November 1840, the British government recognized Texas by arranging a treaty. According to the treaty, England would act as a mediator between Texas and Mexico.<sup>291</sup> Additionally, England’s relationship with Texas and Mexico would be away to control and influence the region in a way that the French government could not.

Although Britain recognized Texas, annexation remained out of the question. Ever since Henderson had visited Lord Palmerston in 1837 to persuade the British government to recognize Texas, slavery in Republic had remained an issue for the British.<sup>292</sup> Prior to Henderson’s visit, Palmerston had believed that Texas had already abolished slavery, but Henderson corrected him by admitting that Texas’ economy was based around cotton.<sup>293</sup> Since Great Britain had abolished slavery throughout its empire in the early 1830s and its government could not annex a slaveholding republic. According

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<sup>289</sup> Henderson to Secretary of State, 26 July 1839, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 1256.

<sup>290</sup> Henderson to Secretary of State [Burnet], 3 August 1839, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 1266.

<sup>291</sup> Hamilton to Lipscomb, 1 November 1840, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, ed. Garrison, 908.

<sup>292</sup> R.A. Irion to J. Pinckney Henderson, 25 June 1837, ed. George P. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3 (Washington D.C.: Government Printing Office, 1911), 808.; Henderson to Irion, 14 October, 1837, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 813.

<sup>293</sup> Henderson to Irion, 14 October, 1837, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 815.

to Ashbel Smith, the British government and the British public wanted Texas to abolish slavery, which would have made annexation possible. Moreover, Smith also noted that some people in Britain wanted Texas to become a safe haven for fugitive slaves from the United States.<sup>294</sup>

“Overextension of the National Domain:” Manifest Destiny and Annexation to the United States, 1841-1845<sup>295</sup>

Negotiations between Texas and Great Britain about annexation in the early 1840s piqued the interest of the U.S. Congress and the President John Tyler. With Houston’s re-election to the Texas presidency in 1841 and numerous Americans’ eagerness to move westward, there was mutual interest between both Texans and the U.S. government in annexation. American leaders were also anxious to make sure that Great Britain did not beat them to the punch; Great Britain already possessed Oregon. By adding Texas as a part of its North American territory, the British would be able to impede the expansion of slavery in the United States. In order to curtail British influence in territories adjacent to the United States, members of the U.S. government became increasingly anxious to acquire Texas.

Northern manufacturing interests also helped revive the subject of Texas annexation. In contrast, many Southern cotton planters did not support the endeavor. While Texas annexation and westward expansion beyond Texas would be very beneficial for manufacturers in the northern United States because of more raw materials to process, Southerners would face more economic competition from future western territories and

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<sup>294</sup> Smith to Jones, 2 July 1843, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 3, 1100-1102.

<sup>295</sup> Merk, *Slavery and the Annexation of Texas*, 8, 10.

states. Although expansion would help northern senators' constituents economically, senators John Quincy Adams and Daniel Webster were among a group of over twenty senators who opposed annexation. Besides opposing the expansion of slavery, other senators argued that annexing Texas was not constitutional and feared the country's "overextension of the national domain."<sup>296</sup>

But by the 1840s, more leaders in both in the U.S. and Texas had begun to favor annexation. In 1841, John Tyler became president of the United States. Unlike Van Buren, Tyler was pro-expansion, and Sam Houston, who had become president of Texas again, was eager for annexation to a country. Many Texas residents were white Americans and had already voted to approve annexation to the United States in 1836. When President Tyler put an annexation treaty before the U.S. Senate in 1844, the last year of his term, he created a broader conversation about the issue. For the 1844 presidential election, the Democrats adopted Texas annexation (along with the annexation of Oregon Territory) as a platform plank, and nominated James K. Polk, another expansionist, as their candidate. Polk supported Texas annexation because he believed that more land would solve America's problems with overpopulation in the North and land scarcity.<sup>297</sup> Polk won the election and took office around the same time the idea of manifest destiny began to circulate around the United States.

Manifest destiny, a term coined by New York-based journalist John L. O'Sullivan in 1845, was an idea that became increasingly popular in the mid and late 1840s. O'Sullivan had described the expansion of the United States across the continent as its

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<sup>296</sup> Merk, *Slavery and the Annexation of Texas*, 8, 10.; James L. Roark, ed. et. al., *The American Promise, A History of the United States*, 5<sup>th</sup> ed., Vol. 1: To 1877, 377.

<sup>297</sup> Amy S. Greenberg, *A Wicked War: Clay, Lincoln, and the 1846 U.S. Invasion of Mexico* (New York: Vintage, 2013), 33.; Greenberg, *A Wicked War*, 36.



manifest destiny, and called for Americans to resist foreign powers who attempted to stop American expansion. Much like the Puritans who believed that they were in North America for a divine reason, O'Sullivan and other Americans believed it was necessary for the United States to expand westward because God put them there for that purpose.<sup>298</sup> With Polk's election, the rising expansionist sentiment in the United States, and Texas' willingness to become a part of the United States created conditions in which annexation could happen.

Polk viewed his election as a clear mandate for U.S. expansion, and acted even before his term officially began. On February 26, 1845, with political persuasion from both Tyler and Polk, Congress passed a joint resolution to admit Texas to the Union as a state. Tyler signed the legislation on March 1, 1845.<sup>299</sup> Next, Texas' Congress and president, Anson Jones, had to approve annexation. Like former Texas President Mirabeau Lamar, Jones supported independence, rather than annexation. To decide the matter of joining the United States, Jones held a congressional session over the summer of 1845 to vote on the issue. The Texas legislature met in June 1845, and its members unanimously accepted the United States' offer. By October, Texas had a state constitution, which its members sent to U.S. Congress for approval.<sup>300</sup>

Polk believed that Texas annexation would precipitate a war with Mexico. In his inaugural address in March 1844, he described Texas annexation to the United States “not as the conquest of a nation seeking to extend her dominions by arms and violence,

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<sup>298</sup> Roark, ed. et. al., *The American Promise, A History of the United States*, 5<sup>th</sup> ed., Vol. 1, 370.

<sup>299</sup> Greenberg, *A Wicked War*, 61.; Joseph William Schmidt, *Texan Statecraft: 1836-1845*, (San Antonio, TX: The Naylor Company, 1941), 225-226.

<sup>300</sup> Schmidt, *Texan Statecraft*, 229; Schmidt, *Texan Statecraft*, 231.; Schmidt, *Texan Statecraft*, 233-235

but as the peaceful acquisition of a Territory once her own.”<sup>301</sup> But Polk’s statement was somewhat disingenuous given that he had encouraged the Texas government to occupy disputed territory between the Nueces River and Río Grande (Since the end of the Texas Revolution in 1836, Mexico accepted Texas’ southern border as the Nueces River, while the Texas government claimed the Río Grande, farther south, as its boundary.). The presence of U.S. troops, Polk claimed, would force the Mexican government to negotiate about Texas boundary claims.<sup>302</sup>

As Texas and the United States prepared for annexation, the Mexican government opposed Texas becoming a U.S. state. In April 1845, members of the Mexican government agreed to recognize Texas if the Republic did not become a part of the United States.<sup>303</sup> Texas’ admission to the United States would confirm Mexicans’ decades-old fears about the spread of American influence into their territory and subsequent takeover of the region.

Despite claiming that Texas’ annexation would be peaceful, Polk sent the U.S. navy to the Gulf of Mexico, and ordered General Zachary Taylor and his troops in the Southwest to be ready for possible combat. In June 1845, Polk instructed Taylor to march 4,000 troops to Corpus Christi, Texas, which was on the border of disputed territory, and wait for more instructions.<sup>304</sup> As a response to American soldiers’ proximity to the Río Grande, Mexican President José Joaquín de Herrera sent Mexican troops just south of the river albeit with instructions to avoid conflict in July 1845.<sup>305</sup>

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<sup>301</sup>K. Jack Bauer, *The Mexican War, 1846-1848*, (New York: Macmillan Publishing Co., Inc., 1974), 8.

<sup>302</sup> Bauer, *The Mexican War, 1846-1848*, 11.

<sup>303</sup> Raymond to Allen, 30 April 1845, ed. Garrison, *Diplomatic Correspondence of the Republic of Texas* Vol. 2, part 2, 375.

<sup>304</sup> Greenberg, *A Wicked War*, 77.

<sup>305</sup> Timothy Henderson, *A Glorious Defeat: Mexico and its War with the United States*, (New York: Hill and Wang, 2008), 149.

The troops stationed on both sides of the Río Grande did not resolve the territorial conflict or appease the Mexican government's dissatisfaction with Texas annexation to the United States. In an attempt to settle this land disagreement, Polk sent John Slidell, a Louisiana congressman, to Mexico in November 1845. Slidell was to assuage the Mexican government by offering to forgive \$2 million worth of claims American citizens had filed against the Mexico government. Polk also instructed Slidell to "treat Texas independence as a 'settled fact...not to be called into question'."<sup>306</sup> But Slidell was never able to negotiate with the Mexican President, Herrera because Herrera refused to meet with him.<sup>307</sup> By the end of December 1845, the meetings with the Mexican government were no longer necessary; Texas officially entered the Union on December 29, 1845.<sup>308</sup>

Texas' admission as a U.S. state in 1845 had many consequences for free African Americans. After Texas had joined the Union, Great Britain lost the opportunity to expand its influence in North America, and thereby stop slavery from expanding into another U.S. state. The annexation of Texas also shored up slavery in the United States. U.S. Secretary of State Abel Upshur was convinced that if Texas had joined Britain's abolitionist empire, slavery in the United States would have been in jeopardy. "Few calamities [could] be fal [sic] this country more," he remarked "than the establishment of a predominant British influence and the abolition of domestic slavery in Texas."<sup>309</sup> For free African Americans who immigrated to the Republic of Texas before 1845, Texas annexation meant that they once again lived in the United States. Yet, according to

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<sup>306</sup> Greenberg, *A Wicked War*, 77.

<sup>307</sup> Greenberg, *A Wicked War*, 77-78.

<sup>308</sup> C. T. Neu, "ANNEXATION," *Handbook of Texas Online*, <http://www.tshaonline.org/handbook/online/articles/mga02>, accessed August 05, 2013. Published by the Texas State Historical Association.

<sup>309</sup> Merk, *Slavery and the Annexation of Texas*, 13.

Texas' first census as a U.S. state in 1850, there were 397 free African Americans, almost 100 more than what an informal census taken just three years earlier reported.<sup>310</sup> This increase reveals that free blacks were a part of the growing westward American migration. The United States' war with Mexico would determine if black Americans would immigrate to Mexico or migrate to U.S. western territories.

"This Wicked War": The Mexican-American War, 1846-1848<sup>311</sup>

President Herrera's refusal to meet with Slidell and the Mexican government's refusal to acknowledge that Texas (or now the United States) owned the Nueces Strip were points of contention that President Polk used to provoke the Mexican military towards a war. In February 1846, General Zachary Taylor marched 150 troops to the Rio Grande under Polk's orders. By March, Polk sent an additional 4,000 men to the Nueces Strip. American soldiers were so close to Mexico that they could see the Mexican military from across the river.<sup>312</sup> Polk ordered the American soldiers to march to the Río Grande, but instructed General Taylor to not treat Mexico as an enemy until Congress officially declared war, or Mexico attacked, whichever happened first.<sup>313</sup>

Many officials in the United States believed that Mexico was too weak to defend itself from an attack from the United States. There was a degree of truth to their assertions. The Mexican economy was stagnant; it had had rapid succession of different presidents, whose terms had usually ended with a coup d'état; and Mexico's rural

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<sup>310</sup> Douglas Hales, "FREE BLACKS," *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/pkfbbs>), accessed November 14, 2013. Published by the Texas State Historical Association.

<sup>311</sup> Nineteenth Century African American Newspapers (online database), "War with Mexico," February 25, 1848, *The North Star*.

<sup>312</sup> Greenberg, *A Wicked War*, 95; Greenberg, *A Wicked War*, 100-101.

<sup>313</sup> Bauer, *The Mexican War*, 26.

peasants' had begun to respond to these conditions with violence that made the country politically unstable.<sup>314</sup> However, the Mexican government saw the war with the United States as an opportunity to defend its honor. In March 1846, Mexican President Herrera concluded that given the United States' use of military force and intimidation, there was no room left for compromise. Mexico could no longer tolerate more conquests and advances from the U.S. government.<sup>315</sup>

In May 1846, nearly one year after both Mexican and American troops had been stationed at the Río Grande, Zachary Taylor's dispatch arrived to the White House reporting that several hundred Mexican troops attacked a small group of soldiers on April 25, 1846, about fifteen miles from present-day Brownsville, Texas. As a result of this skirmish, sixteen Americans died or were wounded. Upon receiving information, Polk drafted his war message for Congress' approval. In it, he painted Mexico as the aggressor without mentioning why American soldiers were so close to the Río Grande. Just five days after Polk received the news about Texas, Congress officially declared war on May 13, 1846. But by then two battles had already been fought, both of which the United States won.<sup>316</sup>

U.S. troops' early victories in the Mexican-American War set the tone for the remainder of the war. Mexican troops did not have the same resources as the U.S. military. By August 1846, Winfield Scott and General Santa Anna (who was head of the Mexican Army) had agreed to begin negotiating a truce. But when Scott and his troops traveled to Mexico City to pick-up supplies, local Mexicans attacked them and Santa

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<sup>314</sup> Greenberg, *A Wicked War*, 56-57; Greenberg, *A Wicked War*, 77-79.

<sup>315</sup> AGN, Folleteria C10 #305, La Cuestion de Tejas – 1846, pg. 3

<sup>316</sup> Henderson, *A Glorious Defeat*, 155-156.

Anna did nothing to stop them. About two weeks later, the Mexican government decided against a truce and Santa Anna ordered those in Mexico City to defend themselves against the American invasion.<sup>317</sup>

As the war continued, the battlefields and military encampments offered opportunities for free African Americans to work as servants for American army officers. Future U.S. president Ulysses S. Grant who was stationed in New Orleans when he received orders to travel to the Rio Grande in July 1845, immediately employed a black servant to take with him. In a letter to his fiancée, Julia Dent, he explained that he had a black boy would accompany him to Mexico. The boy spoke “English, Spanish, and French,” and Grant thought that the boy’s language skills “may be very useful where we are going.”<sup>318</sup> Grant was one of many high-ranking members of the U.S. military who hired at least one servant prior to entering Mexico. Their pay typically ranged between seven to twenty dollars per month with a \$2.50 per month clothing allowance.<sup>319</sup> Black male servants had a range of duties, including assisting their employers on the battlefield and cooking meals.<sup>320</sup>

Many free African Americans in the northern United States opposed the war. Free black newspapers in the North typically depicted Mexico as facing the unrelenting wrath of the U.S. military. As *The National Era* reported in January 1847, Henry Bedinger, a congressman from Virginia, supported the war, and would “strike blow after blow at

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<sup>317</sup> Henderson, *A Glorious Defeat*, 209.

<sup>318</sup> Robert E. May, “Invisible Men: Blacks and the U.S. Army in the Mexican War,” *The Historian* 49 (1987), 465.

<sup>319</sup> May, “Invisible Men,” 465.

<sup>320</sup> May, “Invisible Men,” 468-469.; Using international conflict as means of economic opportunities, the United States’ war with Mexico is an early example of a form of black military service abroad.

Mexico, without mercy, till she was compelled to sue for peace.”<sup>321</sup> One of the most vocal opponents of the war, Frederick Douglass, used his newspaper *The North Star* to disseminate his anti-war message to the public. A February 1848 article in the paper titled “War with Mexico,” reported that the “present unholy war is not the accident of a day, but the result of long years of national transgression.”<sup>322</sup> The article continued by hypothesizing that “this wicked war” would only end once the U.S. military destroyed the Mexican government.<sup>323</sup> Douglass’ opposition to the war was part of a larger anti-war movement within the United States. Abraham Lincoln, then a freshmen congressman from Illinois, questioned the justification of the Mexican American War. He introduced his “Spot Resolutions” in 1847, which challenged President Polk to reveal the exact location of where the Mexican military attacked American soldiers on American territory.<sup>324</sup>

Slaves used the conflict between the United States and Mexico to escape. While stationed on the U.S.-Mexico border, Captain S. William Henry “reported ‘that three or four of the officers’ negro slaves’ had ‘run away.’”<sup>325</sup> Likewise Henry’s colleagues, Captain Philip M. Barbour, also noticed a significant number of slaves seeking refuge in Mexico. In fact, Barbour considered using white servants to replace black slaves—rather than risk such escapes—especially as the U.S. military moved farther south into

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<sup>321</sup> Nineteenth Century African American Newspapers (online database), “Congress,” January 7, 1847, *The National Era*.

<sup>322</sup> Nineteenth Century African American Newspapers (online database), “War with Mexico,” February 25, 1848, *The North Star*.

<sup>323</sup> Nineteenth Century African American Newspapers (online database), “War with Mexico,” February 25, 1848, *The North Star*.

<sup>324</sup> Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery*, (New York: W.W. Norton & Company, 2011), 53.

<sup>325</sup> May, “Invisible Men,” 473.

Mexico.<sup>326</sup> Henry's and Barbour's observations reveal that being in close proximity to Mexico or actually in Mexico helped these slaves' escapes. Unlike their counterparts in Louisiana and the Republic of Texas who had had to find their own way to the border, slaves who traveled to Mexico with their owners were actually led them to freedom, easing some parts of the often difficult and dangerous journey.

The escape of some slaves who belonged to member of the U.S. military did not hinder the war effort. Polk believed that the United States was going to win the war, and asked Congress for \$2 million to negotiate peace with Mexico; the money would be used to purchase territory.<sup>327</sup> Before Polk, Congress, and those anxious to move west could decide on what to do with this land, they had to determine how much of Mexico's land the United States would be able to take over. Some politicians along with many white Americans championed the idea of annexing all of Mexico to the United States, adopting a position known as the All-Mexico Movement. At an All-Mexico rally in New York, Sam Houston (former Republic of Texas president) declared that the entire continent was "a 'birth right of the United States,'" and the crowd agreed by chanting "annex it all!" in response.<sup>328</sup>

But, the U.S. government hesitated to incorporate southern Mexico into the United States because of the region's significant nonwhite population. In 1847, U.S. politicians began to "decide whether its [Mexico's] native population could be made fit to enter the Union."<sup>329</sup> The U.S. discussion about annexing all of Mexico may be one of the

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<sup>326</sup> May, "Invisible Men," 473.

<sup>327</sup> Greenberg, *A Wicked War*, 196.

<sup>328</sup> Greenberg, *A Wicked War*, 213.

<sup>329</sup> Frederick Merk and Lois Bannister Merk, *Manifest Destiny and Mission in American History*, (Cambridge, MA: Harvard University Press, 1963), 116.



first instances in U.S. history where ideas about racial inferiority deterred, rather than encouraged, the building of an empire. Annexation raised questions not only about whether the United States could successfully take over Mexico, but also about whether it was wise to do so. By the late 1840s, the United States had spent several decades attempting to rid itself of its free nonwhite population by adopting policies of Indian removal and pursuing wars of extermination to diminish its Native American population, and promoting colonization outside of the United States for its free black population. These concerns limited the United States' ambitions in Mexico. Instead of seeking to claim the entire country, the U.S. government chose to annex only areas of Mexico with a limited Mexican population in order to ensure that white settlers would feel comfortable and safe moving and living there.

The United States' war with Mexico ended on February 2, 1848, with the signing of the treaty of Guadalupe-Hidalgo. The terms of the treaty reflected the U.S. government's goals for a westward expansion that would not dramatically expand its nonwhite population. First, the Mexican government agreed to give up claims to Texas north of the Río Grande. In abandoning ownership to the disputed territory between the Río Nueces and the Río Grande, the Mexican government agreed that its military would not make further attempts to recover Texas on the basis of white American settlers living on Mexican soil without permission. Moreover, this treaty symbolized the end of a decade long battle between Texas and Mexico. Texas was no longer a Mexican state in rebellion, as the Mexican government often referred to the Republic, but now a U.S. state. The second component of the treaty was the cession of California and New Mexico territory to the United States. The United States paid Mexico \$15 million for California

and New Mexico, and absorbed \$3.25 million in claims Americans had filed against the Mexican government.

The Treaty of Guadalupe-Hidalgo resulted in different outcomes for the United States, Mexico, and African Americans. For the United States, the Treaty of Guadalupe-Hidalgo represented a fulfillment of manifest destiny. With the addition of California, New Mexico, and Oregon, the United States indeed extended from sea to shining sea. While extending its borders, the United States also proved to be a formidable opponent to the nations that crossed its path. For Mexico, the loss of one-third of its territory, also meant a loss of its population. The Mexicans that had once resided in California, New Mexico, and other parts of Mexico's northern frontier were now lived in the United States. For free African Americans in Texas who planned to move farther west to escape U.S. laws, the loss of Mexican territory ended these possibilities. Slaves in the U.S.-Mexico borderlands, however, continued to escape to Mexico for freedom, especially as slavery began expanding westward.

### Conclusion

White American control of Texas beginning in 1836 made life more difficult for both free African Americans living in the Republic. The Texas legislature used expulsion laws to remove or potentially enslave free blacks even before the Texas Revolution had ended. In order to maintain their freedom and continue living in Texas, free blacks had to file petitions with the Texas legislature. These petitions included signatures of prominent white members of the petitioner's community and praised free blacks for their property ownership, good character, and contributions to society. The Republic of Texas' petition process for African Americans illustrates that there was a

middle ground between slavery and real freedom for free African Americans living there. For blacks without sound finances, property ownership, and white protectors, they risked expulsion from the Republic and still faced racial discrimination even when they met these requirements. However, free African Americans continued to emigrate from the United States to Texas, doubling its free population of African descent by the late 1840s. This population increase indicates that, at least in the eyes of these immigrants, Texas offered free blacks opportunities not available to them in the United States.

The Republic of Texas was less auspicious for slaves. It welcomed the institution of slavery. As white Southern slaveholders immigrated to the region, the Republic's slave population increased. Texas slavery played a significant role in the new Republic's ability to form diplomatic relations and shaped the annexation process. While Great Britain was most interested in acquiring Texas in the early 1840s, its government required that the Republic abolish slavery. The Texas government ultimately chose the United States not only because its residents believed that joining the United States was a more natural fit based on shared culture and national origin, but also because slavery would continue.

Fugitive slaves shaped diplomatic policy in the U.S.-Mexico borderlands. Their movement across borders brought attention to Texas' lack of diplomatic relations with other nations. When Texas slaves escaped to Mexico, the Mexican government refused to return them because doing so would recognize Texas' independence. Moreover, there were no diplomatic officials from Texas in Mexico to help facilitate the return of slaveholders' property. The United States, however, maintained diplomatic ties to Mexico, and when fugitive slaves from Louisiana escaped, U.S. diplomatic officials

refused to allow suspected runaways to enter the country with proof of freedom. With the establishment of the Republic of Texas, fugitive slaves from Louisiana and Texas had to travel through Texas—where the journey was more dangerous and the chances of being captured increased—to reach freedom.

Runaway slaves from Texas did not only escape to Mexico. The Choctaw Nation in Indian Territory (present day Oklahoma) was also a destination. However, unlike the Mexican government, leaders of the Choctaw Nation did not welcome fugitive slaves or free African Americans. In October 1840, the Choctaw passed expulsion laws aimed at elimination its black population. These laws resembled, or were in some instances even harsher than, those that existed in the Republic of Texas. Expulsion laws in Texas and the Choctaw Nation illuminate that free blacks were generally not welcomed in this part of the West because its residents, who had once lived in the southern or northern United States still associated blackness with servitude. In this way, ideas about black inferiority spread throughout the West and shaped political policies in the region during the 1840s.

Texas annexation (1845) and the Mexican-American War (1846-1848) not only helped fulfill Manifest Destiny and expand the United States from “sea to shining sea,” they but also underscored that slavery and westward expansion were linked. For free African Americans living in Texas, the Republic’s annexation to the United States reinstated the laws they had hoped to escape through emigration. The Mexican-American War exemplified the expansionist sentiment in much of the United States. However, many northern politicians opposed the war, believing that slavery would extend to the land the United States would take if it won the war with Mexico. During the Mexican-American War, slaves used the chaos of war to escape to Mexico. Even after the United

States won the war in 1848 and claimed nearly one-third of Mexican territory as its own, slaves in Texas continued to escape to Mexico as Canada and the northern United States were too far away for successful escapes.

The next chapter of this dissertation discusses the experiences of fugitive slaves from Texas who escape to Mexico and free black thought about Mexico between 1848 and 1867. In examining fugitive slaves' escape to northeastern Mexico, the chapter will explore why the region attracted runaways and explain how the border town governments in Coahuila, Mexico responded to the presence of fugitive slaves there and discuss the slaveholders and slave hunters who pursued and attempted to retrieve Texas property in this area. In the 1850s, many free African Americans become hesitant about emigrating from the United States to Mexico because of the country's political instability; they wondered whether the country would be able to protect itself and them against a foreign invasion. By tracing the history of blacks in Mexico through to 1867, until two years after the Civil War, Chapter Four will explore the role of emancipation in influencing white and black Americans' consideration of Mexico as a place to settle.

## Chapter 4 – “A General Negro Stampede for Mexico:” Fugitive Slaves on the Texas-Mexico Border and Free Black Immigration to Mexico, 1848-1867<sup>330</sup>

### Introduction

In September 1850, a thirty-year-old slave named Gibson from Fayette County, Texas, just sixty-six miles southeast of present day Austin, Texas, escaped from his owner, C. H. Taylor. Four weeks after Gibson absconded, someone reported seeing him “riding a gray stallion with a rifle gun.” The only additional information Taylor had about Gibson’s whereabouts was that he believed that the fugitive “ha[d] gone to Mexico.” Several months later, Gibson still had not returned to the plantation. In January 1851, Taylor placed a runaway advertisement in the local newspaper, the *Texas Monument*. He offered a \$300 reward to anyone who caught Gibson “west of the Rio Grande” in Mexico, but only \$200 if they captured him in Texas and delivered him to Fayette County.<sup>331</sup> The higher price that Taylor was willing to pay anyone who captured his slave in Mexico reflected the difficulties that slave owners had in retrieving runaways who made it across the border into Mexico.

Gibson was one of an estimated 4,000 fugitive slaves, worth about \$3.2 million in the 1850s, who had escaped to Mexico by 1855.<sup>332</sup> In 1851, white Texans believed that 3,000 runaway slaves had reached Mexico.<sup>333</sup> Four years later, John “Rip” Ford, who had become a Texas Ranger Captain in 1849, reported that another thousand had escaped south. It is unclear which year Texans began recording slave escapes and how they determined the number of slaves who had escaped by 1855. However, the data we do

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<sup>330</sup> “Assistance to Runaway,” *Texas State Gazette*, July 23, 1854, Dolph Briscoe Center for American History, CAH Reel: February 24, 1844 – December 27, 1853, The University of Texas – Austin. Hereafter cited as CAH.

<sup>331</sup> “\$300 Reward,” *The Texas Monument*, January 29, 1851, CAH.

<sup>332</sup> Ronnie C. Tyler, “Fugitive Slaves in Mexico,” *The Journal of Negro History*, Vol. 57, no. 1, 6.

<sup>333</sup> Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865*, (Baton Rouge: Louisiana State University Press, 1987), 63.

have suggests that Texas slaves escaped to Mexico quit possible comparable to the northbound escapes of slaves in other states. Slaves who ran north left from many more states and had more destinations to choose from, so their overall number is higher than that of Texas fugitives, but not by much. Historians estimate that in the antebellum era between several hundred and 1,000 southern slaves escaped to the North per year in the antebellum era.<sup>334</sup>

Enslaved Texans like Gibson had to escape south. They knew that the northern United States and Canada were too far away for a successful escape and that Mexico was a safe haven to fugitive slaves. As the two different rewards C.H. Taylor offered in Gibson's runaway advertisement reveal, slave owners were likewise aware that once their fugitive slaves reached Mexico, they would be very difficult to recover.

As runaways escaped to Mexico during the 1850s and 1860s, the nation was undergoing significant political and social changes that would shape fugitive slaves' experiences there. In northeastern Mexico, there was opposition to the centralized rule of President Antonio López de Santa Anna in the mid-1850s resulted in the rise of a separatist movement led by Nuevo León governor Santiago Vidaurri. The separatists' grievances included complaints that the Mexican government did little to protect Mexican *fronterizos* (frontier residents) from both the Indian raids and bandits who plagued the region and the marauding Texas Rangers who encroached on their settlements.<sup>335</sup> These complaints also ensured that when fugitive slaves arrived in

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<sup>334</sup> James M. McPherson, *Battle Cry of Freedom: The Civil War Era*, (New York: Oxford University Press, 1988), 79.; "Historical Context for the Underground Railroad," *Exploring a Common Past: Researching and Interpreting the Underground Railroad*, National Park Service, [http://www.nps.gov/history/history/online\\_books/ugrr/exuggr2.htm](http://www.nps.gov/history/history/online_books/ugrr/exuggr2.htm).

<sup>335</sup> Juan Mora-Torres, *The Making of the Mexican Border*, (Austin, TX: University of Texas Press, 2001), 12-13.

Coahuila, Mexico communities near the U.S. border, local governments welcomed them. Generally men, the fugitives could be relied upon to help defend the Mexican towns in which they took refuge.

Meanwhile, peasant rebellions proliferated in southern Mexico during the 1850s, further diverting the Mexican government's attention from its northeastern frontier. In the Mexican state of Guerrero, peasants rebelled in order to create a federalist Mexico and overthrow President Santa Anna.<sup>336</sup> The peasants' rebellion ultimately ushered in a shift towards the broader inclusion of the Mexican masses in politics and agrarian reform and the expansion of Mexican liberalism to address working class economic concerns. But for runaway slaves, who generally took refuge in Mexico's isolated northeast, the country's period of national reform was significant primarily because it diverted the government's attention away from returning them to the United States—making flight there worthwhile.

Not surprisingly, Texas slaveholders appealed to local Mexican governments for help in recovering their runaways. But officials in northern Mexico were increasingly reliant on fugitive slaves for help in defending their region against Indian, bandits, and other threats, white Texans were not able to convince northern Mexico officials to return runaways. Instead, those who wished to retrieve their property, had to enter Mexico illegally and searched for their slaves on their own. All of these circumstances, help explain why Gibson's owner, C.H. Taylor, was willing to pay more money for anyone who caught Gibson in Mexico. Likewise, the country's political and social climates also

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<sup>336</sup> Peter F. Guardino, *Peasants, Politics, and the Formation of Mexico's National State: Guerrero, 1800-1857* (Palo Alto, CA: Stanford University Press, 1996), 180.



ensured that fugitive slaves from Texas would continue to have good reason to seek refuge in Mexico.

Free African Americans also continued to seek better lives in Mexico during the 1850s and 1860s. The nation attracted them because of its proximity to the United States, its significant nonwhite population, and the fact that they could become citizens while living there. However, the same political and social upheavals in Mexico that helped slave fugitives remain in the nation in the 1850s, made some free blacks increasingly skeptical about permanently settling in Mexico. After the nation's loss to the United States during the Mexican-American War, which resulted in Mexico ceding one-third of its territory to the United States as a part of the Treaty of Guadalupe-Hidalgo (1848), free blacks questioned Mexico's strength as a nation and wondered whether the Mexican government could protect them in case of a foreign invasion or if U.S. expansion extended farther into Mexico. Still, Mexico remained attractive to many free blacks in the northern United States, at least in part because of the passage of the Fugitive Slave Act (1850), which allowed for the recapture of fugitive slaves living in the North, compromising the region's long-held reputation as a safe haven for those escaping slavery.

Over time, however, the country's weakness as a nation and susceptibility to foreign invasion reshaped black Americans' romanticized ideas about Mexico. Prior to the American Civil War, northeastern Mexico was a safe haven for fugitive slaves from Texas, and Mexico was where free African Americans sought to improve their lives. But during the war, a northeastern Mexico governor would attempt to align his region with the Southern Confederacy. And in 1864, a French invasion installed a European

monarchy, Maximilian I, who also aligned himself with the confederacy by welcoming white southerners and former Confederates to immigrate to the nation after the American Civil War ended in 1865. During these years, Mexico's rulers seemed to believe that pro-slavery white Americans would be beneficial to Mexico's economy, and even though it might compromise African Americans' freedom in Mexico. This chapter explores the black American experience in Mexico between 1848 and 1867 and examines the political and social changes in Mexico and the ways that they shaped free and formerly enslaved African Americans' perception of the nation.

#### Walking South: Runaways' Journeys from Texas to Coahuila

In a 1937 Works Progress Administration (WPA) interview, a ninety-two-year-old former slave named Felix Haywood recalled the ways that Texas slaves on his plantation learned that Mexico was a safe haven:

Sometimes someone would come 'long [sic] and try to get us to run up North and be free. We used to laugh at that. There wasn't no reason to *run* up North. All we had to do was to *walk*, but walk *South*. and [sic] we'd be free as soon as we crossed the Rio Grande. In Mexico, you could be free. They didn't care if you was black, white, yellow or blue. Hundreds of slaves did go to Mexico and got on all right.<sup>337</sup>

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<sup>337</sup> George P. Rawick, ed., *The American Slave – Texas Narratives*, Vol. 4, Part 1, (Westport, CT: Greenwood Press, 1972), 132.; Emphasis in the original narrative.; WPA narratives can sometimes be controversial sources. Issues such as how people remember the past and race relations in the 1930s, (Whites usually interviewed blacks, and in some instances blacks did not feel comfortable enough to be as candid or completely truthful about the hardships of slavery.) when the interviews began, can affect the authenticity of the narrative.

His account reveals that slaves often traveled to places where other runaway slaves' had settled.<sup>338</sup> The idea of a slave who was able to escape and live freely in Mexico, inspired other slaves and contradicted the tales that they may have heard from pro-slavery whites and slaveholders about a difficult life in Mexico that awaited them if they chose to escape.<sup>339</sup> Haywood's knowledge documents the existence of an informal communication network that spread information about options for freedom to Texas plantations. Clearly, this same network supplied slaves with information about what life would be like in Mexico. African American slaves likely received this information from *Tejanos* (Mexicans living in Texas), who may have told them that race was not as important in Mexico as it was in the United States. Another way slaves likely learned about Mexico as a place where they could be free was through their recognition that Texas' relationship with Mexico had deteriorated over opposition to slavery in Mexico and westward expansion beginning in the 1830s.<sup>340</sup> They seemed to have been aware of the antagonistic relations between the two governments, which they may have likened to the negative relationship between the northern and southern United States.

Haywood was one of thousands of slaves in Texas after it gained its U.S. statehood in 1845. After the Mexican-American War ended in 1848, Texas' slave

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<sup>338</sup> James Oliver Horton, *Free People of Color: Inside the African American Community*, (Washington, DC: Smithsonian, 1993), 29.

<sup>339</sup> Slaveholders often used scare tactics such as these to discourage slaves from escaping to Canada or, in this case, Mexico. For example, in Lewis Garrard Clarke's 1845 narrative, he discussed how he was afraid to go to Canada because of "all the horrid stories slaveholders tell about Canada." Slaveholders told him, "Sometimes they skin the head, and wear the wool on their coat collars—put them into the lead mines, with both eyes out—the young slaves they eat; and as for the red coats, they are sure death to the slave." The negative stories slaveholders told about the North and Canada were simply scare tactics. See Lewis Garrard Clarke, *Narrative of the Sufferings of Lewis Clarke, During a Captivity of More than Twenty-Five Years, Among the Algerines of Kentucky, One of the So Called Christian States of North America* (1845).

<sup>340</sup> Sean Kelley, "'Mexico in His Head': Slavery and the Texas-Mexico Border, 1810-1860," *Journal of Social History* 37.3 (2004), 710.

population grew rapidly. Nearly ninety percent of new migrants to Texas were from southern states, migrating there from Georgia and as far away as Virginia. Many of them were slaveholders and added to the state's existing slave population when their slaves accompanied them.<sup>341</sup> By 1850, Texas had nearly 7,500 slaveholders and 48,287 slaves worth \$17,492,500.<sup>342</sup>

In addition to southerners, Texas' population also included European immigrants. Some Europeans in Texas, such as the Dutchman who spotted Gibson, were not anti-slavery. Emigrants from Germany who arrived to Texas in the 1840s also became slaveholders. Joseph Count of Boos-Waldeck was one such example. After sailing to the United States from Germany, he arrived to New York City in July 1842 and then traveled farther south to the Republic of Texas. Sent by The Society for the Protection of German Emigrants of Texas, the Count of Boos-Waldeck was to purchase land that would accommodate a new colony of German immigrant families in Texas. During his trip, he encountered Morgan Smith, a man praising slavery and its profits. This chance introduction along with the Count's existing interest in slavery encouraged him to add slaveowning to the Society's colonization plan.<sup>343</sup> Although slaveholders' origins widely varied in Texas, in many ways slavery in the state functioned much like slavery in the southern United States.

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<sup>341</sup> William Dean Carrigan, "Slavery on the Frontier: The Peculiar Institution in Central Texas," *Slavery & Abolition*, Vol. 20, 2, 65.

<sup>342</sup> Abigail Curlee, "A Study of Texas Slave Plantations, 1822-1865," (Ph.D. diss., University of Texas – Austin, 1932), 23.

<sup>343</sup> James C. Kearney, *Nassau Plantation: The Evolution of a Texas-German Slave Plantation*, (Denton, TX: University of North Texas Press, 2010), 13, 26-27.

Like slaves in the U.S. South, enslaved blacks in Texas typically worked on plantations doing agricultural work and domestic chores.<sup>344</sup> A number of them also worked as artisans, such as blacksmiths, carpenters, and brick masons in cities such as Galveston and Houston.<sup>345</sup> One unique aspect of Texas slavery was that some slaves in southeastern Texas worked as cowboys on ranches. Some slaveholders in this region, however, were uneasy about employing slaves as herders and cowboys because they believed that ““freedom in Mexico was too tempting to men with horses.””<sup>346</sup> Although riding a horse to Mexico shortened the length of a slave fugitive’s journey, a slave still had to carefully plan other aspects of his or her escape.

Fugitive slaves’ successful escapes from Texas into Mexico during the 1850s and 1860s hinged upon a number of factors. They had to avoid getting lost, running out of food or water, and encountering people who wanted to return them to slavery, all of which were common runaway experiences. Indeed, Gibson, the previously mentioned runaway slaves who escaped from C.H. Taylor in the 1850s encountered each of these challenges. He got lost on the way to Mexico and “nearly starved” before encountering a Dutchman who turned him over to an American who took him to a San Antonio jail. Gibson, however, nonetheless, made it to Mexico. He managed to escape from the jail, acquire another horse and gun, and continue his travels.<sup>347</sup>

Gibson’s experiences highlight the challenges faced by any slave who wished to escape. Once deciding to escape, slaves had to then determine where they wanted to go.

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<sup>344</sup> At this time, Texas is a part of the U.S. frontier. Comanche raids, the presence of Mexicans, and slave escape to Mexico as opposed to the northern United States or Canada, are factors that contribute to this status as they are not a part of typical experiences in the southern United States in the 1850s and 1860s.

<sup>345</sup> See Campbell, *An Empire for Slavery*, 125.

<sup>346</sup> Campbell, *An Empire for Slavery*, 124.

<sup>347</sup> “\$300 Reward,” *The Texas Monument*, January 29, 1851, CAH.

The most important decision was how to obtain information about escape routes and destinations from a respected source. Slaves collected information from a range of sources, such as other slaves, free blacks and whites nearby, and even from slaveholders. But of course, not all of the information they received was reliable, so they also had to try to discern who was a reputable and trustworthy source and who was not.

After deciding where to go and getting directions (as best they could), slaves had to plan when and where to get food. For slaves who had never traveled away from their plantations, or even for those who had, it was difficult to plan where one might stop at a river for water or encounter a friendly stranger who might give him or her food or directions. Slaves' limited geographical knowledge skewed their ideas about distance. As former fugitive slave Frederick Douglass argued, "The real distance was great enough, but the imagined distance was, to our ignorance, much greater."<sup>348</sup> Sometimes, runaway slaves even had to return to their plantations because they were hungry and unable to find food or could not find their way to freedom.<sup>349</sup> In addition, slaves had to plan when to escape—the day of the week and the season. If a slave escaped on a Saturday night and lived on a plantation that did not require work on Sunday, over twenty-four hours would pass before an overseer or slaveholder discovered him missing on Monday morning. For most slaves, planning in which month to escape was important because they had to consider climate, such as extreme cold during the winter, which could be an added danger to the already difficult journey.

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<sup>348</sup> Gara, *The Liberty Line*, 36.

<sup>349</sup> David W. Blight, *A Slave No More: Two Men Who Escaped to Freedom Including Their Own Narratives of Emancipation* (New York: Harcourt, Inc., 2007), 62.

Fugitive slaves were usually males under the age of thirty because they did not have family obligations, such as child rearing, which often discouraged slave women from permanently leaving the plantation.<sup>350</sup> Julius is one example of the typical fugitive slave. On July 16, 1853, twenty-three-year-old Julius escaped from Columbia, Texas, about fifty-five miles southwest of Houston, with a double-barreled shotgun. His owner, Henry Dance, believed that Julius “may try to get to Mexico” and offered “\$25 if he is taken east of the Guadalupe [River]; \$50 if taken west; \$100 if taken on the Rio Grande, and delivered to the San Antonio jail.” He also suspected that a “vagabond white man” had helped him escape because he had spotted them speaking on at least one occasion before Julius absconded from the plantation.<sup>351</sup> Dance accused a white man of helping his slave escape because he did not believe that a slave could make that decision without assistance or someone else’s influence. Additionally, slaveholders were generally suspicious of white males sympathetic to slavery, free blacks, and Mexicans—who could and often did give slaves valuable information, such as directions, that would help them escape. While he may have received assistance from the white male visitor mentioned in his advertisement, Julius planned his escape. He, like Gibson, anticipated danger during his journey and carried a weapon.

Gibson and Julius had access to guns because the region had a long history of arming slaves. In eighteenth-century frontier society, slaveholders often permitted slaves to use guns to hunt animals for food, help defend towns against Indians, and sometimes

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<sup>350</sup> Female slaves were often truants, slaves who left the plantation temporarily. For more about truancy, see Deborah Gray White’s *Ar’n’t I a Woman?: Female Slaves in the Plantation South* (1985) and Stephanie M. Camp’s *Closer to Freedom: Enslaved Women and Everyday Resistance in the Plantation South* (2004).

<sup>351</sup> “One Hundred Dollar Reward,” September 15, 1853, *The San Antonio Ledger*, Early American Historical Newspapers.

even help their owners track down runaway slaves.<sup>352</sup> Fears about slave rebellions, especially Nat Turner's in 1831, inspired Texas to become one of many U.S. states that prohibited free and enslaved African Americans from carrying firearms, however Texas residents often ignored such laws. Unlike southern states, Texas remained a frontier society and the people who lived in on the American frontier regularly armed themselves. Slave fugitives were no exception. Indeed, they needed guns in order to survive the treacherous territory between Texas and Mexico.

To reach Coahuila, fugitives had to travel through the Nueces Strip, a dangerous area of land adjacent to the U.S.-Mexico border. Many of the residents of this area, located between the Rio Nueces and the Rio Grande, were part of society's outcasts. Prostitutes, bounty hunters in search of fugitive slaves, mercenaries, and army deserters were among those who lived in this region. Even those who were not from Texas and traveled in this region, quickly learned of its dangers. In 1850, U.S. Boundary Commissioner John Russell Bartlett, originally from Providence, Rhode Island, traveled to the Nueces Strip to survey land as a part of the Treaty of Guadalupe-Hidalgo (1848). Bartlett observed that "Murders were common" and that "it had been too often the case that the guilty escaped justice."<sup>353</sup> Likewise, Captain Abner Doubleday, a veteran of the Mexican-American War, who traveled to Texas border town Eagle Pass in 1854, described the region as a place without laws except "that of the Bowie knife and pistol."<sup>354</sup> If fugitive slaves who fled to Mexico encountered anyone near or in the

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<sup>352</sup> Daniel H. Usner, *Indians, Settlers, and Slaves in a Frontier Exchange Economy: The Lower Mississippi River Valley Before 1783*, (Chapel Hill, NC: University of North Carolina Press, 1992), 85, 140, 164.

<sup>353</sup> Michael L. Collins, *Texas Devils: Rangers and Regulars on the Lower Rio Grande, 1846-1861* (Norman, OK: University of Oklahoma Press, 2008), 54.

<sup>354</sup> Collins, *Texas Devils*, 55.



Nueces Strip, they could not depend on their new acquaintances to be sympathetic to their plight.

In addition to the range of potentially threatening characters who they might encounter while escaping, fugitive slaves also had to contend with the climate and Texas' landscape. Connecticut-born journalist Frederick Olmsted traveled through Texas to explore the southern United States in the early 1850s. The closer he arrived to the Rio Grande, "the more dreary, desolate, dry, and barren became the scene," he observed.<sup>355</sup> Aside from the typical dangers runaways faced when escaping, Texas' geography shaped a fugitive slave's journey to Mexico. Slaves in the Upper and Lower South often traveled through heavily wooded areas not only to camouflage themselves from slave hunters, but also to seek shelter during the day. Texas, by contrast, provided few forests where runaways could take shelter from the hot Texas sun and hide from those trying to capture them and return them to slavery. Instead, fugitive slaves who traversed Texas faced an arid landscape with few hiding places and very limited access to water. In the U.S. South, runaways used lakes and rivers to bathe and obtain water. They also sometimes traveled through bodies of water to remove much of their scent, which would confuse the dogs that slave hunters used when tracking slaves who had absconded from their plantations. Such camouflage was not available in Texas.

However, runaways who escaped across the U.S.-Mexico border sometimes received unintentional assistance from their owners. In a WPA interview, former Texas slave Ben Kinchlow notes that plantation owners who used slaves to send their cotton to the border, where it would be shipped to other parts of Mexico. These trips guided slaves

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<sup>355</sup> Olmsted, *A Journey Through Texas*, 314.

to the border, and once they arrived there, Kinchlow explained, they sometimes met Mexicans who persuaded them “to go across the border...[and] never return to their master[s].”<sup>356</sup>

Most Texas slaves, however, were not fortunate enough to escape to Mexico by wagon. Instead they often had to travel hundreds of miles through Texas to be free. Sixty miles north of Austin, Texas, twenty-nine-year-old John escaped from Belton, Texas, in June 1858. John was “of ordinary mulatto color” and could read. He had also traveled outside of his plantation on at least two occasions, including to San Saba, Texas, about eighty-five miles west of Belton earlier that year. His owner maintained that John would “aim for Mexico by way of Austin and San Antonio.”<sup>357</sup> John’s trips outside of the plantation allowed him to gain first-hand knowledge about his surroundings, which helped him during the early stages of his escape.

In addition to gathering information and directions, slaves also had to prepare stories to explain why he or she was not on a plantation to anyone who they encountered during their journeys. Brad was a fifteen-year-old runaway from Clarksville, Texas, near Texas’ northeastern border with Indian Territory (present-day Oklahoma). He escaped in October 1858 and lived in Washington County, Texas, near Houston, until April 1859. Brad was able to remain in Washington County for months because he made up a story about his owner allowing him to hire out his time. He even had forged two passes to add credibility to his lie and allowed him to travel throughout Texas. His owner maintained that because Brad’s mother was enslaved in Independence, Texas, Brad “would be apt to

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<sup>356</sup> Rawick, ed., *The American Slave – Texas Narratives*, Vol. 4, Part 1, 265.

<sup>357</sup> “\$100 Reward,” June 19, 1858, *State Gazette*, Early American Historical Newspapers.

stop [there] a few days [and] will then aim to make his way to Mexico.”<sup>358</sup> If he chose to visit his mother, doing so would be risky. Slave hunters often pursued “runaways in the areas where they were well acquainted or had relatives, former masters, friends, or something else that would attract them.”<sup>359</sup> Residents of Independence and of nearby towns would be alerted of his possible arrival.

Texas fugitive slaves’ journeys to freedom were several hundred miles long and included a number of dangers. Brad traveled over 550 miles from northern Texas to Mexico. Fugitive slaves like Brad and John who escaped from northern Texas had to traverse through the state, avoid slave hunters and slavery sympathizers, and manage the state’s terrain.

Over time, runaway slaves were able to remain in Coahuila because of the Mexican government’s refusal to return them. After Texas’ annexation to the United States in 1845, for example, Texas slaveholders tried to enlist the U.S. government to help them recover their slaves, without much lasting effect. Washington Miller, Sam Houston’s secretary, wrote to President James Polk in 1847, requesting that he secure an agreement with Mexico providing for the return of fugitive slaves to Texas. But Polk’s attempt to negotiate this matter with the Mexican government were unsuccessful. Two years later, the Texas legislature took up the issue by asking the U.S. government to implore the Mexican government to return fugitive slaves. Mexican Minister to Washington, Luis de la Rosa, discussed the matter with U.S. officials, but Rosa ultimately determined that “no foreign government would be allowed to touch a slave

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<sup>358</sup> “Runaway,” July 23, 1859, *State Gazette*, Early American Historical Newspapers.

<sup>359</sup> Larry Gara, *The Liberty Line: The Legend of the Underground Railroad*, (Lexington, KY: University of Kentucky Press, 1961), 28.

who had sought refuge in Mexico.” This decision closed official channels to slave recovery, but slaveholders did continue to illegally enter Mexico to retrieve their property.<sup>360</sup>

Slaves were also able to evade capture because Coahuila government officials protected them. Even when white Americans used legal channels, such as applying for permission to enter Mexico, their efforts often did not yield the desired outcome. In June 1851, Manuel Flores, Guerrero’s city council leader, denied passport requests from white Americans because he believed that they wanted to surprise and capture “some slaves who live in this town.” Moreover, this example reveals that a member of the local government in a Coahuila border town actively protected fugitive slaves that he knew were living there. When writing to the *Secretaría del Gobierno* (Secretary of the Government) in June 1851, however, Flores suggested that runaway slaves who had asylum in Coahuila travel farther south into Mexico to avoid recapture on the border. In this letter, Flores not only alludes to slaveholders’ and slave hunters’ unrelenting attempts to recover fugitive slaves, but also hints at the limited protection that he and his colleagues can ultimately offer to runaway slaves.<sup>361</sup>

In 1851, just a few short months after Flores expressed his concerns about more Texas slaveholders attempting to enter Guerrero to retrieve runaway slaves, Tom Cronfor arrived there. Cronfor was a Texas slaveholder in 1851. When two of his slaves escaped to Mexico, he entered the nation through Piedras Negras, a Coahuila border town just across the Rio Grande from Eagle Pass, Texas, to recover them. Cronfor was among many slaveholders and Texas Rangers who believed that this town was where most

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<sup>360</sup> Ronnie C. Tyler, “Fugitive Slaves in Mexico,” 4.

<sup>361</sup> Archivo General del Estado Coahuila, FSXIX, C6, F6, E3, 2F, June 27, 1851. Hereafter cited as AGECE.

fugitives entered Mexico. Piedras Negras' authorities issued him a document that gave him permission to search for his property. Unable to locate his slaves, Cronfor left for Guerrero, a town about thirty miles east of Piedras Negras, to continue pursuing them. In Guerrero, he ended up in jail because he was unable to show Manuel Flores, a city council leader in the town, a passport. As a result, Flores ordered his return to the United States immediately. Cronfor's experiences reveal the layers of protection that fugitive slaves in some Coahuila border towns had from Texas slaveholders. The fact that slaveholders had to acquire legal permission to enter different towns potentially made retrieving runaway slaves a long, and sometimes unsuccessful, process and extended a fugitive slave's time in Mexico. In addition, slaveholders faced punishment if members of local Mexican governments discovered that they did not have a passport, but Coahuila governments allowed slave fugitives without legal permission to be in Mexico to continue residing in the region.

Local mayors in northeastern Mexico, however, often protected runaways by overlooking their undocumented status. Technically, all male foreigners in Mexico had to apply for a *carta de seguridad* (letter of security) or visa and runaway slaves were no exception (Female foreigners did not have to apply for visas.). Without this documentation, male fugitive slaves could not remain in the country for longer than thirty days and as a result, could face detainment and large fines.<sup>362</sup> Slaves, of course, could not get any aid from the United States in securing this documentation. When recording the number of foreigners in Nadadores, Coahuila, a town over 160 miles south of Piedras Negras, Mayor Miguel Castro found that three fugitive slaves lived in the town. In

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<sup>362</sup> Sarah Cornell, "Citizens of Nowhere: Fugitive Slaves and Free African Americans in Mexico, 1833-1857," *Journal of American History*, September 2013, 368.

writing to the Mexican Secretary of State in 1853, he wondered whether he should report them as foreigners to finish the report.<sup>363</sup> Castro's reluctance to immediately list these individuals in the city's record as fugitives from the United States reflected his understanding of his country's commitment to upholding the ideals of Mexican liberalism, which opposed chattel slavery.

Besides depending on local government officials in Coahuila to overlook their undocumented status, fugitive slaves also relied on local frontier residents (*fronterizos*) to avoid recapture. *Fronterizos* could return slaves to Texas for the reward money that slaveholders listed in runaway advertisements, but they rarely did so. In 1855, Texas slaveholders attempted to appeal to local Mexicans whose debt peons had escaped to Texas by offering to exchange peons for slaves. An agreement such as this one, they surmised, would "give us back our runaways."<sup>364</sup> Their efforts were not successful.

Runaway slaves also used the violence in the borderlands to their advantage when eluding Texas slaveholders who entered Mexico without permission. In 1851, James Bartlett pursued one of his brother's slaves who had absconded from Caney, Texas, about thirty miles north of present-day Houston. He successfully captured the runaway in a Mexican border town. But before Bartlett could return with the slave to the United States, a Mexican man shot him "through the head." The slave remained in Mexico, while the man took Bartlett's horse and pistol.<sup>365</sup> Bartlett's death was one of many on the border. In

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<sup>363</sup> Miguel Castro to Secretaría del Gobierno, 12 January 1853, AGEC, FSXIX, C1, F2, E6, 2F.

<sup>364</sup> "Mexicans and Fugitive Slaves," *Texas State Times*, September 8, 1855, CAH.; Although Mexico had abolished slavery in 1829, debt peonage continued. While debt peonage mirrored slavery in many ways, as white American slaveholders proved when using the system to circumvent the abolition of slavery in Mexican Texas in the 1820s and early 1830s, it was not relegated to one race nor was it an inherited condition.

<sup>365</sup> "ANOTHER MURDER—CAPTURE OF RUNAWAYS NEGROES—OLD OFFENDERS CAUGHT AND PUNISHED," *Galveston Weekly News*, May 6, 1851, CAH.

March 1851, Guerrero town council leader Manuel Flores reported that an American died while trying to take a slave back to Texas. This death was a part of what he described as a “luxury of violence” in the region.<sup>366</sup> Flores also complained to the Mexican Secretary of State about “American volunteers who tried to extract slaves from this frontier and maybe commit other crimes.”<sup>367</sup> These deaths illuminate the dangers of recovering fugitive slaves from Mexico, and why many slaves remained uncaptured. However, not all Texas slaveholders who entered Mexico illegally suffered the same fate as James Bartlett. In May 1851, Texas resident J.H. Brown traveled to Mexico and successfully recovered two “fugitive slaves who had been in Mexico for some time.”<sup>368</sup> Bartlett’s and Brown’s experiences when capturing slave fugitives reveals that the threat of re-enslavement was a real possibility for some runaways who lived close to the U.S.-Mexico border.

One reason local Mexican governments in Coahuila welcomed fugitive slaves was that they needed people to defend the region from Comanche Indian raids. Article eleven of the Treaty of Guadalupe-Hidalgo (1848), which ended the Mexican-American War, stated that the United States would police the border and stop Indian raiders from entering Mexico.<sup>369</sup> However, the United States government was unwilling to take on the expensive task of protecting the U.S.-Mexico boundary and stationed a limited number of troops there.<sup>370</sup> As a result, between 1849 and 1853, Comanche and Apache raids in Coahuila devastated the Mexican state. These raids resulted in 191 deaths, sixty-three

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<sup>366</sup> Manuel Flores to la Secretaría de Gobierno, 20 March 1851, Archivo General del Estado Coahuila, FSXIX, C3, F8, E8, 7F. Hereafter cited as AGECE.

<sup>367</sup> Manuel Flores to the Comandante al Rio Grande, 3 November 1851, AGECE, FSXIX, C10, F2, E4, 2F.

<sup>368</sup> “ANOTHER MURDER—CAPTURE OF RUNAWAYS NEGROES—OLD OFFENDERS CAUGHT AND PUNISHED,” *Galveston Weekly News*, May 6, 1851, CAH.

<sup>369</sup> Hammalein, *Comanche Empire*, 292.

<sup>370</sup> Hammalein, *Comanche Empire*, 301.

people captured, and stolen and damaged property. They also demonstrated that the Mexican government also could not effectively protect the region from Native American attacks.<sup>371</sup> The region remained unruly and dangerous, but the possibility of freedom in Coahuila and the Mexican state's proximity to the Texas border attracted runaway slaves.<sup>372</sup>

In response to the border violence and protection from local Mexicans and Coahuila governments that assisted runaway slaves in avoiding re-enslavement, slaveholders developed different strategies to stop fugitives before they crossed the U.S.-Mexico border. For example, they enlisted the help of soldiers stationed along Texas' southern border. The U.S. military established Fort Duncan on the Río Grande in 1849.<sup>373</sup> In November 1850, Army officials ordered Lieutenant Colonel Joseph Morris, who commanded the fort, to arrest any runaways he saw trying to cross into Mexico. However, southeastern Texas remained sparsely populated, and there were never enough U.S. troops stationed at the fort to effectively police the border.<sup>374</sup> As a result, Morris and local residents could not stop most slave fugitives before they reached Coahuila.

Internal conflicts within northeastern Mexico threatened runaway slaves' security in the region when residents of the Mexican region sought an alliance with white Texans. In 1851, a northern Mexican separatist group led by José María Carbajal sought to create an independent republic. Carbajal tried to encourage white Texans to align with him and

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<sup>371</sup> Fred Rippy, "The Indians of the Southwest in the Diplomacy of the United States and Mexico, 1848-1853," *The Hispanic American Historical Review*, Vol. 2 (Feb. 1919), 386.

<sup>372</sup> Ronnie C. Tyler, *Santiago Vidaurri and the Southern Confederacy*, (Austin, TX: Texas State Historical Association, 1973), 28.

<sup>373</sup> "FORT DUNCAN," *Handbook of Texas Online*, <http://www.tshaonline.org/handbook/online/articles/qbf17>, accessed January 22, 2014, published by the Texas State Historical Association.

<sup>374</sup> Ronnie C. Tyler, "Fugitive Slaves in Mexico," 4.



offered to return fugitive slaves to their owners and even pass a law in the new republic that would make slave escape from Texas to Mexico a felony.<sup>375</sup> Texas slaveholders could use northeastern Mexicans' dissatisfaction with the Mexican government to their advantage. Even without Carbajal's offer, if this secession did occur, slaveholders would be able to recover their slaves because Mexican laws would no longer protect them. Abolitionist and newspaper editor, Frederick Douglass warned his audience that if northeastern Mexico started its own republic, its goal would be annexation to the United States.<sup>376</sup> If annexation was successful, runaway slaves who had sought freedom in Coahuila would find that the region was no longer a safe haven. Douglass' newspaper article depicted northeastern Mexico as a place where fugitive slaves' freedom would not be secure. But, Carbajal's movement was not successful.

Consequently, the mid-1850s saw Texas slaves continuing to successfully escape to Mexico and their owners continuing to have little success in retrieving them. As a result, slaveholders once again moved away from individual efforts to recover slaves in Mexico and looked toward group efforts. In June 1855, Texas slaveholders complained in a *Texas State Gazette* about the U.S. government not intervening to help recover fugitive slaves in Mexico. "We have, while seeing our slaves pass the Rio Grande, stood by [as] passive and law-abiding spectators," they said, but the "frequency of this sacrifice" had become too heavy a burden for them. They planned to discuss the difficulties that they had in recovering their property at Texas' next legislative session later that year.<sup>377</sup>

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<sup>375</sup> Mulroy, *Freedom on the Border*, 69.; John Salmon Ford, ed. Stephen B. Oates, *Rip Ford's Texas*, (Austin, TX: University of Texas Press, 1963), 196.

<sup>376</sup> "Troubles on the Rio Grande," July 16, 1852, Frederick Douglass Paper, Rochester, New York, African American Newspapers Database.; Douglass' emphasis.; This movement's and province's name derives from a group of mountain ranges in Mexico.

<sup>377</sup> "The Re-Capture of Runaways," *Texas State Times*, June 2, 1855, CAH.

Their protests resulted in the commissioning of Texas Ranger troops to recover runaway slaves. A law enforcement agency created by Stephen Austin, the Rangers fought in the Texas Revolution and the Mexican-American War and protected the state against the Comanche and other hostile Indians. Anyone who obtained a commission from the Texas Government could form a group of Texas Rangers. Men who joined the group had to bring their own horses, pistols, saddles, and knives, but the state government provided them with rifles. Pay was twenty-five dollars per month. As Rangers, their primary job remained defending Texas from Indian raids, but after 1855, they also began to capture fugitive slaves near the U.S.-Mexico border at slaveholders' requests.<sup>378</sup> In August of that year, Bastrop, Texas slaveholders appointed John Salmon "Rip" Ford, a South Carolina-born Texas Ranger, to travel to Coahuila to negotiate the return of fugitive slaves with the Mexican state's governor. Ford, a trained physician, immigrated to Texas in June 1836, just a few months after the Texas Revolution. A prominent member of the Texas community and former representative in Texas' Congress, Ford had already become captain of a group of Texas Rangers in 1849, and Texas slaveholders relied on him to help them recover their property.<sup>379</sup>

A few weeks after the meeting in Bastrop, Texas, Ford heard that Captain James H. Callahan and his Texas Ranger Company had already entered Mexico to pursue Native Americans who had raided Texas. Like Ford, Bastrop slaveholders had asked Callahan to use military force to retrieve the fugitives from Mexico. In October 1855,

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<sup>378</sup> Frederick Law Olmsted, *A Journey Through Texas Or, A Saddle-trip on the Southwestern Frontier with a Statistical Appendix*, reprint (New York: Burt Franklin, 1969), 300-302.

<sup>379</sup> Ford, ed. Oates, *Rip Ford's Texas*, xviii-xxiv.; Seymour V. Connor, "FORD, JOHN SALMON [RIP]," *Handbook of Texas Online* <http://www.tshaonline.org/handbook/online/articles/ffo11>, accessed January 15, 2014. Published by the Texas State Historical Association.

Callahan and 111 troops arrived to Piedras Negras, a Mexican border town in Coahuila, intent on doing so. But the town's residents rebuffed Callahan and his troops by banding together to fight this American "invasion of a friendly nation."<sup>380</sup> Outnumbered, Callahan and his troops set the town on fire and escaped to Texas while it burned. Juan Zuazua, a military leader in northeastern Mexico, denounced this event as "unjust violence on the frontier" and described Callahan's actions as "extraordinary violence."<sup>381</sup> The Callahan Expedition, as this incident would later become known as, marked a new use of extreme violence when attempting to recover fugitive slaves. This new tactic signaled that Texas slaveholders were intent on retrieving fugitive slaves even if doing so meant destroying towns they suspected harbored runaways.

Still, throughout the 1850s, Texas runaways in Mexico utilized a number of ways to avoid capture: violence on the border, local Mexican officials who opposed slavery, and passport laws. The expansion of Texas Rangers' job description to include slave catcher reveal that even after Texas' annexation to the United States in 1845, residents used local resources to solve their problems. While individual efforts were sometimes successful, Texas Rangers' plans to recover slaves oftentimes still did not yield the desired results. For these reasons, fugitive slaves continued to escape to Mexico in hopes of finding a better life there. By in large they did find freedom in Mexican territory, but Indian raids and poverty often immiserated fugitive slaves' lives in Coahuila.

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<sup>380</sup> Tyler, "Fugitive Slaves in Mexico," 8-9.; John Salmon Ford, ed. Stephen B. Oates, *Rip Ford's Texas*, (Austin, TX: University of Texas Press, 1963), 215-216.; Archivo Histórico Secretaría de la Relaciones Exteriores, Violación del territorio mexicano por norteamericanos, 29-15-46, October 26, 1855, 50-51. Hereafter Archivo Histórico Secretaría de la Relaciones Exteriores cited as AHSRE.

<sup>381</sup> AHSRE, Violación del territorio mexicano por norteamericanos, 29-15-46, October 11, 1855, 60.

### Life in Coahuila, Mexico for Fugitive Slaves

Shortly after arriving to Piedras Negras, Mexico in 1856, American journalist Frederick Olmsted encountered a black American man who had been a slave in the United States. Born in Virginia, a slave trader brought him farther south and sold him to a man living in Texas. He had run away from his owner “four or five years ago.”<sup>382</sup> While the man missed Virginia, he vowed that he would only return if he could be free there. In Coahuila border town Piedras Negras, the former slave was able to work as a mechanic and could earn a dollar per day. While living there, he had learned Spanish and could speak the language fluently. He also traveled extensively throughout the country for business or as a servant or muleteer (mule driver). He had even joined the Catholic Church, while other runaways “connected themselves by marriage, with rich old Spanish families.”<sup>383</sup> As his experiences reveal, fugitive slaves could carve out lives for themselves in Mexico if they were willing to integrate themselves into the society by learning Spanish, becoming Catholic, and marrying into Mexican or Spanish families. However, successful assimilation took months or even years.

According to Olmsted, “runaways were *constantly* arriving” to Piedras Negras. In fact, “two had got over [the Rio Grande]” the night before he arrived to town.<sup>384</sup> The Virginia-born former slave who Olmsted spoke to had heard that forty fugitive slaves had escaped to the town in the past three months. Most of them, he told Olmsted, either brought money with them or stole something of value from their owners that they could sell. When talking about fugitive slaves who had recently arrived to Piedras Negras, the

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<sup>382</sup> Olmsted, *A Journey Through Texas*, 324.

<sup>383</sup> Olmsted, *A Journey Through Texas*, 324-325.

<sup>384</sup> Olmsted, *A Journey Through Texas*, 324. Olmsted’s original emphasis.

former slave said that most of them quickly squandered the money that they had brought with them because “they had never been used to taking care of themselves, and when they first got here they were so excited with being free” that “in a short time they had nothing to live upon.” In addition to problems with managing their money, runaways who did not know Spanish could not find work and were often poor and miserable. But once they learned Spanish, “which did not generally take them long,” they were able to find employment. The former slave admitted that wages were low, but noted that the cost of living was also low and that if men of color were hard working and saved their money, they could live comfortably.<sup>385</sup>

Seemingly disputing the former Virginia slave’s observations and experiences, Olmsted reported that runaways who “remain near the frontier” did not do well, but those who moved farther into the interior fared better. In mentioning runaways “near the frontier,” Olmstead was likely referencing the Mascogos, a group of free blacks, runaway slaves, and black Seminoles who immigrated to Coahuila in June 1850 and formed their own maroon colony. Olmsted described them as “a gang of runaways, who [were] not generally able to speak Spanish.” He heard that they lived in a more “destitute and wretched condition than any others.”<sup>386</sup> But, Olmstead may have been wrong in thinking that fugitives could improve their lot by living farther south. While life on the U.S.-Mexico borderlands was difficult for many of its residents, traveling in Mexico during the 1850s was still more so. By the 1860s, even the area surrounding Mexico City was not safe because of a large number of bandits who raided areas throughout the nation.<sup>387</sup>

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<sup>385</sup> Olmsted, *A Journey Through Texas*, 324-325.

<sup>386</sup> Olmsted, *A Journey Through Texas*, 326.

<sup>387</sup> Scholes, *Mexican Politics During the Juárez Regime*, 73.

Because of these perilous conditions, many fugitive slaves often could not move farther south into Mexico.

### Upheaval in Mexico

In the 1850s, political instability and peasant rebellions characterized the political and economic climates in southern Mexico. In 1853, Mexicans re-elected Antonio López de Santa Anna as president of Mexico for the eleventh time. In March 1854, a group of soldiers who opposed his presidency wrote the Plan of Ayutla, which called for more local autonomy and Santa Anna's removal as president. This movement led to a new period of reform within the nation and the creation of a more modern political system that expanded individual rights.<sup>388</sup> Members of the Mexican government designed the Constitution of 1857 to address calls for change in Mexico's political and social systems. Besides ratifying the abolition of slavery and declaring that all men were born free, the document also revamped the labor system by allowing employees to bargain for wages and ending debtors' prison. Modeled after the U.S. constitution, Mexico's 1857 was similar in many ways and offered all Mexican citizens, including African American immigrants who naturalized there individual rights, such as freedom of the press and protection against illegal search and seizure, not only to Mexicans, but also to African American citizens of Mexico.<sup>389</sup> These new reforms, however, did not effectively address the unrest in the nation's northeastern region.

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<sup>388</sup> Richard N. Sinkin, *The Mexican Reform, 1855-1876: A Study in Liberal Nation-Building*, (Austin, TX: University of Texas Press, 1979), 56, 75-76.

<sup>389</sup> Sinkin, *The Mexican Reform, 1855-1876*, 67-68.

Residents of northeastern believed that the Mexican government ignored their needs. One example of their dissatisfaction was the way that the government handled the Comanche and Apache Indian raids that had devastated the region since the late eighteenth century, making the area nearly uninhabitable. While members of the Mexican government had allowed white Americans to settle in Mexican Texas in hopes that they would provide a buffer between Native Americans and interior Mexico, the Mexican government offered no other assistance and intervention to local frontier residents as they sought to defend the nation's borders.<sup>390</sup> Instead, after President Santa Anna's removal in 1855, Santiago Vidaurri, governor of northeastern Mexican state Nuevo León, used the political turmoil that followed to distance northeastern Mexican states Nuevo León and later Coahuila and Tamaulipas from the rest of the nation by emphasizing the region's similarities to Texas.

Under Vidaurri, the region continued to be a safe haven for fugitive slaves. In 1856, he annexed Coahuila to Nuevo León, and the new state granted freedom to anyone who entered.<sup>391</sup> Texas slaveholders were unaware of Governor Vidaurri's policy towards runaway slaves and supported this rebellion. They believed that the governor would "ask for admission into the Union by annexation." Moreover, "a move of this sort would be an effectual safe-guard to slavery in Texas" because "there [w]ould be no egress for fugitive slaves."<sup>392</sup> National Mexican politics played a significant role in drawing Nuevo León-Coahuila close to Texas because its near neglect of its northeastern frontier allowed both local governments to consider an alliance with one another for economic reasons. White

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<sup>390</sup> Hämäläinen, *Comanche Empire*, 186-187.

<sup>391</sup> Tyler, *Santiago Vidaurri and the Southern Confederacy*, 29.

<sup>392</sup> *Texas State Times*, 4 August 1855, Center for American History, Austin, TX.

Texans wanted the region annexed to not only ensure the return of their slaves, but also likely to expand slavery to the region. Vidaurri looked to Texas for help in securing his power in the region.

The War of Reform in Mexico (1858-1861), which was fought over the Catholic Church's influence in the nation, soon threatened Vidaurri's power in Mexico's northeastern region. At the end of the war, the region would have to uphold national law and place national issues before regional ones. To maintain his regional power, Vidaurri maintained that Nuevo León-Coahuila shared more economic and political interests with Texas rather than the rest of Mexico and attempted to negotiate a treaty between the territory under his control and Texas. In 1859, Vidaurri wrote to Texas Governor Hardin R. Runnels about establishing a treaty and even offered to include an extradition clause to the document that would return fugitive slaves to Texas—something Texas slaveholders had wanted for decades.<sup>393</sup> Runnels was unable to accept this offer because the U.S. Constitution does not allow states to enter into independent treaties with foreign countries. Vidaurri's willingness to compromise fugitive slaves' freedom for political and economic gain shows that, for him, they were valuable assets in helping to defend Mexican border towns from Indian raids, but were expendable when attempting to improve relations between Texas and Nuevo León-Coahuila. His attempt to align with Texas suggests that northeastern Mexico was no longer the refuge that fugitive slaves had imagined. Free African Americans also began to reconsider the nation's reputation as a sanctuary for them.

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<sup>393</sup> Tyler, *Santiago Vidaurri and the Southern Confederacy*, 34.



### Free Black Immigration to Mexico

Although Mexico had offered citizenship to free African Americans since the 1820s, after the Mexican-American War (1848), there was a growing debate within the free black American community about whether or not Mexico would be a suitable long-term option for them. Martin Robison Delany, who was born free, was one black leader who still considered Mexico an excellent destination for free blacks who wished to leave the United States. During the 1840s, he criticized the American Colonization Society's plan to relocate African Americans to Liberia; Delany viewed African colonization plans as forms of forced exile. But by 1851, the passage of the Fugitive Slave Law (1850), which allowed slave hunters to capture runaway slaves living in the northern United States and return them to southern slavery had convinced him that black Americans should emigrate from the United States in order to improve their lives.<sup>394</sup> He began to look to Mexico as a place where free African Americans and fugitive slaves could have freedom without restrictions. When encouraging African Americans to move to Mexico and Central and South America despite the language barrier, Delaney called Spanish "the easiest of all foreign languages to learn."<sup>395</sup> In 1852, he assured blacks that they could find "the same liberty in Mexico, as in Canada."<sup>396</sup>

By contrast, Frederick Douglass, a former slave and abolitionist who coedited *The North Star* newspaper with Delany, opposed black immigration to Mexico, citing the government's inability to protect black Americans. In an 1851 article titled "The Fugitive

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<sup>394</sup> Martin R. Delany, *The Condition, Elevation, Emigration, and Destiny of the Colored People of the United States and Official Report of the Niger Valley Exploring Party*, introduction by Toyin Falola, (Amherst, NY: Humanity Books, 2004), 9-12.

<sup>395</sup> Delany, *The Condition, Elevation, Emigration, and Destiny of the Colored People of the United States*, 193fn.

<sup>396</sup> Delany, *The Condition, Elevation, Emigration, and Destiny of the Colored People of the United States*, 192.

Slave Law on the Mexican Frontiers,” Douglass reported that a sheriff from San Antonio, Texas, had recently arrived to Coahuila, Mexico, to arrest “some of Wild Cat’s negroes, who are claimed by sundry individuals in the Northern States.”<sup>397</sup> While in Coahuila, the sheriff arrested Goffer John, a black Seminole from Florida, who lived in a Coahuila maroon community made up of black Seminoles and black Americans also from Florida. Not only was John a free black man with papers documenting his status, Douglass reported, but also the Mexican government claimed him as a “*Mexican citizen* and a *Mexican soldier*.”<sup>398</sup> Goffer’s example proves that, in some cases, Mexican citizenship and free papers could not always protect immigrants of African descent in Mexico. In his article, Douglass argued that Mexican officials did not sufficiently police their side of the U.S.-Mexico border, which allowed U.S. law enforcement to illegally enter Mexico to return fugitive slaves to slavery. In reporting the shortcomings of black immigration to Mexico, Douglass provided a realistic picture of what life was like close to the U.S.-Mexico border.

In the early 1860s, the Mexican government’s instability reached an apex, vindicating Douglass’ concerns about Mexico as a site for black emigration. In July 1861, the Mexican Congress passed with President Benito Juárez’s support a bill to suspend payment of Mexico’s foreign debts for two years; doing so would generate revenue for the nation’s treasury. Spain, France, and England—the countries holding much of Mexico’s debt—did not approve of this bill. As a response, in October 1861, these

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<sup>397</sup> “The Fugitive Slave Law on the Mexican Frontiers,” December 11, 1851, Frederick Douglass Paper, Rochester, New York, African American Newspapers Database.; The Fugitive Slave Law (1850) only applied to the northern United States, not in Canada or Mexico.

<sup>398</sup> “The Fugitive Slave Law on the Mexican Frontiers,” December 11, 1851, Frederick Douglass Paper, Rochester, New York, African American Newspapers Database.; Douglass’ emphasis.

governments agreed to occupy Mexico's ports in order to collect debt repayment. Doing so violated the Monroe Doctrine (1823), which prohibited European intervention in the Americas.<sup>399</sup> But the United States did not offer Mexico any assistance in defending itself from this invasion because the Union military did not have troops to spare during the U.S. Civil War, which had begun earlier that year. Spain, France, and England invaded Mexico, but by the spring of 1863, the French had taken over the nation. In 1864, Napoleon III, the nephew of the legendary French military general, installed Austrian Habsburg prince Archduke Ferdinand Maximilian—or Maximilian I as he would later be known—as the Emperor of Mexico. Maximilian's appointment ousted the legitimate Mexican president Juárez and briefly restored a monarchy in the region.<sup>400</sup>

As emperor, one of Maximilian's first decrees encouraged more foreign immigration to the country. In September 1865, he allowed "immigration from all nations" into Mexico in order to remedy the "sparseness of the population" in Mexican territory. The nation's new immigration law allowed immigrants to receive a land title and imposed no property taxes on their land, which was available for free or at a minimal cost, for the first year. Immigrants could be naturalized as soon as they "established themselves as settlers." For both white and black Americans, the most important clause of this decree was about bringing laborers to Mexico. The immigration policy's sixth clause allowed immigrants to "bring laborers with them, or induce them to come in considerable numbers, of any race."<sup>401</sup> However, Maximilian made clear that any black

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<sup>399</sup> Scholes, *Mexican Politics During the Juárez Regime*, 75, 77.

<sup>400</sup> Will Fowler, *Santa Anna of Mexico*, (Omaha, NE: University of Nebraska Press, 2009), 318.

<sup>401</sup> AHSRE, *Leyes de Colonización de Maximilio*, 10-21-73, Enclosure No. 1: Decree, English translation, September 5, 1865.

laborers introduced into the nation would not become slaves because “all persons of color [were] free by the mere act of their touching Mexican territory.”<sup>402</sup>

But Maximilian also welcomed U.S. southerners, who would be more likely to immigrate with slaves, to Mexico. In the wake of the Civil War, which ended in April 1865, many white southerners were attracted to the nation because they believed that it might offer them a chance to avoid losing their slaves to emancipation by instead reintroducing some kind of slavery into Mexico. By early November 1865, there were new colonization offices in Virginia; South Carolina; North Carolina; Missouri; Texas; California; Mobile, Alabama; and New Orleans for southern whites who wanted to immigrate to Mexico. Matías Romero, the Mexican diplomatic official stationed in Washington, D.C., maintained that these offices were located in states where residents had the most “most malcontents against this [the U.S.] government” and would likely support a resurgence of slavery in Mexico, confirming his fears.<sup>403</sup> Former Confederate soldiers also immigrated to Mexico. At the end of September 1865, Mexican newspaper the *Mexico Times* reported that Maximilian authorized General Price, a Missouri-born former Confederate officer, to recruit 30,000 men from his former army to form a cavalry. In addition, the emperor offered “several kind favors,” such as peon labor and land grants, to the rebels because he wanted to create a force of “at least one hundred thousand” troops to face General Philip Sheridan, a former Union Army general stationed on the Rio Grande who opposed Maximilian’s position in Mexico.<sup>404</sup> The pending arrival

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<sup>402</sup> AHSRE, Leyes de Colonización de Maximilio, 10-21-73, Enclosure No. 2: Regulations, English translation, September 5, 1865.

<sup>403</sup> Matías Romero to William H. Seward, 4 November 1865, AHSRE, Leyes de Colonización de Maximilio, 10-21-73, English translation.

<sup>404</sup> AHSRE, Leyes de Colonización de Maximilio, 10-21-73, Enclosure No. 3 – From the Mexico Times, September 30, “General Price’s Exile.—His Employment as an Emigrant Land Commissioner,” English

of white U.S. southerners, and former Confederate soldiers suggests that in the months following the American Civil War, Mexico had become a refuge for white Americans at the expense of African Americans.

However, white southerners did not settle in Mexico in the mid-1860s the way Maximilian had planned. Mexican resistance to the emperor and U.S. opposition to the French's presence in the nation combined to halt U.S. slaveholders' plans to rebuild slavery in Mexico. In 1866, Napoleon III withdrew French troops, clearing the way for Juárez, Mexico's elected president to return to power. Shortly thereafter, the Juárez-supported Mexican Army defeated Maximilian and his loyalists in 1867. Maximilian surrendered against the Mexican Army at a battle at Querétaro in 1867. Upon the emperor's capture, Juárez sentenced Maximilian to death by firing squad; he died the following month.<sup>405</sup> Maximilian's death and the restoration of Juárez to the Mexican presidency re-established the nation as a sanctuary for African Americans—who would soon begin to want to escape racial hostility in Reconstruction America.

### Conclusion

For Texas slaves, the northern United States and Canada were too far away for a successful escape. Instead they ran away to Mexico for freedom. In the 1850s, as more and more slaves learned about the Mexican government's stance against slavery, and thousands of them had escaped there. Once in Coahuila, fugitive slaves became valuable assets. They helped defend the region from bandits and Indian raids. In exchange, local

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translation, September 30, 1865.; Paul Andrew Hutton, *Phil Sheridan and His Army*, (Norman, OK: University of Oklahoma Press, 2013), 21.

<sup>405</sup> Scholes, *Mexican Politics During the Juárez Regime, 1855-1872*, 116-117.

Mexican officials in Coahuila towns like Guerrero and Nadadores protected them by refusing to return them to their Texas owners.

In response to slave fugitives' protection, Texas slaveholders used a number of strategies, often illegal, to recover their property from northeastern Mexico. Individual slave owners and slave hunters entered the nation to capture slaves, but they often risked their safety and their lives to do so. To personally avoid these risks, Texans expanded the role of Texas Rangers and enlisted them to pursue runaway slaves. The use of Rangers, a state law enforcement agency, illustrates that slave escape from Texas into Mexico remained a local issue on both sides of the border: the U.S. government was unable to successfully negotiate for the extradition of slaves from Mexico to their U.S. owners and the central Mexican government did not have an active role in northeastern Mexico. As a result, Texas slaveholders appealed to local Coahuila governments where they suspected their runaways had traveled.

Local discontent over the Mexican government's lack of intervention in the U.S.-Mexico borderlands allowed Nuevo León Governor Santiago Vidaurri to take control of the region in 1855; he experienced relative autonomy. While Texans believed that northeastern Mexico's separation from the country would lead to its annexation to the United States and thereby facilitate the return of fugitive slaves from Mexico who had sought asylum there, Vidaurri initially allowed runaway slaves to seek refuge in Coahuila. However, when attempting to negotiate a treaty between Texas and Nuevo León-Coahuila, he offered to extradite slaves to help persuade Texas's governor to align with him. In doing so, Vidaurri revealed that while he valued fugitive slaves' assistance in defending the region from Indian raids, he did not believe that their contributions

outweighed the economic benefits of an alliance with Texas. Vidaurri's actions and political instability in Mexico, however, made some free black Americans hesitant to immigrate to Mexico in the 1850s.

The instability that characterized Mexican politics after the Mexican-American War and growing fears of foreign intervention, convinced free black Americans like Frederick Douglass that the nation would not be able to protect them. However, after the passage of the Fugitive Slave Act (1850), which made finding freedom in the North more difficult, Martin Delany began to promote Mexico as a suitable alternative to Canada for free African Americans. Douglass' concerns became reality when the French invaded Mexico during the American Civil War and ushered in a new government. Appointed by Napoleon III in 1865, Maximilian I ruled the nation as emperor and encouraged foreign immigration, including former Confederate soldiers and pro-slavery U.S. southerners who were eager to emigrate from the United States after the U.S. Civil War ended. Although Maximilian did not re-instate slavery in Mexico, a contract labor decree that he passed permitted slaveholding immigrants from the United States to come to Mexico and more or less re-establish slavery there, nearly forty years after its abolition. These changes under Maximilian in 1865 would have ultimately compromised African Americans' freedom and force them to consider other nations as safe havens. However, Mexican resistance to Maximilian's presence derailed his plans. Under attack from the Mexican Army, Maximilian surrendered in May 1867. Juárez, the elected Mexican president, who had been restored to power, ordered that Maximilian die by firing squad and he was executed a month later. The emperor's removal not only restored republicanism to the nation, but also recast Mexico as a suitable place for black

Americans who wanted to emigrate from the broken promises of equality and increasing racial violence against them in Reconstruction and post-Reconstruction America.



## Conclusion

On January 19, 1895, the *Age Herald*, a Birmingham, Alabama newspaper, published an article that encouraged African Americans in Alabama to immigrate to Mexico. A Mexican colonization company was looking for 100 black families to settle in Durango, Mexico, a state southwest of Coahuila, because the nation “need[ed] labor badly, and prefer[ed] the colored people to the Chinese and Italians.” Families would raise cotton or corn on half acres of land and receive a house and five additional acres for “gardening and maintaining the family.” To persuade those worried about the cost of immigrating, the advertisement noted that “railroad fare would be advanced, together with clothing, provisions, medicines, and all necessities until after the cropping year.” Using profits from the sale of their crops, the families would repay the company.<sup>406</sup>

To further convince Alabama African Americans, who were likely unfamiliar with life in Mexico, to immigrate there, the advertisement explained the ways in which their lives would improve if they emigrated. Mexico was “a land of glorious gifts,” the circular claimed and land could be purchased in Durango for less than “you [would pay to] fertilize an acre in the state of Georgia and Alabama.” Most importantly, Mexico “offer[ed] equal rights to all and special privileges to none.”<sup>407</sup> These benefits appealed to southern African Americans who endured severe racial discrimination in the post-Reconstruction South. The 1880s and 1890s saw rising racial violence against black Americans, African American disenfranchisement at the hands of Democrat-controlled local and state governments, and the consolidation of racially discriminatory southern

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<sup>406</sup> “A Tempting Offer. Made by a Mexican Colonization Company to Alabama Negroes-a Land of Glorious,” *Birmingham Age Herald*, 19 January 1895, Newsbank, America’s Historical Newspapers.

<sup>407</sup> “A Tempting Offer,” *Birmingham Age Herald*, 19 January 1895, Newsbank, America’s Historical Newspapers.

sharecropping system in the American South. Nearly twenty years after Reconstruction ended, many of the promises of equality and citizenship that the U.S. government made to black Americans after the American Civil War remained unfulfilled. The colonization company appealed directly to African Americans' desire for political and economic freedom. Its advertisements depicted Mexico as a viable alternative to life in the United States, an approach designed to appeal to blacks who believed that the African American freedom struggle did not stop at America's borders.

When blacks from Alabama arrived to Durango in January 1895, they soon realized that the Mexican colonization company and the newspaper article had deceived them. There were no houses for them, limited food, and armed Mexicans "guarded the premises and looked after the laborers." The emigrants were peons, indebted indefinitely to the company for the cost of their railroad fares and traveling expenses. Mexican peonage was very similar to the sharecropping system prevalent in the U.S. South. African Americans soon realized that life was not better for them in Durango and left the colony in droves. Many returned to Alabama on foot just three months after they had arrived.<sup>408</sup>

The advertisement's promoting black immigration to Mexico in the 1890s were part of a long history of romanticized descriptions of nineteenth-century Mexico to Americans. In the early 1820s, Stephen F. Austin, who orchestrated the settling of American families in Mexican Texas, advertised the benefits of living in the nation in U.S. newspapers to attract settlers; free black Americans were among the first wave of immigrants to arrive. This dissertation traces the history of the southern Underground

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<sup>408</sup> Alfred W. Reynolds, "The Alabama Negro Colony in Mexico, 1894-1896," *The Alabama Review* 5, 1952, 261-264.

Railroad to Mexico, as well as free black immigration there. In doing so, it illuminates African Americans' perception of Mexico and the events such as the Texas Revolution and the Mexican-American War, which reshaped their ideas about the Mexico. In short, this project explores the complicated role that the Spanish-U.S.-Mexico borderlands played in the black freedom struggle.

In the aftermath of the Louisiana Purchase (1803), slave fugitives from Louisiana escaped to colonial Mexico, or New Spain, in the hopes of finding a sanctuary for there. American slaveholders who migrated to Louisiana did not want Spanish territory to become a safe haven for slave runaways and pressed Spanish officials for assurances that if their slaves escaped to Spanish Texas they would be returned. The New Orleans territory's governor, William C.C. Claiborne, initially could secure guarantees from New Spain that officials there would return Louisiana property. In 1804, however, the King of Spain decreed that runaway slaves from the United States found in Spanish Texas would be returned to their U.S. owners. But colonial Mexico remained a safe haven for slaves well after that because news of the policy change did not reach local officials two years later. Moreover, even after Spanish Texas officials began returning slaves to their owners, fugitive slaves still imagined the area as a refuge and continued to escape there. The confusion surrounding the status of runaway slaves in Spanish territory was a contributing factor in helping perpetuate colonial Mexico as a safe haven even after the colony's official policy stated otherwise.

Looking at the history of slave fugitives in New Spain reconfigures our understanding of Spanish-U.S.-Mexican diplomatic relations in the early nineteenth century. Runaway slaves not only played an important role in shaping international

relations because their escapes created and exacerbated and created international tensions in the borderlands region. Their presence in Spanish territory in the aftermath of the Louisiana Purchase also illustrates that the extension of the southern Underground Railroad to the United States' early southwestern frontier coincided with the expansion of American slavery to the region.

By the 1820s, even white Americans had begun to look to Mexico as a refuge. What they wanted to escape from was the economic downturns they had experienced in the United States. Nearly destitute after the loss of his Missouri business, Connecticut-born Moses Austin migrated to Spanish Texas to rebuild his fortune in 1820. After Mexican independence in 1821, members of the newly formed government were eager to populate Mexican Texas, and Austin's colony was one way to do that. And the Panic of 1819 ensured that there would be a steady stream of immigrants there. The arrival of white Americans to Mexican Texas in the 1820s signaled the beginning of large-scale American immigration and slavery into northeastern Mexico. The colony's dependence on slave labor meant that it was no longer a safe haven for fugitive slaves from Louisiana, which pushed the path of southern Underground Railroad farther south into Mexico.

Unlike slave runaways, free African Americans viewed Mexican Texas as a reprieve from the harsh racial realities of life in the United States. The Mexican government offered all free immigrants, regardless of race, citizenship and legal recourse against race-based discrimination. Convinced that there was more racial tolerance and better economic opportunities in Mexico than in the United States, free blacks joined the

American immigration there. On arrival, many of them bought property and became business owners.

But the success of the Texas Revolution and the subsequent elimination of Mexican law in Texas soon disrupted free black hopes for racial harmony in the area. White American settlers celebrated the Texas Revolution's success in 1836, but free blacks did not. They now faced the possibility of expulsion or re-enslavement if they remained in the newly independent republic. Black Texans' only recourse was to petition the legislature. These petitions detailed their contributions to the towns in which they lived and contained signatures from prominent white members of society who supported allowing these free African Americans to continue residing in the Republic of Texas. The passage of these policies—which southern states used to restrict and reduce their free black populations—in Texas signaled its residents' close ties to their southern origins, where black inferiority was central to black-white relations. Texas' laws as an independent republic demonstrate that the ideals of the American West as a region that celebrated autonomy primarily applied to whites. Free black Texans endured many of the same southern policies and treatment from which many of them had immigrated. Despite these laws, the free African American population increased, signaling that ideas about economic opportunities and social mobility in the republic persisted among the free black population.

By examining free African Americans in Texas, this dissertation incorporates black lives and experiences into the nineteenth-century westward expansion narrative, which often focuses primarily on white Americans, Native Americans, and Mexicans. In discussing free African Americans' economic contributions to Texas in the 1820s and

1830s, my work moves beyond acknowledging their presence in the West and highlights the ways that they shaped their local communities during much of the nineteenth century. The free black experience in the Republic of Texas shows that we can no longer ignore their presence and their role in early Texas history. Free African Americans paid taxes on the businesses and properties that they owned in the Republic of Texas, and this money went to Texas' treasury. As free African Americans moved westward, so did southern slaveholders and their slaves.

The development of the American frontier was dependent on the labor of enslaved blacks. Well into the mid-1840s, slavery continued to be a disputed issue on the U.S. southern borderlands. In 1844, the election of James K. Polk, an ardent expansionist, coupled with the threat of Britain acquiring Texas and abolishing slavery in the territory, added new urgency to the U.S. government's longstanding interest in annexing Texas. Texas' annexation to the United States in 1845 further extended the boundaries of the U.S. South, providing more land to accommodate settlers and slavery. Since the U.S. acquisition of Mexico territory seemed destined to extend slavery westward, U.S. senators in the North and prominent abolitionists, including Frederick Douglass, opposed the Mexican-American War (1846-1848). Opponents reasoned that the addition of southern territory to the United States, where settlers would introduce slavery, disrupted the balance between slave and free states that had been maintained since the Missouri Compromise (1820). While debates about the future of slavery in the West and in Texas shaped national affairs in the 1840s, Texas' problem with fugitive slaves escaping to Mexico remained a local issue.<sup>409</sup>

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<sup>409</sup> See Frederick Merk's *Slavery and the Annexation of Texas* (1972) and Amy S. Greenberg's *A Wicked War* (2012).

In the 1850s, more southern slaveholders migrated to Texas after it became a U.S. state, increasing its slave population. After the passage of the Fugitive Slave Law in 1850, increasing numbers of slaves living in the upper South used the Underground Railroad to direct them to Canada, while the passage of the Fugitive Slave Law (1850), the southern part of the railroad also expanded as more Texas slaves used it to seek refuge in northeastern Mexico. Residents of Coahuila border towns became, in effect, allies to abolitionists and slaves living in Texas: they protected slave fugitives and refused to return them to slavery. In response, slaveholders devised a number of strategies to recover their property, which included employing more slave patrols to restrict slaves' mobility outside of the plantation and soliciting Texas Rangers to recover runaways from Mexico.

The Texas to Coahuila part of the southern Underground Railroad developed as a consequence of the state's growing fugitive slave population and local Mexicans' willingness to assist them. My work shows that the Underground Railroad was not just transnational, but multinational. It not only extended north to Canada, but also south to Mexico. In addition, my attention to Mexico's history as a safe haven for runaway slaves inserts this nation into nineteenth century African American history. It also complicates the study of the anti-slavery movement suggesting that abolitionists in the North were not fugitive slaves' only allies. Slave runaways also received at least indirect assistance from members of Coahuila border governments.

While slave fugitives continued to see northeastern Mexico as a sanctuary, free black Americans' perception of Mexico changed for the worse after the Mexican-American War. After the nation's loss to the United States in the Mexican-American

War, free African Americans had trouble seeing Mexico as a safe haven. Mexico's inability to defend itself against foreign invasion alarmed them, and they wondered whether or not the nation could protect them if the United States once again attacked Mexico. The French invasion of Mexico in 1864 and the arrival of a French-appointed ruler confirmed these fears. Not only did Mexico succumb to French rule, but the nation's new ruler, Maximilian I, encouraged former Confederates and their supporters to immigrate to Mexico, despite the fact that they planned to use African American contract laborers—who were all but enslaved—to develop American colonies in the nation. Maximilian's assassination in 1867 halted white southerners' immigration plans. However, his short reign shows the ways in which Mexico's less-restrictive immigration policy attracted foreigners who were hostile to the ideas of black equality and the abolition of slavery and could compromise the freedom and equality African Americans sought in Mexico.

Unlike the United States, the Mexican government welcomed free blacks and fugitive slaves during the antebellum era. This project had explored the broader implications of the African American presence in the nation during this time. It has shown that the Mexican government offered free black Americans citizenship while local Coahuila officials protected slave runaways by ignoring their status and the fact that they were undocumented immigrants, thereby making recovering slaves from Mexico difficult for slaveholders.

The result of these policies was complex. The experiences of free blacks in Texas and fugitive slaves in Coahuila, Mexico, show that freedom meant different things to different people. The enslaved defined freedom at its most basic level—not being held in



bondage. Fugitive slaves were willing to pursue freedom at the expense of helping to defend Spanish Texas and Coahuila, Mexico from Comanche Indians and endure low wages in this impoverished region because living in Mexico meant no longer being a slave. Free African Americans, however, thought about freedom differently. Unlike fugitive slaves, free blacks sought freedom more closely aligned to equality. Convinced that this type of freedom did not exist for them in the United States, they emigrated. After the Texas Revolution revealed that it was the Mexican government, not white Texans, that had been willing to offer free blacks benefits such as citizenship and legal protections, free blacks became less willing to immigrate to Mexico.

However, even after slavery ended in the United States, freedom was still not easily achieved—in the United States or Mexico. As the experiences of the black Americans who participated in the Durango, Mexico colony in 1895 reveal, African Americans continued searching for equality and protection in Mexico until the end of the nineteenth century. Reconstruction was supposed to integrate former slaves into American society, but failed to do so successfully. Thirty years later, freedom for blacks still did not include equality and racial violence against their communities was increasing. The advertisement from Birmingham, Alabama's *Age Herald* presented Mexico as a type of utopia with inexpensive land and equal rights. To African Americans, landownership represented a degree of economic security and social mobility that life in the southern United States could not offer. However, upon their arrival to what they believed was a promise land, they quickly realized that the colony was not the refuge that they had been seeking, revealing African Americans' transnational struggle for equality continued well into the turn of the twentieth century.

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