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The Slave South In The Far West: California, The Pacific, And Proslavery Visions Of Empire

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The Slave South In The Far West: California, The Pacific, And Proslavery Visions Of Empire

Abstract

This dissertation rests on a relatively simple premise: America's road to disunion ran west, and unless we account for the transcontinental and trans-Pacific ambitions of slaveholders, our understanding of the nation's bloodiest conflict will remain incomplete. Whereas a number of important works have explored southern imperialism within the Atlantic Basin, surprisingly little has been written on the far western dimension of proslavery expansion. My work traces two interrelated initiatives – the southern campaign for a transcontinental railroad and the extension of a proslavery political order across the Far Southwest – in order to situate the struggle over slavery in a continental framework. Beginning in the 1840s and continuing to the eve of the Civil War, southern expansionists pushed tirelessly for a railway that would run from slave country all the way to California. What one railroad booster called “the great slavery road” promised to draw the Far West and the slaveholding South into a political and commercial embrace, while simultaneously providing the plantation economy with direct access to the Pacific trade. The failure of American expansionists to construct a transcontinental railroad during the antebellum era has discouraged close scholarly scrutiny of this political movement. Yet through their efforts, southern railroaders triggered some of the fiercest sectional struggles of the era, and carried the contest over slavery far beyond the Atlantic world. The second part of this dissertation reconstructs local political contests in Utah, New Mexico, Arizona and California to highlight the long reach of proslavery interests. Never a majority in the region, southern-born leaders wielded an outsized influence within western legislatures, courtrooms, and newspaper offices to effectively transform the Southwest into a political appendage of the slave South. With the fracturing of the Union in 1861, the project of southern expansion moved to the battlefields of a continental civil war, with several initially successful Confederate invasions of New Mexico. Even as the rebellion collapsed across the South, Confederate leaders continued to look west, authorizing yet another invasion of the region as late as the spring of 1865. The proslavery dream of a western empire almost outlived slavery itself.

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“THE SLAVE SOUTH IN THE FAR WEST:
CALIFORNIA, THE PACIFIC, AND PROSLAVERY VISIONS OF EMPIRE”

Kevin Waite

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THE SLAVE SOUTH IN THE FAR WEST: CALIFORNIA, THE PACIFIC, AND PROSLAVERY
VISIONS OF EMPIRE

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For Dave and Mary Ann

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Although I certainly don't identify with their politics, I do share the peripatetic tendencies of the figures who populate this study. Like them, I've shuttled back and forth across the country and amassed a support system that spans the continent. Without these people – the many teachers, mentors, and friends that I met along the way – this dissertation simply would not exist.

The University of Pennsylvania has been my home for the past five years – enough time to accrue enormous intellectual debts to its outstanding faculty and graduate students. Steve Hahn was the ideal advisor. He gave me wide latitude to pursue my own scholarly interests and always encouraged me to think big. Whether or not I succeeded in that task is an open question, but I'll always carry with me the example of his humbling intellect and astounding scholarly range. And, of course, his writing will forever be the gold standard.

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My intellectual horizons were broadened and challenged through my many conversations and classes with Stephanie McCurry. Her mind is an inspiration. I would leap at the opportunity to continue taking graduate courses with Kathy Brown, who has the rare ability to make any topic fascinating. Kathy Peiss reminds me why I love this profession. Her gifts as a teacher and mentor I'll never be able to match, but I'll always seek to emulate.

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It's hard to overstate the importance of good administrators, and Penn's history department has the very best. I'm deeply grateful to Joan Plonski, Octavia Carr, and Bekah Rosenberg for keeping the ship afloat and steering me to safe passage.

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Shnayder Shoop. I'd prefer if Tina and Evgenia's adorable babies, Charlotte and Abby, would place a moratorium on growing while I'm away. But they provide powerful incentives to come back to the U.S. early and often. Since our first year in graduate school together as fellow nineteenth-century Americanists, Emma Teitelman and Roberto Saba have been the perfect partners in crime. Coursework, chapter drafts, job letters, and happy hours wouldn't be the same without them. And of course, I'll persist in my campaign to convince Roberto that California is God's country. I miss my Penn friends dearly.

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more fortunate to count him among my colleagues at Durham. The MPhil in Modern European history also introduced me to great friends, chief among them Charlie Wells, Sarah Stoller, Rachel White, and David Anthony.

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ABSTRACT

THE SLAVE SOUTH IN THE FAR WEST:
CALIFORNIA, THE PACIFIC, AND PROSLAVERY VISIONS OF EMPIRE

Kevin Waite

Steven Hahn

This dissertation rests on a relatively simple premise: America's road to disunion ran west, and unless we account for the transcontinental and trans-Pacific ambitions of slaveholders, our understanding of the nation's bloodiest conflict will remain incomplete. Whereas a number of important works have explored southern imperialism within the Atlantic Basin, surprisingly little has been written on the far western dimension of proslavery expansion. My work traces two interrelated initiatives – the southern campaign for a transcontinental railroad and the extension of a proslavery political order across the Far Southwest – in order to situate the struggle over slavery in a continental framework. Beginning in the 1840s and continuing to the eve of the Civil War, southern expansionists pushed tirelessly for a railway that would run from slave country all the way to California. What one railroad booster called “the great slavery road” promised to draw the Far West and the slaveholding South into a political and commercial embrace, while simultaneously providing the plantation economy with direct access to the Pacific trade. The failure of American expansionists to construct a transcontinental railroad during the antebellum era has discouraged close scholarly scrutiny of this political movement. Yet through their efforts, southern railroaders triggered some of the fiercest

sectional struggles of the era, and carried the contest over slavery far beyond the Atlantic world. The second part of this dissertation reconstructs local political contests in Utah, New Mexico, Arizona and California to highlight the long reach of proslavery interests. Never a majority in the region, southern-born leaders wielded an outsized influence within western legislatures, courtrooms, and newspaper offices to effectively transform the Southwest into a political appendage of the slave South. With the fracturing of the Union in 1861, the project of southern expansion moved to the battlefields of a continental civil war, with several initially successful Confederate invasions of New Mexico. Even as the rebellion collapsed across the South, Confederate leaders continued to look west, authorizing yet another invasion of the region as late as the spring of 1865. The proslavery dream of a western empire almost outlived slavery itself.

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Abbreviations

Henry E. Huntington Library (**HEHL**)

Bancroft Library (**BANC**)

Virginia Historical Society (**VHS**)

The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies, 128 vols. (Washington, D.C.: GPO, 1880–1901) (**OR**)

Congressional Globe (**Cong. Globe**)

Crist, Lynda Lasswell, et. al. eds., *The Papers of Jefferson Davis*, 14 vols. (Baton Rouge: Louisiana State University Press, 1971-2015) (**PJD**)

De Bow's Review (**DBR**)

Introduction WEST OF SLAVERY

Over two-thousand miles from the rebellion's heartland in South Carolina, a group of white settlers in Mesilla, New Mexico hosted a secession convention of their own. This was March 1861, at which point only six other slave states had followed South Carolina out of the Union. Despite the abundant risks, and the rather limited support that the rebellion had mustered thus far, the New Mexican delegates unanimously agreed: they too would break from the Union and form the Confederate territory of Arizona.¹ In the one-sided debate leading up to this resolution, the fire-eating General W. Claude Jones celebrated the common bonds that united South and West. "Our destiny is linked with the South," he argued. "Her memory of the past, her principles, her interests, her present glory, her hopes of the future, are ours." The decision was a stark one for Jones and his fellow delegates in Mesilla. "Northward, insult, wrong and oppression are frowning upon us," he thundered. "Southward a brilliant and glorious pathway of hope, leads to the star of empire."² South Carolina's hotspur, William Lowdes Yancy, could have hardly said it better himself.

¹ Up until this point, Arizona did not exist as a separate territory – despite the best efforts of many of its residents. And unlike the state of Arizona, which sits directly to the west of New Mexico, the Confederate territory of Arizona occupied the southern portion of New Mexico. For histories of the region and the territorial purchase that brought it within U.S. borders, see; Paul Neff Garber, *The Gadsden Treaty* (Philadelphia: University of Pennsylvania, 1923); William S Kiser, *Turmoil on the Rio Grande: History of the Mesilla Valley, 1846-1865* (College Station: Texas A&M Press, 2011); and Howard R. Lamar, *The Far Southwest, 1846-1912: A Territorial History* (Albuquerque: University of New Mexico Press, 1966, revised edition, 2000), 361-376.

² Speech of General W. Claude Jones at the secessionist convention at Mesilla, March 16, 1861, in *Mesilla Times*, March 30, 1861. The issue also includes a report on a gathering of leading local citizens at Tucson on March 25, who likewise passed secessionist resolutions. My thanks to Sarah Allison, special collections librarian at New Mexico State University, for making available to me this scarce issue. For a biographical sketch of Jones and his longstanding campaign to separate the southern half of New Mexico as the territory

Why would settlers in a region with only a handful of slaves and thousands of miles from the plantations of the Deep South hitch their fortunes to a slaveholder's fledgling rebellion? The answer to that question requires a long view both of antebellum western history and of the geopolitics of slavery. Arizona was not an anomaly in the West. Rather its secessionist convention was an extreme manifestation of a proslavery ethos that had spread across the entire region prior to the Civil War.³ A fully-fledged slave system took root in neither California, Arizona, nor New Mexico, yet they all harbored influential partisans like W. Claude Jones, who gave western politics a strong southern flavor. In turn, when expansionists in the South looked to the Trans-Mississippi West, they saw a field of imperial opportunity, a region that may or may not develop an economic dependency on chattel slavery, but would at least defend the political ideology upon which it rested. Their ambition was to create a sphere of influence across the entire southern corridor of the continent – from the plantation districts of the Deep South, across Texas and New Mexico, and into California – and thereby bolster proslavery power at the national level. When Jones spoke of the “vast interests” of the South, he had in mind these westward-facing slaveholders. This dissertation explores their projects, from grand visions of empire, to the local initiatives which made that empire real.

The analysis begins in the realm of imagination, with slaveholders' bold designs for a Pacific railroad. No western project generated greater interest in the South than this

of Arizona, see L. Boyd Finch, “William Claude Jones: The Charming Rogue Who Named Arizona,” *Journal of Arizona History* 31 (Winter 1990), 405–424.

³ There is no firm scholarly consensus on what constitutes the “West,” not least because America's western boundary shifted over time. This dissertation is concerned with the territories of the antebellum Desert West – Utah and New Mexico (including Arizona) – as well as the state of California. When the term “Far Southwest” is deployed in this study, it is meant to signify this region.

campaign for transcontinental communication. At its helm were some of the great slaveholding luminaries of the antebellum period – including John C. Calhoun, Jefferson Davis, J.D.B. De Bow, James Gadsden, William McKendree Gwin, and Matthew Fontaine Maury. Their aim was to construct a railroad that would run through slave country all the way to the shores of California. What one railway booster called “the great slavery road” promised to draw the Far West and the plantation South into a political and commercial embrace, thus giving slaveholders a transcontinental landscape upon which to project their imperial fantasies.⁴ But more than just the American West was at stake. This iron thoroughfare would also provide the plantation economy with a direct outlet to the Pacific trade, potentially rerouting Asia’s commerce through the slave South, and vice versa. As a typical piece of railroad boosterism predicted, this highway would connect “the cotton planting and sugar growing States of the South” with “the West coast of this continent, with the Sandwich Islands, with the East Indies, with China, with Japan, with six hundred millions of people.”⁵ Slave-grown staples would thus circulate through a truly global market of commerce, a southern empire of trade that would link the emporia of Liverpool in one direction to the ports of Canton in the other.

The grandiosity of these ambitions was matched only by the fervor with which southerners pursued the project. From 1845 to the outbreak of the Civil War, proslavery partisans schemed, lobbied, and petitioned for a Pacific railroad, bringing sectional

⁴ In a speech near Marshall, Texas, Thomas Jefferson Green, a Texas slaveholder-cum-California politician, trumpeted the southern transcontinental railroad: “This road is emphatically the Southern – yea, what the abolitionist truly calls the ‘*great slavery road*.’” The speech is excerpted in the *Texas State Gazette*, July 29, 1854.

⁵ *Circular to the Citizens of the United States* by the Memphis Convention Corresponding Committee; together with “Steam Navigation to China,” Matthew Fontaine Maury to T. Butler King, January 10, 1848 (Memphis, no publisher: 1849), Library Company of Philadelphia, 3, 5.

tensions to a near breaking-point on several occasions. Northern politicians and businessmen did not sit by idly as southerners campaigned for a railway through slave country, however. Instead, they mounted an equally vigorous effort on behalf of alternative routes across free soil.⁶ The result was the longest-lived controversy of the period, one that predated, outlasted and triggered many others, including the Gadsden Purchase and the Kansas-Nebraska Act. As both sides recognized, the project would transform both national geopolitics and global trade. Whichever section won the railroad would command not only the political allegiances of the West, but also the commerce of the oceans beyond.

This railroad campaign ultimately amounted to what we might consider a monumental non-event.⁷ For all the political capital expended on its behalf and all the factional conflicts it generated, a Pacific railway was never constructed during the antebellum period. Although sectional partisans lobbied up until the eve of the Civil War, with each passing year compromise over a transcontinental route became increasingly elusive. Yet the so-called “great slavery road” was no mere pipe dream. The clarity of hindsight should not obscure the contingency of this historical moment. Slaveholders exercised a disproportionate influence at both the executive and

⁶ It should be noted here that there was no uniformity of opinion amongst the railroaders in either the North or the South. While an influential body of southerners, for instance, advocated for a line running from Memphis to San Diego, they were challenged by others in the slave states who preferred alternative termini for the would-be road, such as New Orleans. There were similar regional disputes amongst northern railroad promoters. For more on these internal divisions see Chapter 2; also David Michael Dunning, “The Southern Perception of the Trans-Mississippi West, 1845-1853” (PhD dissertation, University of Illinois at Urbana-Champaign, 1995); and for what William Freehling calls the “many Souths” see, Freehling, *The Road to Disunion: Secessionists at Bay, 1776-1854* (Oxford University Press, 1990) and *The Road to Disunion: Secessionists Triumphant, 1854-1861* (Oxford University Press, 2008).

⁷ This formulation is a repurposing of Robert E. May’s characterization of the slaveholding bid for Cuba, what he calls “one of the major non-events of the antebellum period;” May, *The Southern Dream of a Caribbean Empire* (Gainesville, Fla.: University Press of Florida, 1973, 2002), 186.

congressional levels, and they used that influence to advance their bold project for transcontinental communication. On several occasions, they nearly secured legislation to commence construction to the Pacific, and in the process they articulated some of the most sweeping imperial visions of the era. This study, then, takes seriously these foiled ambitions and failed dreams of empire, as the blueprints for an America that very nearly could have been.

It also assesses their ancillary projects, which in and of themselves transformed the nation's geopolitical alignments. Southern expansionists scored one of their great victories in 1853, when, at the insistence of Secretary of War Jefferson Davis, the U.S. government dispatched the proslavery ultra, James Gadsden to Mexico. His mission was to negotiate a purchase of Mexican territory over which a far southern transcontinental railroad could cross. The resulting treaty, finalized in 1854, gained for the U.S. – and for slaveholders in particular – some 30,000 square miles of prime railroad real estate in the Mesilla Valley, in exchange for \$10 million.⁸ Shortly thereafter, the federal government began an extensive series of surveys under the direction of Davis to determine the most favorable route for a Pacific railroad. In his official report, Davis dismissed the northern options as unsuitable and formally endorsed a far southern route along the Gila River and through the newly acquired Mesilla Valley.⁹ Then, in 1857 a proslavery postmaster

⁸ For Gadsden's dealings with Mexico, see William R. Manning, *Diplomatic Correspondence of the United States: Inter-American Affairs, 1831-1860*, 12 vols. (Washington: Carnegie Endowment for International Peace 1932-1939) 9:134-69, 600-96. For Gadsden's official instructions, which highlighted "the sole object... in desiring a change in the treaty line on this frontier – an eligible route for a rail-road," see William L. Marcy to Gadsden, July 15, 1853, in David Hunter Miller, ed., *Treaties and Other International Acts of the United States of America*, 8 vols. (Washington, D.C.: U.S. Government Printing Office, 1931-1948), 6: 342-347.

⁹ Jefferson Davis, *Report of the Secretary of War on the Several Pacific Railroad Expeditions* (Washington: A O.P. Nicholson, 1855).

general used Davis's report to override northern congressional opposition and authorize the construction of the nation's first overland mail road across this far southern route.¹⁰

Along this highway, southern migrants carried westward their goods, their families, and most significantly their political loyalties.

Slaveholders never built their transcontinental railway, but in developing these ancillary projects, they helped achieve one of the road's primary aims: to extend the southern political orbit across the Far West. The next section of this study picks up here, thus shifting the analytical frame from South to West, and from grand imperial visions to the local political struggles which gave shape to that empire. It was the free state of California, paradoxically, that became the lynchpin in the project for a continental South. With little regard for the state's free-soil constitution, southern-born politicians quickly seized the reins of power in California, and over the next decade, steered its political course along a distinctly proslavery path. They did so through a well-oiled political machine that marginalized the antislavery opposition and packed the state's federal posts with proslavery loyalists. Through the statehouse and the courtrooms, they opened legal loopholes for California's small, but not insignificant slaveholding population, and imperiled the liberties of African Americans in the West. They also consistently controlled the state's congressional delegation – two Senate and two House seats – thus lending the South a valuable western ally in the national debate over slavery. And on an almost annual basis, they attempted to split the state in half to make way, many

¹⁰ For the official justification for what the *Chicago Tribune* called “one of the greatest swindles ever perpetrated upon the country by the slave holders,” see Report of the Postmaster General, *Congressional Globe*, 35th Congress, 1st session, appendix, 27-28. The *Tribune* is quoted in David Lavender, *The American Heritage History of the Great West* (New York: American Heritage Publishing Company, 1965).

presumed, for a slaveholding territory in southern California. Never a majority within the state, southern-born leaders wielded an outsize influence to give to California a political complexion that more closely resembled Virginia than Vermont.

Likewise, in New Mexico, Arizona, and to a certain extent Utah, proslavery politicians punched well above their numerical weight. In symbolic legislative acts, both Utah and New Mexico passed slave codes in 1852 and 1859, respectively. Although territory housed more than a few dozen black slaves, the two codes nevertheless sent a powerful message to the rest of the nation: the political vision – if not the economic order – of the slave South would hold sway in the Far Southwest. As Alexander M. Jackson, author of the latter slave code, exulted in a letter to Jefferson Davis, “This legislation perfected the title of the South to New Mexico.”¹¹ Meanwhile in the southern portion of that territory, what residents referred to as Arizona, a territorial movement emerged that drew strength from slaveholders at the national level. Populated primarily by Texas migrants and composed largely of Gadsden Purchase lands, the would-be territory of Arizona promised to southerners yet another ally in the slave extension controversy. Arizona never won its independent territorial status during the antebellum years, but when the secession movement rippled west, its residents were among the first to declare allegiance to the nascent Confederacy.

The project of southern expansion, carried out for well over a decade in Washington and across the West, now moved to the battlefields of a continental civil war.

¹¹ Alexander Jackson to Jefferson Davis, February 17, 1861 in John P. Wilson, ed., *When the Texans Came: Missing Records from the Civil War in the Southwest, 1861-1862* (Albuquerque: University of New Mexico Press, 2001), 18.

And thus, what had been a purely political project could be pursued henceforward through the apparatus of a militarized state, as dreams of western empire merged into Confederate grand strategy. It was precisely because of their earlier geopolitical victories across the Far Southwest that slaveholders were willing to wager so much during their rebellion. Indeed, the first Confederate invasion of the war targeted New Mexico, where some of the staunchest western rebels were clustered. Although rebel forces eventually failed in their primary objective – to blaze a pathway to the Pacific – they succeeded for a time in driving federal troops from much of the Southwest and in securing the Confederate territory of Arizona. To be sure, the war was ultimately won and lost in the major military theaters of the East. But the willingness of the Confederate high command to divert scarce men and materiel to New Mexico’s deserts speaks to the enduring hold of the Far West on the southern imperial imagination. As the rebellion collapsed across the South, Confederate leaders continued to look west, authorizing yet another invasion of the region even as late as the spring of 1865. The proslavery dream of a Pacific empire almost outlived slavery itself.

What can a dream that ultimately failed teach us about the nature of slavery, of the South, and of American empire? This study does not conform to the standard narrative of slaveholding imperialism. From Robert May to Walter Johnson, and a number of historians in between, scholars have pointed to the Caribbean as the theater of slavery’s restless empire. The “All Mexico” movement to absorb an entire nation, William Walker’s invasions of Nicaragua, John A. Quitman’s numerous efforts to

conquer Cuba – these have come to epitomize the southern lust for expansion.¹² While not always focused explicitly on empire per se, recent scholarship has nuanced this portrait of the internationalist South, highlighting the less overtly violent side to the overseas dealings of slaveholders. Michael O’Brien’s authoritative analysis on the intellectual world of the Old South, Brian Schoen’s study of the transatlantic career of southern cotton, and Matthew Karp’s work on the “foreign policy of slavery,” among others, have challenged the persistent caricature of the atavistic slaveholder.¹³ Instead their work foregrounds a slaveholding class that stood, in many ways, among the

¹² Robert E. May, *The Southern Dream of a Caribbean Empire* (Gainesville, Fla.: University Press of Florida, 1973, 2002). Despite his bold claims, Walter Johnson does not substantially alter the geography of slaveholding imperialism in *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge: Harvard, 2013). For more on American filibustering throughout the Spanish speaking world, see Tom Chaffin, *Fatal Glory: Narciso Lopez and the First Clandestine U.S. War against Cuba* (Charlottesville, 1996); Robert May, *John A. Quitman: Old South Crusader* (Baton Rouge: Louisiana State University Press, 1995); May, *Manifest Destiny’s Underworld: Filibustering in Antebellum America* (Chapel Hill: University of North Carolina Press, 2004); May, *Slavery, Race, and Conquest in the Tropics: Lincoln, Douglas, and the Future of Latin America* (Cambridge: Cambridge University Press, 2013). For more on the simultaneous growth of southern slavery and American empire, see John Craig Hammond, “Slavery, Sovereignty, and Empires: North American Borderlands and the American Civil War, 1660-1860,” *Journal of the Civil War Era* 4 (June 2014), pp. 264-298.

¹³ Eugene D. Genovese famously explained the “pre-modern” and “feudal” tendencies of slaveholders in *The Political Economy of Slavery: Studies in the Economy and Society of the Slave South* (New York, 1965). For more recent historians of the American South, Genovese has become something of a straw man. His scholarship is a good deal more nuanced and sophisticated than subsequent historians have recognized, however, and his arguments about the anti-capitalist nature of slavery still hold some water (as I argue in Chapter 2). James Oakes is perhaps most guilty of caricaturing Genovese’s earlier work; see Oakes, *The Ruling Race: A History of American Slaveholders* (New York: Norton, 1982).

For path-breaking works on the international reach of the Old South and its modernizing impulses, see Michael O’Brien, *Conjectures of Order: Intellectual Life and the American South*, 2 vols. (Chapel Hill: University of North Carolina Press, 2010); Brian Schoen, *The Fragile Fabric of Union: Cotton, Federal Politics, and the Global Origins of the Civil War* (Baltimore: Johns Hopkins University Press, 2009); Matthew J. Karp, “‘This Vast Southern Empire’: The South and the Foreign Policy of Slavery, 1833-1861” (Ph.D. dissertation, University of Pennsylvania, 2011). See also, Manisha Sinha, *The Counterrevolution of Slavery: Politics and Ideology in Antebellum South Carolina* (Chapel Hill, 2000); Matthew Pratt Guterl, *American Mediterranean: Southern Slaveholders in the Age of Emancipation* (Cambridge, Mass: Harvard University, 2008); Laura Jarnagin, *A Confluence of Transatlantic Networks: Elites, Capitalism, and Confederate Migration to Brazil* (Tuscaloosa, University of Alabama, 2008); Gerald Horne, *The Deepest South: The United States, Brazil, and the African Slave Trade* (New York: New York University Press, 2007). For a treatment of the commercial savvy and forward thinking tendencies of slaveholders within a domestic context, see Aaron W. Marrs, *Railroads in the Old South: Pursing Progress in a Slave Society* (Baltimore: Johns Hopkins University Press, 2009).

vanguard of American modernizers. Commercially-minded, transnationally-connected, and forward-thinking, antebellum southerners dictated a political vision for the nation that was firmly in step with global developments. As the price of plantation staples soared across Atlantic markets and as unfree agricultural labor flourished throughout Europe's empires, American southerners could claim, with some confidence, that history was on their side.¹⁴ The modernizing slaveholder was no contradiction in terms.

Pioneering though they are, these works implicitly confine slaveholders' horizons to the Atlantic Basin, when, in fact, southern visions of empire were truly global in scope.¹⁵ This study follows the slaveholding gaze westward to argue that, while planters operated primarily in an Atlantic world, they dreamed of a Pacific one. Indeed, they took active, often bold steps in an attempt to extend their reach all the way to the ports of China. As many at the time argued, trade with Asia was to be the cornerstone upon which a southern commercial empire would rest. "The Eastern World!" bellowed Judah Benjamin at a New Orleans convention in 1852. "Its commerce has been the bone of many a bloody contest. Its commerce makes empires of the countries to which it flows,

¹⁴ Matthew Karp makes this point with particular clarity in "The World the Slaveholders Craved: Proslavery Internationalism in the 1850s," in Andrew Shankman, ed., *The World of the Revolutionary American Republic: Land, Labor, and the Conflict for a Continent* (New York: Routledge, 2014). Numerous observers in the antebellum South touted the global ascendancy of unfree labor and the triumph of slave-grown products. For one of the most robust arguments of this kind, see George Fitzhugh, *Cannibals All! Or, Slaves Without Masters* (Richmond, A. Morris, 1857); and James Henry Hammond's famous "King Cotton" speech in *Cong. Globe*, 35th congress, 1st session (March 4, 1858), 959-962.

¹⁵ The absence of the Pacific in Civil War-era historiography emerged as a theme in a panel with Brian Schoen and others at the Society for Civil War Historians in Chattanooga, TN this June. Their roundtable discussion, "The Transnational Perspective of the Civil War: Revolution, Nationalism, Separatism," celebrated recent scholarship on Latin America and Europe, which has greatly enlarged the geographic scope of the American political crisis over slavery, while noting that the transnational turn in Civil War studies has yet to incorporate the Pacific world. Of all the aforementioned works, Karp's is the only one to consider the Pacific dimension to proslavery foreign policy, primarily through an examination of southern efforts to shape the role of the Pacific squadron.

and when they are deprived of it they are empty bags, useless, valueless.”¹⁶ In this pursuit of transcontinental communication and trans-Pacific trade, southerners proved perfectly willing to hazard a precarious sectional balance. For many slaveholders, this was an empire worth fighting for. And for historians by extension, this is a political project worthy of closer scrutiny.

Taking seriously this geopolitical vision requires a new, more capacious way of thinking about proslavery imperialism. Such an empire depended not only on efforts to capture more territory for slavery, as historians have shown, but also on a less dramatic brand of political and commercial expansion. A slaveholder’s empire, its champions recognized, could even cross free soil. To be sure, slaveholders rarely overlooked an opportunity to enlarge the terrain open to plantation agriculture. But they also sought political allies to enhance their national influence and commercial outlets to broaden their economic prospects. These latter objectives – driven more by coercion than conquest – reflected a distinctly imperial logic nonetheless. In the decade before the Civil War, the proslavery push westward relied on territorial purchase from Mexico, the pacification of the Southwest’s powerful Indian tribes, and diplomatic pressure to open ports throughout the Pacific world.¹⁷ In many ways, the most successful slaveholding imperialists did not

¹⁶ Benjamin’s speech was printed in *New Orleans Picayune* (no date), and reprinted in the *Arkansas Whig*, 22 January, 1852.

¹⁷ This study interprets the project of southern commercial and political expansion as a fundamentally imperial venture. For works on American empire-building along the Mexican border, see Samuel Truett, *Fugitive Landscapes: The Forgotten History of the U.S.-Mexico Borderlands* (New Haven: Yale University Press, 2008); Rachel St. John, *Line in the Sand: A History of the Western U.S.-Mexico Border* (Princeton: Princeton University Press, 2011). Efforts to displace and pacify Native peoples in these southwestern borderlands required substantial military, economic, and diplomatic coercion. For studies on the enduring power of Indians in this region, see Brian DeLay, *War of a Thousand Deserts: Indian Raids and the U.S.-Mexican War* (New Haven: Yale University Press, 2008); and Peka Hamalainen, *The Comanche Empire* (New Haven: Yale University Press, 2008). Similarly, the American commercial presence in the Pacific world was predicated on coercion. This early history is traced in David Iglar, *The Great Ocean: Pacific*

face southeast toward the Caribbean; they looked west toward the Pacific. Whereas southern filibusters failed in their attempts to seize Cuba and held Nicaragua for just a few short and bloody years, slaveholders could claim more lasting victories in the West. There, territorial purchases and infrastructural projects buttressed a transcontinental sphere of proslavery influence and bolstered southern power at the national level. For too long, a historiographic focus on episodes in the Atlantic Basin has distracted scholarly attention from these more enduring projects along the Pacific.¹⁸ Is it not telling that the Confederacy quickly abandoned its bid for Cuba, but launched several invasions to open a pathway to California's ports?

A Pacific orientation enlarges our perspective not only on slaveholding imperialism, but on the history of American empire more generally. We now know, of course, that America's empire did not sprout overnight with the U.S. victory over Spain in 1898, as an earlier generation of historians argued.¹⁹ Walter LaFeber and William Appleman Williams, among others, have backdated this "new" overseas empire to the

Worlds from Captain Cook to the Gold Rush (New York: Oxford University Press, 2013). For the violent history of American involvement in what were then known as the Sandwich Islands, see Gary Okihiro, *Island Worlds: A History of Hawaii and the United States* (Berkeley: University of California Press, 2008). Perhaps America's most baldly imperialistic effort in Asian markets was the forced opening of Japan's ports in 1853; see George Feifer, *Breaking Open Japan: Commodore Perry, Lord Abe, and American Imperialism in 1853* (New York: Smithsonian Books, 2006).

¹⁸ A western focus should not, however, lead us to dismiss these Atlantic interventions as errands into the wilderness or as geopolitically inconsequential. The so-called southern dream of a Caribbean empire provided a perennial sticking point for sectional politics and no doubt hastened the nation's spiral toward disunion. Furthermore, plenty of western expansionists also nurtured Caribbean dreams of empire; see for instance, James Gadsden to Jefferson Davis, July 19, 1854, in Lynda Lasswell Crist, ed. *The Papers of Jefferson Davis, Vol. 5, 1853-1855* (Baton Rouge: Louisiana State University Press, 1985), 5:78-79.

¹⁹ A chapter in Samuel Flagg Bemis's standard account of American foreign policy is titled "The Great Aberration of 1898;" Bemis, *A Diplomatic History of the United States* (New York: Henry Holt, 1950), 463. For a survey of scholarship on American imperialism, see Edward P. Crapol, "Coming to Terms with Empire: The Historiography of Late-Nineteenth Century American Foreign Relations," *Diplomatic History* 16 (1992), pp. 573-597.

Gilded Age and even to the Civil War. American enterprise, Williams in particular argues, was the tail that wagged the dog, directing the state's gaze across the Atlantic and Pacific in search of new commercial outlets, years before the conquest of Cuba and the Philippines.²⁰ Yet the rich body of work on this subject often still divides the history of American empire into two distinct periods – one continental and antebellum, the other extraterritorial and postbellum.²¹ This distinction is misleading. As the western expansionists of the antebellum era understood all too well, continental conquest and trans-Pacific empire fit hand-in-glove. Indeed, they were part of the same project. California, therefore, was not to be the cul-de-sac of empire, but rather the beachhead for further conquests. This is precisely what slaveholders had in mind when they looked westward.

As the study moves from slaveholding visions of empire in the Pacific to local political struggles in the Far West, it contends with yet another body of scholarship: the political history of the sectional crisis and the Civil War era. The recent Civil War

²⁰ The seminal works to prompt this historiographic turn are Walter LaFeber, *The New Empire: An Interpretation of American Expansion, 1860-1898* (Cornell: Cornell University Press, 1963, 1998); William Appleman Williams, *The Roots of the Modern American Empire: A Study of the Growth and Shaping of Social Consciousness in a Marketplace Society* (New York: Random House, 1969). In his most enduring work, Williams makes similar arguments, while extending his chronology forward in time; Williams, *The Tragedy of American Diplomacy* (New York: W.W. Norton, 1959, 2009); see also his brief and provocative, *Empire as a Way of Life: An Essay on the Causes and Character of America's Past Predicament Along with a Few Thoughts About an Alternative* (Oxford: Oxford University Press, 1980).

²¹ Most surveys of American empire have adopted this misleading periodization, including, one of the better brief histories on the subject; Walter Nugent, *Habits of Empire: A History of American Expansion* (New York: Vintage, 2008). Several scholars have noted this temporal divide in the historiography of American empire. See for instance, Matthew J. Karp, "Slavery and American Sea Power: The Navalist Impulse in the Antebellum South," *Journal of Southern History* 77 (May 2011), 289; and Paul A. Kramer, *The Blood of Government: Race, Empire, the United States & the Philippines* (Chapel Hill: University of North Carolina Press, 2006), 10-11. For a rare and (often overlooked) challenge to this periodization, see Norman A. Graebner, *Empire on the Pacific: A Study in American Continental Expansion* (Claremont, CA: Regina Books, 1983, reprint edition, first published 1955). The Graebner thesis received a reboot in Bruce Cumings's sprawling account of the American push to the Pacific; Cumings, *Dominion from Sea to Sea: Pacific Ascendancy and American Power* (New Haven: Yale University Press, 2009).

sesquicentennial prompted a proliferation of highly original works, some of which pushed westward the geographic boundaries that have long circumscribed the scholarly scope of the conflict. From Glorieta Pass to the San Juan Islands, we now know a great deal about military engagements and secessionist scares across the American West.²² Yet we understand far less about the deep-rooted imperial aims which set them in motion.²³

²² It is somewhat surprising that historians have been so slow to extend the terrain of Civil War studies into the American West. After all, the effort unites two of the most popular and deeply researched fields in American historiography: the struggle over slavery and the nation's continental conquests. Two new edited collections have dramatically increased the scholarly coverage of the subject; see Adam Arenson and Andrew R. Graybill, eds. *Civil War Wests: Testing the Limits of the United States* (University of California Press, 2015); Virginia Scharff, ed., *Empire and Liberty: The Civil War and the West* (University of California Press, 2015); and the accompanying exhibit, "Empire and Liberty," at the Autry Museum of the American West. For a geographically expansive reinterpretation of the Civil War era, see Steven Hahn, "Slave Emancipation, Indian Peoples and the Projects of a New American Nation-State," *The Journal of the Civil War Era* 3 (Sept. 2013). For recent works from the perspective of St. Louis, Colorado, and California, respectively, see Adam Arenson, *The Great Heart of the Republic: St. Louis and the Cultural Civil War* (2011); Susan Schulten, "The Civil War and the Origins of the Colorado Territory," *Western Historical Quarterly* 44 (spring 2013), pp. 21-46; and Glenna Matthews, *The Golden State in the Civil War: Thomas Starr King, the Republican Party, and the Birth of Modern California* (Cambridge: Cambridge University Press, 2012). These works join several older monographs, primarily concerned with military operations in far western theaters. See, for instance Martin Hardwick Hall, *Sibley's New Mexico Campaign* (Austin: University of Texas Press, 1960); Roy C. Colton, *The Civil War in the Western Territories: Arizona, Colorado, New Mexico, and Utah* (Norman: University of Oklahoma Press, 1984); Alvin M. Josephy, Jr., *The Civil War in the American West* (New York: Vintage, 1991); Donald S. Frazier, *Blood and Treasure: Confederate Empire in the Southwest* (College State: Texas A&M University Press, 1995); L. Boyd Finch, *Confederate Pathway to the Pacific: Major Sherod Hunter and Arizona Territory, C.S.A.* (Tucson: Arizona Historical Society, 1996); and Andrew E. Masich, *The Civil War in Arizona: The Story of the California Volunteers, 1861-1865* (Norman: University of Oklahoma Press, 2006). William F. Deverell has argued that this focus on the relatively minor military engagements in the region have distracted from the deeper meaning of the Civil War in the West. "Western historians look for the Civil War in the West in the wrong places," Deverell wrote, "A skirmish here or there, a real battle in northern New Mexico, and that is supposedly the whole story;" Deverell, "Redemptive California? Re-thinking the Post-Civil War", *Rethinking History* 11:1 (March 2007), 64.

In an attempt to assess some of this recent historiography and suggest further avenues for research, several scholars (myself included) assembled a roundtable panel at the recent Society for Civil War Historians Conference, titled, "Go West, Young Historians! Expanding the Boundaries of Civil War Studies." Several forthcoming works will, no doubt, further enrich our understanding of the Civil War-era West, including Megan Kate Nelson's hefty *Path of the Dead Man: How the West was Won – and Lost – during the American Civil War*; Deverell's *To Bind Up the Nation's Wounds: The American West in the Aftermath of the Civil War*; and a special issue on the Civil War in the West from the *Journal of the Civil War Era*, guest-edited by Ari Kelman and with articles from Peka Hamalainen, Stacey Smith, Megan Kate Nelson, and myself.

²³ There have been a few exceptions, however. Megan Kate Nelson provides brief, but useful background on proslavery expansion in the Southwest in "Death in the Distance: Confederate Manifest Destiny and the Campaign for New Mexico, 1861-1862," *Civil War Wests: Testing the Limits of the United States*, Arenson

Although historians frequently cite the westward expansion of slavery as the driving issue that led to the Civil War, only rarely do they look beyond Bleeding Kansas. The sectional crisis in the Far West remains lodged in a scholarly blind spot – a curious oversight given that historians have spilled more ink on the Civil War-era than any other period in American history. The leading narratives of the sectional crisis suggest that California’s free soil constitution of 1849 effectively banished proslavery intrigue to the east of the Sierra Nevada or even the Rocky Mountains. Similarly, other parts of the Far Southwest – including New Mexico, Arizona, and Utah – rarely figure in the political accounts of this period.²⁴

Although the Far West remains conspicuously absent from the dominant narrative of the sectional crisis, some regionally focused studies have illustrated how slavery spread beyond the confines of the plantation South. Stacey Smith, for instance, has

and Graybill, eds.: as does Frazier in *Blood and Treasure*, Chapter 1. Oddly, however, Frazier focuses on an earlier period while glossing over proslavery imperialism during the formative final decade before the conflict. Such an oversight is reflective of the broader trend, in which the Compromise of 1850 marks the breaking point in proslavery western expansion.

²⁴ In important and prize-winning works on the Civil War-era, the Far West makes only a fleeting appearance, quickly receding from view upon the resolution of Henry Clay’s Omnibus Bill. See, for instance, James M. McPherson’s Pulitzer Prize-winning *Battle Cry of Freedom* (New York: Ballantine, 1989); William Freehling’s magisterial two-volumes on the coming of the Civil War, *The Road to Disunion: Secessionists at Bay, 1776-1854* (Oxford University Press, 1990) and *The Road to Disunion: Secessionists Triumphant, 1854-1861* (Oxford University Press, 2008); and David M. Potter’s Pulitzer Prize-winning *The Impending Crisis, 1848-1861*, completed and edited by Don E. Fehrenbacher (New York: Harper & Row, 1976). It should be noted, however, that Potter briefly covers the Pacific railroad debates as a prologue to the Kansas-Nebraska Act. The absence of the Far West after 1850 is perhaps more surprising – given his title – in Michael A. Morrison, *Slavery and the American West: The Eclipse of Manifest Destiny and the Coming of the Civil War* (Chapel Hill: University of North Carolina, 1997); see also Robert E. Bonner, *Mastering America: Southern Slaveholders and the Crisis of American Nationhood* (Cambridge: Cambridge University Press, 2009). A number of historians have even gone so far as to argue that southerners’ expansionist aims on the Far West lay dormant throughout the 1850s; see William Earl Weeks, *Building the Continental Empire: American Expansion from Revolution to the Civil War* (Chicago: Ivan R. Dee, 1996); Jesse T. Carpenter, *The South as a Conscious Minority, 1789-1861: A Study in Political Thought* (Columbia: University of South Carolina Press, 1930, 1990). Similarly, landmark surveys of western American history have given short shrift to the Civil War; see, for example, Richard White, *It’s Your Misfortune and None of My Own: A New History of the American West* (Norman: University of Oklahoma Press, 1991).

argued persuasively that California's ostensibly free soil gave rise to a number of unfree labor practices, from black chattel slavery, to Indian bound servitude, to Chinese sex trafficking.²⁵ With a focus on Utah and New Mexico's slave codes, several local historians have also tracked the development of proslavery policies in individual western territories during the 1850s.²⁶ Often lacking a national framework, however, these studies generally lose sight of the broader issues that made the West's antebellum politics so fractious in the first place. Absent from most of these accounts are southern slaveholders themselves, who, through their actions at the federal level, turned the Far West into a sectional battleground. In contrast, this study moves beyond the local and the regional to examine a political struggle that was, in fact, continental. Facing west from slave country *and* east from gold country, we can recognize the political culture of California, New Mexico, and Arizona for what it truly was: the direct product of a southern imperial project.²⁷ This was, in the words of one anxious Unionist on the eve of the Civil War, "a

²⁵ Although largely overlooked by the major surveys of the period, California historians have, for decades, studied the influence of proslavery ideology and unfree labor within the state. The most sophisticated and important account is Stacey Smith, *Freedom's Frontier: California and the Struggle over Unfree Labor, Emancipation and Reconstruction* (Chapel Hill: University of North Carolina Press, 2013). My work is particularly indebted to Smith's insights, her advice, and her generous sharing of sources. See also Rudolph M. Lapp, *Blacks in Gold Rush California* (New Haven: Yale University Press, 1977). The work that most successfully incorporates California's political battles with national developments is Leonard Richard's analytically-thin but content-rich, *The California Gold Rush and the Coming of the Civil War* (New York: Vintage, 2007).

²⁶ The work on proslavery politics in the Southwestern territories – some of it very good – is confined mostly to regional journals. See, for example, Mark J. Stegmaier, "A Law That Would Make Caligula Blush? New Mexico Territory's Unique Slave Code, 1859-1861," *New Mexico Historical Review* 87: 2 (spring 2012), pp. 209-242; Newell G. Bringhurst, "The Mormons and Slavery – A Closer Look," *Pacific Historical Review* 50 (August 1981). The fullest account of these political struggles in New Mexico remains Loomis Morton Ganaway, *New Mexico and the Sectional Controversy, 1846-1861* (Philadelphia: Porcupine Press, 1976, reprint of 1944 edition). And for a rare work that incorporates the political history of the entire region, see Howard Lamar, *The Far Southwest, 1846-1912: A Territorial History* (Albuquerque: University of New Mexico Press, 1966, revised edition, 2000). As a survey with a broad geographic and temporal scope, however, Lamar's history deals only briefly with the slavery question.

²⁷ This formulation is, of course, a riff on Daniel K. Richter, *Facing East from Indian Country: A Native History of Early America* (Cambridge, Mass.: Harvard University Press, 2003). Like Richter's work, this

grand scheme of intercommunication and territorial expansion more vast and complicated than was ever dreamed of by Napoleon Bonaparte in his palmiest days of pride and power.”²⁸

In contemporary scholarship, the trans-Mississippi remains, in many ways, a land apart.²⁹ And yet, during the antebellum period, the line separating the slave South from the Far West was faint enough to be, at times, indistinguishable. This study analyzes those regional interconnections to fix our attention on a proslavery agenda that bridged the southern corridor of the continent. West of slavery, the American political landscape did not give way to free soil. Instead, the plantation South faded into what we might consider the Desert South, a western borderland where African bondage existed only in isolated pockets, and yet the political ideology of slavery maintained a predominant

study illustrates how a geographic reorientation of traditional narratives can yield new and surprising histories. Unlike his book, however, this dissertation primarily follows the agents of empire, rather than those who resisted its incursions.

²⁸ William Need to Simon Cameron, September 27, 1861, *Official Records of the War of the Rebellion* (OR), Series I, Vol. L, Part I, 635-641.

²⁹ Arthur Quinn made this point explicitly with regard to California, arguing that the state is traditionally seen “as the great exception within American history, only incidentally involved in the history of the broader nation;” Arthur Quinn, *The Rivals: William Gwin, David Broderick, and the Birth of California* (New York: Crown, 1994), v. Patricia Nelson Limerick has argued that “Most American historians, including all the writers of college-level American history textbooks, have postponed their reckoning with the Western half of the nation;” *All Over the Map: Rethinking American Regions* (Baltimore: Johns Hopkins University Press, 1996), 96. See also, observations by Elliot West in *The Contested Plains: Indians, Goldseekers, and the Rush to Colorado* (University Press of Kansas, 1998), 11. In more recent years, historians have done much to bring the West into the national narrative, though there still remains much work to be done. The historians most successful at bridging South-West divide have focused, for obvious reasons, on the Texas borderlands and often in the context of American imperial history. See Andrew J. Torget, *Seeds of Empire: Cotton, Slavery, and the Transformation of the Texas Borderlands, 1800-1850* (Chapel Hill: University of North Carolina Press, 2015); Sarah Rodriguez, “‘Children of the Great Mexican Family’: Anglo-American Immigration to Texas and the Making of the American Empire, 1820-1861,” (PhD dissertation, University of Pennsylvania, 2015); Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865* (Baton Rouge: Louisiana State University Press, 1991). Although her focus is on a later period, the geographically wide-ranging work of Hope McGrath has perhaps been most successful in tracing the linkages between the nineteenth-century South and West; see McGrath, “An Army of Working-Men: Military Labor and the Construction of American Empire, 1865-1915” (PhD dissertation, University of Pennsylvania, 2016).

position. To look for the Old South in these unexpected places – far beyond the fifteen states that have historically defined the region – we gain a new perspective on American empire and the Civil War era. Through infrastructural development and political scheming rather than outright conquest, slaveholders sought to extend their domain to the very shores of the Pacific, and in the process, ignited some of the fiercest political contests of the period. Yet in their campaign to bind south and west, they ultimately fractured the nation, and their dream of Pacific empire crumbled along with their rebellion.

Across six chapters, this dissertation explores both southern projects for Pacific empire and the political struggles that those projects sparked throughout the Far West. Chapter 1 follows the slaveholding gaze across the Pacific in the years prior to 1850 to illustrate how southerners pursued a far vaster empire of commerce than historians have yet recognized. While individual Yankee traders plied Pacific waters, it was slaveholding politicians, by and large, who brought the American state within striking distance of Asia's markets and, in the process, added a global dimension to the deepening sectional crisis. In the decade that followed, as Chapter 2 illustrates, slaveholders intensified the race for transcontinental and trans-Pacific influence through a tireless railroad campaign. Rather than state-right purists or agrarian isolations, the slaveholders who pushed for a transcontinental railroad were shrewd expansionists and worldly businessmen who exploited all the resources within reach – technology, capital, and federal power – to extend the South's geostrategic reach. They ultimately failed in their railroad ambitions,

but through their corollary projects, slaveholders largely dictated federal policy within the Far West.

The Compromise of 1850 may have rendered California free soil, but it did not blunt the western aspirations of slaveholders, contrary to what the standard narrative would have us believe. Rather, as Chapter 3 argues, California's admission to the Union as a free state paradoxically inaugurated a decade of proslavery control over that region. But California was just a piece – albeit a crucial one – to the puzzle of proslavery political dominion in the Far West. In Chapter 4, the analysis moves to the neighboring territories of Utah and New Mexico (including Arizona) to examine how the politics of slavery infiltrated a region generally ignored by historians of the antebellum era. As part of the first study to connect proslavery politics across the entire Southwest, these chapters pose a question that, only at first blush, appears self-evident: where did the slave South end and the Far West begin? Generally studied in isolation, these two regions possess histories more deeply intertwined than the current scholarship allows. As Chapters 3 and 4 argue, the South and West often made natural bedfellows, and together the leaders of these regions sought a new geopolitical alignment that would link the American slave system to both the Atlantic and Pacific worlds.

Without this perspective on the political economy of the antebellum West, we cannot understand Confederate grand strategy during the war that followed. Chapter 5 argues that rebel war aims constituted the military continuation of this decades-old imperial project. It also explores pro-Confederate agitation within the Far West, which transformed the region into what we might consider a vast border zone by 1861. The conclusion of the conflict witnessed the collapse of both the plantation system and the

proslavery dream of Pacific empire, but, surprisingly, not the end of the South's political influence within the Far West. Chapter 6 examines the afterlife of pro-southern politics in California. It argues that the racial reordering of the Reconstruction era drew some of its stiffest opposition from well beyond the former Confederacy. California's Democratic Party led a revolt against Reconstruction by linking the white supremacist anxieties of the state's electorate to the ongoing political struggles of the South's former rebels. Like the dissertation as a whole, this final chapter applies a national framework to a political history that has often been described in narrowly regional terms. In short, this study brings to light what contemporaries recognized but historians have largely failed to see: the struggle over slavery and its legacies played out on a truly continental stage.

Chapter 1

THE SOUTHERN DREAM OF A PACIFIC EMPIRE, 1607-1850

When the first Jamestown colonists landed on the coast of Virginia in 1607, they were already dreaming of distant shores. Although for years the colony struggled to feed itself as it clung to a narrow spit of land on the Atlantic seaboard, the Pacific exerted a powerful pull on the Virginian imagination. Starving or not, the colonists would not ignore two main objectives as outlined by the Virginia Company: to find valuable materials for export, ideally gold, and to discover a route to the South Sea. The latter, of course, had been the fantasy of Columbus as he sailed west from the Spanish port of Palos in 1492. Now, with a beachhead on the North American mainland, the Jamestown colonists hoped to finally open a gateway to the lucrative China trade. While their few early explorations yielded little – except for an appreciation of the continent’s vastness – subsequent generations would not be deterred.¹ In 1668, as the colony achieved firmer footing, Governor Berkeley began preparations for a two-hundred-man expedition “to find out the East India sea,” as he wrote to Lord Arlington. Unfortunately for Berkeley, heavy rains and a lack of royal patronage would scuttle this and a subsequent expedition.² But though the disappointments mounted, the dream never died. If anything, the search

¹ Karen Ordahl Kupperman, *The Jamestown Project* (Cambridge, MA: Harvard University Press, 2007), 150-158.

² Clarence Walworth Alvord and Lee Bidgood, *The First Explorations of the Trans-Allegheny Region by the Virginians, 1650-1674* (Cleveland: Arthur H. Clark, 1912), 60-62. For an original study of eighteenth-century European imperialism and the Pacific slope see Paul W. Mapp, *The Elusive West and the Contest for Empire, 1713-1763* (Chapel Hill: University of North Carolina Press, 2011). Mapp argues that the Seven Years War “arose, proceeded, and expired” (p. 3) in response to imperial ambitions on what is now the American Far West. European powers had only a hazy sense of this region’s geography, Mapp shows, yet they avidly sought to unlock its potential. His study is particularly useful in broadening the geographic terrain of early North American studies, which remains overwhelming Atlantic-centric.

for a Pacific outlet only became more urgent over the coming century and a half. And Virginians – more specifically, slaveholding Virginians – continued to lead the way.

Scholars have characterized the early Eastern Pacific Ocean as something of a Yankee lake. To be sure, it was primarily New England traders who plied the waters off the coast of California in the early nineteenth century, transforming the tallow and hide trade into a lucrative American enterprise. Yet historians have been all too quick to write slaveholders out of this story.³ David Igler's original and important account of the early Pacific world, for instance, uses South Carolina senator George McDuffie as a stand-in for slaveholding apathy towards Asian trade.⁴ But if some southerners cleaved to strict constructionism and agrarian parochialism to dismiss the search for Pacific commerce, they were largely out of step with the leading thinkers of their region. For the first half of the nineteenth century, southern statesmen articulated and pursued a geopolitical agenda that set the United States on the path toward continental and Pacific empire. America built that empire in three great lunges – the Louisiana Purchase, the annexation of Texas, and the seizure of New Mexico and California – and each of these was orchestrated by a slaveholding president.

³ Charles Sellers, for instance, credits “northeastern commercial men” with the nation’s drive toward Asian commerce and California’s ports; Charles Sellers, *The Market Revolution: Jacksonian America, 1815-1846* (Oxford: Oxford University Press, 1994). Sellers does, however, make note of John Tyler’s efforts to secure California from Mexico.

⁴ David Igler, *The Great Ocean: Pacific Worlds from Captain Cook to the Gold Rush* (New York: Oxford University Press, 2013), 126. For an earlier account of Yankee influence in the Pacific world, see Samuel Eliot Morrison, “Boston Traders in the Hawaiian Islands, 1789-1823,” *Proceedings of the Massachusetts Historical Society* 54 (October 1920), pp. 9-47. For one of the most complete studies of American trade in the Pacific during this period, see David M. Pletcher, *The Diplomacy of Involvement: American Economic Expansion across the Pacific, 1784-1900* (Columbia: University of Missouri Press, 2001). Tellingly, Pletcher deals very little with American slaveholders.

By tracing this southern push toward the Pacific, we enlarge the perspective on both slaveholding imperialism and American empire, more generally. Scholars have explored the ways in which antebellum southerners looked well beyond the confines of their plantations. Indeed, slaveholders involved themselves intimately, these historians show, in the diplomatic, commercial, and military affairs of the Atlantic world.⁵ But the southern imperial imagination could never be confined to a single ocean basin. While slaveholders lived in an Atlantic world, they dreamed of a Pacific one, and they took active steps to extend their influence well beyond the hemisphere. From the explorers of the colonial era, to the policymakers of the early republic, to the thinkers and politicians of the antebellum period, southerners assumed a leading role in the American march to the Pacific. By the 1840s, in particular, somewhat abstract hopes for trans-Pacific influence took more concrete form with the campaign for a transcontinental railroad

⁵ Southerners' involvement in the Atlantic world took many forms. For bloody slaveholding incursions in the Caribbean, see Robert E. May, *The Southern Dream of a Caribbean Empire* (Gainesville, Fla.: University Press of Florida, 1973, 2002); Robert E. May, *John A. Quitman: Old South Crusader* (Baton Rouge: Louisiana State University Press, 1995); and Walter Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge: Harvard, 2013). For slavery's long commercial reach, see Brian Schoen, *The Fragile Fabric of Union: Cotton, Federal Politics, and the Global Origins of the Civil War* (Baltimore: Johns Hopkins University Press, 2009); and Laura Jarnagin, *A Confluence of Transatlantic Networks: Elites, Capitalism, and Confederate Migration to Brazil* (Tuscaloosa, University of Alabama, 2008). For the flourishing of southern cultural and intellectual life in the Atlantic orbit, see Michael O'Brien, *Conjectures of Order: Intellectual Life and the American South*, 2 vols. (Chapel Hill: University of North Carolina Press, 2010); and Matthew Pratt Guterl, *American Mediterranean: Southern Slaveholders in the Age of Emancipation* (Cambridge, Mass: Harvard University, 2008). For political accounts of the South's Atlantic influence, see Don E. Fehrenbacher, *The Slaveholding Republic: An Account of the United States Government's Relations to Slavery*, completed and edited by Ward M. McAfee (New York: Oxford University Press, 2001); and Matthew J. Karp, "This Vast Southern Empire: The South and the Foreign Policy of Slavery, 1833-1861," (PhD dissertation, University of Pennsylvania, 2011). It should be noted again that Karp's analysis is an exception, in that his early chapters assess the slaveholding interest in the Pacific slope as well. For more observations on the absence of the Pacific in American historiography generally, see Bruce Cumings, *Dominion from Sea to Sea: Pacific Ascendancy and American Power* (New Haven: Yale University Press, 2009), introduction.

through slave country. And in the process, southern expansionists transformed the Pacific coast into a sectional battleground.

As with the scholarship on southern expansionism, the historiography of American antebellum empire is in need of a broader optic. To be sure, historians no longer write of empire-building as a strictly European practice, as an older generation once did. The conquest of Cuba and the Philippines in 1898, once dismissed as an exception, now typifies an imperial nation-state that was at least decades in the making.⁶ And yet, contemporary scholars still employ an often misleading distinction between “formal” and “informal” empires – the former describing the imperial quest for territorial aggrandizement, while the latter applies generally to commercial penetration and diplomatic coercion.⁷ These categories serve to divide the history of American empire into temporal halves. The first phase features continental conquest during the antebellum

⁶ For this older American scholarship, see, for instance, Samuel Flagg Bemis, *A Diplomatic History of the United States* (New York: Henry Holt, 1850). American historians are not the only ones to downplay their nation’s deliberate imperialist policies. The English historian Sir John Robert Seeley famously wrote in 1883, “We seem, as it were, to have conquered and people half the world in a fit of absence of mind;” Seeley, *The Expansion of England: Two Courses of Lectures* (Cambridge: Cambridge University Press, 1883, 2010), 8.

⁷ In fact, the New Left historians most singularly responsible for overturning the previous exceptionalist model are guilty of an exceptionalism of a different sort. They conclusively challenged earlier scholarship that portrayed 1898 as an anomalous imperial moment in an otherwise unproblematic past, by instead highlighting the deep-seated motivations for these overseas conquests. For them, the restless nature of America’s economy and the relentless quest for more markets set the nation on this imperial path since at least the Civil War. But through their emphasis on commercial imperialism, they implicitly argued that America’s empire was distinct from European models. They suggested that, unlike the European powers, the U.S. avoided territorial entanglements whenever possible. This narrative, however, overlooks the centuries-long conquest of the North American continent. Even during the postbellum period of which these New Left historians wrote, the United States was still engaged in a series of wars to wrest the last bits of land from the continent’s Native people. For the most important of these works see, Walter LaFeber, *The New Empire: An Interpretation of American Expansion, 1860-1898* (Cornell: Cornell University Press, 1963, 1998); William Appleman Williams, *The Roots of the Modern American Empire: A Study of the Growth and Shaping of Social Consciousness in a Marketplace Society* (New York: Random House, 1969). For the role of the U.S.-China trade in this so-called informal empire, see Thomas J. McCormick, *China Market: America’s Quest for Informal Empire, 1893-1901* (Chicago: Quadrangle Books, 1967). Again, there has been far less written on the American ethos of commercial expansionism during the antebellum period.

period, followed by a campaign of commercial extension during the post-Civil War era.⁸

As slaveholding expansionists recognized, however, these two modes of empire – formal and informal, territorial and commercial – were mutually constitutive. By conquering the continent, the United States not only enlarged its territorial holdings; it also gained more direct access to a Pacific world of commerce. In fact, for slaveholding presidents like James K. Polk, the driving motivation behind territorial conquest was the access that it provided to maritime outlets. Antebellum imperialists never intended to stop short at the shores of California.⁹

Slaveholders and the Continental Approach to a Pacific Empire

Long before regional identities hardened into sectional rivalries, southern-born leaders articulated a vision of continental destiny and trans-Pacific influence. Thomas Jefferson deserves pride of place as the president who turned national attention toward the other end of the continent – or in the words of Henry Nash Smith, “the intellectual

⁸ Even Paul Kramer, one of the most careful students of American empire, accepts the boundaries between antebellum and postbellum imperialisms. He describes a “first” continental empire and a “second, overseas commercial empire;” Paul A. Kramer, *The Blood of Government: Race, Empire, the United States & the Philippines* (Chapel Hill: University of North Carolina Press, 2006), 10-11. He does, however, provide a shrewd critique of this historiography, especially the work of New Left scholars like LaFeber and Williams, and draws attention to how the America’s colonial rule in the Philippines explicitly drew on European models.

⁹ This is the central argument of Norman Graebner’s often overlooked work on antebellum American imperialism. “The determining factor that charted the course of the American nation across the continent to the Pacific was the pursuit of commercial empire,” he argues; Graebner, *Empire on the Pacific: A Study in American Continental Expansion* (Claremont, CA: Regina Books, 1983, reprint edition, first published 1955). My work is heavily indebted to Graebner’s analysis, while extending well beyond his 1848 end point and stressing the sectional character of this westward movement. David Iglar has also attempted to close this historiographic gap between America’s two empires. He argues that by the early nineteenth century, American vessels were becoming increasingly dominant in the Pacific trade, and thereby “anticipated and ultimately influenced [the United States’] geopolitical and military interests of the mid-nineteenth century;” Iglar, *Great Ocean*, 26.

father of the American advance to the Pacific.”¹⁰ Yet a decade before he used his executive power to dispatch Lewis and Clark on their journey to the mouth of the Columbia, Jefferson promoted the intended transcontinental exploration of the French botanist Andre Michaux. Writing on behalf of the American Philosophical Society and fellow patrons of the project, the Virginian instructed Michaux on “the chief objects” of the exploration: “to find the shortest & most convenient route of communication between the US. & the Pacific ocean, within the temperate latitudes.”¹¹ Diplomatic complications, however, ultimately scuttled the operation and Michaux never reached the Pacific coast – although he did win fame for his subsequent works on North American flora.

The transcontinental pioneers were, of course, Captain Merriweather Lewis and his lieutenant, William Clark, who set out ten years after Michaux’s aborted expedition. Jefferson’s instructions to Lewis, though more detailed, repeated much of what had been previously directed to the French adventurer. Lewis was to explore the waters of the Missouri in order to discover “the most direct & practicable water communication across this continent.” As Jefferson envisioned it, this expedition was to provide a deeper understanding of the continent’s geography, and especially its waterways, in order to facilitate speedier access to the Pacific slope. While Jefferson had stressed the scientific

¹⁰ Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth* (Cambridge, MA: Harvard University Press, 1950, 1970), 15.

¹¹ *Thomas Jefferson to Andre Michaux*, January 23, 1793. Manuscript/Mixed Material. Retrieved from the Library of Congress, <https://www.loc.gov/item/mtjbib006813> (accessed May 10, 2016). Jefferson was also keenly interested in the animal history of the continent and instructed Michaux that “the Mammoth is particularly recommended to your enquiries, as it is also to learn whether the Lama, or Paca of Peru is found in those parts of this continent, or how far North they come.” Jefferson had devoted much of his *Notes on the State of Virginia*, published just several years earlier in 1785, to a study of North America’s fauna, and his instructions to Michaux clearly reflect this enduring interest. The book was largely a rebuttal to Francois Barbe-Marbois’s claims that the North American continent gave rise to a feebler variety of animal life compared to Europe’s specimens.

value of Michaux's mission, his interests this time were more explicitly commercial. Lewis was to scout for furs along the Pacific coast, and most importantly, whether or not trade could be conducted along this transcontinental route "more beneficially than by the circumnavigation now practiced." Upon "your arrival on that coast," Jefferson continued, "endeavor to learn if there be any port within your reach."¹² Indeed, communication with a Pacific port was a central objective of this mission, as it would provide a source of contact with other maritime powers in the region, as well as an outlet to the Asian trade beyond. It was the lure of such outlets that would guide American (and Texan) policymakers through the coming decades.

By the 1830s, developments in neighboring Mexico prompted U.S. leaders to think more expansively about their nation's future growth. President Andrew Jackson not only attempted to annex Texas to the United States after the 1836 rebellion there, but also to acquire a piece of the Pacific coast.¹³ He instructed his minister to Mexico, Anthony Butler, to enter negotiations in order to purchase the region surrounding the harbor of San Francisco. In Jackson's mind, this was "a most desirable place of resort of our numerous vessels engaged in the whaling business in the Pacific, far preferable to any

¹² Thomas Jefferson to Merriweather Lewis, June 20, 1803, in Reuben Gold Thwaites, ed., *Original Journals of the Lewis and Clark Expedition, 1804-1806*, 8 vols. (New York: Dodd, Mead and Company, 1904-1905), 7:247-252. See also *Thomas Jefferson to Meriwether Lewis, July 4, 1803*, Manuscript/Mixed Material. Retrieved from the Library of Congress, <https://www.loc.gov/item/mtjbib012551>. (Accessed May 10, 2016). For more on Jefferson's hopes for a "great, free and independent empire" on the Pacific coast, see Peter S. Onuf, *Jefferson's Empire: The Language of American Nationhood* (Charlottesville: University Press of Virginia, 2000), 118.

¹³ In fact, Jackson had been lusting after Mexican territory since his earliest days in office. See, for instance, Andrew Jackson, "Notes for Instructions to Joel Roberts Poinsett," August 13, 1829, *The Papers of Andrew Jackson Digital Edition*, Daniel Feller, editor. Charlottesville: University of Virginia Press, 2015—<http://rotunda.upress.virginia.edu/founders/JKSN-01-07-02-0267> [accessed August 3, 2016].

to which they now have access.”¹⁴ Whaling may have been a primarily New England business venture, but slaveholding presidents like Jackson’s recognized its importance to the national economy. At this point, expansion was a national endeavor, and projects for the Pacific were not yet colored by the controversy over slavery. While Jackson’s successor, Martin Van Buren of New York did not pursue this diplomatic campaign for California, by the early 1840s John Tyler, yet another slaveholding executive and a Virginian, renewed the effort. His ministers proposed a bold bargain to Great Britain, another nation with imperial designs on the Pacific. Tyler and his ministers offered to cede American territorial claims in Oregon north of the Columbia river in exchange for British aid in securing California from Mexico. The bargain failed, but not for lack of effort or creativity.¹⁵

Conceived in conquest, the Republic of Texas continued an aggressive policy of territorial expansion until its annexation to the U.S. a decade later in 1846. Like Andrew Jackson and John Tyler, the proslavery politicians of Texas set their sights on the ports of the Pacific. “As a separated Power, the splendid harbours [sic] on the South Sea or Pacific Ocean, will be indispensable for us,” wrote the republic’s minister to the U.S., Memucan Hunt, in April 1838. “The possession of the harbor of St. Francisco,” he

¹⁴ Quoted in Graebner, *Empire on the Pacific*, 70. Andrew Jackson is far better remembered for his conquest of Indian territories than his maritime ambitions, and few of his recent biographies have noted his broad Pacific vision; see, for example, W.H. Brands, *Andrew Jackson: His Life and Times* (New York: Doubleday, 2005); and Jon Meacham, *American Lion: Andrew Jackson in the White House* (New York: Random House, 2008). Conversely, Daniel Walker Howe has characterized Jackson as aggressive in pursuit of overseas commerce and keenly interested in the Pacific; see Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (Oxford: Oxford University Press, 2007), 363-364.

¹⁵ For a brief treatment of these efforts, see John Mack Faragher, *Eternity Street: Violence and Justice in Frontier Los Angeles* (New York: W.W. Norton & Company, 2016), 76; Graebner, *Empire on the Pacific*, 70-72; Sellers, *Market Revolution*, 413.

continued, was alone worth the effort and expense required to seize the southwestern half of the continent.¹⁶ As Texans like General Thomas Jefferson Green boasted, their nation occupied a central position for the channeling of this Pacific commerce – a natural thoroughfare between the American slave states and the ports of California. Soon, Green predicted, a series of railroads and canals would unite these two halves of the continent, via the Lone Star republic.¹⁷ The same year that Texas won its independence, the *New Orleans Bee* envisioned an even grander transcontinental network. Within a decade, the *Bee* predicted, a railroad from New Orleans to California would be constructed, making the Gulf South one of the great commercial centers of the world.¹⁸ Here was the slaveholding vision of Pacific empire taking shape: the Deep South, Texas, the Pacific West, and Asia naturally invited commercial integration, and once achieved, would grant America's slave economies a substantial share of global trade.

Yet as Memucan Hunt and others recognized, Pacific ambitions could potentially set Texas on a collision course with the United States, whose leaders simultaneously

¹⁶ Memucan Hunt to Richard A. Irion, April 13, 1838, in George Pierce Garrison, ed., *Diplomatic Correspondence of the Republic of Texas*, 2 vols. (Washington: Government Printing Office, 1907-1908), Vol. 2, Part 1, pp. 323-325.

¹⁷ Green's musings on transcontinental communication are from Green to Archer, December 26, 1836, in the *Telegraph and Texas Register*, September 16, 1837, cited in William Campbell Binkley, *The Expansionist Movement in Texas, 1836-1850* (Berkeley: University of California, 1925), 23-24. See also Green's comments on Texas's geostrategic centrality in Thomas J[efferson] Green, *Journal of the Texian Expedition against Mier* (New York: Harper & Brothers, 1845), 412.

¹⁸ The paper foresaw a grand contest for transcontinental communication and Asian trade fought between New Orleans and New York; *New Orleans Bee*, May 13, 1836, excerpted in the *Richmond Enquirer*, May 27, 1836. Ultimately, New Orleans would lose out to Memphis as the favored eastern terminus of southern railroad promoters. Historians have traditionally dated the agitation for a southern transcontinental railroad to the U.S.-Mexico War, when America gained military control over California. See, for instance, Robert S. Cotterill, "Early Agitation for a Pacific Railroad, 1845-1850," *Mississippi Valley Historical Review* 5 (March 1919), 403. Even Robert Russel's detailed account of the Pacific railroad debates gives scant attention to this pre-1846 history; Robert R. Russel, *Improvement of Communication with the Pacific Coast as an Issue in American Politics, 1783-1864* (Cedar Rapids: Torch Press, 1948). Yet as the writings of Green and the *Bee* indicate, there was real interest in a southern route to the Pacific while California remained within Mexican borders.

maneuvered to claim ports like San Francisco.¹⁹ When the Congress of Texas passed a resolution extending the republic's jurisdiction to the California coastline, Daniel Webster remarked that "Texas was too grasping and might excite the jealousy of other nations."²⁰ Texan expansionists would not, however, bow to the foreign policy objectives of the U.S. or to the legitimate territorial claims of Mexico. On the contrary, Texan policymakers operated under the assumption that they could redraw the North American map with no input from their much larger neighbor to the south. The republic's leaders winked at (or even endorsed) several invasions of Mexican territory, including the failed 1841 effort to seize New Mexico and the valuable Santa Fe trade. Such defeats did little to dim the imperial horizons of Texans, however. In his farewell message of December 1844, President Sam Houston sounded a familiar note. "If we remain an independent nation, our territory will be extensive – unlimited," he proclaimed. "The Pacific alone will bound the mighty march of our race and our empire."²¹

More American in outlook than some of his Texan colleagues, Thomas Jefferson Green nonetheless shared their far western preoccupations. Both a politician and a soldier of fortune, Green chased various opportunities in a long public career that took him across the southern half of the continent and back again. A brigadier general in the Texas revolutionary army and later a major general in the California militia, Green also served on the legislatures of North Carolina, Florida, California, and the Republic of

¹⁹ Again see Hunt to Irion, April 13, 1838, pp. 323-325, in Garrison, *Diplomatic Correspondence of the Republic of Texas*, Vol. 2, Part 1, pp. 323-325.

²⁰ Webster's comment is quoted in a letter from James Reily to Anson Jones, March 11, 1842, Garrison, *Diplomatic Correspondence of the Republic of Texas*, Vol. 2, Part 1, pp. 540-542.

²¹ Quoted in Binkley, *Expansionist Movement in Texas*, 121.

Texas. In 1842, he was appointed second in command of the so-called Mier expedition, a failed Texan raid into Mexican territory south of the Nueces River, that ended in the capture of the entire unit of over two hundred invaders – though Green and a number of others eventually escaped. Rebuffed in one imperial venture, he soon set his sights on a far grander theater for expansion. In his memoir of this ill-fated expedition, published in 1845, he called for the seizure of Mexican California and the establishment of American control across this terrain, “the most desirable portion of this continent.” The land between the 28th and 42nd parallels possessed “a soil and climate of unsurpassed capability for grazing and agriculture,” as well as mineral wealth “equal, if not superior, to any in the world”. But perhaps more enticing were the natural harbors that dotted this long coastline – Guaymas, San Diego, San Gabriel, Monterey, and San Francisco, among others. With an eye to America’s continued commercial expansion, Green argued, like Hunt and others, that “the port of San Francisco, or some other port in the south, is absolutely necessary.”²²

Texans like Green were hardly the only, or even the most prominent slaveholders to fantasize about the possibilities of California’s harbors. The untapped potential of the Pacific coastline was a favorite topic of conversation for John C. Calhoun while in Washington in the early 1840s. His musings left a strong impression on a young slaveholding congressman from Mississippi, William McKendree Gwin. As Gwin recalled in his memoirs, Calhoun predicted that a future city on the bay of San Francisco

²² Thomas J[efferson] Green, *Journal of the Texian Expedition against Mier* (New York: Harper & Brothers, 1845), 412-416. Biographical detail on Green is rather scant, though some material can be found in John C. Parish, “A Project for a California Slave Colony in 1851,” *Huntington Library Bulletin* 8 (Oct. 1935), pp. 171-175.

– which at that point constituted little more than a cluster of ramshackle buildings – “was destined to be the New York of the Pacific Coast.” In fact, it would be “more supreme,” Calhoun claimed, as San Francisco “would have no such rivals as Boston, Philadelphia, and Baltimore.” It was only a matter of time before American claimed that territory, he insisted, at which point the United States would control “the direct route of the great commerce of Asia.”²³ Gwin and Green were clearly wooed by such promises of Pacific ascendancy, as both politicians set out for California in 1849. And once there, as we shall see, they promoted a distinctly proslavery vision of empire in the Far West.

Calhoun, of course, remained in Washington and South Carolina, where he used his considerable influence to advocate a strong American position on the Pacific. In an 1843 debate over whether the United States should assert its exclusive right to Oregon and break its joint ownership with Britain, Calhoun again stressed the importance of Pacific harbors. He cited the British victory in the Opium War as evidence that soon Japan’s ports would soon be opened to the West, as had China’s per the recently concluded terms of surrender. America and Europe could then bid for the commerce of “the whole of that large portion of Asia, containing nearly half of the population and wealth of the globe,” he continued. “No small portion” of this vast Asian commerce “is destined to pass through the ports of the Oregon Territory to the valley of the Mississippi, instead of taking the circuitous and long voyage round Cape Horn.”²⁴ Pacific enterprise,

²³ William M. Gwin, *Memoirs on the History of United States, Mexico, and California of Ex Senator Wm. M. Gwin*, Dictated by Himself for Bancroft Library, Mss, 1878, BANC, 1-4. His memoirs were subsequently published as William Henry Ellison, ed., “Memoirs of Hon. William M. Gwin, Part I” *California Historical Society Quarterly* 19:1 (March 1940). Three additional parts were published in the three subsequent issues of the journal.

²⁴ *Cong. Globe*, 27th Congress, 3rd session, appendix (January 1843), p. 139. Precisely because he valued this Asian commerce, Calhoun opposed the bill, which would have terminated joint ownership with Britain.

as Calhoun recognized, was an inherently imperial venture. Indeed, the commercial empire, to which so many southerners and northerners alike appealed, was no misnomer. Expanded trade with China had been made possible through overwhelming military force – as it would be with Japan, as well – and America needed to maintain a position of geostrategic strength to claim its share of this wealth.²⁵

Calhoun's views on Pacific outlets aligned with the general maritime agenda of some of the South's most influential political thinkers. As Matthew Karp has argued, the buildup of the antebellum American navy was overseen primarily by slaveholders and their allies. In the final two decades before the Civil War, nine of the twelve secretaries of the navy hailed from slave states, while southern-born senators controlled the

He argued that if the U.S. should stake an exclusive claim on the territory it would spark war, and given Britain's power within the Pacific Basin and its beachhead in China, "the result would be inevitable – the territory would be lost to us." Instead, the U.S. should simply bide its time, he urged, and let the inexorable wave of American immigration effectively seize the territory, without the firing of a single shot. Calhoun's Pacific and commercial preoccupations are little noted by his biographers. See, for instance, one of the standard accounts, John Niven, *John C. Calhoun and the Price of Union* (Baton Rouge: Louisiana State University Press, 1988).

²⁵ Calhoun's prediction that Japan's ports would be opened in "just a few years" was prescient, albeit slightly premature. Under the aegis of Commodore Matthew Perry a decade later, the United States forced Japan into a commercial treaty and thus ended over two centuries of national seclusion. The "Empire on the Pacific," of which Norman Graebner has written so persuasively, is undertheorized. That is, Graebner never details what was explicitly imperial in the drive for California's ports and trade with Asia – rather, its imperial nature is merely assumed. This dissertation, in contrast, has argued that such a commercial enterprise was imperial in three ways: it depended upon diplomatic, and even military coercion in Hawaii and Asia; it required territorial conquest and purchase from Mexico; and it was sustained through the dispossession and subjugation of the Southwest's powerful Native tribes. In short, commerce had to be extended and defended through the force of the state. For a useful discussion of American empire, see Joseph A. Fry, "Imperialism, American Style, 1890-1916," in Gordon Martel, ed., *American Foreign Relations Reconsidered, 1890-1993* (New York: Routledge, 1994). Particularly helpful is Fry's definition of empire. "Imperialism and hence empire exist when a stronger nation or society imposes or attempts to impose control over a weaker nation or group of people," Fry wrote. "This control may be formal (via annexations, protectorates, or military occupations) or informal (via economic control, cultural domination, or threat of intervention)." For a wide-ranging treatment of world empires, and the various forms they assumed, see Jane Burbank and Frederick Cooper, *Empires in World History: Power and the Politics of Difference* (Princeton, NJ: Princeton University Press, 2010).

Committee on Naval affairs for sixteen of those years.²⁶ The Georgia planter Thomas Butler King held that committee chair for several years, during which time he became a particularly prominent proponent of naval expansion in the Pacific world. From 1842 to 1860, a Virginian, Matthew Fontaine Maury, served as the superintendent of the Depot of Charts and Instruments in Washington. He would win international recognition as one of the nation's most gifted cartographers, oceanographers, and champions of transcontinental communication and trans-Pacific commerce.²⁷ Meanwhile, another Virginian, the slaveholding Thomas ap Catesby Jones, commanded the Pacific Squadron. With their emphasis on internal improvements for the South, global commerce, and American sea power, leaders like Maury and King typified the proslavery campaign for Pacific empire. As the United States continued moving West, they would remain at the heart of this great project.

Through the first half of the nineteenth century, slaveholders proved some of the most forceful promoters of an American empire on the Pacific. To be sure, several northern policymakers, including Daniel Webster and John Quincy Adams, matched them in their expansionist zeal. And again, the merchants and sailors who conducted the face-to-face transactions throughout the Pacific world were overwhelmingly Yankee in

²⁶ Matthew J. Karp, "Slavery and American Sea Power: The Navalist Impulse in the Antebellum South," *Journal of Southern History* 77 (May 2011), pp. 283-324.

²⁷ An importance piece of correspondence between these naval luminaries highlights the centrality of China, and the Pacific trade generally, in their maritime agenda; "Steam Navigation to China," Matthew Fontaine Maury to Thomas Butler King, January 10, 1848, included with *Circular to the Citizens of the United States* by the Memphis Convention Corresponding Committee (Memphis: no publisher, 1849), Library Company of Philadelphia. For a tribute to Maury's international impact see, John Wrottesley, *Lord Wrottesley's Speech in the House of Lords, on 26th April, 1853, on Lieut. Maury's Plan for Improving Navigation with some Remarks upon the Advantages Arising from the Pursuit of Abstract Science* (London: James Ridgway, 1853). Maury established his position as a leader in his field, first with *A New Theoretical and Practical Treatise on Navigation* (Philadelphia: E.C. & J. Biddle, 1845); and then, definitively, with *The Physical Geography of the Sea*, second edition (New York: Harper & Brothers, 1855).

origin. Yet scholars have overplayed the northern character of early America's commercial development. After all, the ports of the Pacific would have remained nothing but an American fantasy if not for the territorial advances made by slaveholding presidents – Jefferson's Louisiana Purchase, Tyler's annexation of Texas, and later Polk's conquest of northwest Mexico. Such additions, however, also enflamed the simmering controversy over slavery, and ensured that by the mid-1840s, the Pacific slope would assume the character of a sectional battleground.

Railroading to Empire

Few projects fueled sectional discord quite like the struggle to determine where America's first transcontinental railroad should run. Although expansionists like Thomas Jefferson Green and the editors of the *New Orleans Bee* had called attention to transcontinental communication since the 1830s, it was not until 1845 that the railroad became a major national issue. Not coincidentally, that year also marked the beginning of a rapid acceleration in the Pacific trade due to the recently concluded Treaty of Wanghsia between China and the U.S.²⁸ From that point forward, Pacific empire became nearly synonymous with railroad development. And American expansionists would increasingly divide over the question of slavery.

The New York merchant Asa Whitney, recently returned from a two-year stint in China, was the first to bring the railroad to national prominence. On January 28, 1845,

²⁸ Yuan Chung Teng, "American China-Trade, American-Chinese Relations, and the Taiping Rebellion, 1853-1858," *Journal of Asian History* 3:2 (1969), 94; and Amy Greenberg, *Manifest Manhood and the Antebellum American Empire* (New York: Cambridge University Press, 2005), 261.

Whitney put forward a memorial to the House of Representatives, requesting the construction of a rail line from the Great Lakes into Oregon.²⁹ A tireless promoter of this route, Whitney accrued significant support, but also powerful opposition, especially from proslavery railroaders, who saw the linking of the Great Lakes and the Pacific Coast as a death knell for southern commerce. Although every “patriotic and thinking citizen” desires the accomplishment of a Pacific railroad, an anonymous contributor to the *Charleston Courier* wrote in January 1847, Whitney’s proposed route was entirely impractical. Its shortcomings were clear and numerous, the writer added: not only would it be subject to inclement weather and far too northerly to benefit most of the nation, Whitney’s railroad was also intended to be a private enterprise.³⁰ *De Bow’s Review* added to the criticism coming from southern presses, and soon the *Baltimore American* was the only paper in the region to stand by Whitney’s plan.³¹

When Whitney first proposed the construction of a transcontinental railroad in 1845 he did not anticipate the sectional strife that such a plan would provoke. But conflict and debate went hand-in-hand with any project that promised such wealth to a given region. Whitney’s memorial had barely reached the Capitol when a powerful coalition of southern railroad promoters emerged, refusing to stand idle as Whitney attempted to snatch Pacific commerce for northern cities. Such feelings of sectional rivalry spurred James Gadsden to write to John C. Calhoun in October, 1845, urging the elder statesman’s attendance at the upcoming Memphis Convention. He saw the

²⁹ *Cong. Globe*, 28th Congress, 2nd Session, (January 28, 1845), 218-219.

³⁰ *Charleston Courier*, January 12, 1847.

³¹ Cotterill, “Early Agitation for a Pacific Railroad,” 396-398. For more criticism of Whitney’s plan, see, for instance, *De Bow’s Review*, July 1849, 22-23.

Convention as an opportunity to ally the western states with “the Great Commercial and Agricultural interests” of the South, rather than “the Tax gathering and Monopolizing interests of the North.”³² Gadsden insisted on viewing the West as a natural outgrowth of the South. By linking the regions with “iron avenues,” he argued, they would achieve “Southern equality in... trade.”³³ In pursuing this dream of trans-regional communication and southern commercial regeneration, Gadsden would become one of the leading antebellum railroad advocates on either side of the Mason-Dixon line.

A common trope in the endorsement of any railroad scheme was a pledge of nationalism and a rhetorical renunciation of sectional impulses. Railroaders, North and South, claimed to work for the common good, rather than for regional aggrandizement. Rarely, however, should we take such claims at face value. After all, railroad promoters generally held strong local ties and regional agendas, and their transcontinental appeals could only target, and therefore enrich, very specific parts of the country. Anyway, even those with truly national intentions would have been foiled by the state of antebellum American railroads. The railroad system simply did not cohere. Railroads at the time ran on over twenty different gauges, and while the 4 feet 8 ½ inch gauge accounted for roughly half the total mileage, most of the South ran on a five-foot gauge. Anytime a gauge changed, freight had to be transported at considerable cost to the next train, sometimes miles away.³⁴ Thus any cities on the main trunk of a transcontinental railroad would likely receive the lion’s share of the commerce, while cities linked by connecting

³² James Gadsden to John C. Calhoun, 9 October, 1845, in *Correspondence of John C. Calhoun*, (Washington, D.C.: Government Print Office, 1900), 2:1062.

³³ *Charleston Courier*, February 5, 1851.

³⁴ Richard White, *Railroaded: The Transcontinentals and the Making of Modern America* (New York: W.W. Norton, 2011), 2-3.

branches would have to content themselves with the scraps. Despite all the claims to the contrary, transcontinental railroad debates were sectional matters.

Such hollow claims of sectional disinterestedness were frequently marshaled by the delegates of the Memphis Convention of 1845, who gathered in November to promote communication between the Mississippi Valley and the Southeast. In a frenzy of press coverage and general public enthusiasm, 580 delegates from sixteen states, including Calhoun as president, converged on Memphis.³⁵ The vast majority, however, hailed from slave states. Indeed, this was a convention of southerners, by southerners, and for southerners. And nothing interested them as much as railroad construction.³⁶ At stake was “commercial empire,” according to Gadsden, and while the construction of railway lines from Southeastern cities into Memphis was the first order of business, the *Charlestonian* could not refrain from advocating a route all the way to the shores of California.³⁷ Others shared his Pacific aspirations. Another delegate, for instance, eagerly looked forward to the day when a line would connect Charleston to California, and the “vast trade” of “Golden Carthy [sic] and the Orient Ind” would pour into American harbors.³⁸ Calhoun, too, conservatively predicted that the U.S. would have a Pacific railroad within the next generation.³⁹

³⁵ Robert Spencer Cotterill, “Improvement of Transportation in the Mississippi Valley, 1845-1850” (Ph.D. dissertation, University of Wisconsin, 1919), 24. A smaller delegation had also met in Memphis in July of that year to less fanfare and lower expectations.

³⁶ For the most complete coverage of the Convention, see *Journal of the Proceedings of the South-Western Convention, Began and Held at the City of Memphis, on the 12th November, 1845* (Memphis, 1845); also “Convention of Southern and Western States,” *De Bow’s Review* 1 (January 1846), 1-22. De Bow himself served prominently at Memphis.

³⁷ For Gadsden’s report, see *Journal of the Proceedings of the South-Western Convention*, 29-41; also coverage from “Southern Atlantic and Mississippi Railroad,” *DBR* 1:1 (January 1846), 22-33; and the *Southern Patriot*, May 11, 1846.

³⁸ “Southern Atlantic and Mississippi Railroad,” *DBR*, 24.

³⁹ *Journal of the Proceedings of the South-Western Convention*, 14.

The Memphis Convention gave southerners the opportunity to come together and articulate, as a powerful commercial and political bloc, an alternate vision to Whitney's transcontinental proposal. Of course, there was no perfect southern consensus. New Orleans interests, for instance, viewed the gathering at Memphis as a threat to its stranglehold on the western trade, and they continued to favor river transportation over the promises of a transcontinental railroad.⁴⁰ Yet the very presence of almost 600 influential and like-minded leaders in the same place testifies to a growing coalition committed to the creation of a commercial empire oriented on a south-west axis, buttressed by railroads reaching all the way into California. As historian Robert Cotterill noted, southern railroad promoters were more systematic and far-seeing than their Northern counterparts, keeping the prize of western commerce steadily within their sights.⁴¹ That California was a Mexican possession at this point seemed almost irrelevant to men like Gadsden. The horizons of southern commercial expansionists stretched well beyond the borders of the nation.

That year also marked the emergence of a powerful new voice in slaveholding expansionism and transcontinental communication. James Dunwoody Brownson (J.D.B.) De Bow published the first issue of his *Commercial Review of the South and West* in New Orleans in January 1846.⁴² Although the periodical struggled financially at first, it would

⁴⁰ For the commercial rivalry between New Orleans and other major Southern cities like Memphis, see Cotterill, "Southern Railroads and Western Trade", 428-432. New Orleans did not join the frenzy for the Pacific railroad until around 1852. Prior to that, New Orleans interests had focused their energies on Isthmian connections across Central America.

⁴¹ Cotterill, "Southern Railroads and Western Trade," 427-428.

⁴² De Bow's magazine would undergo several name changes over the antebellum period, from the *Commercial Review of the South and West* (January 1846-June 1847), to *De Bow's Commercial Review of the South and West* (February 1847-June 1850), to *De Bow's Review of the Southern and Western States*

soon become what De Bow's biographer calls "the most recognizable journal in the antebellum South."⁴³ In monthly installments, De Bow and his corps of contributors articulated the platform of a modernizing South. Here was a periodical that promoted railroad development, urban growth, and industrialization as a bulwark, rather than an impediment, for slave agriculture. The Far West occupied a central place in De Bow's plans for regional development, and as the sectional crisis intensified, so too did his interest in the commercial expansion of the South.⁴⁴ Over the coming years he would establish himself as one of the most active chroniclers of southern railroad development and most vocal boosters of westward expansion.⁴⁵

The Pacific – and to a significant degree, the issue of a transcontinental railroad – was at the heart of America's greatest imperial undertaking. The U.S.-Mexican War added 1.2 million square miles of territory to the United States and secured, at long last,

to *De Bow's Review* (January 1853–August 1864). For the sake of uniformity and simplicity, however, the publication will be hereafter cited to as *De Bow's Review* (*DBR*).

⁴³ John F. Kvach, *De Bow's Review: The Antebellum Vision of a New South* (Lexington: University Press of Kentucky, 2013), 3. Kvach argues that, well before the South was temporally divided between "Old" and "New" periods, De Bow articulated most of the talking points of the postwar movement for regional development.

⁴⁴ As historian Norman Graebner has argued, "No American publication called the attention of its readers to the importance of Asiatic commerce in more ebullient terms than did De Bow's *Commercial Review*," Graebner, *Empire on the Pacific*, 130. It should be noted, however, that De Bow was at first skeptical of Mexican California's potential. "Whether California will ever become of any great importance in the history of the world, or advance to any conspicuous position, either agriculturally, commercially or politically, is susceptible of the greatest doubt," he wrote in the journal's inaugural issue. But De Bow did note "that the fine harbors opened along its coast on the Pacific... will always be attractive." His doubts about California seem to have had more to do with its status as a Mexican territory than its inherent value. As we shall see, once the U.S. acquired California, he would abandon this earlier skepticism; "Oregon and California," *DBR* 1:1 (January 1846), 65-66.

⁴⁵ Also that year, De Bow, along with Judah Benjamin and several others, formed the Louisiana Historical Society. The Society reflected the interests of its founders in the American West and Mexican North. In September they wrote to Joel Poinsett, former minister to Mexico, outlining their plans for a historical lecture series on the Southwest, "and if possible of Mexico, California and the South American States;" Judah P. Benjamin, L. Janin, J.D.B. DeBow, J.L. Riddell, and Alfred Hennen to Poinsett, September 5, 1846, Joel Poinsett Papers, in Gilpin Family Collection, Historical Society of Pennsylvania. De Bow also sought contributions from Poinsett on similar subjects for his *Review*; see for instance, J.D.B. DeBow to Joel Poinsett, May 14, 1846, also in Poinsett Papers, HSP.

the harbors of California for American commerce. James K. Polk's administration achieved through military force what previous slaveholding presidents, like Andrew Jackson and John Tyler, had attempted through diplomatic coercion. From the very outset of the conflict, it was the deep-water harbors of California that most enticed the slaveholding president. In fact, even before war had broken out, Polk's secretary of the navy, George Bancroft, instructed the commander of the Pacific Squadron, John D. Sloat, to direct his attention to California's ports. "If you ascertain with certainty that Mexico has declared war against the United States," he wrote, "you will at once possess yourself of the port of San Francisco." That harbor, Bancroft later elaborated, was to be considered "the most important public object."⁴⁶ What made this harbor especially attractive, according to the former minister to Mexico, Waddy Thompson, was both its size and its proximity to timber. "To say nothing of other harbors in California, that of San Francisco is capacious enough for the navies of the world," Thompson, a South Carolinian, wrote in his 1846 memoir. "Its shores are covered with enough timber... to build those navies." If the U.S. hoped to enlarge its commerce with the Pacific – which Thompson valued at over \$50 million annually – it required "a place of refuge for our

⁴⁶ George Bancroft to John D. Sloat, June 24, 1845; Bancroft to Sloat, May 15, 1846. On the importance of California more generally to the Polk war effort see William L. Marcy to Colonel Stephen W. Kearny, June 3, 1846. These letters are all included in [Captain of Volunteers], *Alta California: Embracing Notices of the Climate, Soil, and Agricultural Products of Northern Mexico and the Pacific Seaboard; also a History of the Military and Naval Operations of the U.S. Government against Northern Mexico, in the Years 1846 and 1847, and the Opinion of the Hon. James Buchanan on the Wilmot Proviso* (Philadelphia: H. Packer & Co., 1847), 14-16. For more commentary on Polk's fixation on maritime commerce, as opposed to territorial expansions, see Graebner, *Empire on the Pacific*, ix.

ships.”⁴⁷ By 1848 Thompson’s fantasies had become reality. The U.S. now had its empire on the Pacific.

To be sure, there were other inducements to the conquest of the Mexican northwest, especially in the eyes of slaveholders. If Thompson’s descriptions were to be believed, California possessed an agricultural climate not unlike the plantation South. Although he did not comment on the possibility for slave labor in California, Thompson did note tellingly that southern staples like “sugar, rice, and cotton find there their own congenial climate.”⁴⁸ In his highly critical account of the war, an anonymous army officer made more explicit the parallels between the slave South and the Far West. “In California, Sonora, and New Mexico, as good wheat, corn, and tobacco can be raised as are produced in Maryland, Virginia, Kentucky, or Tennessee,” he wrote, “and as good cotton as Alabama or Mississippi can produce, may also be grown in California.”⁴⁹ This would have certainly been welcome news to certain slaveholding expansionists. But again, the central objective of the proslavery administration was not an increase in territory – as fertile as some of that soil may have been. Instead, Polk and his ministers had their eyes set on a grander prize: a Pacific world of commerce.

That much became clear during the treaty negotiations with Mexico in 1848, when the railroad question again came to the fore. Although the U.S. did not go to war against Mexico for the express purpose of securing a suitable Pacific railroad route,

⁴⁷ Thompson was particularly interested in the commercial potential of New Orleans, what he predicted would become “the greatest city in the world.” An American port on the Pacific, together with a transcontinental system of railroads and canals, “would throw into [New Orleans’s] lap the vast commerce of China and India;” Waddy Thompson, *Recollections of Mexico* (New York: Wiley and Putnam, 1846), 233. His \$50 million figure seems to be a gross overestimate. See below.

⁴⁸ Thompson, *Recollections of Mexico*, 233.

⁴⁹ [Captain of Volunteers], *Alta California*, 59.

Polk's government made transcontinental communication an important part of the peace process. Unfortunately for southern railroad promoters, even with California secured, the favored route to San Diego still did not pass entirely within U.S. territory. Proslavery railroaders, therefore, lusted after even more territory, or at least a right-of-way through Mexico. With the Mexican military on the ropes, J.D.B. De Bow now saw no excuse to begin negotiations without the southern railroad in mind. Securing rights of passage through Mexican territory should be a "*sine qua non* in our treaty with that republic," he insisted.⁵⁰ Meanwhile, Jefferson Davis hoped for more Mexican territory in order to "secure the railroad route to San Diego."⁵¹ So too did Secretary of State James Buchanan. In a letter to Nicholas Trist, then negotiating in Mexico, Buchanan urged the diplomat to secure the Gila valley along the 32nd parallel, which had been deemed prime real estate for railroad construction.⁵² Ultimately the U.S. would not win quite as much land as Buchanan or Davis had hoped, but Trist's negotiations did secure a right-of-way for railroad development through northern Mexico.⁵³ And as Jefferson Davis would learn several years later as secretary of war, this was not the last time southern railroad champions would turn their attentions to Mexico.⁵⁴

⁵⁰ "Atlantic and Pacific Railroad," *De Bow's Review* 3 (June 1847), 478.

⁵¹ Davis recalled this objective in an 1851 speech. Mississippi *Free Trader*, October 8, 1851, in Dunbar Rowland, ed., *Jefferson Davis, Constitutionalist: His Letters, Papers and Speeches*, 10 vols. (Jackson, Mississippi: Mississippi Department of Archives and History, 1923) 2:89.

⁵² James Buchanan to Nicholas Trist, July 13, 1847, printed in *Richmond Enquirer*, March 28, 1848.

⁵³ For a brief outline of the thorny treaty negotiations, see Rachel St. John, *Line in the Sand: A History of the Western U.S.-Mexico Border* (Princeton: Princeton University Press, 2011), 19-23.

⁵⁴ The commercial objectives of the Polk administration have largely fallen out of recent works on the U.S.-Mexico War. In one of the finest single-volume accounts of the conflict, Amy S. Greenberg devotes little attention to railroads or Pacific commerce. And while Robert Merry's work celebrates the grand visions and geopolitical triumphs of Polk, it also underplays the significance of Pacific ports and the question of a transcontinental railroad. Tellingly, Norman Graebner's work does not receive a mention in Merry's bibliography. Amy S. Greenberg, *A Wicked War: Polk, Clay, Lincoln, and the 1846 U.S. Invasion of Mexico* (New York: Alfred A. Knopf, 2012); and Robert W. Merry, *A Country of Vast Designs: James K.*

With vast new holdings in the Far Southwest, the American map appeared more inviting than ever for southern railroaders. Their movement attained a newfound coherence and visibility shortly after the war, largely due to a series of widely reprinted letters by Matthew Fontaine Maury, superintendent of the U.S. Naval Observatory and ardent champion of a southern transcontinental route.⁵⁵ In a letter to Calhoun, dated March 29, 1848, Maury gave full latitude to his globetrotting imagination and prophesied a glorious future for the U.S. as the world's undisputed commercial powerhouse – once the Atlantic and Pacific coasts were linked by rail. “[C]ommercially speaking, our country is in the centre of the people of the earth, and occupies a position for trade and traffic with them which no nation that ever existed has held,” he exulted. Mustering an impressive array of astronomical measurements to calculate the best route, Maury rebutted Whitney's plan and concluded that the train should run from Monterrey to Memphis, and branch from there to all parts of the eastern seaboard. If this could be accomplished, he imagined, “you might then drink tea made in Charleston within the same month in which the leaf was gathered in China.” Left unstated by Maury – yet very much implicit in this notion of rapid exchange – was an enticing prospect to any planter: one might then buy cotton products in China within the same month in which the staple was picked from the South Carolina lowcountry. With such ease of access to Asian

Polk, the Mexican War, and the Conquest of the American Continent (New York: Simon & Schuster, 2009).

⁵⁵ A stagecoach accident in 1839 shattered Maury's right leg and rendered him unfit for shipboard service. But where the land-bound navalist could no longer go by sea, he traveled in his mind and through his writings.

markets, America would supplant Britain as the leading force in global trade.⁵⁶ Several months later, in another letter, Maury continued to hammer the importance of communication with the West. “The chief seat of the wealth and power and greatness of these United States” would not reside on the eastern seaboard for long, Maury claimed.⁵⁷ Westward went the course of American prosperity.

Beneath Maury’s national triumphalism ran a strong chord of sectional aggrandizement. At the commercial crossroads of the world, the United States was destined to draw a commanding share of European and Asian trade, and, so long as the spine of this traffic ran through slave country, the South would be the primary beneficiary. Untold riches lay before southern markets, if only the government could be convinced that Memphis was indeed the most desirable eastern terminus for a transcontinental railroad. As Maury made clear, transcontinental expansionism already contained the promise of a transpacific commercial empire. California, therefore, was not to be the end point of American dominion, but rather a pivotal stepping-stone in a truly global network of trade. This was economic expansionism at its finest. And the South had a new champion in Maury.

The railroad, as Maury, De Bow and others argued, was the surest antidote to the South’s commercial ailments. The North’s fast-growing edge in industrial development was luring business and immigrants, thus leading free states to outpace the South not only

⁵⁶ Matthew Fontaine Maury to John C. Calhoun, 29 March, 1848, printed in *The Western Journal of Agriculture, Manufactures, Mechanic Arts, Internal Improvement, Commerce, and General Literature* 1 (July 1848), 352-358.

⁵⁷ Maury to Joseph Segar October 4, 1848, printed in *Richmond Enquirer*, February 13, 1849; see also *Richmond Enquirer*, March 30, 1849. For similarly optimistic projections regarding Asian trade, see the annual report from the Secretary of the Treasury, Robert J. Walker, also printed in the *Richmond Enquirer*, December 29, 1848.

in economic capacity but also in population, and thereby upsetting the always precarious balance of congressional representation. Meanwhile slaveholders saw their commerce carried away on Northern ships, as they themselves were becoming more dependent on Europe and the North for manufactures.⁵⁸ To stem this tide, De Bow called for the development of a “*commercial Empire*” centered in the slave South. “As a Southron, we confess a deep and abiding interest in these schemes to connect the two oceans,” he wrote in 1849. “Our own cities must revive under their influence, and commerce visit again and rule in her wonted marts.”⁵⁹ Direct trade with the Pacific world – conducted along a southern transcontinental railroad and with southern-owned ships operating out of California’s ports – would no doubt facilitate such a revival. Cotton would play a key role. Expansionists like De Bow firmly believed that Asian markets clamored for southern agricultural products, especially cotton, and that with trade routes across the Pacific, America would claim a dominant share of global trade.⁶⁰ The world, and the

⁵⁸ For more on these anxieties and southern political thought, see Jesse T. Carpenter, *The South as a Conscious Minority, 1789-1861: A Study in Political Thought* (Columbia: University of South Carolina Press, 1930, 1990). Already by the 1830s, Alexis de Tocqueville found southerners fretting over their declining influence in Congress; see Leonard Richards, *The Slave Power: The Free North and Southern Domination, 1780-1860* (Baton Rouge: Louisiana State University Press, 2000), 102-103. Concerns over the South’s weakening economic position were articulated especially clearly in the *National American*, reprinted as “Who Profits by our Commerce” in *De Bow’s Review* 24 (May 1858). The writer urges Southerners to stop paying “tribute to New York and the New England states” and to “place ourselves in a position independent of the world;” p. 450. Calls for economic independence from the North would become a cornerstone in the proslavery railroad campaign.

⁵⁹ “Intercommunication Between the Atlantic and Pacific Oceans,” *De Bow’s Review* 7:1 (July 1849), 32, 36. Such anxieties were splashed liberally across southern newspaper and reiterated at virtually every commercial convention in the region.

⁶⁰ On the importance of cotton for future Pacific trade, William Gwin was particularly eloquent. See his speech in *Cong. Globe*, 35th Congress, 2nd Session (December 14, 1858), 55. For more on direct trade and its ability to regenerate the commercial fortunes of the South, see Matthew Fontaine Maury, *Commercial Conventions, Direct Trade – A Chance for the South* (no place: no publisher, 1852?), Library Company of Philadelphia. Maury argued that southerners had missed an opportunity to establish Norfolk, Virginia as a key steamship terminus, and New York merchants quickly seized upon that opening. But he was heartened by the recent “rousing” of southerners on behalf of “steamships and direct trade,” p. 4. Appeals for direct trade from the South ran through the next decade. See, for instance, a handful of articles in *De Bow’s*

South in particular, would grow rich through slave-grown staples. Cotton was King in the Atlantic world; the railroad, these expansionists predicted, would bring its dominion to the Pacific as well.

To bolster these great expectations, southern expansionists could look to the quickening pace of trade throughout the Pacific. An upswing in American commerce with China was particularly encouraging. Between 1845 and 1860 American exports to China had quadrupled, with the total value of imports and exports growing from \$9.5 million to \$22.5 over that same period. Most promising of all for slaveholders was the increased Chinese demand for American cotton goods – which, along with California gold, ranked as America’s most important export to Asia. Commercially-minded southerners like Maury expected this trade to be self-perpetuating, once Chinese consumers developed a dependence on American exports. “By constant and familiar intercourse with our people, they will soon learn to want and taught to buy,” he argued.⁶¹ Not to be discounted was the small but growing trade between China and the Pacific coast after 1849, carried out by ships that had initially transported cargo to California’s gold fields.⁶²

Review on the subject: George Elliot, “A Port for Southern Direct Trade,” *DBR* 27.2 (August 1859); “Ship-Building at the South – Pensacola Navy-Yard,” *DBR* (December 1859), pp. 710-711; and “Movement in Virginia Looking to Direct Trade,” *DBR* 27.2 (December 1859), pp. 713-715.

⁶¹ Maury indulged his cultural imperialism in this letter to his fellow southerner, Thomas Butler King, arguing that trade would be a force for civilization in the Far East. “The Ilander will cease to go naked – the Chinaman will give up his chop-sticks, and the Asiatic Russian his train oil,” he wrote, “the moment they shall find that they can exchange the productions of their climate and labor for that which is more pleasing to the taste or fancy;” “Steam Navigation to China,” Matthew Fontaine Maury to Thomas Butler King, January 10, 1848, p. 22.

⁶² Trade figures come from David M. Pletcher, *The Diplomacy of Involvement: American Economic Expansion across the Pacific, 1784-1900* (Columbia: University of Missouri Press, 2001), 99-100; and Yuan Chung Teng, “American China-Trade, American-Chinese Relations, and the Taiping Rebellion, 1853-1858,” *Journal of Asian History* 3:2 (1969), pp. 93-117. For more on the Pacific trade generally, see Iglar, *The Great Ocean*, chapter 1. For the most recent, and most penetrating study on the U.S.-China trade

Of course, America's Pacific shipping was still dominated by northern firms, and even so, it represented only a fraction of the nation's total global trade. Furthermore, Britain commanded the largest share of the China market, thanks in large part to its control of opium sourced from India. The outbreak of the Taiping Rebellion in 1851, led by the Christian millenarian Hong Xiuquan, convinced some traders and policymakers that the toppling of the Qing dynasty would bring about more favorable relations with the U.S. But as the war dragged on – ultimately claiming an estimated 20 to 70 million lives – it became increasingly clear that the U.S. could not expect a sea change in trade relations.⁶³ The joint British and French operation against the Qing dynasty from 1857 to 1860, known as the Second Opium War, only further destabilized an already volatile region. In short, this was a particularly tumultuous era in China, over which American slaveholders, in particular, had little control. But no amount of bloodshed seemed to dim their outlook on the potential for Asian trade, which was to be ferried, they predicted, along a far southern transcontinental railroad. For these slaveholding expansionists, the Pacific was the future.

A study of these proslavery railroad projects adds a new geographic dimension to the growing scholarship on what one group of historians have described as the “Old

during the antebellum period, see Dael Norwood, “Trading in Liberty: The Politics of the American China Trade, c. 1784-1862,” PhD dissertation, Princeton University, 2014). The forthcoming work of Kariann Yokota will doubtlessly draw much-needed attention to the Pacific world during the nineteenth century.

⁶³ The Taiping Rebellion (1851-1864) was the bloodiest conflict of the nineteenth century, and in fact, one of the costliest wars in world history. Not only did it ravage China, but its geopolitical consequences also reached across the globe. Displacement from the rebellion prompted mass Chinese immigration to California and Australia, while also destabilizing trade relations with the major foreign powers in the region – Britain, France, and the U.S. For more on the rebellion, see Stephen R. Platt, *Autumn in the Heavenly Kingdom: China, the West, and the Epic Story of the Taiping Civil War* (New York: Vintage, 2012); and Jonathan D. Spence: *God's Chinese Son: The Taiping Heavenly Kingdom of Hong Xiuquan* (New York: W.W. Norton, 1996). For the impact of the rebellion on U.S. foreign relations in China, see again, Teng, “American China-Trade, American-Chinese Relations, and the Taiping Rebellion.”

South's modern worlds."⁶⁴ Antebellum planters eagerly sought commercial networks and diplomatic influence on a global scale – not least in the Pacific Basin. Although obstacles were high, the South had the means to surmount them through a combination of technology, capital, and federal power. These southerners clung to neither strict constructionism nor rural seclusion. Rather, they lobbied for a massive mobilization of state power and looked westward to a new field of commercial and political opportunity. There they saw the consumers of Asia, the gold of California, and a network of potential political allies.

The Natural Limit(lessness) of Slavery

The recent conquest of the Mexican Northwest fired the global imaginations of expansionists like Maury, but it also touched off vigorous disputes about the future of American slavery. From the introduction of the Wilmot Proviso in 1846 to the Compromise of 1850, the question of slavery in what was now the American Southwest divided Congress into warring factions. Some of the most influential politicians of the day insisted that slavery was naturally confined to the southeastern portion of the United States, that it could not extend into the newly acquired territories by simple laws of climate. “What more do you want?” Henry Clay asked in early 1850. “You have got what is worth more than a thousand Wilmot provisos. You have nature on your side – facts upon your side – and thus truth staring you in the face, that there is no slavery in

⁶⁴ L. Diane Barnes, Brian Schoen, and Frank Towers, eds., *The Old South's Modern Worlds: Slavery, Region, and Nation in the Age of Progress* (Oxford: Oxford University Press, 2011).

those territories.”⁶⁵ Daniel Webster famously reiterated this point in no mixed terms. “Now, as to California and New Mexico, I hold slavery to be excluded from those territories by a law even superior to that which admits and sanctions it in Texas,” he argued in the Senate. “I mean the law of nature – of physical geography – the law of the formation of the earth.”⁶⁶ Even those who hailed from further south than Webster’s Massachusetts and Clay’s Kentucky cast doubt on the profitability of slave agriculture in the Southwest. Waddy Thompson, who had once written glowingly about California’s agricultural potential, now argued that the region offered more in liabilities than in profits. The land was ill-suited to the cultivation of cotton and sugar on a grand scale, he wrote to John C. Calhoun, while transportation across the remote desert regions would pose perpetual problems.⁶⁷

Others, however, were justifiably skeptical of this natural limits thesis, what the New York *Daily Times* later dubbed a “clap-trap” argument, drummed up merely to defeat the Wilmot Proviso.⁶⁸ Indeed, David Wilmot himself noted that African slavery had found its way into New Mexico as early as 1847.⁶⁹ Few were more critical of the natural limits argument than Horace Mann, a Whig congressman and educational reformer. In a series of publically circulated letters, Mann scolded Webster for his

⁶⁵ *Congressional Globe*, 31st Congress, 1st session, appendix, 119. The Wilmot Proviso proposed to exclude slavery from all lands taken from Mexico during the war.

⁶⁶ *Globe*, 31st Congress, 1st session, 480.

⁶⁷ Waddy Thompson to Calhoun, December 18, 1847, in *The Papers of John C. Calhoun*, ed. Clyde N. Wilson, et. al. (Columbia: University of South Carolina Press, 2001), vol. 25, pp. 20-22. See also R.H. Weightman to Henry Foote, December 16, 1851, in *Globe*, 32nd Congress, 1st session, 754-755 for claims that “*Slave labor will not pay in New Mexico*, and in that is comprised the whole question.” For a particularly thorough account of the natural limits debate, see Charles Ralph Desmond Hart, “Congressmen and the Expansion of Slavery into the Territories: A Study in Attitudes, 1846-1861” (PhD dissertation, University of Washington, 1965)

⁶⁸ *New York Daily Times*, March 6, 1856.

⁶⁹ *Cong. Globe*, 29th Congress, 2nd session, 354.

shortsighted acquiescence to the westward expansion of slavery. The institution would not obey the dictates of a “thermometer,” Mann warned. “Slavery depends, not upon Climate, but upon Conscience,” he wrote in 1850. “Wherever the wicked passions of the human heart can go, there slavery can go.” Even if slave agriculture proved unprofitable, however, the growing households of the Southwest would soon call for 100,000 domestic slaves, he predicted. Furthermore, who was to say that substantial quantities of gold would not be found in New Mexico, as it had been in California a year earlier? “This is the very kind of labor on which slaves, in all time, have been so extensively employed,” Mann rightfully noted.⁷⁰ Mann’s message was clear: unless checked by some external power, slavery would roll inexorably westward.

In an exceedingly rare occurrence, Jefferson Davis of Mississippi agreed with the antislavery New Englander, Horace Mann. There was no reason, Davis argued again and again, to assume that slavery would not be profitable and adaptable in the Mexican cession. After all, most abolitionists clearly did not subscribe to the natural limits thesis themselves, he asserted. Otherwise, why go to such lengths to restrict slavery in the new territories? Rather than natural limits, Davis suggested, there were natural incentives for the expansion of slavery. Although much of the region remained unknown, reports from hunters indicated that the lower Colorado River boasted “widespread and fruitful valleys,” according to Davis. Furthermore, there was always the prospect of further gold

⁷⁰ Horace Mann to James Richardson, et. al., May 3, 1850, in *Horace Mann’s Letters on the Extension of Slavery into California and New Mexico; and on the Duty of Congress to Provide the Trial by Jury for Alleged Fugitive Slaves* (Washington: Buell and Blanchard, 1850), 5-7; see also Mann to the *Boston Atlas*, June 6, 1850, also in *Horace Mann’s Letters*.

discoveries, especially in the valleys around the Gila River.⁷¹ Like Mann, Davis predicted that slaves would soon be used profitably in mining operations in New Mexico. To buttress these claims, Davis solicited reports on the mineral opportunities in the Gila Valley from the ongoing U.S.-Mexico joint boundary commission. The news he received from the commissioner, John R. Bartlett, was certainly heartening. Bartlett had it on good authority that the area around the Gila possessed a “richness... as a mineral region unsurpassed in New Mexico, both in Gold Silver & Copper.”⁷² Davis and his fellow advocates for the western expansion of slavery were being vindicated. It certainly looked as if human bondage would pay in the Southwest.

As politicians in Washington debated the adaptability of slave labor to the Far West, emigrants to the region put these theories to a very real test. In January 1848, gold was discovered at Sutter’s Mill near Sacramento, California, setting off a mad scramble for the Pacific coast by December of that year. Among the tens of thousands of emigrants from China, Chile, Mexico, Hawaii, Australia, America, Europe and elsewhere, came a much smaller – but by no means insignificant – population of black slaves from the American South. Historians estimate that southern slaveholders forcibly transported between 500 to 600 bondpeople to California during the gold rush, though more recent evidence has suggested that as many as 1,500 black slaves may have reached the state by the early 1850s.⁷³ In making the journey with their slave property, the

⁷¹ *Globe*, 31st Congress, 1st session, 1005-1006.

⁷² John R. Bartlett to Davis, December 29, 1850, in *The Papers of Jefferson Davis* (PJD), ed. Haskell M. Monroe, Jr.; James T. McIntosh; Lynda Lasswell Crist, Mary Seaton Dix; and Kenneth H. Williams (Baton Rouge: Louisiana State University Press, 1971-), 4:146-147.

⁷³ Estimates are based on imprecise census data and from contemporary accounts of slaves in the diggings. The figure of 500 to 600 slaves comes from Rudolph M. Lapp’s seminal account, *Blacks in Gold Rush California* (New Haven: Yale University Press, 1977), 50, 65; the higher estimate comes from Smith,

southern argonauts of the late 1840s were overturning decades of historical precedent, as slavery had been abolished in California for 23 years under Mexican law before the U.S. seized the territory in 1846.⁷⁴ But even the passage of California's free soil constitution in late 1849 did not seem to present a serious impediment to slaveholders bound for El Dorado. If there were natural, historical, or even legal barriers to slave expansion, the southern emigrants who brought their bondspersons into California did not pay heed.

As David Wilmot had noted, African slavery was not entirely alien to the Far West during the pre-gold rush period. During the U.S.-Mexico War, a handful of southern officers, like John S. Griffin of Virginia, brought along personal slaves on their military campaigns.⁷⁵ Yet the vast majority of black slaves, as with the vast majority of emigrants in general, came to California during the gold rush period of the late 1840s. Most traveled with their masters along the overland trails, the most popular southern route being the Gila River trail along the 32nd parallel. Next to the more central Platte-Humboldt route, the Gila trail was the second most heavily trafficked overall, carrying some 12,000 migrants in 1849 alone. Most gold seekers, of course, traveled without

Freedom's Frontier, 40. See also, Susan Lee Johnson, *Roaring Camp: The Social World of the California Gold Rush* (New York: W.W. Norton, 2000), 68-70.

⁷⁴ The southern press assured its readership that prior to California statehood, the federal government would be "compelled to protect the purchaser of [slave] property in a territory belonging to the government and to the people of the whole Union;" see *Vicksburg Weekly Sentinel*, July 25, 1849, in the Ralph Bieber collection, an uncatalogued compilation of newspaper articles relating to the California gold rush, organized by state, Huntington Library.

⁷⁵ Griffin first came to California in 1846 as a surgeon in Kearney's dragoon unit, along with his slave Caswell Wade. After the war he would settle in southern California, becoming one of Los Angeles's most prominent citizens and an advocate for the slave South until the very end of the Civil War. Evidence of Wade is conspicuously absent in Griffin's wartime memoir, although he does make mention of unfree Indian labor in southern California; John S. Griffin, December 3 and 4, 1846, in George Walcott Ames, Jr., ed., *A Doctor Comes to California: The Diary of John S. Griffin, Assistant Surgeon with Kearny's Dragoons, 1846-1847*, (San Francisco: California Historical Society, 1943), 44. For biographical detail on Griffin see, Daniel Brendan Lynch, "Southern California Chivalry: The Convergence of Southerners and Californios in the Far Southwest, 1846-1866," (PhD dissertation, UCLA, 2015), 31.

bondsmen. But if contemporary newspaper accounts and the memoirs of former argonauts are any indication, encounters with slaves along the overland trails were not uncommon occurrences.⁷⁶ Bondspeople and their masters could also be found aboard steamers bound for the Pacific coast. More expensive but speedier options, the routes around either Cape Horn or across the Isthmus of Panama carried perhaps as many African Americans as did the overland trails – although a number of these would have been freedpeople.⁷⁷

Whether traveling by sea or by land, transporting valuable slave property across such vast distances and into a frontier mining community was a risky undertaking. As an able-bodied slave could fetch up to \$1000 at auction, slaveholders had to be relatively confident of high returns to hazard such a journey. Perhaps no slaveholder was as optimistic about the prospects for bonded labor in California as the former minister to Brazil and future Virginia governor, Henry A. Wise. The Far West would be a lucrative dumping ground for the surplus slave population of the Upper South, he argued. According to Wise's calculations, if the Missouri Compromise Line was to be extended to the Pacific and slavery legally protected in gold country, Virginia alone would stand to gain over \$1 billion through the sale of bondspeople to California.⁷⁸ Wise's figure may

⁷⁶ See for instance, Alonzo Delano, *Life on the Plains and among the Diggings; Being Scenes and Adventures of an Overland Journey to California* (Auburn, New York: Miller, Orton & Mulligan, 1854), 178; Benjamin Hayes, *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875*, Marjorie Tisdale Wolcott, ed. (Los Angeles: Marjorie Tisdale Wolcott, 1929), 34-35; *St. Louis Republican*, April 17, April 22, April 25, 1849; *Brownlow's Knoxville Whig and Independent Journal*, June 23, 1849; *Fredericksburg News*, Nov. 30, 1849, all newspapers articles in Bieber collection, HEHL.

⁷⁷ Lapp, *Blacks in Gold Rush California* 38; for a brief account of slaves traveling onboard a steamship, see *Clarksville Jeffersonian*, August 7, 1850, Bieber collection, HEHL.

⁷⁸ If Wise's math was fuzzy, his knowledge of American geography was even shakier. The California gold mines were north of the 36°30' line of the Missouri Compromise; Craig M. Simpson, *A Good Southerner: The Life of Henry A. Wise of Virginia* (Chapel Hill: University of North Carolina, 2001), 87, 104-105; see also the more pious, and less useful, biography of Wise by his grandson, Barton Haxall Wise, *The Life of*

have been absurd, but the experience of masters in mining regions indicated that tidy sums could indeed be expected from slave labor among the diggings. Decades before the discovery of gold in California, white masters had used slave labor to great effect in the placer mines of North Carolina. When in the goldfields of California, North Carolinian masters often replicated these older mining strategies, organizing slaves into large gangs under the direction of overseers.

Most slaveholding gold seekers, however, traveled with fewer slaves – generally one or two – and worked alongside their chattel on more modest claims.⁷⁹ Even these smaller operations could be highly lucrative. One South Carolinian, for instance, was offered \$300 per month for the hire of his slave Scipio, though he refused, believing that Scipio would be more valuable by his side.⁸⁰ The gamble may have paid off if Scipio proved anywhere near as lucky or skilled as the two slaves of a Mississippi emigrant, who reportedly earned their master \$5000 by the product of their diggings over two months. According to reports received by a Mississippi paper, slaves could fetch as much as to \$3,000 to \$4,000 on the San Francisco market.⁸¹ As in the South, California slaves could also be used as collateral, or even as stakes in a game of cards. According to one California observer, a slave by the name of Harry “changed owners about every Saturday night,” as the prize in a weekly game of freeze-out poker. “The fortunate

Henry A. Wise of Virginia, 1806-1876 (New York, 1899), 162. Leonard Richards marks the discovery of gold at Sutter’s Mill and Wise’s subsequent proslavery agitation as the beginning of southern interest in California; Richards, *The California Gold Rush and the Coming of the Civil War*, 35-37. But as the preceding section has shown, slaveholders’ ambitions on the Far West had deeper roots.

⁷⁹ Smith, *Freedom’s Frontier*, 40-41.

⁸⁰ *Charleston Courier*, February 23, 1850, Bieber Collection, HEHL.

⁸¹ Both reports in *The Mississippian* (Jackson), Oct. 26, 1849, Bieber collection, HEHL.

winner would have Harry's services at picking, shoveling or running a rocker for the week."⁸²

The correspondence of George McKinley Murrell illustrates the manifold advantages that slaveholders could derive from their bonded labor in the diggings of California. Setting out from his family's plantation in Bowling Green, Kentucky in the spring of 1849, Murrell traveled with Reuben, one of his father's 27 slaves.⁸³ By September, the two had reached Sacramento and commenced a modest mining venture.⁸⁴ Although Reuben had some success in the diggings that fall, Murrell soon began renting his slave's labor to the boarding house at which they lodged. In fact, it seems unlikely that Murrell would have been able to cover his expenses without the profits he accrued from Reuben's work, which "more than pays my board although that is \$4.00 per day."⁸⁵ Months later, it was still the profits from Reuben's labor that secured a roof over his master's head. Working as a cook for \$10 a day, Reuben generated a steady source of income in a country that could be notoriously inhospitable to unlucky miners like Murrell. "I have Rheubin hired out at \$10.00 a day and foolish I was that I did not have him hired out all the time," Murrell wrote. "I might have been a great deal better off. \$10.00 a day is big wages & but few hands can get it now."⁸⁶ The versatile Reuben even learned to bake, which enabled Murrell to profit from bread sales, "as the miners don't

⁸² Horace Bell, *On the Old West Coast: Being further Reminiscences of a Ranger*, edited by Lanier Bartlett (New York: Grosset & Dunlap, 1930), 21.

⁸³ Murrell spelled the name of his slave as both Rheubin and Reuben. I have opted for the latter spelling, as adopted by the Huntington Library catalogue description.

⁸⁴ George McKinley Murrell to Samuel Murrell, September 17, 1849, George McKinley Murrell Correspondence, HEHL.

⁸⁵ Murrell to Elisebeth Murrell, October 15-17, 1849, Murrell Correspondence, HEHL

⁸⁶ Murrell to John Grider, August 24, 1850, Murrell Correspondence, HEHL

love to cook.”⁸⁷ Murrell was quick to learn that in gold country, where male miners predominated, domestic skills like cooking and baking came at a premium. As another southern emigrant complained to his brother, “A servant is not to be had at any price,” and thus his wife was “constrained to do her own house work and cooking.”⁸⁸ Under such conditions, the gamble of bringing a valuable slave into gold country certainly paid off for miners like Murrell.

But if the profits from slave labor in gold country were steady, the risks could be substantial. Murrell, like other white masters in California, was on his guard against a perceived abolitionist influence in the diggings. According to Murrell, he and Reuben resided “in the midst of the most fanatical of the abolition party,” although he professed an abiding faith in Reuben. “I do not think that their contaminating & poisoning principles has in the least weakened his fidelity & devotedness to me,” he added.⁸⁹ Similarly, a Louisiana slaveholder, Jesse Holcomb Chaney, witnessed the workings of antislavery forces in California with great unease. “The abolitionist will go and sit by him [his slave] when while at work and beg him to leave me,” he noted. While Chaney reported no problems with his slave, he noted that in general, California slaveholders “have much trouble about our slaves.”⁹⁰ Hinton Rowan Helper, while certainly no friend of the southern slaveholding class, also made note of the “meddling abolitionists” who attempted to “entice away” black slaves in California’s gold fields. Yet, similarly, he

⁸⁷ Murrell to Samuel Murrell, Jan. 29- Feb. 1, 1851, Murrell Correspondence, HEHL

⁸⁸ Mr. Foregeaud to his brother, April 9, 1849, in *Charleston Courier*, June 19, 1849, Bieber collection, HEHL.

⁸⁹ Murrell to Elisebeth R. Murrell, Nov. 8, 1850, Murrell Correspondence, HEHL.

⁹⁰ Jesse Holcomb Chaney to Robert Chambliss Chaney, July 10, 1850, in Chaney, William A., ed., “A Louisiana Planter in the Gold Rush,” *Louisiana History* 3 (spring 1962).

estimated that few slaves actually made good on abolitionists' offers, due to "their attachment to their masters."⁹¹

A sense of fidelity may have deterred many slaves for seeking their freedom in California, but it was a different sort of fidelity than the one Murrell and Helper had in mind. In gold country, slaves were thousands of miles from their homes, their friends, and their families. Escape on the frontier of California may have meant freedom, but it would also likely mean lifelong separation from loved ones in the South. With Murrell as his transcriber, Reuben corresponded with his friends on the plantation in Bowling Green, expressing a genuine desire to return to them. "There is no country like home," Reuben dictated to Murrell, "if I can just only live to get back."⁹² Such a reunion, however, was not to be. Two years after his departure from Kentucky, Reuben was swept up in a current while helping a traveler cross a river in the gold diggings.⁹³ Reuben lost his life and Murrell lost his steadiest source of income. There was more than one way to lose a slave in gold country.

Even if their bondspersons did not run away, southern argonauts had to adjust to a new master-slave dialectic in the gold diggings. As historian Stacey Smith illustrates, slaves themselves recognized the new opportunities available to them in an open frontier, and they exploited their masters' anxieties to renegotiate the conditions of their enslavement. In a number of instances, slaves reached agreements with their masters to

⁹¹ Hinton Rowan Helper, *The Land of Gold: Reality Versus Fiction* (Baltimore: Henry Taylor, 1855), 276-278.

⁹² Murrell to Sam Murrell, October 4, 1849, Murrell Correspondence, HEHL.

⁹³ The first report of Reuben's death is in Murrell to Jesse Grider, May 25, 1851, Murrell Correspondence, HEHL.

work in California for a set period of time – usually several years – in exchange for their freedom.⁹⁴ California slaves often secured for themselves what was known as a Sunday claim, the right to keep the earnings from their mining on what would have otherwise been a day of rest. With these earnings, bondspeople were able to purchase their own freedom, as well as the freedom of their family members back in the South.⁹⁵ In his study of antebellum California's African American community, Rudolph Lapp estimates that hundreds of slaves secured their family members' as well as their own freedom through these means, collectively spending as much as \$750,000 in the process.⁹⁶ Slaves were eager to claim a share of California's wealth, with or without the blessings of their masters. A Tennessee slaveholder, who had settled in a small gulch with his three slaves, faced open rebellion when he attempted to claim the gold dust that his chattel had recently washed out. As he approached the gold, his bondsmen warned him to take his hands of their earnings. He was welcome to work with them on shares, they continued, but they would dig no more as slaves.⁹⁷ White masters now had to negotiate, rather than merely command.

To safeguard their property against such rebellion, slaveholders often journeyed and settled with kin and close friends, those they could trust to oversee their chattel.

They were especially mindful of the fact that California's placers were "so hidden and

⁹⁴ An enslaved woman in Kansas hoped to achieve her liberty in such a manner. A Missouri slaveholder offered to purchase her, take her to California, and free her within two years, but when her master, "found out that I had a chance to be free, he refused to sell me;" James Redpath, *The Roving Editor: Or, Talks with Slaves in the South States* (New York: A.B. Burdick, 1859), 321.

⁹⁵ Smith, *Freedom's Frontier*, 51-54.

⁹⁶ Lapp, *Blacks in Gold Rush California*, 70-74.

⁹⁷ C[harles] W[arren]Haskins, *The Argonauts of California, being the Reminiscences of Scenes and Incidents that Occurred in California in Early Mining Days* (New York: Fords, Howard & Hulbert, 1890), 70.

retired,” that slaves “could not in many instances be recaptured,” as one southern gold seeker put it. Thus masters did all in their power to maintain surveillance and to cloister their human property from interference.⁹⁸ These slaveholding miners often organized informal posses to discipline and police bondspeople, thereby bringing to California an analogue to the slave patrols of the plantation South. Generally settling in the Southern Mines – which lay close to the end of the southern overland trail – slaveholders concentrated in Mariposa, Tuolumne and Calaveras counties.⁹⁹ In essence, these slaveholding argonauts carved out miniature Souths across the western landscape.

Prominent among them was the settlement of Colonel Thomas Thorn of Texas. Having organized a caravan of 200 wagons from Texas to California, Thorn settled with a small southern community and thirty slaves in the gold fields of Mariposa. He attempted to instill discipline through severe beatings, although like other slaveholders in California, his command was far from absolute. His slaves proved susceptible to the influence of antislavery forces in the area and the lure of freedom along the sparsely policed frontier. Several successfully escaped, while at least one other purchased his freedom.¹⁰⁰

Like Thorn, Thomas Jefferson Green sought to recreate a slaveholding community within California, and like Thorn, Green soon discovered the limits of his mastery. Since his days in the Republic of Texas, Green had been an advocate of

⁹⁸ See the unsigned letter reprinted in *Daily Republican Banner and Nashville Whig*, March 28, 1850, Bieber Collection, HEHL.

⁹⁹ Smith, *Freedom's Frontier*, 42-44.

¹⁰⁰ Thorn's slave, Peter Green, bought his freedom from Thorn for \$1,000, though not until 1856, a full seven years after California had outlawed slavery; in Taylor, E.H., et. al. "California Freedom Papers," in *Journal of Negro History* 3 (January 1918). For the For more on Thorn, see Richards, *The California Gold Rush and the Coming of the Civil War*, 57-58.

slaveholding expansion to the Pacific. Now in charge of his own mining company, he aimed to make good on his vision for the American West. Along with a dozen or so fellow Texans and their fifteen slaves, Green settled the mining colony of Rose's Bar in the summer of 1849. Because his company made claims not only in their own names, but also in the names of their bondsmen – a common practice among slaveholding miners – Green's company soon attracted the attention of the non-slaveholders of the region. A committee of white miners approached Green, but was quickly rebuffed by the Texans. In response, a second committee formed and passed a resolution "that no slaves or negroes should own claims or even work in the mines," according to the memoir of one of the committee members, Edwin Sherman.¹⁰¹ This committee then approached Green for a second time, and again received threats of violent resistance. But Sherman and the free miners held their ground. "If you want to keep your slaves, you will have to go back to Texas or Arkansas," Sherman threatened, "or by tomorrow morning you will not have one slave left, for the miners will run them out and you will never get them back." The warning was apparently real enough for Green and his company, who moved off their claim, with their slaves, the next day.¹⁰²

¹⁰¹ Edwin A. Sherman, "Sherman Was There: The Recollections of Major Edwin A. Sherman," Allen B. Sherman, ed., *California Historical Society Quarterly* 23 (December 1944), 351-352; for more on the regulations against the taking up of claims in the name of slaves, see James J. Ayres, *Gold and Sunshine: Reminiscences of Early California* (Boston: Gorham Press, 1922), 46-47.

¹⁰² Sherman, "Sherman Was There," 351-352. For more on the encounter, see Richards, *California Gold Rush and the Coming of the Civil War*, 57-59; Leonard Pitt, *The Decline of the Californios: A Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley: University of California Press, 1971); and Smith, *Freedom's Frontier*, 47-48;

As Stacey Smith notes, historians have mistakenly marked this confrontation as “California’s standard free-soil creation story.”¹⁰³ A victory for the white miners of Rose’s Bar, Green’s flight has been seen as the last gasp of a brief slaveholding experiment in gold rush California. Yet, this was a turf war; not an abolitionist movement. Like many white miners in California, Sherman’s group only opposed slave labor insofar as it encroached on their own claims. Because “slaves were not citizens,” Sherman and his allies argued, “their owners could not take up pre-emption claims for them.”¹⁰⁴ Morally ambivalent on the issue of slavery and unconcerned with the plight of bondspeople in general, supporters of a free soil California sought simply to secure the region for free white labor. They would score some victories, notably at Rose’s Bar and in the state’s founding document, but such success did not amount to a complete repudiation of California’s proslavery politics. Just as gold rush California proved a lucrative field for many slaveholders, it would continue to attract southerners and their proslavery political culture in the coming years. As Green himself would demonstrate, southern dreams of Pacific expansion had hardly been extinguished.

Pacific Lost?

As emigrants continued to pour into California, the political struggle over the Pacific railroad intensified. A flurry of memorials poured into Congress in 1849, a number of which suggested St. Louis as the desirable eastern terminus, as opposed to

¹⁰³ Smith, *Freedom’s Frontier*, 48. For those who mark the Rose’s Bar incident as a decisive break in California’s history of slavery, see Cardinal Goodwin, *The Establishment of State Government in California, 1846-1850* (New York: MacMillan Company, 1914), 110-112.

¹⁰⁴ Sherman, “Sherman Was There,” 351.

Whitney's Great Lakes and Maury's Memphis proposals. The debate immediately spilled beyond the halls of Congress, however, as newspapers and commercial conventions across the country joined the fray. As in 1845, Memphis was again a hothouse for railroaders. While St. Louis attracted the largest gathering of the sort that year with roughly 1000 delegates in attendance, the 400 representatives at Memphis put together, by all accounts, a less fractious and more successful convention (that is, after a cholera outbreak in the city pushed the event from July to November.) Again, the organizers of the convention looked toward Asia and its "six hundred millions of people," and advanced the far southern route as shorter and more temperate than its northern competitors. "We shall do what Christopher Columbus was attempting when he discovered a new world," the corresponding committee boasted – "find a direct passage to the East Indies by going west." Especially heartening to the committee was growing network of railroads in the South, thus ensuring that a route from Memphis would have speedy access to the slave states of the Southeast as well as the new markets of the Far West.¹⁰⁵ In attendance were men from fifteen different states – including Asa Whitney himself, who received a respectful hearing – though, again, southerners dominated the rolls and the agenda. Most delegates strongly favored the construction of a route from

¹⁰⁵ *Circular to the Citizens of the United States* by the Memphis Convention Corresponding Committee; together with "Steam Navigation to China," Matthew Fontaine Maury to T. Butler King, January 10, 1848 (Memphis, no publisher: 1849), Library Company of Philadelphia, 3-5, 7, 10. See also J.T. Trezevant, et. al., Letter to "Sir," Memphis, Tennessee, March 1, 1849 (Memphis[?], 1849), Library Company of Philadelphia which reiterated the bombastic appeals to the commerce of Asia, "a dazzling prize with maritime nations for more than twenty centuries."

Memphis to San Diego, not least among them the Convention's president, Matthew Fontaine Maury.¹⁰⁶

Thanks to the work of those at Memphis and elsewhere, by 1849 southern railroad aspirations were on the rise. True, transcontinental promoters still had to contend with a maelstrom of competing claims. But the Gila route, along the 32nd parallel and into San Diego, was fast becoming a regional favorite. Published that year, a report and accompanying series of maps drew authoritatively on the explorations of Fremont, William Emory, and others to mount the evidence in favor of a far southern route.¹⁰⁷ Asa Whitney, who had never ceased campaigning for his northern route, recognized that the tides were fast turning against him, and thus struck a defensive posture in his 1849 pamphlet, *A Project for a Railroad to the Pacific*. He devoted a substantial portion of the work to an attack on the Gila route, which he viewed as his major rival. The land along the 32nd parallel is barren, he argued, and lacked the resources necessary to support railroad construction. Whitney also claimed that the route would exclude too many important American cities from its trade.¹⁰⁸ Other opponents of the southern route would reiterate such objections in the years to come, a gauge of just how popular the 32nd parallel had become.

¹⁰⁶ Russel, *Improvement of Communication*, 47-50; Cotterill, "Early Agitation for a Pacific Railroad," 409-411; Roberson, "The South and the Pacific Railroad," 166-167. For the resolutions of a similar meeting in Texas, which also advanced a far southern route, see *Democratic Telegraph and Texas Register* (Houston), March 15, 1849, Bieber Collection, HEHL.

¹⁰⁷ Robert Creuzbaur, *Route from the Gulf of Mexico and the Lower Mississippi Valley to California and the Pacific Ocean, Illustrated by a General Map and Sectional Maps: with Directions to Travellers* (Austin, TX: H. Long & Brother, 1849). Like other southerners at the time, Creuzbaur called for "the purchase of some territory along the south bank of the Gila," in order to "remove the only objection which could be urged against the construction of a national rail-road along this route," p. 3. This would be accomplished several years later with what became known as the Gadsden Purchase (Chapter 2).

¹⁰⁸ Asa Whitney, *A Project for a Railroad to the Pacific* (New York: George W. Wood, 1849), 25-28.

Coupled with favorable reports on the use of slave labor in gold country, such progress on the railroad campaign pointed to a bright future for proslavery claims on the Far West. Yet just as southern hopes were soaring to new heights, a crushing blow came from California. With its billowing population and pressing land claims, California's elites quickly assembled a constitutional convention in September 1849 in order to hurry the territory's transition to statehood. As it had at the national level, the question of slavery occupied a central place in the proceedings of the convention at Monterrey. To the surprise of some and relief of many, the assembled delegates unanimously resolved to bar the institution from California's borders.¹⁰⁹ "What surprised us perhaps more than anything else was the unanimity with which the clause prohibiting slavery was passed," one former delegate recalled. "We had expected very considerable opposition from the Southern element."¹¹⁰ Southern-born delegates were indeed powerfully represented at the convention, but they quickly fell in line with the prevailing opinion against slavery.¹¹¹ Those with their fingers on the pulse in California recognized that the passage of the antislavery clause was a foregone conclusion well before the convention assembled. The territory's press had largely come out against the institution, while participants at local

¹⁰⁹ J. Ross Browne, *Report of the Debates in the Convention of California on the Formation of the State Constitution, in September and October, 1849* (Washington: John T. Towers, 1850), 43-44.

¹¹⁰ Elisha Oscar Crosby, *Memoirs of Elisha Oscar Crosby: Reminiscences of California and Guatemala from 1849 to 1864*, Charles Albro Barker, ed. (San Marino, Calif.: Huntington Library, 1945), 48-49. The original manuscript can be found as E.O. Crosby, Statement of Events in California as related by Judge E.O. Crosby for Bancroft Library, Mss, 1878, BANC. According to Crosby, only J.M. Jones, "an extreme Southern" was "persistent about the incorporation of a slave clause in the Constitution," p. 45.

¹¹¹ Historians have provided varying figures for the regional origins of the delegates at Monterrey. Leonard Richards, for example, counts twenty-two from free states, fifteen from slave states, seven from California, and four from overseas. Whereas her figures for the native California and foreign delegates matches Richards's numbers, Etta Olive Powell claims eighteen delegates from the South and nineteen from the North. Richards, *California Gold Rush and the Coming of the Civil War*, 71; Etta Olive Powell, "Southern Influences in California Politics before 1864" (M.A. thesis, University of California-Berkeley, 1929), 31-32.

meetings held across the state expressed opposition to both slavery and black immigration. As early as June 1849, a California emigrant predicted that “a Convention will be held... and slavery will be excluded by a unanimous vote.”¹¹² With the passage of the antislavery clause, the California constitution would read: “Neither slavery, nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this State.”¹¹³

As with the confrontation at Rose’s Bar, the prohibition on slavery in California was, by no means, a moral crusade against human bondage. If anything it was a crusade against African Americans. A number of delegates sought not only to bar slavery from California, but also black laborers more generally. Although their efforts ultimately failed – primarily because the convention recognized that such restrictions would endanger California’s chances at congressionally-recognized statehood – they engendered a lively debate within the convention. Morton McCarver, a Kentucky Democrat, worried that unless California also banned African American immigration, slaveholders would easily circumvent the state’s antislavery constitution. Masters would bring slaves by the hundreds into California as indentured laborers, he argued at length, only to set them free after they had worked a set term in the gold mines. The fact that this practice was already employed by a number of slaveholders in the diggings gave some credence to

¹¹² The letter was written on June 29, 1849 and reprinted in the *Nashville Daily Gazette*, September 2, 1849, Bieber Collection, HEHL. For more on the antislavery and anti-black sentiment that predated the constitutional convention, see Lapp, *Blacks in Gold Rush California*, 127-128; and Powell, “Southern Influences in California,” 36-37.

¹¹³ Article I, Section 18, *Constitution of the State of California* (San Francisco: Alta California, 1849), 4. The wording of the antislavery clause notably left open the possibility to indenture laborers as punishment for crimes. Los Angeles municipal authorities would make good on this loophole by securing the unpaid labor of Indians, who had been accused of vagrancy (Chapter 3).

McCarver's arguments.¹¹⁴ Others, like Lansford Hastings – who would later achieve notoriety for his role in the Donner Party's ill-fated journey – concurred. "If [blacks] are introduced at all, I think they had better be introduced as slaves," he argued, "for a free negro is the freest human being in God's world."¹¹⁵ The president of the convention, Robert Semple of Kentucky, predicted that a well-known Louisiana planter would, alone, transport 1,000 contracted slaves into California in this manner.¹¹⁶ Although such estimates stretched credulity, delegates were right to suspect the slipperiness of slaveholders, who would devise various stratagems in order to dodge the restrictions on their peculiar institution. Indeed, time would show that a constitutional ban on slavery would not extinguish unfree labor within the state.

The southern delegates' role in the convention should not be read as an abdication of their proslavery agenda for the West, but merely as a recalibration of their overall strategy. A decisive influence on the antislavery measure came from what may seem, at first blush, an unlikely source, William McKendree Gwin. Born in Tennessee, educated in Kentucky, and groomed in Mississippi, Gwin still owned a large plantation in Natchez, which he worked with some 200 slaves. Ideologically committed to slavery and southern expansion, Gwin nevertheless led his peers in urging the adoption of an antislavery clause for the constitution. He did so by shrewd political calculation. As John Augustus Sutter,

¹¹⁴ Browne, *Report of the Debates*, 48, 137-139.

¹¹⁵ Browne, *Report of the Debates*, 141-142. During the Civil War, Hastings received a Confederate officer's commission to lead an invasion of the Far West (see Chapter 5).

¹¹⁶ The Irish-born delegate William Shannon would play an instrumental role in defeating the proposed ban on black immigration. Shannon was the first to put forward the antislavery clause, and was one of the few delegates who actively opposed slavery on principle. For Shannon and Semple's arguments, respectively, see Browne, *Report of the Debates*, 143-145, and 147-148. Due to enlightened thinkers like Shannon, the California constitution was well ahead of its time in protecting separate property for married women; Powell, "Southern Influences in California Politics," 35.

a fellow delegate, recognized, “When the question of slavery came up men from the south kept very quiet, as they wanted offices.”¹¹⁷ Gwin, a former U.S. Representative from Mississippi, had come to California in search of a grander prize. He coveted a senate seat and recognized that waging unwinnable battles was no way to endear himself to the future legislators who would elect him. In short, Gwin had read the writing on the wall, recognized that a proslavery constitution was a lost cause, and thus opted to save his political capital for more promising contests.¹¹⁸

One such contest was over the demarcation of California’s borders. Along with Henry Halleck of New York, Gwin pressed for the creation of a vast state, with an eastern boundary that would extend to the Rocky Mountains. The intention, Gwin argued, was to draw the state’s borders in a way that would invite the partitioning of California into multiple states. “I should like to see six States fronting on the Pacific in California,” Gwin urged the delegation. “I want the additional power in the Congress of the United States of twelve Senators instead of four.” Gwin imagined the formation, in due time, of

¹¹⁷ John Augustus Sutter, *Personal Reminiscences*, Mss, Bancroft Library, 198-199. Crosby was an especially astute observer of Gwin’s behavior during the convention. Although Gwin had first assumed “a very haughty and dictatorial attitude” – which led the delegation to favor Robert Semple for the presidency of the convention – he quickly adjusted his interpersonal strategy. “From that time to the end of the Convention, [Gwin] was exceedingly conciliatory, presenting his propositions with very much tact and skill and courtesy and won upon the Convention so much that I think he was in good fellowships with all the delegates,” Crosby recalled. “I know this change in his bearing was often remarked among the members. He seemed to show a consummate skill for ingratiating himself, making friends which aided a good deal to his success afterwards;” Crosby, *Memoirs*, 40-41.

¹¹⁸ Gwin’s biographer, Lately Thomas, gives a very generous reading of his motivations at the convention, claiming that “Gwin had exerted all his influence to dispose of the issue of slavery decisively and permanently, so that there could be no future agitation of the question.” Throughout the work, the only full-length biography on Gwin, Thomas consistently overlooks Gwin’s strong loyalties to the South and its peculiar institution; Lately Thomas, *Between Two Empires: The Life Story of California’s First Senator, William McKendree Gwin* (Boston: Houghton Mifflin, 1969), 48. In contrast, Arthur Quinn offers a more cynical and sharper interpretation; Arthur Quinn, *The Rivals: William Gwin, David Broderick, and the Birth of California* (New York: Crown, 1994), 67-70. Gwin even supported a ban on dueling, again, perhaps in an effort to minimize his southern proclivities.

20 states west of the Rockies.¹¹⁹ Although Gwin himself never admitted to any particular proslavery bias – and, in fact, dismissed the notion that slavery would take hold in the southern half of California – he no doubt hoped that at least several of these states would welcome the South’s peculiar institution.¹²⁰ His fellow delegate Elisha Crosby recognized as much when he wrote, some years later, “The only argument for dividing the State into north and south was found in the slavery question the north to [be] free and the south slave.”¹²¹

Gwin was certainly not the only southerner to contemplate state division in the Far West. As he lobbied at the Monterrey convention, Mississippi’s two senators Henry Foote and Jefferson Davis were waging a campaign in Congress to extend the Missouri Compromise line to the Pacific coast, which would necessitate the splitting of California. Foote proposed that Congress draw a line at the 35 deg. 30’ parallel (roughly at Bakersfield) and break off the southern section of California as the separate territory of Colorado.¹²² Indeed, we might mark the proposals of Gwin, Foote, and Davis as the

¹¹⁹ Browne, *Report of the Debates*, 194-196.

¹²⁰ Gwin applied the natural limits thesis to the southern half of California, although whether he truly believed this part of the state was hopeless for slaveholding is debatable. “If there is any portion of this country south of 36 deg. 30 min. adapted to slave labor and slave cultivation, I have never heard of it,” he claimed. “The mines are all north of it; south of it, except in a few spots, it is a barren waste. If any portion of the people south of that line, or those likely to settle there, favor the introduction of slavery, let it be included. If not, why provide for that which can never happen?” Browne, *Report of the Debates*, 198. As we shall see, however, Gwin It should be noted that Halleck, who also sought an extended boundary for California, was not at all motivated by proslavery impulses. He simply wanted more states on the Pacific. [Going forward, I need to emphasize Gwin’s slaveholding commitments to drive home the theory that his state division plans were of a proslavery nature.]

¹²¹ Crosby, *Memoirs*, 49.

¹²² During the debate over Foote’s amendment, Jefferson Davis convinced his fellow Mississippian to extend this proposed territory to the 36 deg. 30’ line. Foote’s proposal failed in the senate by a vote of 33-23. For the amendment and the extensive debate that followed, see *Congressional Globe*, 31st Congress, 1st session, appendix, 1485-1504; see also, 31st Congress, 1st session, 602-604; also William W. Freehling, *The Road to Disunion: Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990), 505-507; Richards, *California Gold Rush and the Coming of the Civil War*, 106-108.

beginning of a decade-long California state division movement – a movement that drew strength from proslavery expansionists who hoped to carve out a piece of the Pacific coast as a counterweight to California’s free soil constitution.¹²³

The convention’s delegates finished their deliberations by October 1849, crafting a final document that outlawed slavery but not black immigration, and that drew the state’s eastern boundary at the Sierra Nevada rather than the Rockies. Submitted for a popular vote in November, the constitution passed easily, 12,061 in favor and 811 against. Sixty-six of those negative votes came from Mariposa county, where gold seeking southerners wanted a constitution without restrictions on slavery.¹²⁴ But they represented an extreme minority in a territory that had largely shunned the sectional issues that would delay statehood.

Those within the South, however, were not so willing to concede defeat. Slaveholders in Jackson, Mississippi cooked up a scheme to effectively overrule the free soil constitution through the power of immigration. They planned to raise a force of 5,000 white settlers and 10,000 slaves to colonize the mining and agricultural regions of California. According to one northern observer, by March 1850 there were already “a few stray specimens” of this would-be colony in California by the spring of 1850. Ultimately, of course, this mass migration never materialized. As even the most petulant

¹²³ It should be noted that not all those in favor of state division were slaveholders. In addition to Halleck, Jose Carillo of Los Angeles saw the advantage in a divided California. But unlike Halleck and Gwin, Carillo hoped that southern California would be organized as a territory, not a separate state. For the logic behind the Hispanic position on state division, see Chapter 3.

¹²⁴ Richards, *California Gold Rush and the Coming of the Civil War*, 91.

slaveholding expansionists would have recognized, such an undertaking would hazard millions of dollars in slave property with no clear sign of payoff.¹²⁵

The fiercest struggle over California's fate took place in Congress. In the debates over what would become the Compromise of 1850, southerners put up a particularly stiff fight to secure at least a portion of California for slaveholding settlement. A relatively junior senator during these debates, Jefferson Davis distinguished himself by opposing the antislavery agenda for the West, what he called the "robber's law."¹²⁶ With a small group of fellow southern statesmen, Davis pledged to "avail ourselves of every means... to prevent the admission of California as a State unless her southern boundary be reduced to 36 deg. 30 min."¹²⁷ The new territories of New Mexico and California belonged largely to the South by right of conquest, he insisted on several occasions, as the slave states sacrificed a disproportionate amount of blood and treasure to wrest that land from Mexico.¹²⁸ Upon the passage of the statehood bill, Davis even considered physically taking the document from the speaker of the Senate and "tearing it to pieces."¹²⁹ James Henry Hammond invoked a familiar trope when he predicted that the South would be made a "Hayti" after it had lost California to free labor.¹³⁰ The loss was particularly

¹²⁵ The plan is discussed at length in Joseph Allen to Theodore Parker, March 14, 1850, P-175, microfilm reel 4, volume 12, Theodore Parker Papers, Massachusetts Historical Society. The advertisement appeared in the *Jackson Mississippian* on April 1, 1850; see also Delilah L. Beasley, "Slavery in California," *Journal of Negro History* 3 (January 1918), 40.

¹²⁶ Jefferson Davis to Malcolm D. Haynes, August 18, 1849, in *The Papers of Jefferson Davis* (PJD), 4:28-30. Henry A. Wise considered free soil California a "military usurpation;" Wise, *Seven Decades of the Union* (Philadelphia: J.B. Lippincott & Co., 1872), 242.

¹²⁷ "Statement on the Admission of California," August 2, 1850, in PJD, 4:124. See also Davis's congressional speech in the *Globe*, 31st Congress, 1st session, 248-250.

¹²⁸ Davis, Speech at Holly Springs, October 25, 1849 and Speech at Fayette, July 11, 1851, both in PJD, 4:49, 194.

¹²⁹ William J. Cooper, Jr., *Jefferson Davis, American* (New York: Vintage, 2001), 217.

¹³⁰ J.H. Hammond to John C. Calhoun, March 5, 1850, in *Correspondence of John C. Calhoun*, 1210, II. For more on the debate over California, see Morrison, *Slavery and the American West*, chap. 4. Gadsden

galling, as southerners believed a free California would erode their power within the Senate and thus threaten proslavery interests not just in the West, but at a national level.

Conclusion

Scholars – perhaps taken in by the alarmist tone of their subjects – have given great weight to the Compromise, representing it as a breaking point in the history of slaveholders’ western ambitions.¹³¹ But southern expansionists were too nimble, too resilient, and too ambitious to seriously consider raising the white flag at such an early juncture. Despite their hysterical rhetoric, slaveholders quickly rallied from this setback. Indeed, such rhetoric belies an undercurrent of optimism that ran through southern thinking about the Far West, both before and after the Compromise votes. Perhaps no one was more sanguine than the very man who so quickly conceded on the slavery issue within California. After a contested vote within the statehouse in late 1849, William Gwin won election to the U.S. Senate with a six-year term, along with the western military celebrity John C. Fremont, on a half-year term. Gwin managed to convince a sufficient number of legislators that the election of a southern senator was a necessary counterbalance to Fremont and essential to California’s chances at statehood. “I was induced to vote for him as U.S. Senator because he was known as an extreme Southern man,” Crosby recalled. “If another northern man had been selected it would have been so

himself played a prominent role in opposing free labor measures in California; see the *Southern Patriot*, November 2, 1848, for the resolutions of the South Carolina committee, on which he served as vice president, disputing the Wilmot Proviso.

¹³¹ See, again, Morrison, *Slavery and the American West*, 97-125.

palpable a cut or insult to the South that the State never would have had a chance of admission.”¹³²

Whether or not California could have achieved statehood without Gwin’s election is debatable. But he himself wasted no time in speculating once his position was secured. Although he went to Washington as a representative from a free state, Gwin’s political allegiance lay squarely with the slave South. California’s press recognized as much when they attempted to out the newly elected senator as “an ultra pro-slavery man.”¹³³ Indeed, from his time as a U.S. representative from Mississippi in the 1840s, to his years as a U.S. senator from California in the 1850s, Gwin worked to further the interests of slaveholders. His election quickly eased the anxieties of southerners like Jefferson Davis, who had prematurely assumed that a free California would inexorably tilt the congressional balance of power away from the South. At the helm of the state’s proslavery Democratic party over the coming decade, Gwin marshalled the necessary votes to align California with the slave states on major sectional issues like the Kansas-Nebraska Act and the Lecompton Constitution. Meanwhile, he established a monopoly on the federal patronage for positions within California and packed these offices with his southern friends. California may have adopted a free soil constitution with Gwin’s

¹³² Crosby, *Memoirs*, 41-43, 61. Gwin’s election was a narrow one, however, and even some southerners opposed his election. “Gwynn [sic] I consider a vulgar, treacherous, mendacious, dishonest man, the most vulgar, treacherous, mendacious & dishonest that I ever had the misfortune to meet with or a state was cursed with in a representative,” wrote the Virginian Edmund Randolph to his wife. “Of course I did everything I could to prevent his election and came very near succeeding;” Edmund Randolph to Tarmesia G. (Meux) Randolph, December 22, 1849, Virginia Historical Society.

¹³³ *Sacramento Transcript*, April 25, 1850, available at the Center for Sacramento History. Thanks to John Suval for pointing me to this particular article.

blessing, but over the course of the next decade, he ensured that the state would embrace the politics of slavery (Chapter 3).

Gwin's sectional allegiance shone through in his advocacy for a transcontinental railroad. As a senator from the free state of California, he claimed to work in the interests of Union, rather than for the aggrandizement of a particular section. But his ambitious plan for a Pacific railway, fully unveiled by 1853, called for a road that ran almost entirely through slave country, with only branch lines radiating into the North. In this plan, Gwin followed squarely in the footsteps of the proslavery expansionists of the preceding decade. Like John C. Calhoun, J.D.B. De Bow and Matthew Fontaine Maury, Gwin saw in Pacific ports and transcontinental communication the formula for American empire. And he recognized that whichever section won that railroad would control both the political allegiance of the West and the commercial prospects of the Pacific. Gwin's political projects over the coming decade made clear what historians have often overlooked: southern expansion was never entirely about the acquisition of more slave territory. If slavery was to be barred from California, the Pacific could still be yoked to the South – Gwin, Maury, and others rightly reasoned – by a bond of iron.

Chapter 2

THE GREAT SLAVERY ROAD, 1850-1859

His bondsmen may have been driven from California's gold fields in 1849, but five years later Thomas Jefferson Green still saw a bright future for the slave South in the Far West. In the summer of 1854, Green traveled to east Texas to celebrate the Atlantic and Pacific Railroad Company as it broke ground on its proposed transcontinental undertaking. "This road is emphatically the Southern, yea, what the abolitionist truly calls the '*great slavery road*,'" he exulted. To Green this represented a particularly promising chapter in the longstanding campaign by southerners to extend both their labor system and their political influence across the western half of the continent. After nearly a decade of lobbying, slaveholding railroaders had made serious headway in their plans for a Pacific connection. Crucially, they had recently orchestrated the purchase of roughly 30,000 square miles of Mexican territory to make way for a proposed Pacific railroad along a far southern route. With such a railway – built "by Southern labor both white and black" – slavery would inexorably spill into the far western territories and substantially boost the South's political influence at the national level, Green predicted.¹ Simply because their railroad was bound for the free state of California did not make it any less of a proslavery project.

¹ Green's speech near Marshall Texas was excerpted in the *Texas State Gazette*, July 29, 1854. The made special note of Green's sterling credentials as a proslavery expansionist and as a leader of California's state division movement. "We are glad to find that Mr. Green has the credit in California of starting the question of division of that State, knowing that the Southern end would prefer slavery." For more on this movement, see chapters 3 and 4.

Free or not, California was still viewed as a crucial – perhaps *the* crucial – component to the southern dream of a western empire, a fact that has largely escaped the scholarship on this period. The Compromise of 1850 did little to alter or diminish the slaveholding imperial imagination. Southern expansionists continued hammering the themes of the previous decade’s railroad campaign. First, they argued, a far southern route would yoke the Far West to the slave South, both commercially and politically. “[W]hen the road is finally completed to the Pacific,” the *Arkansas State Gazette and Democrat* optimistically projected, “the State of California, and the States which will intervene between that and Texas, being so intimately identified with us, in their commercial relations, will, as a matter of course, from interest as well as sympathy, join with our division of the country, as a common community, contending for common rights.”² And second, the road would provide commercial outlets to the Asia trade and its 600 million potential consumers. “The Eastern World!” Judah Benjamin proclaimed in 1852. “Its commerce makes empires of the countries to which it flows, and when they are deprived of it they are empty bags, useless, valueless.”³ The economic fortunes of the slave South, of course, were firmly tied to the Atlantic world and, particularly, to the manufacturing might of Great Britain. But for many southerners like Benjamin, the future lay across the Pacific, in the commercial promise of China.

Despite the grand visions it inspired and the political divisions it created, this railroad campaign has received little in the way of recent scholarly attention, and

² Quoted in Robert R. Russel, *Improvement of Communication with the Pacific Coast as an Issue in American Politics, 1783-1864*, 26.

³ Benjamin is quoted in the New Orleans *Picayune* (no date), reprinted in the *Arkansas Whig*, 22 January, 1852.

historians have never fully explored these efforts in the context of slaveholding internationalism.⁴ Scholarly oversights might be partly attributable to the unspectacular results of this project. After all, antebellum southerners never succeeded in constructing their great slavery road. And yet their efforts – including several near-misses – merit closer study by scholars of American empire. Whereas proslavery filibusters have more effectively captured the historical imagination, it was southern commercial expansionists who presented the greater threat to antislavery politics. In contrast to would-be conquistadors like William Walker and Henry A. Crabb, slaveholding railroad promoters largely controlled the levers of power in Washington and sustained a prolonged and multi-pronged campaign to extend their political vision across the continent.

Through their railroad boosterism, southerners articulated some of the most ambitious imperial objectives of this era. They actively pursued a project that would subdue and settle the West, tap the burgeoning markets of the Pacific coast, boost the industrial capacity of the slave states, and unite the southern half of the continent along what would become America's great commercial highway.⁵ And these were no mere pipe dreams, as their political opponents recognized. Indeed, northern leaders were desperate to check these proslavery aspirations and to advance competing visions of their

⁴ The most complete account remains Robert R. Russel's prosaically titled, *Improvement of Communication with the Pacific Coast as an Issue in American Politics*. Other helpful studies include, Jere W. Roberson, "To Build a Pacific Railroad: Congress, Texas, and the Charleston Convention of 1854," *Southwestern Historical Quarterly* 78 (October 1974); Roberson, "The South and the Pacific Railroad, 1845-1855," *Western Historical Quarterly* 5:2 (April 1874); Robert Spencer Cotterill, "Improvement of Transportation in the Mississippi Valley, 1845-1850" (PhD dissertation, University of Wisconsin, 1919).

⁵ For invocations of "commercial empire" and the need to "bind South and West," the rhetoric of slaveholders in the pages of *De Bow's Review* and at the numerous southern commercial conventions of this period is explicit. See, for instance, the 1852 Southwestern Convention at New Orleans, reported in the *Arkansas Whig*, January 22, 1852; and "Southern Atlantic and Mississippi Railroad," *De Bow's Review* 1 (January 1846), 22-33.

own.⁶ The result was the longest-lived political controversy of the period, which lay at the root of other sectional flashpoints like the Gadsden Purchase and Bleeding Kansas. Indeed, the story of the sectional conflict is largely a story of the railroad.

The Great Slavery Road at High Tide

While railroad promoters focused primarily on regional development during the two years after the Compromise of 1850, national plans again took center stage beginning in early 1853. As public interest in transcontinental railroad plans reached “fever heat,” according to the *American Railroad Journal*, national policymakers looked to the Pacific Coast with renewed hope.⁷ That year Congress devoted more time and attention to Pacific railroad proposals than to any other subject.⁸ Southern railroad expansionists had good timing, if nothing else. In the White House was Franklin Pierce, friendly to proslavery interests and expansionists in general, while at the head of the war department sat Jefferson Davis, his most trusted advisor. Cabinet members were known to make speeches favorable to southern plans in Pierce’s company, the President offering no objection.⁹ Davis, in particular, lent his powers to western development projects, and

⁶ William Seward was perhaps the most ambitious imperial visionary of the North during the late antebellum period. And his empire, as Eric Foner has argued, was fundamentally incompatible with slavery; Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970), 51. For more on Seward’s imperial imagination, see Jay Sexton, “William H. Seward in the World,” *The Journal of the Civil War Era* 4:3 (September 2014), pp. 398-430. Seward’s place in American historiography as the progenitor of the nation’s postbellum overseas empire has left little room for slaveholders; see for instance, E.N. Paolino, *Foundations of the American Empire: William Henry Seward and United States Foreign Policy* (Cornell: Cornell University Press, 1973).

⁷ *American Railroad Journal*, August 27, 1853, p. 545.

⁸ John P. Davis, *The Union Pacific Railway: A Study in Railway Politics, History and Economics* (Chicago: S.C. Griggs, 1894), 44; and Paul Neff Garber, *The Gadsden Treaty* (Philadelphia: University of Pennsylvania, 1923), 23.

⁹ Roberson, “The South and the Pacific Railroad,” 169.

most of all, to the southern transcontinental railroad. He would oversee the Pacific railroad surveys of 1853, while on the side sponsoring a scheme to import camels to the American Southwest.¹⁰ In short, these were flush times for southerners with global aspirations.

But above all it is California's leading politician, William Gwin, who deserves credit for reinvigorating the old debate. Born in Tennessee, educated in Kentucky, and with land and slaves in Mississippi, the California senator did not disguise his southern sympathies. Gwin generally followed his southern brethren in voting, and, despite his claims to the contrary, continued to promote the best interests of his native section in his spirited campaign for a transcontinental railroad.¹¹ That campaign began in 1851, when Gwin read to the Senate the California resolutions for a federally funded transcontinental railroad – though Gwin would not launch headlong into railroad agitation until two years later. On January 13, 1853, the California transplant pitched his plan for a multi-branch transcontinental railroad. Starting from San Francisco, the line would sweep down the valley of California and begin radiating eastward through the Southwest. Although he urged his colleagues to lay aside “sectarian principles” and scorn “all sectionality,” Gwin's own regional bias was unmistakable. His proposed lines would run primarily through slave country – Arkansas, Missouri, Tennessee, Louisiana and Texas – with additional lines into Puget Sound in the Pacific Northwest and Dubuque, Iowa, small

¹⁰ As William J. Cooper writes, “Jefferson Davis made his chief concern the great American West;” Cooper, *Jefferson Davis, American* (New York: Vintage, 2001), 274-277.

¹¹ For biographical information on Gwin, see Lately Thomas, *Between Two Empires: The Life Story of California's First Senator William McKendree Gwin* (Boston: Houghton Mifflin, 1969). The only published single biography on Gwin, Thomas's work curiously lacks information on Gwin's railroad agitation.

concessions to the North for a railroad that otherwise resembled many southern expansionists' fantasies.¹² Unfortunately for Gwin and his southern allies, the bill never gained enough traction to pass.

Although southern railroad advocates failed to realize their ambitions through Congressional legislation in 1853, they had no intention of discontinuing the fight. Instead, they turned their attentions again to the Mexican border, where land disputes around the Mesilla Valley seemed to open a door for the southern route. Since negotiations over the Treaty of Guadalupe Hidalgo, southerners had been calling for more land along the Mexican border to facilitate railroad construction across Texas and eventually to the Pacific. In 1850, for instance, Duff Green engaged an agent in Mexico to help bring about a negotiation of a "large grant of land including the valley of the Gila, and extending the whole length of the northern boundary of Mexico, with the right of occupation and of making a railroad."¹³ Such audacity and persistence – hallmarks of proslavery railroad promoters – paid off when the U.S. reentered formal negotiations with Mexico in 1853 in order to establish a firmer boundary between the two nations, and in the process, purchase an arid and dusty stretch of land in what is now southern New Mexico and Arizona – seemingly uncultivable terrain. The only crop in mind, however, was iron rails bound for the Pacific.

It was no coincidence that James Gadsden, the most outspoken proponent of a southern transcontinental railroad, was chosen to carry out these negotiations. No

¹² *Congressional Globe*, 32nd Congress, 2nd Session (January 13, 1853), 280-284. For a brief summary of Gwin's railroad measures, see, Arthur Quinn, *The Rivals: William Gwin, David Broderick, and the Birth of California* (New York: Library of the American West, 1994), 142-144.

¹³ Duff Green to John M. Clayton, March 12, 1850, read in Congress on January 23, 1852, *Congressional Globe*, 32nd Congress, 1st Session, 339.

southerner could match the railroad credentials of Gadsden. According to De Bow, the South Carolinian was “the life of all these [western railroad] movements, and their pioneer.”¹⁴ Two driving ambitions had recently propelled Gadsden to public prominence: his missions to unite the South and the West and to check the anti-slavery program of northern politicians. He moved aggressively to achieve both these goals in the early 1850s. In 1851 he headed a group of planters who petitioned the California assembly to form a slaveholding colony in the southern part of the state, and planned to bring 500 to 800 slaves into the breakaway territory.¹⁵ His California-bound slaveholders would be preceded by a mounted corps and a team of engineers to survey the route to the Pacific, which could be used as both a stage coach, and later a railway. “Open such a way, and the Railroad follows,” Gadsden declared, thus wedding his plans for a Pacific slave colony with his transcontinental railroad promotion (Chapter 3).¹⁶ Writing of these plans to Thomas Jefferson Green, then a California state senator, Gadsden projected a bright future for slaveholders in the Far West.¹⁷

Although his scheme for a California slave colony eventually came to naught, Gadsden’s bold expansionism and undisguised proslavery agenda clearly caught the eye of President Pierce, who at Davis’s urging, appointed the Charlestonian to broker a land purchase from Mexico. That Gadsden’s unconstitutional plans for California slavery did

¹⁴ “Internal Improvements,” *De Bow’s Review* 3 (May 1847), 447. See also the *Charleston Courier*, February 8, 1851, for more praise for Gadsden’s “untiring” contributions to Southern railroad development.

¹⁵ In the absence of a standalone biography on Gadsden, Garber’s brief sketch of the South Carolinian still stands as the best available treatment; see Garber, *Gadsden Treaty*, 74-80.

¹⁶ James Gadsden to M. Estes, December 10, 1851, in the *Charleston Courier*, February 7, 1852.

¹⁷ At times Green matched Gadsden in his zeal for a southern Pacific railroad and the audacity of his proslavery agenda. James Gadsden to Thomas Jefferson Green, December 7, 1851, William Alexander Leidesdorff Papers, Henry E. Huntington Library, San Marino, Calif. (HEHL).

not hinder – and in fact, may have even enhanced – his political prospects, goes to show how thoroughly the proslavery agenda had infiltrated federal policymaking by the early 1850s. Before departing for Mexico, Gadsden sought the counsel of his unofficial sponsor, Davis. “I should be pleased to hear from you, and to receive any suggestions of importance relative to the mission,” he wrote in May 1853. “I shall need the countenance & encouragement of my Southern Friends, as my appointment to Mexico is said to have been induced by my being a Southern Man.” As if there was any doubt, Gadsden pledged to “uphold & apply” the “principles of the South” in his forthcoming negotiations.¹⁸ Although Gadsden disguised his brazenly proslavery motives in his public correspondence and statements, few were under any illusions. He went to Mexico as Davis’s handpicked man, an agent of the South, and a champion of the great slavery road.¹⁹

Opponents of southern expansion condemned Gadsden’s work. When he returned to Washington in late December 1853 with a treaty calling for \$15 million in exchange for nearly forty thousand square miles of Mexican territory, critics came out in force. “The friends of the Southern Pacific Railroad are the only *bona fide* supporters of the treaty,” a correspondent to the *Philadelphia Public Ledger* complained, “and it might just

¹⁸ James Gadsden to Jefferson Davis, May 23, 1853, Jefferson Davis Papers, Special Collections & Archives, Transylvania University, Lexington, KY. My thanks to Susan Brown at Transylvania University, Special Collections & Archives, for making Gadsden’s correspondence available to me.

¹⁹ In his official instructions to Gadsden, Secretary of State William L. Marcy reminded Gadsden of “the sole object [we] have in desiring a change in the treaty line on this frontier – an eligible route for a railroad;” Marcy to Gadsden, July 15, 1853, in David Hunter Miller, ed., *Treaties and Other International Acts of the United States of America*, 8 vols. (Washington, D.C.: U.S. Government Printing Office, 1931-1948), 6:342-347. The official organ of the Mexican government immediately recognized that Gadsden’s negotiations were part of a scheme “for the construction of a Railroad from the Mississippi to the Pacific,” as quoted in the *Texas State Gazette*, September 17, 1853. See also *Freeman’s Journal*, August 11, 1853, quoted in the *Philadelphia Public Ledger*, August 16, 1853.

as well be called a ‘purchase of the right of way for a railroad to the Pacific,’ as by any other name.” That such an important diplomatic mission had been entrusted to a patently proslavery schemer was a serious breach of political conduct, the correspondent added.²⁰ According to the *National Era*, Gadsden’s negotiations had not only opened the way for a Pacific railroad “favored by Southern Nullifiers” but also handed the present “Slaveholding Administration” an opportunity to create two or three additional slave states from the new territory.²¹ During deliberations in the House of Representatives, hot-headed Missourian Thomas Hart Benton deemed the treaty a monumental waste of money. A longtime supporter of a central transcontinental route, Benton ridiculed the prospects for railroad construction through this new territory, “a country so utterly desolate, desert, and God-forsaken, that Kit Carson says a wolf could not make his living upon it.” He accused the treaty’s architects of orchestrating a vast conspiracy to push a Pacific railroad through barren borderlands and into New San Diego, a yet-to-be-built city where southern speculators would make untold fortunes.²²

In the spring of 1854, the treaty passed over the strenuous objections of congressmen like Benton, although the Senate shaved nine thousand square miles and \$5 million off the final agreement.²³ Gadsden griped about the scaled-down version of his

²⁰ *Philadelphia Public Ledger*, April 11, 1854.

²¹ *National Era*, March 2, 1854, 34, May 4, 1854, 70.

²² *Cong. Globe*, 33d Cong., 1st Sess., appendix, 1031–36 (1854). For more on Benton, see Arenson, *Great Heart of the Republic*, 28–47. Even some proslavery expansionists opposed the purchase, however. William Gwin, for instance, refused to endorse the treaty because it failed to secure a sufficient amount of land from Mexico; William McKendree Gwin, *Memoirs on the History of the United States, Mexico, and California, 1850-1860*, Library of Congress, Ac. 5250, 68–69.

²³ For overviews of the Gadsden Treaty negotiations, see Garber, *Gadsden Treaty*; Russel, *Improvement of Communication*, 130–49 and Louis Bernard Schmidt, “Manifest Opportunity and the Gadsden Purchase,” *Arizona and the West* 3 (Autumn 1961): 245–64. Rachel St. John situates the Gadsden Purchase in the broader history of American schemes on Mexican territory; see St. John, *Line in the Sand: A History of the Western U.S.-Mexico Border* (Princeton, N.J.: Princeton University Press, 2011), 40–41.

original deal, but his negotiations had resulted in a decisive victory for proslavery expansionists: the final strip of land, measuring about thirty thousand square miles, provided crucial real estate for a southern railroad. Furthermore, it signaled that southern imperialists possessed the political capital necessary to advance their designs in the West at a time when sectional compromise was proving increasingly elusive. The last major territorial acquisition of the era, the Gadsden Purchase moved Jefferson Davis and his allies one step closer to fulfilling their continental ambitions.

As Congress wrangled over Gadsden's treaty, Albert Pike of Arkansas stepped forward at a Charleston commercial convention with perhaps the most ambitious plan yet for a southern railroad. Deprecating the federal government for both its inaction and its alleged northern bias, Pike proposed the formation of a Pacific Railroad Company, jointly owned by a confederation of southern states, to build a road by the Gila route. This company, Pike elaborated, would be authorized to negotiate with Mexico and Indian tribes for a right-of-way, a necessary measure should the Gadsden Treaty fail in Congress.²⁴ Politicians' appeals to patriotism were mere lip service, Pike argued; the selection of the Pacific railroad route was inescapably a sectional issue. If southerners wished to prevent their section from sliding even further behind the North, therefore, they would have to take matters into their own hands. "Who ever heard of a Northern man giving another an advantage in a matter of trade!" he added to great applause. A railroad built by Congress would be a railroad along a northern line – and the South would be

²⁴ "The Great Southern Convention at Charleston, No. 2," *De Bow's Review* 17 (July 1854), 97.

stuck with the bill. Only by uniting and building the railroad themselves could southerners prevent the North from capturing the Pacific.²⁵

Pike's proposal met stiff resistance from many of the Convention's delegates, including prominent advocates of southern railroad development. Matthew Fontaine Maury, for instance, deemed it "unlawful," while others agreed that only the federal government had the right to negotiate with foreign powers. The scheme, they argued, was impractical at best and probably even unconstitutional. Other prominent railroaders like Gadsden, however, sided with Pike, who ultimately carried the day, tapping strong sectional feeling with another bombastic appeal for what he called "a sort of declaration of independence on the part of the South."²⁶ Interrupted frequently by loud applause, Pike promised action and a southern railroad at long last. "For my own part, I would rather go and buy the right of way, than walk into the halls of Congress and ask them to give," he roared to immense applause.²⁷ Voting by states, the Convention adopted his resolution unanimously, and resolved "to secure to the South, so far as may be in their power, the exclusive benefits and advantages of the commerce of the Pacific." Per Pike's appeal, the Convention also resolved that "the Southern States, corporations and people, are entirely able to build said road, and that no time should be lost in doing so." Finally, still viewing Californians as allies in the South's push to the Pacific, the Convention agreed to invite the state to unite in the proposed organization.²⁸

²⁵ "The Great Southern Convention at Charleston, No. 3," *De Bow's Review* 17 (August 1854), 210-213.

²⁶ "The Great Southern Convention at Charleston, No. 6," *De Bow's Review* 17 (November 1854), 491-496, 505. See also *Charleston Courier*, April 18, 1854 for more coverage on the sixth and final day of the Convention, including Pike's speech.

²⁷ *De Bow's Review* 17 (November 1854), 502.

²⁸ The Convention's resolutions can be found in *De Bow's Review* 16 (June 1854), 636-640.

Outside the Convention's halls, however, southern interest in Pike's resolution proved less enthusiastic. Although the Louisiana legislature eventually granted a charter in 1855, no company was ever organized under it.²⁹ Nevertheless, Pike's campaign invigorated southern railroad agitation, underscoring slaveholders' enduring, often pigheaded commitment to the Pacific and their readiness to drum up potentially dangerous sectional impulses on behalf of commercial expansionism. Indeed, Pike's resolution is a gauge of just how far sectional feeling had progressed since the start of the transcontinental railroad debates, and just how important the Pacific had become to slaveholding interests. Pike and his numerous allies were quite willing – perhaps even eager – to risk secession for commercial independence. Here was a southern declaration of independence roughly seven years before formal separation.

Meanwhile, Jefferson Davis opened yet another front in the southern railroad campaign. Passed in March 1853, the Pacific Railroad Survey bill authorized Davis, as secretary of war, to assemble teams to carry out a reconnaissance of the Trans-Mississippi West over a ten-month period—though topological work eventually stretched into late 1854.³⁰ The act was born out of a belief that scientific objectivity could break the congressional logjam and settle the railroad question once and for all. Whereas sectional motives guided the nation's statesmen, its engineers could presumably put aside politics in the interest of topological precision. Under great national scrutiny, six federally appointed engineers surveyed a total of four major routes: a northern route

²⁹ Jere W. Roberson, "To Build a Pacific Railroad: Congress, Texas, and the Charleston Convention of 1854," *Southwestern Historical Quarterly* 78 (October 1974), 117-139; Russel, *Improvement of Communication*, 190.

³⁰ Gwin himself was instrumental in effecting the passage of this bill; see Gwin, *Memoirs*, 72.

between the 41st and 42nd parallels, a central route along the 38th parallel, a south-central route along the 35th parallel, and an extreme southern route along the 32nd parallel.³¹

Yet scientific objectivity met its limits in Davis. Feigning sectional indifference, the secretary of war proved eager to channel this opportunity to the South's advantage, a fact not lost on political rivals like Thomas Hart Benton.³² To maintain the appearance of impartiality, Davis tactfully (or perhaps cunningly) appointed mostly Northern topographical officers. In his detailed summary of the surveys, however, Davis let his sectional bias shine. Starting with the northernmost survey, he systematically argued that every route except that along the 32nd parallel faced severe obstacles: cost, length, climate, or a combination of all three. Meanwhile he dismissed, as mere trifles, serious impediments to the far southern route, such as a lack of water and timber.³³ "A comparison of the results," Davis stated, "conclusively shows that the route of the 32nd parallel is, of those surveyed, 'the most practicable and economical route for a railroad from the Mississippi river to the Pacific ocean.'" For him, this was a foregone conclusion. But for many others, his highly suspect summary was further proof of southern intrigue and slaveholders' disturbing determination to drive the railroad through their section at any price. The Pacific railroad surveys thus brought no resolution to this increasingly fraught and increasingly sectionalized debate.³⁴

³¹ The best source on these surveys remains William H. Goetzmann's, *Army Exploration in the American West, 1803-1863* (New Haven: Yale University, 1959), 262-303.

³² Goetzmann, *Army Exploration*, 266, 278. See "Report on the Secretary of War, December 3, 1855" in *Jefferson Davis, Constitutionalist: His Letters, Papers and Speeches*, ed. Dunbar Rowland (Jackson: Mississippi Department of Archives and History, 1923), vol. 2:567-570.

³³ Jefferson Davis, *Report of the Secretary of War on the Several Pacific Railroad Expeditions* (Washington: A O.P. Nicholson, 1855), 8-34; 37-39

³⁴ Goetzmann, *Army Exploration in the American West*, 300-303.

Had optimism been able to roll iron and lay track, southerners would have driven their railroad into California before the ink dried on the Gadsden Treaty. Yet the *Texas State Gazette* was not just whistling Dixie when it reported, “The prize is within her reach – she will not fail to grasp it.”³⁵ By 1854, a commercial empire stretching into the Pacific seemed well within reach for slavery’s cotton economy. Gadsden had negotiated a favorable purchase of land from Mexico. Davis was in control of the railroad surveys. Arkansas and Texas were poised to extend their railroad networks and link them with other burgeoning southern lines. And President Pierce seemed favorable to southern expansionist aims.³⁶ Further, slaveholders could count on a powerful body of southern Californians to support a route through slave country. In the summer of 1853, delegates at a San Diego convention resolved to promote the route along the Gila River into their city, and dispatched Colonel John B. Magruder to press their case in Washington.³⁷ Another advocate of San Diego as the western terminus, Hinton Rowan Helper, captured the spirit of commercial manifest destiny that animated many of his fellow southerners at the time. “There is a destiny in commerce,” Helper wrote in his California memoir, “and fate seems determined to pour the riches of the world into our lap.”³⁸ Indeed, the winds of history were blowing in a distinctly southerly direction.

³⁵ *Texas State Gazette*, August 6, 1853

³⁶ For the rising tide of southern optimism, see Russel, *Improvement of Communication*, 161.

³⁷ *San Antonio Ledger*, July 28, 1853. Magruder was a native Virginian and future Confederate general (see Chapter 5).

³⁸ According to Helper, “It is now generally admitted that the Southern route is the most practicable.” Although his memoir of California painted a dismal picture of gold country – a reflection of Helper’s poor luck among the diggings – he could not dispute California’s potential as a trans-Pacific trading hub. And thus he was a vocal champion of southern communication with the Pacific coast. For more on his views on a far southern railroad, including lengthy quotations from Davis’s Pacific railroad survey report, see Hinton Rowan Helper, *The Land of Gold: Reality Versus Fiction* (Baltimore: Henry Taylor, 1855), 283-293. His most famous publication, *The Impending Crisis of the South*, in which he harshly criticized slavery as an impediment to the economic growth of the region, was still two years off.

Railroad Bound

When advocating for their preferred route, proslavery railroaders boasted of a number of advantages: flatter terrain, warmer climate, shorter distances. But perhaps the most compelling advantage the South possessed, according to some, lay in its large, unfree labor force. As southern railroad boosters regularly noted, an enslaved workforce kept costs down and construction on schedule. “Because it is cheaper, can be kept under better discipline” and “worked both in summer and winter,” slave labor gave the South a distinct edge in railway construction, bragged the president of the Charleston and Savannah Railroad in 1855.³⁹ One Virginian railroad promoter and stockholder quantified such benefits. With an enslaved labor force, “the grading, masonry, and mechanical work on railroads, and the entire construction of canals, will be less than half the cost it would be under the system of contracts,” he estimated. Contracts worked well enough in the free states, he argued, but the South should play to its peculiar advantages.⁴⁰

The numbers are indeed telling. Railroad construction in northern and western states, at an average of roughly \$30,000 per square mile, cost double what it did in the South.⁴¹ According to the ledger books of the Richmond, Fredericksburg and Potomac Railroad, a railroad corporation could own a slave’s labor for a year for roughly \$120,

³⁹ “Superiority of Slave Labor in Constructing Railroads,” *DBR* 18 (March 1855), 404.

⁴⁰ R.G. Morris, “Slave Labor upon Public Works at the South,” *DBR* 17 (July 1854), 76.

⁴¹ For this estimate, see William G. Thomas, *The Iron Way: Railroads, the Civil War, and the Making of Modern America* (New Haven: Yale University Press, 2011), 24.

compared to the weekly wages of about \$7 to \$10 for free white workers.⁴² In addition to the expense of their weekly wages, white workers in the South – often of Irish or German extraction – brought with them the specter of labor strife. Why risk the trouble of wage strikes, walk-offs, drinking binges, and European ethnic rivalries when cheaper, more regulated slave labor could be had?⁴³

This logic led to massive concentrations of slaves on southern railroad works. For instance, out of a total labor force of 643, the Virginia and Tennessee Railroad employed 435 slaves on its projects in 1856. The overall number of slaves working in southern railroad construction would only climb in the years following. The most careful student of the subject found that in 1860, thirty-seven southern companies used at least one-hundred enslaved laborers in railroad construction. The Atlantic & Gulf line in southern Georgia oversaw a workforce of twelve-hundred slaves – a larger population of bonded laborers than could be found on any single plantation in the South. Such projects generally hired slaves from nearby planters on an annual basis, rather than owning them outright, due to the high cost of able-bodied slave men, who were deemed most suitable for railroad work. According to recent estimates, southern railroads collectively

⁴² The payrolls and annual slave contracts of the Richmond, Fredericksburg and Potomac Railroad are scattered throughout the large collection of the company's records at the Virginia Historical Society. I have drawn my estimates from the documents found in Richmond, Fredericksburg and Potomac Railroad Papers, Mss 3 R4152 a, folder 45, August 1839; folder 366, March 1858; and folder 422a, January to February 1861, VHS.

⁴³ On the problems with free white labor in southern railroad construction, see Theodore Kornweibel, Jr., "Railroads and Slavery," *Railroad History* 189 (fall-winter 2003), 45, 55; and Aaron W. Marrs, *Railroads in the Old South: Pursing Progress in a Slave Society* (Baltimore: Johns Hopkins University Press, 2009), 55-67, 81-82. To be sure, slave labor was not without its risks. Bondspeople could and did run away, be pulled back to their plantations during harvest season, and incur fines for violating local laws. For the arrest and the subsequent fining of two slaves for breaking curfew, see letters "To the Corporations of Bowling Green," April 25, 1860, Richmond, Fredericksburg and Potomac Railroad Papers, Mss 3 R4152 a, folder 422a, Jan.-Feb. 1861, VHS.

employed an average of 10,000 slaves per year at the end of the antebellum period. But some scholars suggest that that number may have been as high as 20,000 by the eve of the Civil War.⁴⁴

Such labor practices may have suited the needs of corporations in the Southeast, but how would railroad construction adjust to the vaster spaces and sparser populations of the American Southwest? Here was a pressing question for anyone who seriously contemplated a Pacific railroad. The Virginian surveyor Andrew Belcher Gray, who knew the region as well as any white American, suggested two possibilities. “The Papigos and Pimas Indians, by proper management, might be made very useful, in working upon the road where there is not much rock excavation,” he argued. What “proper management” might entail, Gray did not elaborate, although he might have contemplated the use of Indian slaves, who circulated widely throughout the region. He also pointed to the possibilities of cheap Mexican peon labor. Because they were “regularly acclimated” and accustomed to hard labor, peons “might be very useful,” Gray suggested. “I have seen some good stone work done by these peons in Chihuahua and Sonora,” he added.⁴⁵ Between the African slaves of the Southeast and the Mexican peons and Native Americans of the Southwest, southerners like Gray could imagine an entire continent of unfree labor, ready to serve the needs of their Pacific railroad.

⁴⁴ The most reliable estimates are in Kornweibel, “Railroads and Slavery,” 34-36. For the tally on the Virginia and Tennessee Railroad, see Marrs, *Railroads in the Old South*, 55. A 1970 study suggested the total figure of 20,000 slaves, which is cited in Mark A. Yanochik, Mark Thornton, and Bradley T. Ewing, “Railroad Construction and Antebellum Slave Prices,” *Social Science Quarterly* 84 (September 2003), 727.

⁴⁵ A[ndrew] B[elcher] Gray, *Southern Pacific Railroad. Survey of a Route for the Southern Pacific R.R., on the 32nd Parallel* (Cincinnati: Wrightson & Co., 1856), 85. For more on these unfree labor practices in the American Southwest, see Chapter 3.

Southern railroad corporations extracted as much labor for as little cost as possible. Railroad slaves often worked in regimented gangs, driven by overseers with construction quotas to meet. Because railroads generally rented rather than owned slaves, overseers were advised against beating the black laborers under their watch, yet that hardly mitigated against mistreatment. In fact, their status as rented slaves seemed to invite especially harsh floggings on the black laborers on the Hamburg and Charleston Rail Road. “There they were, cutting and slashing all the time,” a former railroad slave recalled of the overseers on the line. “After we were whipped we had to go straight back to our work. They did not care whether we got well or not, because we were other people’s niggers.”⁴⁶ No wonder, then, that some masters took out life insurance policies for the slaves they rented to railroad companies.⁴⁷ And no wonder that some slaves protested against mistreatment by running away, as did eighty-four bondspeople on the Montgomery and West Point Railroad between the years 1845 and 1850.⁴⁸ But for those who stayed – and for those who were caught and returned – the possibility of death, or at least serious injury, remained ever-present. “There was hardly a day that some of the slaves did not get crippled or killed,” the anonymous former slave on the Hamburg and

⁴⁶ [Anonymous], “Recollections of Slavery by a Runaway Slave,” in the *Emancipator*, October 11, 1838; The entire recollection was serialized in six parts, appearing on August 23, September 13, September 20, October 11, October 18, and October 21. That masters would seek compensation for the maiming or killing of their valuable human property provided at least some security for slaves, although this does not appear to be the case on the Hamburg and Charleston line.

⁴⁷ Richmond Fire Association, Life Insurance Agreement, Feb. 17, 1858, in Richmond, Fredericksburg and Potomac Railroad Papers, Mss 3 R4152 a, folder 366, March 1858, VHS. Under this policy, a Virginia master paid \$16 to ensure his slave, Emmanuel, for up to \$800. However, the agreement stipulated that Emmanuel would not be covered in the case of suicide or death “by means of any invasion, insurrection, riot or civil commotion.”

⁴⁸ Marrs, *Railroads in the Old South*, 66. Railroad corporations were in the business of tracking down runaways. See, for instance, a runaway slave ad, unknown publication details, in Richmond, Fredericksburg and Potomac Railroad Papers, Mss 3 R4152 a, folder 296, April 1855, VHS.

Charleston line recalled. “There were more killed there than at any other place I ever worked at.”⁴⁹

Even in the absence of whippings, railroad work was backbreaking. From clearing brush, chopping down trees, and removing boulders to excavating cuts, leveling terrain, and laying track, railroad slaves conducted their work almost entirely by hand. Some railroad companies allowed slaves to work on Sundays and holidays for pay, but in general, bondspeople were provided only a meager allowance of food and clothing, along with shoddy accommodations. According to the abolitionist journalist, James Redpath, who toured railroad construction sites in North Carolina in the late 1850s, enslaved workers were housed in “miserable shanties along the line” and fed “one peck of Indian meal, and two pounds and a half of bacon a week.”⁵⁰ The Montgomery & West Point Railroad spent twice as much per year to feed a horse or mule as it did a slave.⁵¹ Railroad work was particularly devastating for slave families. Although some companies hired female slaves for jobs like washing and cooking, construction sites were a largely male world. And as such, husbands were separated from wives, sons from parents, and fathers from children whenever railroad contractors visited the plantation for recruitment. As Redpath lamented of such conditions, “Poor fellows! in that God-forsaken section of the earth they seldom see a woman from Christmas to Christmas.”⁵²

⁴⁹ “Recollections of Slavery by a Runaway Slave,” the *Emancipator*, October 11, 1838. The narrator himself eventually ran away from the line, because “I knew I could not be worse treated than I was on the rail road”; *Emancipator*, October 21, 1838.

⁵⁰ James Redpath, *The Roving Editor: Or, Talks with Slaves in the South States* (New York: A.B. Burdick, 1859), 136-138.

⁵¹ Kornweibel, “Railroads and Slavery,” 46

⁵² Redpath, *The Roving Editor*, 138

Slaves not only worked the railroads, they also rode them – though very rarely of their own free will.⁵³ Indeed, railways became the favored means of transporting slaves quickly and cheaply for sale across the southern interior. Some corporations incentivized this commerce by shipping bonded children for free and by offering discount rates for adult slaves. On the South Carolina Railroad, for instance, slaves and dogs traveled for the same price.⁵⁴ For Jacob Stroyer and many other slaves, railroad depots were the sites of tragic human spectacles, to which bondspeople were driven “like so many cattle” and packed onto cars for sale. Decades later, he was still haunted by the memory of such a station, where a group of slaves from his plantation, including his sisters, had been loaded onto train cars. As the cars began to pull away “the colored people cried out with one voice as though the heavens and earth were coming together,” Stroyer recalled. “We heard the weeping and wailing from the slaves as far as human voice could be heard.”⁵⁵

For Stroyer and thousands of others this was tragedy, but for southern planters and businessmen it was a highly lucrative commerce. Scholars have argued that railroad development fueled the steep rise in slave prices during the 1850s. By opening vast new areas for agricultural development and by increasing the demand for bondspeople on construction projects, railroad growth placed a high premium on slave labor.⁵⁶ This was a self-perpetuating cycle: as lines were extended into the southern hinterland, more acreage

⁵³ A very few slaves, however, rode the rails en route to their freedom – most famously, Frederick Douglass. Henry Williams, with the help of Henry David Thoreau, also escaped to freedom via train; Thomas, *Iron Way*, 36

⁵⁴ Marrs, *Railroads in the Old South*, 111-112, 154; Kornweibel, “Railroads and Slavery,” 53-54.

⁵⁵ Jacob Stroyer, *My Life in the South: New and Enlarged Edition* (Salem: Salem Observer, 1885), 42-44.

⁵⁶ Yanochik, et. al. “Railroad Construction and Antebellum Slave Prices,” 723-730. The arrival of a railroad could also accelerate the pace of slave labor on plantations, as one North Carolina slave related to James Redpath. Because of the railroad, “it is so much easier to carry off the produce and sell it now; ‘cause they take it away so easy; and so the slaves are druv more and more to raise it;” Redpath, *Roving Editor*, 127.

came under the cultivation of slave labor, which in turn made more bonded workers available for hire by railway corporations.⁵⁷ It did not take a particularly fanciful imagination to foresee this cycle repeating itself across the Far West with the construction of a Pacific railroad. Indeed, Thomas Butler King of Georgia pointed to the mutual relationship between slavery and railroad construction in promoting his transcontinental enterprise, the Southern Pacific Railroad Company. With a reliable rail connection, Texas would become a planter's paradise, Butler argued, drawing slaveholding emigrants from the worn out soils of the East into the untapped cotton frontier of the West.⁵⁸ As King, James Gadsden, and others had insisted for years, an empire of slavery and plantation commerce would thus march in step with the railroad.

Recent trends in railroad development across the South buoyed the hopes of such expansionists. Southerners had been early and eager adopters of the railway. At 136 miles, the line from Charleston to Hamburg, completed in 1833, was the longest railroad in the world at the time.⁵⁹ But it was not until the 1850s that southern railroad construction took off, on the backs of enslaved laborers. During that decade, the slave states laid down over 8,300 miles of track, as well as a staggering number of junctions, depots, and terminal points, thereby providing their white citizens with better railroad facilities and infrastructure than could be found in many parts of the North. Every

⁵⁷ Railroads were a boon not only to planters in agricultural areas, but also to businessmen in urban ones. In fact, railroads had the power to create towns where none existed before and to transform isolated backwaters into thriving emporia. On the growth of Atlanta and its relationship to the railroad, see G.H. Stueckrath, "The Cities of Georgia – Atlanta", *DBR*, 27, October 1859, pp. 462-468.

⁵⁸ [T. Butler King], *First Annual Report to the Board of Directors of the Southern Pacific Railroad Company Chartered by the State of Texas* (New York: American Railroad Journal Office, 1856), 17.

⁵⁹ Marrs, *Railroads in the Old South*, 11-12. Such a feat was made possible, no doubt, by the frenzied pace at which the Charleston and Hamburg drove its slaves, as noted in "Recollections of Slavery by a Runaway Slave," in the *Emancipator*, October 11, 1838.

slaveholding state more than doubled its total rail mileage in the 1850s. Outside of the Northwest – where development also proceeded at a feverish pace – only New Jersey, Pennsylvania and Delaware matched that rate of growth.⁶⁰ Cotton, slaves and railroads constituted three mutually reinforcing pillars of the southern economy in the 1850s, and for anyone with a stake in such enterprises, these were flush times. From the perspective of successful southern railroaders, perhaps the Pacific did not seem so very far away.

While writers from Ralph Waldo Emerson to Leo Marx have disparaged slavery's relationship to the railroad and the modern world in general, the southern expansionists of the 1850s were anything but backward looking.⁶¹ Indeed, American slaveholders pursued the most advanced technologies and promoted the most extensive public works on the continent – and perhaps the globe.⁶² As Walter Licht suggests, had South had won its independence, it would have ranked among the top six most industrially advanced nations in the world.⁶³ Nothing showcased slaveholders' commercial savvy or modernizing

⁶⁰ Thomas, *The Iron Way*, 20-28; for a table on national railway construction between 1850 and 1860, see Marrs, *Railroads in the Old South*, 5.

⁶¹ In an 1844 speech on slave emancipation in the British West Indies, Emerson announced, "Slavery is no scholar; in improver; it does not love the whistle of the railroad; it does not love the newspaper, the mail-bag, a college, a book, or a preacher who has the absurd whim of saying what he thinks; it does not increase the white population; it does not improve the soil; everything goes to decay;" Ralph Waldo Emerson, "Address on the Anniversary of the Emancipation of the Negroes in the British West Indies," in *The Complete Works of Ralph Waldo Emerson*, edited by Edward Waldo Emerson (Boston: Houghton, Mifflin and Company, 1904), 11: 125-126. Cite Leo Marx, *The Machine in the Garden: Technology and the Pastoral Ideal in America* (Oxford: Oxford University Press, 1964). Marrs addresses both of these works in *Railroads in the Old South*, 2-3.

⁶² By the 1830s the U.S. possessed two times as much railroad mileage as all of Europe; Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (Oxford: Oxford University Press, 2007), 563-564. Southerners did, however, adopt some feudal (or at least early modern) cultural practices, notably the *code duello*. For more on this and southern honor culture more generally, see Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (Oxford: Oxford University Press, 1982).

⁶³ Walter Licht, *Industrializing America: The Nineteenth Century* (Baltimore: Johns Hopkins University Press, 1995), 36. For more on southern industrialization and slave labor, see Charles B. Dew, *Bond of Iron: Master and Slave at Buffalo Forge* (New York: W.W. Norton, 1995); and Frank Towers, *The Urban South and the Coming of the Civil War* (Charlottesville: University of Virginia Press, 2004).

impulses quite like their commitment to railroad development.⁶⁴ That southerners advanced slave labor to achieve this end does not signify that they had turned their collective backs on the modern age. In fact, as Matthew Karp has argued, mid-century southerners had good reason to believe that liberalism was on the wane, unfreedom on the rise, and that a political economy built on plantation agriculture was the surest means to international ascendancy.⁶⁵ After all, as cotton boomed and slave prices soared in the U.S., abolitionist Britain began importing coolie laborers to its West Indian sugar colonies, an implicit concession that slave emancipation had proved bad for business. Slaveholders may have lamented their dependence on northern industry and shipping, but global developments seemed to indicate that the path forward – and ultimately the road to the Pacific – would be blazed by slave, and not free, labor.

If southerners were economically ambitious and forward-facing, can we then call them capitalists? This question has been at the center of a growing body of literature, which traces the enterprising spirit, acquisitive nature, and global connectedness of slaveholding Americans. Historians like Walter Johnson, Seth Rockman, Sven Beckert, and Edward Baptist, among others, have powerfully illustrated how global capitalism fed off the slave-grown products of the American South. And they have shown how

⁶⁴ In the first major study of the South's antebellum railroad system, Ulrich Bonnell Phillips ironically stressed the isolationism of the region, arguing that "individualism and conservatism prevailed in the South to a marked degree, and operated against joint undertakings and new enterprises;" Ulrich Bonnell Phillips, *A History of Transportation in the Eastern Cotton Belt to 1860*, new introduction by Aaron W. Marrs (Columbia, South Carolina: University of South Carolina Press, 1908, 2011). Marrs rejects this interpretation in both his introduction to Phillips's work and in his own monograph on the subject; see Marrs, "Introduction," xx-xxiv and Marrs, *Railroads in the Old South*, 2-3, 7, 197-198.

⁶⁵ Matthew Karp, "The World the Slaveholders Craved: Proslavery Internationalism in the 1850s," in Andrew Shankman, ed., *The World of the Revolutionary American Republic: Land, Labor, and the Conflict for a Continent* (New York: Routledge, 2014). On the productivity of American slave labor more generally, see Robert William Fogel and Stanley L. Engerman, *Time on the Cross: The Economics of American Negro Slavery* (New York: W.W. Norton, 1974).

slaveholders, in turn, embraced an international market that made them among the richest individuals on the continent.⁶⁶ Yet this literature, while providing fruitful ways of thinking about the American South in its wider world, has perhaps overstretched. The problem stems partly from imprecise terminology. Without a working definition of capitalism, the concept lacks specificity and consistency – and often, by extension, usefulness. When, say, Eugene Genovese deployed the term, he had in mind very different defining characteristics than those described by James Oakes, for example.⁶⁷ At

⁶⁶ Edward Baptist's *The Half Has Never Been Told: Slavery and the Making of American Capitalism* (New York: Basic Books, 2014) is hardly the only work in this canon, contrary to what its title might imply. Scholars have been grappling with the relationship between slavery and capitalism since at least Eric Williams, *Capitalism and Slavery* (Chapel Hill: University of North Carolina Press, 1944, 1994). For more recent reflections, see James Oakes, *The Ruling Race: A History of American Slaveholders* (New York: Norton, 1982); Thomas Bender, ed. *The Antislavery Debate: Capitalism and Abolitionism as a Problem in Historical Interpretation* (University of California Press, 1992); Walter Johnson, "The Pedestal and the Veil: Rethinking the Capitalism/Slavery Question" *Journal of the Early Republic* 24 (summer 2004); Johnson, *Soul By Soul: Life Inside the Antebellum Slave Market* (Cambridge, MA: Harvard University Press, 1999); Tom Downey, *Planting a Capitalist South: Masters, Merchants, and Manufactures in the Southern Interior, 1790-1860* (Baton Rouge: Louisiana State University Press, 2006); Seth Rockman, "What Makes the History of Capitalism Newsworthy?" *Journal of the Early Republic*, 32 (Fall 2014); Sven Beckert and Seth Rockman, eds., *Slavery's Capitalism: A New History of American Economic Development* (Philadelphia: University of Pennsylvania Press, 2016); Sven Beckert, "Slavery and Capitalism" *Chronicle of Higher Education* (December 12, 2014); and Beckert, *Empire of Cotton: A Global History* (New York: Knopf, 2014). For works that often deal more implicitly with this question, but still foreground the modern economic thinking of slaveholders, see Mark M. Smith, *Mastered by the Clock: Time, Slavery, and Freedom in the American South* (Chapel Hill: University of North Carolina Press, 1997); Joyce Chaplin, *An Anxious Pursuit: Agricultural Innovation and Modernity in the Lower South* (Chapel Hill: University of North Carolina Press, 1996); Bruce Eelman, *Entrepreneurs in the Southern Upcountry: Commercial Culture in Spartanburg, South Carolina, 1845-1880* (University of Georgia Press, 2010); John F. Kvach, , *De Bow's Review: The Antebellum Vision of a New South* (Lexington: University Press of Kentucky, 2013); Brian Schoen, *The Fragile Fabric of Union: Cotton, Federal Politics, and the Global Origins of the Civil War* (Baltimore: Johns Hopkins University Press, 2009); and Marrs, *Railroads in the Old South*.

⁶⁷ For years, Eugene Genovese has been the preferred whipping boy for scholars of slavery and capitalism. Yet in refuting his theories, these historians sometimes forget that Genovese's slaveholders were never divorced from the world of nineteenth century capitalism. Genovese never lost sight of the fact that, "slaveholders operated in a capitalist world market, they presided over the production of commodities, and they had to pay attention to profit-and-loss statements," Eugene D. Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Vintage, 1976), 297. His most influential and carefully argued work on the subject is *The Political Economy of Slavery: Studies in the Economy and Society of the Slave South* (New York, 1965). Perhaps historians writing today should heed his warning: "if every commercial society is to be considered capitalist, the word loses all meaning.;" see pp. 14-23 for this discussion.

times, this new scholarship risks conflating commercial savvy with a genuine capitalist ethos, and thereby blurring the line between the political economies of the antebellum North and South.⁶⁸ This depiction of capitalist slaveholders is not a portrait that antebellum southerners themselves would have recognized.⁶⁹ They defined themselves and their political economy in stark contradistinction to what they believe existed in the North, and their dependence on chattel slavery created an ideological worldview – while certainly profit-oriented – profoundly at odds with that of their Yankee counterparts.⁷⁰ For them, capitalism was more than just a set of economic practices; it was a social system.⁷¹ Antebellum America was a house divided against itself in more ways than one.

The proslavery push to the Pacific was meant to further distinguish and liberate the southern political economy from what they called the northern, industrial yoke. As Albert Pike had proclaimed in Charleston in 1854, a southern transcontinental railroad

⁶⁸ In his influential account of smallholding slaveowners, James Oakes is perhaps most guilty of this conflation. His problem stems, in part, from a lack of precision in his terms; see Oakes, *Ruling Race*. As Steven Hahn points out, “what landed elite in modern history, no matter how reactionary, has not been acquisitive. The Prussian Junkers, who hardly came to be known for their liberality, set an egregious standard as they colonized eastward, subjugated the peasantry, and continued to follow rough business traditions;” Steven Hahn, “Capitalists All!” *Reviews in American History* 11 (June 1983), pp. 219-225.

⁶⁹ And it is a portrait that many of those living in the southern backcountry would have found particularly inaccurate; see Steven Hahn, *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850-1890* (New York: Oxford University Press, 1983).

⁷⁰ For a particularly thoroughgoing and angry articulation of the differences between the free, industrial North and slave, agricultural South, see George Fitzhugh, *Cannibals All! Or, Slaves Without Masters* (Richmond, A. Morris, 1857). Also see James Henry Hammond’s famous “Cotton is King” speech, given in defense of the proslavery Lecompton Constitution for Kansas. Hammond similarly proclaimed the superiority of the southern agricultural, slave system, arguing that northerners were merely “our factors,” who “bring and carry for us;” *Cong. Globe*, 35th congress, 1st session (March 4, 1858), 962.

⁷¹ As Stephanie McCurry has argued, the ideology of slavery reinforced a unique set of social relations within the South, premised on a man’s mastery over his entire household – children, women, and slaves. These southern yeoman prized a political culture and political economy that they believed to be at odds, fundamentally, with that of the North. How else can we explain their willingness to hazard everything in a bid for independence? See Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995).

would be, in effect, a declaration of commercial independence from the North, while also ensuring stronger ties to the rest of the world. Slaveholders craved additional markets across the globe for their agricultural products, markets that could be reached without the interference of northern processing and shipping. Direct trade with the 600 million consumers of Asia was the ultimate objective. And if the vision was grandiose and the details fuzzy, this proto-nationalist campaign for regional autonomy was nothing to scoff at, as the proslavery victories of 1853 and 1854 had made clear. In the process, southerners aimed to strengthen their ties to the American Southwest, linking the region to the agricultural economy and the political ideology of slavery. The struggle for the West became particularly fractious because these were not just two capitalist economies with different labor forces. These were competing visions of empire.

The Limits of Southern Railroading

Proslavery victories appear even more remarkable when considering the strength of northern opposition and the depth of intra-regional competition. The expansionists of the Deep South had to contend against a vast field of rivals, from the well-organized railroad promoters of the North, to the strict constructionists of the Democratic Party, to the numerous competitors across the South itself. Indeed, many of the greatest challenges that proslavery imperialists faced came from within their own section. As historian William Freehling has argued, there were ‘many Souths’ in the slaveholding states during the antebellum period, and despite numerous efforts to close ranks against the perceived threat of Yankee encroachment, southerners succumbed to internal

divisions more often than not.⁷² Such rivalries were exacerbated by the potential spoils of railroad development.⁷³

From Asa Whitney's first petition in 1845 to the outbreak of the Civil War, northerners agitated for a range of routes across free soil. Increasingly during the 1850s, voting on Pacific railroad bills followed sectional lines, and antislavery forces proved eager to divert attention from the popular 32nd parallel route. For well over half a decade, Whitney kept up his one-man campaign for a railroad into the Pacific northwest, although he eventually discontinued the fight by the early 1850s.⁷⁴ Other northerners picked up the torch, however. A free soil possibility gained greater visibility with the work of Theodore Judah, a Yankee engineer and surveyor, whose efforts, years later, would pave the way for the construction of the Central Pacific Railroad. Initially, however, he was widely derided as "Crazy Judah" for his suggestion that a railroad might cross California's Sierra Nevada, then thought to be an insurmountable range.⁷⁵ By the end of

⁷² This is the theme that emerges across William W. Freehling's two compendious volumes on the coming of the Civil War; Freehling, *The Road to Disunion: Secessionists at Bay, 1776-1854* (Oxford University Press, 1990) and Freehling, *The Road to Disunion: Secessionists Triumphant, 1854-1861* (Oxford University Press, 2008). Internal divisions would hound the projects of slaveholders right through the Civil War. See, for instance, William W. Freehling's study of border state Unionists, *The South Vs. The South: How Anti-Confederate Southerners Shaped the Course of the Civil War* (Oxford: New York, 2002). As Stephanie McCurry argues, it was the disfranchised women and slaves of the South that proved the Confederacy's undoing, McCurry, *Confederate Reckoning: Power and Politics in the Civil War South* (Cambridge, Mass: Harvard University Press, 2010). For the internal divisions that defined the slaveholding South in an earlier period, see Charles Grier Sellers, Jr., "Who Were the Southern Whigs?" *American Historical Review* 59 (January 1954), pp. 335-346.

⁷³ See, in particular, David Michael Dunning, "The Southern Perception of the Trans-Mississippi West, 1845-1853" (PhD dissertation, University of Illinois at Urbana-Champaign, 1995)

⁷⁴ For his most detailed effort, see Asa Whitney, *A Project for a Railroad to the Pacific* (New York: George W. Wood, 1849); and for his continued agitation, see Russell, *Communication with the Pacific*, 152.

⁷⁵ Theodore D. Judah, *A Practical Plan for Building the Pacific Railroad* (Washington, D.C.: Henry Polkinhorn, 1857). An aggressive promoter, Judah distributed copies of his book to President Buchanan and every member of Congress. For more on Judah, see John Hoyt Williams, *A Great and Shining Road: The Epic Story of the Transcontinental Railroad* (Lincoln, Nebraska: University of Nebraska Press, 1988), 29-36. From 1856 until his death seven years later, Judah's "whole energy was concentrated on this magnificent enterprise," according to Thomas Greaves Cary in his manuscript account of the Pacific

the decade, the soldier, explorer, and expansionist William Gilpin gave the far northern route a sensationalist twist in his imaginative *The Central Gold Region* (1860). He argued that the center of American power would eventually shift to the Mississippi River with Denver as the metropolis of an American empire that would face west toward Asia. The ultimate objective was “to disinfect ourselves of inane nepotism to Europe” and establish a firmer Pacific orientation, a geopolitical reordering that would be accomplished with a transcontinental railroad terminating at the mouth of the Columbia. Thus, Gilpin revitalized interest in Whitney’s original far northern terminus, while articulating a more ambitious vision for the future of American empire on the Pacific.⁷⁶

But the most dogged opponent of the Gila River route came from within the South itself. Missouri senator Thomas Hart Benton rarely missed an opportunity to scold proslavery congressmen for their sectional bias (although he was motivated by self-interest as much as the next politician). Recall that Benton lambasted, in no mixed terms, the Gadsden Purchase and the southern route it was designed to expedite, as well as the railroad surveys under the aegis of Secretary of War Jefferson Davis. Instead, he put forward, again and again, a route that would begin at St. Louis and follow a more central path along the 35th parallel to San Francisco.⁷⁷ Fellow Missourians, like John S. Phelps,

railroad; Cary, “The Pacific Railroad to Its Completion in 1869,” No. 19, MSS, Thomas Greaves Cary Papers, Massachusetts Historical Society.

⁷⁶ William Gilpin, *The Central Gold Region: The Grain Pastoral, and Gold Regions of North America with Some New Views of its Physical Geography; and Observations on the Pacific Railroad* (Philadelphia: Sower, Barnes & Co., 1860), 14, 32-34. Born in Philadelphia and educated at the University of Pennsylvania, Gilpin would become Colorado’s first territorial governor, although he was forced to resign after becoming embroiled in financial scandal.

⁷⁷ See, for instance, Thomas Hart Benton, *Discourse of Mr. Benton, of Missouri, before the Boston Mercantile Library Association on the Physical Geography of the Country between the States of Missouri and California, with a View to Show its Adaptation to Settlement, and to the Construction of a Railroad* (Washington: J.T. and Lem. Towers, 1854). In the wake of the Wilmot Proviso debates, Benton wrote open letters to the people of California, advising them to eternally exclude slavery from their soil; see *Richmond*

were also critical of the far southern road, as too distant from the main arteries of American commerce.⁷⁸ Thanks to the persistence of Benton, Phelps, and others within Missouri, St. Louis would become the primary competitor to Memphis as the preferred eastern terminus within the South. Yet slaveholding expansionists ultimately had the last laugh. Benton's hostility to the westward extension of slavery earned him powerful enemies. The Missouri legislature denied him a sixth senate term in 1851, and by 1855, his opposition to Kansas-Nebraska ultimately drove him out of the House as well. A congress free of Thomas Hart Benton was a distinct victory for champions of a great slavery road.⁷⁹

The advocates of a line across the 32nd parallel also had to contend with a rival further south. New Orleans shipping interests rightfully saw the Memphis movement as a threat to their stranglehold on the western trade, and thus remained less committed to railroad construction so long as they controlled southern river transportation.

Businessmen in New Orleans would eventually join the transcontinental railroad frenzy, but before then, many within Louisiana considered various connections through Mexico

Republican, March 27, 1849, Ralph Bieber Collection, Huntington Library. Benton won himself formidable enemies within the South; see, for instance, the grumblings of an Arkansas senator over Benton's railroad scheming, Solon Borland to John C. Calhoun, August 5, 1849, in Clyde Norman Wilson, et. al., eds., *The Papers of John C. Calhoun*, 28 vols. (University of South Carolina Press, 1959-2003), 27: 13-18. For background on Benton and his railroading, see Adam Arenson *The Great Heart of the Republic: St. Louis and the Cultural Civil War* (Cambridge: Harvard University Press, 2011), 28-47.

⁷⁸ "Every Southern State, Texas alone excepted," Phelps argued, "is better accommodated by the trifurcated Albuquerque route than by the Mexican border route across the seven waterless wastes or deserts." John S. Phelps, *A Letter from Hon. John S. Phelps to Citizens of Arkansas in Relation to a Pacific Railroad* (St. Louis: George Knapp & Co., 1858), Library Company of Philadelphia, 9-14. Phelps was a former congressman from Missouri who would later fight for the Union during the Civil War, and then serve as the governor of Missouri from 1877-1881.

⁷⁹ After Benton had faded from the scene, there were others to continue the fight for a central route. See, for instance, G.C. Swallow, *Geological Report of the Country along the Line of the South-Western Branch of the Pacific, State of Missouri, to which is Prefixed a Memoir of the Pacific Railroad* (St. Louis: George Knapp & Co., 1859).

and Central America as the most viable paths to the Pacific.⁸⁰ J.D.B. De Bow, who operated his *Review* out of New Orleans, was among the most prominent early defenders of a route across Mexico's Isthmus of Tehuantepec. Led by Pierre Soule and Judah Benjamin, the Tehuantepec Railroad Company sought a right-of-way through Mexico, rather than construction through Texas, in order to preserve the commercial power of New Orleans.⁸¹ Despite the high-profile support and lobbying of these expansionists, a railroad across the Mexican isthmus was not constructed until 1894, under the presidency of Porfirio Diaz and roughly three decades after American slavery itself had been abolished.⁸²

Other central American projects proved more rewarding – despite substantial initial investments. After five years, \$8 million, and the deaths of thousands of workers, the New York based firm of William Aspinwell finally succeeded in constructing a railroad across the isthmus of Panama by 1855. Until Vanderbilt slashed prices for his competing route across Nicaragua, Aspinwell ruled the shipping business that carried goods, gold, and immigrants to California and back again. The company netted \$6 million in profits in its first seven years of operation, and at one point commanded the

⁸⁰ For the commercial rivalry between New Orleans and other major southern cities like Memphis, see Cotterill, "Southern Railroads and Western Trade", 428-432.

⁸¹ For De Bow on this route, see "Tehuantepec Railroad, Movement in New Orleans", DR 10 (January 1851), 94-96; "Thoughts on a Rail-Road System for New Orleans," DR 10 (Feb 1851), 175; also John F. Kvach, *De Bow's Review: The Antebellum Vision of a New South* (Lexington: University Press of Kentucky, 2013), 60. Initially Jefferson Davis and Henry Foote supported the Tehuantepec option as well.

⁸² *New York Times*, November 22, 1894. Although slaveholding expansionists like Soule, De Bow, and Benjamin had long since faded from the scene, American capitalists played a central role in the financing of Mexican infrastructural development during the Porfiriato – with lasting consequences for Mexico's political economy. This is the central argument of John Mason Hart's work on the revolutionary era in Mexico; see John Mason Hart, *Empire and Revolution: The Americans in Mexico Since the Civil War* (Berkeley: University of California Press, 2002); and Hart, *Revolutionary Mexico: The Coming and Process of the Mexican Revolution* (Berkeley: University of California Press, 1987).

highest price, per share, of any stock on the New York Stock Exchange. The proslavery push for a transcontinental railroad was, in many ways, an attempt to cut into the profits of these private shipping enterprises, and to demonstrate that southerners could also compete in large-scale transportation enterprises.⁸³

Among Democratic railroad promoters, the issue of funding presented a potential sticking point. Should individual states pay for railroad construction within their borders, or should the federal government bankroll the entire project? In other words, was such a sweeping federal undertaking – which even the most conservative estimates placed at over \$100 million – compatible with the states’ rights position so many southern politicians claimed to represent?⁸⁴ As Gwin grumbled in his memoirs, it was often these strict constructionists, along with “extremists, north and south,” who stymied railroad bills.⁸⁵ It was probably men like Zedekiah Kidwell of Virginia who Gwin had in mind. “Government was instituted for the protection of its citizens against foreign invasion and domestic insurrection,” Kidwell declared in a minority report on an 1856 Pacific railroad bill, “and not to enter into the freighting business, or into railroad building, for the benefit of the trading and travelling classes.” Even if it could be built, he argued, such a railroad would require “a sum of money greater, probably, than is yearly earned by all the

⁸³ Aspinwall and his associates purchased a grant from the Republic of New Granada for the exclusive rights to construct a railroad across the Isthmus of Panama; William H. Aspinwall, et. al., “Panama Railroad Company with a Chart Prepared by Lt. M.F. Maury” (New York?: 1849?), Library Company of Philadelphia. For more on Aspinwall and Vanderbilt, see Leonard Richards, *The California Gold Rush and the Coming of the Civil War* (New York: Vintage, 2007), 132-138.

⁸⁴ For cost estimates, see Jefferson Davis, *Report of the Secretary of War on the Several Pacific Railroad Expeditions* (Washington: A.O.P. Nicholson, 1855).

⁸⁵ William McKendree Gwin, “Memoirs on the History of the United States, Mexico, and California, 1850-1860,” photostat MSS, Library of Congress, pp. 61, 123.

shipping of all the oceans of the world!”⁸⁶ Of course, southern Democrats like Kidwell did not have a monopoly on strict constructionism. The abolitionist and New York congressman Gerrit Smith opposed a Pacific railroad for similar reasons, as he outlined in an 1854 speech, published as *Keep Government Within Its Limits*. “Let Government build this road,” he claimed, “and there will be no assignable limits to its future departure from its own province, and to its future invasion of the province of the people.”⁸⁷

Slaveholders who opposed federal funding on such a massive scale could have found a more suitable alternative in the Atlantic and Pacific Railroad Company of Robert Walker and Thomas Butler King, a private enterprise. Both Walker and King came to the railroad business with well-established proslavery bona fides. Walker, although born in Pennsylvania, had come of age politically in Mississippi and served as James K. Polk’s treasury secretary. President Franklin Pierce later attempted to appoint him minister to China, but Walker declined. King, another transplant from the North, represented Georgia in the House of Representatives through the 1840s, where he distinguished himself as one of the South’s foremost naval expansionists, promoting steamship lines in the Atlantic and Pacific oceans. During the gold rush, he moved to California to seek higher political office, though he was bested by William Gwin in the state’s first senatorial election. Chartered in 1852 and capitalized at \$100 million, their Atlantic and

⁸⁶ Zedekiah Kidwell, *Report on the Impracticability of Building a Railroad from the Mississippi River to the Pacific Ocean* (Washington: Cornelius Wendell, 1856), 22-23. For more on the southern strict constructionist arguments, see *Southern Quarterly Review* 10 (October 1846), 377-417, 442.

⁸⁷ Gerrit Smith, *Keep Government within Its Limits: Speech of Gerrit Smith, on the Pacific Railroad* (Washington, D.C.: Buell and Blanchard, 1854), 12. Unlike most other commenters on the Pacific railroad, Smith was particularly sensitive to the probable effects on Native Americans, whose lands such a railroad would presumably cross: “Whether it be, that the whites need protection from the Indians, or, what is more probably, that the Indians need protection from the whites, it can be afforded, in either case, far cheaper, and far more effectual, than by putting Government to the vast expense of building this road (9).”

Pacific Railroad proposed to follow the line favored by the Deep South's expansionists. This was the project that Thomas Jefferson Green praised so highly as the "great slavery road." And like so many proslavery enterprises of this ilk, it soon attracted the criticism of the northern press. Cornelius Peebles, the editor of the New York *Examiner*, dismissed Walker as a "fliberty-gibbet," who was heading a team of "Southern slaveholders" in the process of committing "a gross fraud on the stockholders of the Company." A southern company running on northern capital, the entire enterprise was not worth a fraction of the \$100 million they claimed for their stock, Peebles argued.⁸⁸ Ultimately Walker and King failed to secure a charter to construct a line through Texas – which probably came as no surprise to Peebles – and thus the Atlantic and Pacific Railroad Company effectively folded.

But the board members did not concede defeat so easily. They reorganized and renamed the operation, not once but twice, and continued fighting for transit rights through Texas.⁸⁹ In an effort to win favor for their project, they commissioned Andrew Belcher Gray of Virginia to conduct a survey of the American Southwest. A more seasoned surveyor or keener advocate for the far southern route could have hardly been found anywhere in the country. Gray had served as the chief surveyor of the US-Mexican boundary commission, and his report was used to justify the \$10 million congressional allocation for the Gadsden Treaty. His subsequent survey, under Walker

⁸⁸ Cornelius Glen Peebles, *Expose of the Atlantic & Pacific Railroad Company* (New York: Astor House, 1854), 6-9, 12.

⁸⁹ See Robert J. Walker, T. Butler King, and F.M. Dimond, *Circular to the Stockholders of the Atlantic and Pacific Railroad Company* (New York: George F. Nesbitt & Co., 1855), Library Company of Philadelphia; [T. Butler King], *First Annual Report to the Board of Directors of the Southern Pacific Railroad Company Chartered by the State of Texas* (New York: American Railroad Journal Office, 1856).

and King's renamed Texas Western Railroad Company, reiterated his earlier findings about the feasibility of a railroad through the Southwest. Gray's operation was substantial, and once again showcased the lengths to which southerners were willing to go to promote their preferred route. Five months and 2,200 miles later, Gray and his company of 26 men – who hailed almost exclusively from Texas, except for one Kentuckian and Gray himself, a Virginian – compiled perhaps the most exhaustive argument to date for the great slavery road. Published in 1856, the report was a brief for the practicality of railroad construction as well for the riches, both agricultural and mineral, that could be found across this route. For a total cost of \$45 million, Gray predicted, the South could secure a highway for the transport of “cotton, tobacco, wheat, corn, hemp and wool,” across the West, and in the process, transform “the whole valley of the Rio Grande, from Santa Fe to the Presidio del Norte, the extensive interior of Sonora, Chihuahua, New Mexico, and Texas,” into a tributary for plantation commerce. The road would ultimately terminate in the port of San Diego, where Gray had invested personally.⁹⁰

Even as they cheered such private enterprises, a majority of proslavery leaders agreed on the necessity of federal aid for such a project.⁹¹ The buccaneering spirit of individual politicians explains much of this logic. After all, railroading was big business,

⁹⁰ A[ndrew] B[elcher] Gray, *Southern Pacific Railroad. Survey of a Route for the Southern Pacific R.R., on the 32nd Parallel* (Cincinnati: Wrightson & Co., 1856), 6, 75-79, 81, 93, 96.

⁹¹ The foundational Memphis convention of 1849, for instance, supported federal aid to fund the effort, especially since a railroad could not run through Texas without the revenue from the sale of public lands. It was an enterprise “far above the means of private citizens, however wealthy,” concluded the corresponding committee; *Circular to the Citizens of the United States* by the Memphis Convention Corresponding Committee; together with “Steam Navigation to China,” Matthew Fontaine Maury to T. Butler King, January 10, 1848 (Memphis, no publisher: 1849), 6.

and slaveholding leaders were just as eager to snatch the financial fruits of internal improvements as their Yankee counterparts. On the matter of railroad development, southern politicians had been reaping the rewards of federal largess since 1850, when Congress began offering free land to railway corporations in order to incentivize settlement and development. The land was distributed in a checkerboard pattern, with alternating plots either available for sale to the public or given gratis to railroad companies. As historian Scott Reynolds Nelson illustrates, southern politicians were particularly adept at bending railroad legislation to proslavery ends. Senator David Rice Atchison of Missouri and his proslavery allies, for example, capitalized on land giveaways for the benefit of themselves and their allies. Because of this clique, writes Nelson, “when land grants to railroads began in 1850, most went either through southern states or toward them.”⁹²

Southern Democrats could easily shelve their state rights scruples when properly enticed by the financial windfall of a transcontinental railroad through their region. Centralization at the federal level, which so many slaveholders decried through the 1850s and beyond, was only considered a menace when it threatened slavery and southern economic interests. Strict constructionism generally took a backseat to imperial imperatives. For example, slaveholders relinquished their state rights doctrine when presented with the opportunity to acquire Louisiana from France in 1807. They embraced federal power when, in the 1830s, the military cleared valuable plantation real estate by forcibly relocating Indians from lands in Florida, Georgia, Alabama, and

⁹² Scott Reynolds Nelson, *A Nation of Deadbeats: An Uncommon History of America's Financial Disasters* (New York: Alfred A. Knopf, 2012), 136.

Mississippi. They cheered the annexation of Texas and the conquest of New Mexico and California, again made possible only through overwhelming federal force. They cried foul when several northern legislatures turned state rights to their own advantage by passing so-called Personal Liberty Laws in opposition to the Fugitive Slave Act of 1850. And they endorsed the federal judiciary when it handed down its proslavery ruling in the Dred Scott case. As the long history of proslavery politicking makes clear, the only consistent element of the southern state-rights mantra was its inconsistency.⁹³ State rights was a banner to be unfurled whenever politically and economically expedient, then quietly stashed when the full force of the federal government was needed.⁹⁴

In their maneuverings at the federal level, the slaveholding advocates of westward expansion achieved a pyrrhic victory by mid-decade. Bleeding Kansas is remembered today as perhaps the decisive flashpoint in the nation's spiral towards civil war. At the time, however, it was seen largely as the byproduct of the intractable Pacific railroad feud. Indeed, the Kansas-Nebraska Act of 1854 had its roots in opposition to the great slavery road.⁹⁵ As observers noted, railroad construction would have to be accompanied by white settlement along its path, and Nebraska, prime terrain for a central railway, had

⁹³ John C. Calhoun, the patron saint of state rights and nullification was himself a nationalist through much of his early political career. He was also an outspoken supporter of trans-Pacific commerce in his twilight years.

⁹⁴ On the federal government's role in expanding slave territory, see Adam Rothman, *Slave Country: American Expansion and the Origins of the Deep South* (Cambridge: Harvard University Press, 2005). On state rights more generally see Arthur Meier Schlesinger, "The State Rights Fetish," in *New Viewpoints in American History* (New York: MacMillan, 1922, 1961); Charles Grier Sellers, Jr., "Who Were the Southern Whigs?" *American Historical Review* 59 (January 1954), pp. 335-346; Ulrich B. Phillips, "The Central Theme of Southern History," *American Historical Review* 34 (October 1928), pp. 30-43.

⁹⁵ This argument is made most explicitly in Frank Heywood Hodder, "The Railroad Background of the Kansas-Nebraska Act," *Mississippi Valley Historical Review* 12 (June 1925), 3-22. Although David Potter largely ignores the Far West after 1850 in his history of the sectional crisis, he does recognize the importance of the railroad debates in bringing about the Kansas controversy. See the chapter titled, "A Railroad Promotion and Its Sequel," in Potter, *Impending Crisis*, 145-176.

been guaranteed to native populations since 1834. So long as Indian Country remained closed to white settlement, the odds on a northern route winning the Pacific railroad were slim. On the other hand, the 32nd parallel route ran through lands – if occupied by potentially hostile Indian tribes – at least open to white settlement. When it appeared as if the southern route had become the clear favorite, northerners moved with alacrity.

Benton took an early lead in campaigning for a railroad from St. Louis and for the accompanying organization of Nebraska, and soon thereafter Willard Hall and William Richardson spearheaded a bill in the House. Just as the Senate was debating one of William Gwin's southern-oriented Pacific railroad proposals in 1853, Hall made a plea for a more northerly route, accompanying the opening of Nebraska. "Why, everybody is talking about a railroad to the Pacific ocean," he complained. "In the name of God, how is the railroad to be made if you will *never* let people live on the lands through which the road passes?" Without the organization of Nebraska, he rightly noted, Congress would likely be forced to settle on some point in Texas as the road's eastern terminus.⁹⁶ Overwhelming opposition from southerners in the Senate, including William Gwin, effectively killed the original bill.

Stephen Douglas revived the Nebraska question the next year, but this time with the support of the South. To gain these crucial votes, he made what many northerners regarded as a Faustian bargain: his bill repealed the Missouri Compromise line, split the western territory into two halves – Nebraska and Kansas – and left the slavery question to

⁹⁶ *Cong. Globe*, 32nd Congress, 2nd session, 558, 560. Similar arguments about Nebraska's territorial organization were made in [Frederick Starr], *Letters for the People on the Present Crisis* (New York: no publisher, 1853), letter 6, July 27, 1853.

the dictates of popular sovereignty. Ironically, a bill that had, as one of its aims, the facilitation of another railroad route, ultimately served to derail the Pacific railroad debate.⁹⁷ The ensuing conflict between free soilers and proslavery squatters in Kansas pushed sectional tensions to a near breaking point and thus effectively foreclosed the possibility of compromise over a transcontinental railroad by about 1856. Northerners would not countenance a southern route, while southerners closed ranks against construction along a northern line. Congressmen would continue to agitate for various Pacific railroad routes, but with increasing jadedness. Of all the casualties produced by Bleeding Kansas, the most politically consequential was the Pacific railroad.⁹⁸

Jefferson Davis's Camels and the Far, Far West

And yet, southern dreams of a Pacific empire did not die on the bloodied soil of Kansas. As railroad bills languished in a factionalized Congress, some southerners turned their attention to corollary projects in their ongoing efforts to link South and West and harness the Pacific trade for their plantation economy. Jefferson Davis, for instance, sought to import camels from the Levant in an attempt boost infrastructural development in the Southwest, while another group of southerners looked to Hawaii as the next

⁹⁷ Gwin noted this fact especially bitterly in his memoirs, blaming Douglas in particular. In the years that followed, matters hardly improved. Gwin recalled that while he “labored diligently” for the Pacific Railroad bill in 1858, “most of his associates on the Committee did not enter heartily into the work before them, and that he had but little to expect from their support of the bill.” Complaints about the lack of effort on behalf of the Pacific railroad are a recurring theme in Gwin’s recollections; Gwin, *Memoirs*, MSS, Library of Congress, 86, 110.

⁹⁸ Hodder, “The Railroad Background of the Kansas-Nebraska Act,” 18; Russel, *Improvement of Communication*, 150-167.

available field for American expansion. Slaveholders thus proved eager to exploit overseas resources and harness international strategies to further their expansionist aims.

When Davis first introduced his esoteric plan for an American camel corps in 1851, he was almost laughed out of the Senate. But when his fellow senators finally stopped snickering, they had to take stock of a very serious proposal. Beginning with a modest appropriation of \$30,000 for the importation of 30 camels and 20 dromedaries, Davis expected to eventually revolutionize transportation in the American Southwest, using animals that he believed could overcome the region's powerful Indian tribes and provide protection for both settlers and mail routes. Davis praised the camel as the "ship of the desert," destined to become "the greatest stroke of economy which has ever been made in regard to transportation."⁹⁹ After four years of lobbying, he finally won his camel corps by 1855, and dispatched a team of officers to the Levant with detailed instructions on how and where to acquire the animals. A year later, thirty-four camels from North Africa and the Middle East made their first appearance in Texas.¹⁰⁰

Davis's camel scheme was of a less patently proslavery nature than his railroad agitation, although it still had a decidedly southern flavor to it. After all, these camels were bound for the Southwest, across terrain that Davis and others hoped would soon host a southern transcontinental railroad. As he recognized, railways and overland roads would not build themselves. They had to be carved out of Indian country and guarded

⁹⁹ *Globe*, 31st Congress, 2nd session, 826-827.

¹⁰⁰ Jefferson Davis to Franklin Pierce, Dec. 1, 1856, in *PJD*, 6: 86-87; Odie B. Faulk, *The U.S. Camel Corps: An Army Experiment* (New York: Oxford University Press, 1976), 28-45; Harlan D. Fowler, *Camels to California* (Stanford: Stanford University Press, 1950), 9-13. Davis was a close student of overseas developments, especially with regard to their adaptability to an American setting. Not only did he study the military uses of camels in world history, he also dispatched three officers to the Crimea to study European strategy while the region was engulfed in a multi-national war; Cooper, *Jefferson Davis, American*, 274.

against Native peoples. Furthermore, almost 2000 miles separated the Pacific Coast from the Mississippi Valley, with no major intervening rivers crossing east to west. Camels, Davis reasoned, would help subdue this region and therefore expedite travel for westward-bound settlers. To Davis, easy transit across this southernmost corridor would facilitate the expansion of proslavery interests. “If we had a good railroad and other roads making it convenient to go through Texas into New Mexico, and through New Mexico into Southern California,” Davis mused privately to a friend in 1855, “our people with their servants, their horses and their cows would gradually pass westward over fertile lands into mining districts, and in the latter, especially, the advantage of their associated labor would impress itself upon others about them.”¹⁰¹ By this logic, slaveholding imperialism did not require grand conquests; it simply called for infrastructural development. And camels could play a vital part in bringing that about.

For years to come, Davis would defend his camel corps against accusations that the project was a thinly veiled proslavery plot.¹⁰² He had always been careful to maintain a nationalist, rather than sectional, posture whenever discussing the project, yet criticism persisted.¹⁰³ Amid rising sectional tensions, Congress refused to appropriate funds for the experiment in 1858, 1859, and 1860. By 1859 more than 80 camels were scattered across forts in California and Texas, but popular support for the experiment had waned. According to historian Thomas Connelly, the public could never quite look beyond the

¹⁰¹ Jefferson Davis to William R. Cannon, Dec. 7, 1855, *The Papers of Jefferson Davis*, ed. Lynda L. Crist. et al., 14 vols. (Baton Rouge: Louisiana State University Press, 1971-2015), 5:142 (hereafter *PJD*).

¹⁰² See “Remarks of Jefferson Davis on the Pacific Railroad bill,” Jan. 11, 1859, *Jefferson Davis, Constitutionalist*, 3:453-456.

¹⁰³ See Davis to Pierce, Dec. 1, 1856, in *PJD*, 6: 86-87.

camel's "personal habits of regurgitating on passersby or blowing a bloody bladder out of its mouth when frightened, its acute halitosis and general bad odor, its fierceness during rutting season, its voluminous sneeze, its shedding of large clumps of hair until it looked perfectly hideous, and its awkward appearance."¹⁰⁴ Camels, in short, did not endear themselves to American travelers.

Quixotic though this project may seem in hindsight, the camel corps highlights Davis's commitment to southwestern development and his versatility in bringing such dreams to fruition. Davis sought global solutions in order to master American space. He endured the initial derision of Congress to pull off an expensive and logistically difficult operation. After all, camel transport was a key component to his imperial vision, a link in a transportation network that would bring the slaveholding South into the Far West.

As Davis's camels made their way across the Southwest, another group of southerners turned their attention overseas to a budding field of interest: Hawaii, or the Sandwich Islands as they were often known. If transcontinental railroad ambitions had been partly checked by mid-decade, the related project of commercial, and perhaps territorial, expansion into the Pacific's islands sustained the imperial inclinations of proslavery partisans. From their perspective, the Pacific appeared more like the far, far West than the Far East. Ever since Asa Whitney's first railroad memorial, the connection between a transcontinental railway, the Sandwich Islands, and Asian trade were firmly linked in the American mind.¹⁰⁵ In the first of many articles on Hawaii, an 1847 issue of

¹⁰⁴ Thomas L. Connelly, "The American Camel Experiment: A Reappraisal," *Southwestern Historical Quarterly* 69 (April 1966), 458-460.

¹⁰⁵ Whitney's memorial was reprinted, in full, in the *Georgia Telegraph*, February 18, 1845. For an example of a southern publication musing on the potential wealth to be derived the Sandwich Islands and

De Bow's Review made that connection more explicit. "Taken in connection with the great purposes of a canal now contemplated between the oceans, or a railroad, [the Sandwich Islands have] a most special bearing and application."¹⁰⁶ If a transcontinental railroad boosted Pacific commerce in the way many predicted, Hawaii would become an ever-more essential link – as a coaling station, commercial entrepot, and exporter of agricultural goods – between the United States and the 600 million consumers of Asia. And there was reason to believe that whichever section controlled the railroad might also control the political fortunes of the Sandwich Islands.

Like J.D.B De Bow, William Gwin was enchanted by the Hawaiian Islands and pushed aggressively for annexation. In an unanticipated Congressional debate regarding Cuba in December 1852, Gwin attempted to divert attention from the Atlantic to the Pacific. "There are other islands beside Cuba in which the United States are interested," he reminded his colleagues. "There are a set of islands called the Sandwich Islands, which we in California look upon as our summer residence. And when the Senator from Virginia talks about ripe fruit, it ought to be known that that fruit is ripe also, and ready to fall."¹⁰⁷ It was no coincidence that the same men pushing for the Pacific railroad were the ones calling for annexation – or at least the commercial domination – of Hawaii. Pacific expansionism and the transcontinental railroad were part of the same imperialist

the China trade at an early date, see *Missouri Register* (Boonville), January 18, 1845, Bieber Collection, HEHL.

¹⁰⁶ "New Fields for American Commerce", *De Bow's Review* 4 (December 1847), 481.

¹⁰⁷ *Congressional Globe*, 32nd Congress, 2nd Session (December 23, 1852), 146, quoted in St. John, "The Imagined America of William Gwin," 11. See also Gwin, *Memoirs*, 68. Others drew the line between Cuba and the Sandwich Islands. The *Buffalo Commercial Advertiser*, for instance, worried that the annexation of Cuba would naturally invite further expansion into the Pacific; reprinted in the *Daily Missouri Republican*, August 27, 1851.

thrust. And proslavery writers and politicians comprised a key component of this movement.

For those interested in the Pacific islands, labor stood out as a particularly thorny problem. In her 1852 work, *The Sandwich Islands as They Are, Not as They Should Be*, Elizabeth Parker, wife of an American official in Hawaii, argued that the fertile islands could not afford to maintain free labor. “Whether, eventually, these Islands should be annexed to the United States, or become an independent republic, the introduction of slavery is indispensable to their value,” she wrote. With the sort of determinism that marked many of her contemporaries’ outlooks, Parker added, the “nature of the climate” dictated that “slavery *will certainly exist*, ere many years be passed.”¹⁰⁸ Although no other Pacific enthusiast would so explicitly endorse the introduction of slavery to the Sandwich Islands, proslavery advocates like Francis Poe fretted over a distinct labor problem on the islands, due to the alleged indolence of the natives.¹⁰⁹ Under the name of Dr. Wood, another observer in *De Bow’s Review* echoed concerns about native indolence, yet saw coolie labor from China as a poor substitute. Instead, he wondered whether the Hawaiian economy would not benefit from a return to a feudalism. In language echoing proslavery polemics, Dr. Wood suggested that the islanders’ “naturally inoffensive natures and child-like docility” and “their disposition to be guided” rendered them fit

¹⁰⁸ Elizabeth Parker, *The Sandwich Islands as They Are, Not as They Should Be* (San Francisco: Burgess, Gilbert & Still, 1852), 17. Others, however, were equally convinced of slavery’s inadmissibility in the Sandwich Islands. Although the abolitionist John Batchelder Peirce agreed that Hawaii seemed destined to fall into American hands, he could “see no chance for Slavery to be brot here.” According to Peirce, “the natives are too well educated to be made slaves of, and Congress will never admit them I trust without a clause of prohibition against slavery;” John Batchelder Peirce to Hitty Peirce, October 12, 1851, John Batchelder Peirce papers, 1839-1881, Massachusetts Historical Society.

¹⁰⁹ Francis Poe, “The Hawaiian Islands: What They Are, and Ought We to Receive Them?” *De Bow’s Review* 24 (May 1858), 347-348.

subjects for a type of ameliorated serfdom. Under such a system, the rich soils of the islands would finally reach their full potential, yielding stores of coffee, sugar and cotton.¹¹⁰ While southerners never reached a consensus on a favored labor system for Hawaii, most agreed that more exploitative methods were needed to rouse the native population from its inborn sloth. Fortunately for these expansionists, Anglo-Americans were coming to represent an increasing proportion of the islands' population, especially among the elite and landholding echelons of society. Like the diminishing Indian tribes of the continental United States, the Sandwich Islanders, according to many observers, were marching steadily toward extinction.¹¹¹ Demography, climate, location – all of these factors seemed to invite American expansion into the Pacific.¹¹²

Southerners' calls for expansion into the Pacific isles – especially those that littered *De Bow's Review* throughout the 1850s – smacked of what could be called maritime manifest destiny, a rhetoric that rang with the same bombast as the ongoing railroad boosterism. A glance at American commercial developments in the Pacific was cause enough for nationalist chest-thumping, according to De Bow. "With Great Britain we are now contending for the sceptre of the seas; and it behooves us, like her, to watch the mass of the world, and open relations with the uttermost isle," the *Review* declared in a familiarly triumphalist mood. "There is a glorious field before us, and we have nothing to dread from the rivalry of any contemporary nation. The hardy spirit of our enterprise

¹¹⁰ Dr. Wood, "Our Islands Neighbors," *De Bow's Review* 22 (March 1857), 288-293.

¹¹¹ A.W. Ely, "The Islands of the Pacific," *De Bow's Review* 18 (February 1855), 213; also, "The Islands of the Pacific," *DBR* 13 (November 1852), 464.

¹¹² See also Greenberg, *Manifest Manhood*, 243-254 for a treatment of pro-annexation sentiment during this period.

has lost nothing since the days of Burke.”¹¹³ As railroad promoters never failed to mention, a transcontinental highway would assure commercial dominance in the Pacific, effectively realizing the dream of Columbus: to reach Asian markets from the west.¹¹⁴ Finally in possession of the continent, the United States seemed poised to continue expanding across the Pacific.

The Lesser Slavery Road

Perhaps even more so than the camel corps or the allure of the Sandwich Islands, the campaign for an overland mail route revived the expectations of proslavery expansionists. Nearly forgotten by scholars today, the Butterfield overland mail road was a *cause célèbre* of the late antebellum era and one of slaveholders’ greatest coups. The project did not begin as a sectional affair, however. In March 1857 Congress passed a \$600,000 appropriation for the construction of an overland road from an undetermined point in the Mississippi Valley to San Francisco. The price tag was high but the payoff, many congressmen reasoned, would be substantial. Not only would this new road provide faster, more regular mail service to the Pacific coast, but it was also expected to offer a safe overland trail for westering emigrants. If successful, this route was also anticipated to become the precursor to the long-awaited Pacific railroad. Iron rails, went

¹¹³ “New Fields for American Commerce,” *DBR* (December 1847), 475; see also “Islands of the Pacific” (Nov. 1852), 460.

¹¹⁴ See, for example, the *Georgia Telegraph*, June 5, 1849. But even without the railroad, American trade with the Sandwich Islands was booming by the late 1850s – while a more robust commercial treaty, argued Dr. Wood, might further extend American dominance over the islands. Wood predicted that the Hawaiian Islands, in the hands of any of the major maritime powers, would become the “Gibraltar of the Pacific;” Wood, “Our Island Neighbors,” 297-298; and “The Sandwich Islands,” *De Bow’s Review* 24 (February 1858), 156-159;

the logic, would follow this emigrant's trail, and east and west would finally be connected along a well-traveled, federally-financed corridor.

To avoid the sort of sectional standoff that had so frequently stymied Pacific railroad bills, the route's location was left to contractors, who began submitting bids in summer 1857. There was just one problem, however, and his name was Aaron V. Brown, U.S. postmaster-general. Former law partner of James K. Polk, congressman, governor of Tennessee, and a champion of Texas annexation, Brown had established his credentials as an avowedly "strong Southern man."¹¹⁵ Recently appointed postmaster-general by President Buchanan, Brown disliked all nine routes proposed by the bidders, likely because none passed south of Albuquerque. So Brown took it upon himself to designate a new route and forced all contractors to conform to his geographic strictures. In direct violation of the congressional act, Brown stipulated a bifurcated route beginning at St. Louis and Memphis (his hometown), then converging at Little Rock, before swinging through Texas to El Paso, Fort Yuma, and Los Angeles, and finally up the valleys of California to San Francisco. In total, his route added 600 miles to the longest alternative bid.

In an era of brazen proslavery maneuvers, Brown's re-routing of a congressional act ranked near the top of the list. Although this overland road would not necessarily serve the expansion of chattel slavery itself, it would advance the interests of the slave states through which it passed. As the logic went, settlers from these states would fan out along the route, and even if they failed to bring their slave property with them, they

¹¹⁵ "The Late Postmaster-General, Hon. A.V. Brown," *Harper's Weekly*, March 19, 1859, p. 188.

would certainly bring their proslavery politics, further strengthening ties between the South and the Far Southwest. As the Pacific railroad was ultimately expected to trace this mail route, Brown's maneuver also marked a signal victory for the prospects of the "great slavery road." "The route for a Southern railroad and the establishment of the Great Overland Mail line upon that route, are considered parts of the same system," the *Sacramento Daily Union* lamented in December 1857. "[U]ndertaken with the view of connecting the Atlantic with the Pacific," these two projects were "devised" to enable "a population from the Southern States [to] naturally take possession of the country over which the railroad and mail line will pass."¹¹⁶ Between the mail route and anticipated railroad, the westward flow of migrants and commerce would follow a decidedly southern course, thereby ensuring a continental reach for proslavery politics. Just as Davis pursued the lodestar of sectional aggrandizement at the expense of national interests, Brown ran roughshod over Congressional mandates to advance a pro-southern agenda in the West.¹¹⁷

Postmaster Brown did little to disguise his southern partisanship in his official report. Like Davis before him, he dismissed more northern routes as excessively cold and inaccessible. Along a northern route, the mail would not reach the Pacific coast in the 25-day window stipulated by the act. In addition to these delays, Brown argued, travelers would also be imperiled. He imagined passengers along an Albuquerque route,

¹¹⁶ *Sacramento Daily Union*, December 28, 1857.

¹¹⁷ For background on the overland mail route and Postmaster Brown see, Dorman Winfrey, "The Butterfield Overland Mail Trail" in *Along the Early Trails of the Southwest* (Austin: Pemberton Press, 1969), 22-28; David Lavender, *The American Heritage History of the Great West* (New York: American Heritage Publishing Company, 1965), 288; Ralph Moody, *Stagecoach West* (New York: Thomas Y. Crowell Company, 1967), 72-75.

“benumbed by the cold for more than a week, overcome by the loss of sleep.” Such a route, “under circumstances of so much severe exposure, would, in a few years, mark every station with the fresh graves of its victims,” Brown grimly concluded.¹¹⁸ He rightfully argued that the southernmost route was flatter and warmer, but implausibly claimed that it also suffered from less water scarcity than the alternatives. He invited northern opposition when he boasted that his mail route would link up with a vast southern transportation network, feeding off “all the great railroads of Virginia, South Carolina, Georgia, Alabama, Tennessee, and Kentucky... and New Orleans and Texas.”¹¹⁹

Brown struck a decidedly imperialist note in the final part of his report. Not only would this road contribute to southern transportation fortunes, help populate western territories, and bind the eastern U.S. to the Pacific, it would also facilitate southwestern empire along the U.S.-Mexico border, potentially serving as a springboard for future conquests. “In time of peace it will shed its blessings on both nations,” he argued, “whilst in time of war it will furnish a highway for troops and munitions of war, which might enable us to vindicate our rights, and preserve untarnished our national honor.”¹²⁰ Again, western transportation facilities and empire fit hand-in-glove. Fittingly, Brown drew on another great western expansionist to justify his work: Jefferson Davis. He cited Davis as the ultimate authority, “who collected a larger amount of reliable information on this subject than any other person,” and who also favored this southernmost route.¹²¹

¹¹⁸ Report of the Postmaster General, *Congressional Globe*, 35th Congress, 1st session, appendix, 27.

¹¹⁹ Report of the Postmaster General, 28.

¹²⁰ Report of the Postmaster General, 28

¹²¹ Report of the Postmaster General, 27.

Indeed, Brown's arguments for a southern overland mail route and Davis's earlier arguments for a southern transcontinental railroad are largely indistinguishable.

Although Davis's report only deepened the conflict over the Pacific railroad, it enjoyed something of an afterlife through Brown's maneuverings and thus helped achieve a substantial proslavery victory in southwestern transportation.

With a southern overland mail route thus secured, the slave states applauded their newest champion. The *Alexandria Gazette* called Brown's report "clear, simple, and comprehensive," while the *Memphis Daily Appeal* cheered him as "able and masterly."¹²² Brown, after all, had become a hometown hero in Memphis, and the *Appeal* took note. "The citizens of Memphis, especially, should thank and remember him for the strong stand he has taken for their city as a terminus, and for the unanswerable arguments he has so successfully brought to bear to sustain it," the paper argued.¹²³ Shortly after the opening of the route, an observer in Texas noted that already "settlements are rapidly extending westward along the route. Even at such an early stage in the road's history, he concluded, "the Overland Mail Route is really a magnificent enterprise, and one of the greatest achievements of American progress."¹²⁴ President Buchanan, a strong southern sympathizer despite his Pennsylvania origins, was equally jubilant. "It is a glorious triumph for civilization and the Union," he announced. "Settlements will soon follow the

¹²² *Alexandria Gazette*, Dec. 10, 1857.

¹²³ *Memphis Daily Appeal* (no date) reprinted in *Charleston Mercury*, March 8, 1858.

¹²⁴ W.T.G. Weaver to Sherman *Patriot*, Nov. 19, 1858, reprinted in *Dallas Herald*, December 15, 1858. See also *De Bow's Review*, December 1858, pp. 719-723.

course of the road, and the East and the West will be bound together by a chain of living Americans, which can never be broken.”¹²⁵

Northern outrage was proportional to the audacity of Brown’s act. The *Chicago Tribune* called it “One of the greatest swindles ever perpetrated upon the country by the slave holders,” while an equally indignant *Ohio State Journal* dubbed it “a shameful outrage” and a “*revolution of law*.”¹²⁶ The road would enrich not only the slave states, the *Journal* added, but Brown himself, who purportedly owned real estate across the route he selected.¹²⁷ Meanwhile the *National Era* protested, “The South demanded the sacrifice of the public convenience upon the altar of Slavery propagandism, and the South must be gratified at every cost.”¹²⁸ The San Francisco press echoed many of these complaints, noting that all mail and passengers would have to be routed through Los Angeles, a proslavery bastion, before ultimately reaching the much more populous areas around the San Francisco Bay. “Under the miserably short-sighted policy of the Executive,” the San Francisco *Bulletin* complained, “California is made to suffer, and the public Treasury is robbed” – and all for a route that passed too far south to attract a critical mass of passenger traffic.¹²⁹ These faultfinders could have applied to this

¹²⁵ *National Era*, Oct. 21, 1858, p. 166.

¹²⁶ Quoted in Lavender, *American Heritage History of the Great West*, 288.

¹²⁷ *Ohio State Journal*, March 1, 1859.

¹²⁸ *National Era*, Oct. 21, 1858, 166; see also *National Era*, July 16, 1857, p. 144 and November 4, 1858, p. 174.

¹²⁹ *San Francisco Bulletin*, March 2, 1859; see also *Sacramento Daily Union*, Oct. 16, 1858. Early California criticism of the southern overland mail road came from the state’s Republican gubernatorial candidate; see Edward Stanly, *Speech of the Hon. Edward Stanly, Delivered at Sacramento, July 17th, 1857, at a Public Meeting Held in the Forest Theater* (no publisher, no date), Bancroft Library, 8.

overland road what was once said of the regional San Antonio-San Diego line: It was a route “from no place through nothing to nowhere.”¹³⁰

Northern and border state congressmen also lambasted Brown’s road, linking it to a longer history of proslavery scheming in the Far Southwest. In a lengthy and impassioned speech, Representative Francis Blair of Missouri connected the dots between the Gadsden Purchase, Davis’s Pacific railroad surveys, the camel corps, and now this overland mail route. “Why was it that an appropriation of \$10,000,000 to purchase Arizona, appropriations to import camels, to bore artesian wells, and to print an endless series of the most costly books... could be made during the dominancy of the so-called Democracy, and no effort whatever made to find a line for the central route?” Blair demanded. The answer, of course, was simple. The “southern faction” forced the hand of both the executive and Congress to “dictate absolutely its policy.” The newest outrage, Brown’s overland mail road, was yet another example of proslavery expansionists sacrificing national interests and considerable capital to advance their sectional agenda, Blair added.¹³¹ In later debates in the senate, other critics piled on. Lyman Trumbull slammed the postmaster general for overriding congressional will to build a road “as crooked as an ox-bow” and a good deal longer than originally advertised.¹³² To Senator Henry Wilson of Massachusetts, the new mail road would pass along a “desert route, now and hereafter to be known, I trust, as the disunion route.”¹³³

¹³⁰ Quoted in Moody, *Stagecoach West*, 81.

¹³¹ *Globe*, 35th Congress, 1st session, appendix, 422.

¹³² *Globe*, 35th Congress, 2nd session, 262-263.

¹³³ *Globe*, 35th Congress, 2nd session. 304-305.

As these congressmen recognized, the stakes were high in the contest for western transportation, and slaveholders again held the winning hand.

Despite hearty protest, in September 1857 A.V. Brown awarded the contract to John Butterfield, a New York expressman and personal friend of President Buchanan. Twice-weekly mail service was to begin one year later, a formidable task even with the resources at Butterfield's disposal. He had to construct a road that ran over 2800 miles of terrain that, for much of its expanse, was sparsely populated, rugged, and short on water. There was also the problem of Indian tribes. To secure the right-of-way through their lands, Butterfield would distribute more than \$10,000 per year to Native Americans in the region. His team also dug a series of wells along the route and constructed roughly 200 stations. For the transport work ahead, the line purchased 100 coaches, 1000 horses, 500 mules, and recruited nearly 800 men. All told, it was an impressive undertaking, and by 1860 the Butterfield line was carrying more letters than the U.S. steamship service.¹³⁴ Although the vast majority of westward migrants continued to use the central overland trail, settlements along the Butterfield route grew considerably, especially in Texas. The population of chief towns along the route nearly doubled, while smaller settlements also sprung up along its path. In these new towns, the line's stations often served as the

¹³⁴ Those living in California were especially grateful for the service, which proved to be a more reliable method of sending and receiving mail than via steamships. The Maryland transplant, Jefferson Martenet, reported on the improved condition of communication thanks to the overland mail road. "We are kept in news altogether from that source now, and I will be pleased if they bestow *all* the patronage of Government upon the Overland and do away with steamers entirely," he wrote to his mother in March 1860. "We will then have a daily mail, and can write at any time, besides it will open the travel, which would be good, as I would prefer going home overland to going by water;" Jefferson Martenet to mother, March 6, 1860; see also Martenet to mother, August 1, 1859 and September 3, 1859 Jefferson Martenet Correspondence, HEHL.

commercial center.¹³⁵ Ultimately the line would not outlive the sectional crisis that it did so much to exacerbate. The famed but short-lived Pony Express, which followed a central route, originated in 1860 as a response to the far southern Butterfield road. With secession, the Butterfield company moved its operations to the central line, although Confederates continued to move over the old route.¹³⁶

The Butterfield line could be considered the postscript to over a decade of proslavery scheming for a transcontinental railroad. Southerners did not win their “great slavery road,” but with the construction of the overland mail route, they secured what many considered the next best thing. The Butterfield line only accelerated the migration and commercial exchange that had been conducted between the slave states and the Desert West for decades. And it stood as a physical representation of the connections between South and Southwest. That the route was established over the fierce resistance of northern politicians highlights just how adept southerners had become in advancing their western agenda. Between the Gadsden Purchase, the Pacific railroad surveys, Jefferson Davis’s camel corps, and finally the overland mail route, slaveholders consistently outmaneuvered their adversaries to dictate infrastructural policy for the Far West. And in the process, they facilitated the westward movement of southern-born settlers, a demographic phenomenon that would have significant consequences for sectional politics in places like New Mexico, Arizona, and California.¹³⁷

¹³⁵ Winfrey, “The Butterfield Overland Mail Trail,” 32-44; see also Russell, *Communication with the Pacific*, 224-225.

¹³⁶ When Confederate General Albert Sidney Johnston fled California with a small group of fellow rebels, he traveled along the old Butterfield mail road to the Rio Grande; Lavender, *American Heritage History of the Great West*, 314.

¹³⁷ [This is where I need to do some close work with census figures to determine how the southern-born population increased in southwestern territories between 1850 to 1860.]

Conclusion

Even as sectional battle lines hardened, proslavery railroad promoters persevered in their old crusade. Within Congress, Jefferson Davis continued agitating for a southern route almost until the eve of secession.¹³⁸ And William Gwin, perhaps the most tireless campaigner of all, still hoped to bind East and West along one continuous rail line. More emphatically than any other major figure of the time, he continued to articulate the dream of commercial empire that southern railroad advocates, in particular, had made so familiar over the course of the last decade. Rising to speak on December 14, 1858, he proceeded to deliver one of his most impassioned speeches on behalf of the Pacific railroad. Rehashing many of the old arguments about the bounties of Asian trade, Gwin spoke with a sense of urgency seasoned by a career of failed transcontinental schemes. He predicted that the railroad would, if built, quickly double the nation's wealth and lead the United States past Great Britain as the dominant commercial power of the world. Especially promising to Gwin was the untapped market of Asian cotton consumers. In words that could be considered an antebellum anthem for American economic imperialists, Gwin declared:

Commerce is power and empire. Its conquests are greater, more universal and enduring than those of arms... Give us, as this railroad would, the permanent control of the commerce and exchanges of the world, and in the progress of time and the advance of civilization, we would command the institutions of the world – not like the colonies of Rome, by the sword and vassalage, but by that irresistible moral power which would ultimately

¹³⁸ See his extensive “Remarks on the Pacific railroad bill” in *Jefferson Davis, Constitutionalist*, 376-460, III.

carry our institutions with our commerce throughout the sphere we inhabit.¹³⁹

Such a statement would have found countless adherents roughly forty years later. By that time, the credo of economic expansionism had worked its way into the nation's very marrow. Gwin himself would have been especially pleased by developments in the Pacific – the railroad had been built, Hawaii had been annexed, and the wealth of Asian markets was increasingly flowing into Pacific harbors. The United States entered the twentieth century as a newly minted world power, fully conscious of its growing commercial clout. But such an empire did not emerge suddenly and without warning from the spoils of the Spanish American War, nor was it the vision of enterprising Yankees alone, as the traditional narrative might have us believe. Indeed, it was decades in the making. And some of its earliest and most persuasive visionaries were southerners, like William Gwin, James Gadsden, and J.D.B. De Bow. Their western ambitions did not die in 1850, nor did they stop short at California's coast; they endured through the decade and stretched across the entire Pacific world. Proslavery filibusters have more successfully captured the historical imagination, but their imperial vision was often dwarfed by the ambitions of railroad promoters. With iron rails rather than the sword, these expansionists sought to bind South and West, arrest sectional decline, and open vast new markets for southern trade. And for at least a few years in the 1850s, the world truly seemed theirs for the taking.

¹³⁹ *Congressional Globe*, 35th Congress, 2nd Session (December 14, 1858,) 55.

Chapter 3
THE SOUTHERNIZATION OF ANTEBELLUM CALIFORNIA,
1850-1859

When California was admitted to the Union as a free state in 1850, its troubles with slavery had, paradoxically, only just begun. The very next year, James Gadsden spearheaded a national movement to settle a colony of two-thousand bondspeople and their white masters on the Pacific Coast. As they moved across the Southwest, this slave colony would pioneer the preferred route for a far southern transcontinental railroad, Gadsden predicted, thereby linking the enslaved East with the re-enslaved West.¹ Brazen (and unconstitutional) though his scheme may appear in hindsight, Gadsden was in good company at the time. Indeed, his plan was merely the opening wedge in a decade of proslavery operations on the ostensibly free soil of California. And while black slave labor never became a cornerstone of the state's economy, the ideology upon which it rested would achieve a dominant position in California's political discourse. Disproportionally represented in the statehouse, the local courts, and Congress, southern emigrants to California bent the state's political path toward a distinctly proslavery end. They marginalized free soil politics and ensured that the slave South and the Far West were separated by a thin – and at times imperceptible – line.

As Steven Hahn has argued, slavery was a national institution in antebellum America. With the enforcement of the Fugitive Slave Act of 1850, runaways could expect no refuge, though they may travel thousands of miles from the heart of the

¹ James Gadsden to Thomas Jefferson Green, Dec. 7, 1851, William Alexander Leidesdorff Collection, HEHL; James Gadsden to M. Estes, December 10, 1851, in the *Charleston Courier*, February 7, 1852.

plantation belt. Meanwhile, masters roamed the streets of northern cities and sojourned throughout the federal territories with their slave property – practices that received a judicial blessing from Chief Justice Roger Taney’s court in the 1857 Dred Scott decision.² And yet the dominant historical narrative still defines the slavery extension controversy in geographically narrow terms. Kansas, in these accounts, marks the western limit of the sectional crisis of the 1850s.³ To be sure, several local histories have explored California’s relationship to slavery and the statewide political struggles that resulted. But, often lacking a national framework, these histories lose sight of the broader issues that made California’s antebellum politics so fractious in the first place.⁴ The political history of American slavery should be viewed through a wide-angle lens that incorporates both the eastern and western halves of the nation – from grand visions of empire to the local initiatives that brought the sectional crisis into the Far West. As

² Steven Hahn, *The Political Worlds of Slavery and Freedom* (Cambridge, Mass.: Harvard University Press, 2009), chapter 1; for more on enlarging the geographic scope of the sectional crisis, see pp. 22, 51. In his recent work, James Oakes charts the events that led to the Thirteenth Amendment, arguing that liberty and union were always linked in the Republican wartime agenda; Oakes, *Freedom National: The Destruction of Slavery in the United States, 1861-1865* (New York: W.W. Norton, 2013). This argument, however, papers over the deep-rooted and wide-ranging proslavery sentiment in antebellum America, and the profound misgivings that even many Republicans had about emancipation, as we shall see.

³ Again, the list of such works is extensive. For a sample of books that confine the slave controversy to the eastern U.S. after 1850, see James M. McPherson, *Battle Cry of Freedom* (New York: Ballantine, 1989); Michael A. Morrison, *Slavery and the American West: The Eclipse of Manifest Destiny and the Coming of the Civil War* (Chapel Hill: University of North Carolina, 1997); William Earl Weeks, *Building the Continental Empire: American Expansion from Revolution to the Civil War* (Chicago: Ivan R. Dee, 1996); and David M. Potter, *The Impending Crisis, 1848-1861*, completed and edited by Don E. Fehrenbacher (New York: Harper & Row, 1976).

⁴ Even Stacey’s Smith’s pioneering work, which argues strongly for a continental perspective on the coming of the Civil War, does not fully explore how local struggles over slavery in California impacted the national discourse, or vice versa; Stacey L. Smith, *Freedom’s Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University of North Carolina Press, 2013). The exception is Leonard Richards’s content-rich yet analytically thin, *The California Gold Rush and the Coming of the Civil War* (New York: Vintage, 2007).

antebellum Americans recognized, the struggle over slavery unfolded on a truly continental scale.

The proslavery political culture of California should be understood, this chapter argues, as the outgrowth of the slave South's expansionist agenda. One of Jefferson Davis's many California correspondents, Lewis Sanders, recognized the connection between the imperial projects of the South and local politics in the West when he wrote of the need for internal improvements. "Of all things most desired here is a national road or high way" along a southern route, he reminded Davis. By encouraging migration from the slave states, he continued, such a road would give southern interests "a controlling influence in the country and thereby put a check to mad fanaticism." Sanders need not have worried about California being overwhelmed by the "pestilence" of New England, however.⁵ Slaveholders may have failed in their grand plans for a Pacific railway, but they succeeded in achieving one of the road's major objectives: to politically link the South and the Far West. With slaveholding leaders like William Gwin at the helm, California voted more like Virginia than Vermont throughout the 1850s, thereby ensuring that the South would continue to wield a disproportionate influence within Congress. In their fealty to proslavery doctrine, California's politicians proved that southern political expansion was no mere pipe dream. Indeed, Californians gave shape and substance to proslavery visions of empire in the West.

⁵ Lewis Sanders to Jefferson Davis, March 19, 1858, Jefferson Davis Papers, Special Collections & Archives, Transylvania University, Lexington, KY. Crucially, Sanders wanted this mass movement of southerners in the West to be accomplished "by *silent means*". He fretted that, if antislavery forces in England and the American Northeast caught wind of such a project, they would descend on California in droves and thus recreate the bloody political standoff of Kansas. This was a common fear of southern expansionists during this period; see chapter 4.

Somewhat counterintuitively, this frontier state, thousands of miles from the major debates then unfolding in Washington, provides an especially illuminating perspective on the sectional crisis. In fact, antebellum California can be understood as both a political bellwether and as a microcosm of the struggles that convulsed the entire nation. With a larger, more urban population in the northern part of the state and a smaller, more agricultural and more proslavery population in the southern section, California's demography roughly approximated that of the nation as a whole. As within the federal Congress, a smaller and better organized faction of proslavery politicians exercised an outsized influence in the California legislature. Furthermore, in both California and at the national level, the Democratic coalition that had ruled through much of the period fractured along sectional lines in the wake of the Kansas controversy. Even some of the violent episodes of sectional controversy, like the caning of Charles Sumner, were prefigured in California's political fracas. Finally, the secessionist impulses that motivated the fire-eating faction of the slaveholding class in the South had an analogue in southern California's own separatist movement. California can thus be seen as a regional stage on which its political actors played out a national struggle.

James Gadsden's California

From its inception, California's legislature made clear that the state's free soil constitution did not guarantee free soil politics. This was the same legislature that had elected William Gwin to the U.S. Senate, after all, and it was also the legislature that placed brazen slaveholding expansionists in senior roles. Having recently been chased out of Rose's Bar with his company of fifteen slaves, Thomas Jefferson Green found a

comfortable position as the chairman of the Finance Committee of California's governing body. Dismissed by a fellow senator as "unsuitable a man as could be" who "made nonsense of everything that was done," Green nevertheless wielded powerful influence within the statehouse. What became known as the 'Legislature of a thousand drinks' earned its appellation from Green's frequent invitations to imbibe from his massive whisky supply just outside the main hall.⁶ Such liberality, along with his personal fortune and his military reputation gave Green a stature that few in that body could match. The fact that six fellow Texans also sat in this first legislature only reinforced his influence.⁷ It was leaders like Green who ensured that James Gadsden and proslavery schemers of his ilk would receive at least a respectful hearing.

Although the legislature had not yet split along party lines in 1849-1850, divisive sectional and racial issues did indeed creep into its proceedings, as they would continue to do for the next decade. By 1850, the state's southern senators took a stand on the national slavery issue, resolving that "any attempt by Congress to interfere with the

⁶ Elisha Oscar Crosby, *Memoirs of Elisha Oscar Crosby: Reminiscences of California and Guatemala from 1849 to 1864*, Charles Albro Barker, ed. (San Marino, Calif.: Huntington Library, 1945), 58. Green counted among his allies a group of boisterous "hangers on and lobbyists." Perhaps it was such characters that led John Augustus Sutter to remark that only "one third" of the representatives "were good men the rest bad." "They appeared in the legislative halls with revolvers & bowie-knives fastened to their belts," he recalled, "and were drinking rioting and swearing nearly all the time;" John Augustus Sutter, Personal Reminiscences, MSS, BANC, 201. Edmund Randolph of Virginia gave a particularly colorful account of the rustic conditions of this first legislature. "We have been exceedingly uncomfortable thus far," he wrote his wife in December 1849. "All this hot work has been carried on in mud half leg deep and under most pitiless wintry storms; wind hail & rain, and almost no accommodations... Like everything else in California, it surpassed all that I have seen elsewhere;" Edmund Randolph to Tarmesia G. (Meux) Randolph, December 22, 1849; see also Randolph to Tarmesia Randolph, December 28, 1849, both in Edmund Randolph Papers, VHS.

⁷ Green is perhaps best remembered today for sponsoring the bill that created the University of California. For a proud report of Texas's prominent position in early California politics, see *Democratic Telegraph and Texas Register* (Houston), Feb. 21, 1850, Bieber Collection, HEHL. In a legislative body that numbered 16 senators and 36 assemblymen, the Lone Star state was thus well-represented. For biographical details on this first legislature, see *Biography of First Cal. Legislature, 1850*, MSS, California State Library. The manuscript contains biographical entries composed and inscribed by individual legislators.

institution of slavery in any of the territories of the United States would create just grounds of alarm in many of the States of the Union.”⁸ That same year, legislators passed a law prohibiting African Americans, mulattoes, and Indians from testifying against whites in a court of law. Returning to issues raised in the constitutional convention one year earlier, lawmakers also introduced bills to bar black migration into the state and to require the deportation of all manumitted slaves. These bills failed, but the message came across loud and clear: California was to be a white man’s state.⁹

To be sure, southern-born lawmakers did not have a monopoly on racially restrictive legislation, although they proved, on the whole, more eager to adopt such statutes.¹⁰ In fact, it was the Democratic record on racial politics which helped give that party its undisputed legislative majority – aside from a brief Know Nothing insurgency – through the antebellum period. California’s Democrats and Whigs, and later Republicans, agreed on some of major issues of the day, especially the need for federal spending on western infrastructure. On an annual basis, the state’s various parties all adopted pro-Pacific railroad platforms, for instance. But Democrats – or more specifically, the powerful southern-born faction of the party – distinguished themselves

⁸ They also resolved that “the discussion of abstract questions [i.e. slavery]... appear to be forced onward only for unholy, unpatriotic, and partisan purposes.” David Broderick of New York blunted the proslavery edge of these resolutions by inserting the following amendment: “That opposition to the admission of a state into the union with a constitution prohibiting slavery, on account of such prohibition, is a policy wholly unjustifiable and unstatesmanlike, and in violation of that spirit of concession and compromise by which alone the federal constitution was adopted, and by which alone it can be perpetuated.” For all of these resolutions see California State Senate Journal, 1849-1850, pp. 372-374. See also Delilah L. Beasley, “Slavery in California,” *Journal of Negro History* 3 (January 1918), 38-39.

⁹ As Hinton Rowan Helper observed of California’s free blacks, they were “slaves to no single individual but to the entire community;” Helper, *The Land of Gold: Reality Versus Fiction* (Baltimore: Henry Taylor, 1855), 275.

¹⁰ For commentary on the political makeup within in early California, James J. Ayres, *Gold and Sunshine: Reminiscences of Early California* (Boston: Gorham Press, 1922), 115-116. For more on the racist lawmaking in this early period, see Smith, *Freedom’s Frontier*, 56-61.

by branding their political adversaries as abolitionist subversives and racial egalitarians. This was an especially effective tactic in a state that harbored a large working-class white community, jealous of its political prerogatives and profoundly uneasy about black and Chinese immigration into the state.¹¹ Not all of these white voters were overtly proslavery, of course. But a critical mass of them were indeed deeply anti-abolitionist, and they often supported the southern wing of the Democratic party, as the faction most likely to block African American advancement and thus preserve white rule.

California's proslavery faction further entrenched its position through aggressive electioneering and strict party discipline. Fremont, who had drawn the short straw when appointed to the U.S. Senate in late 1849, served less than a year in office before he came up for reelection. The abolitionist merchant, John Batchelder Peirce, saw little hope for the Pathfinder, due to his free soil politics. "I am fearful we shall send a pro Slavery man," he wrote to his wife from San Francisco in December 1850. "For the active Politicians here are Southern men."¹² Peirce later speculated that the state's political profile had formed in such a way because "the Northern men are engaged in business leaving Political affairs to those who have nothing else to do."¹³ There could be some truth to this assumption. At its height, the population of California residents originating

¹¹ Western voters in general favored policies of black exclusion. As Eugene Berwanger has noted, the "frontier against slavery" was also a frontier for white supremacy; Eugene H. Berwanger, *The Frontier Against Slavery: Western Anti-Negro Prejudice and the Slavery Extension Controversy* (Urbana, IL: University of Illinois Press, 1967).

¹² John Batchelder Peirce to Hitty Peirce, December 29, 1850, John Batchelder Peirce Papers, Massachusetts Historical Society (MHS).

¹³ Peirce to Hitty Peirce, January 13, 1851, Peirce Papers, MHS.

from slave states stood at just 33 percent, yet southerners prevailed in election after election.¹⁴

In any case, Peirce's supposition that Fremont could not survive politically in such a proslavery climate was certainly accurate. No amount of celebrity could help the Pathfinder overcome the base of ultra southern legislators who threw their weight behind Solomon Heydenfeldt, a strong proslavery man born in Charleston, South Carolina. Also on the ballot was Thomas Butler King, the Georgia planter who had made his name as a naval expansionist and would later partner with Robert J. Walker in a southern transcontinental railroad scheme. In this crowded field, Fremont came nowhere near the necessary votes for reelection, even after a dizzying 142 ballots. Nor did any other candidate, however, and thus the legislature decided to postpone the election until January 1852. This would not be the first time that Fremont faced humiliation at the hands of California's proslavery faction.

The ousting of Fremont represented an early victory in a decade that was to see the proslavery advantages mount. In the postponed senatorial election a year later, John B. Weller came out triumphant. Although born in Ohio, Weller was married to the daughter of a slaveholding Virginia congressman and his political allegiances reflected those connections. He would become California's leading Doughface – a proslavery Democrat from the North in the mold of James Buchanan – who had opposed the Wilmot

¹⁴ On the demography of early California, see Doris Marion Wright, "The Making of Cosmopolitan California: An Analysis of Immigration, 1848-1870," *California Historical Society Quarterly* 19 (December 1940). Her tables on p. 339, detailing the population of California residents by state of origin in 1850, 1860, and 1870, are especially instructive.

Proviso and spoke in favor of slavery's further expansion.¹⁵ Together, he and Gwin gave southern interests a strong backing in Congress. With such representation, one California pioneer could write – with only some exaggeration – that “the State of California was as much under the control of the Southern wing of the Democratic party as South Carolina, and voted in Congress for Southern interests to all intents and purposes.” It was a place, he continued, “as intensely Southern as Mississippi or any other of the fire-eating States.”¹⁶

It was also a place that nurtured the imperialist fantasies of James Gadsden. Several years before signing the treaty with Mexico that bore his name, Gadsden began conspiring with Thomas Jefferson Green and others to plant a slave colony on California's ostensibly free soil. Green was the appropriate correspondent for such an adventure. The Texan had overseen one of the largest slave migrations into California just a few years before, when he carried a group of fifteen bondspeople into the diggings of Rose's Bar. Gadsden thus wrote to Green in December 1851 to outline his vision for a slaveholding territory in California that would marry southern-style plantation agriculture with western-style mining operations, somewhere near the San Joaquin River in Central California. “We must introduce rice and cotton and sugar,” Gadsden mused, along with the continued exploitation of California's mineral resources. With such lucrative

¹⁵ Weller would also join Gwin in endorsing the Kansas-Nebraska Act, the Dred Scott decision, the Lecompton Constitution, and Breckinridge's 1860 presidential campaign. For a treatment of Fremont's failed bid for reelection and of Weller's ultimate victory, see Richards, *The California Gold Rush and the Coming of the Civil War*, 114-117.

¹⁶ John Carr, *Pioneer Days in California* (Eureka, CA: Times Publishing Company, 1891), 346.

slaveholding enterprises, “no power can vie with that which is washed by the Pacific,” he argued.¹⁷

But Gadsden’s colony was to be more than just a mining and agricultural venture; it was also to serve as the opening wedge for the construction of a Pacific railroad along a far southern route. Writing to another proslavery ally several days later, Gadsden explained how his colony could blaze a trail across the Far West and thus mark out a suitable path for future railway development. “Open such a way, and the railroad follows,” he projected. With federal protection, “you will see us with some 500 to 800 domestics with 200 to 300 axes, opening the highway to the cultivation and civilization of the shores of the Pacific.”¹⁸

In early 1852, Gadsden rallied over 1200 prospective settlers from South Carolina and Florida and petitioned the California government to enable them to settle in the state with their 2000 slaves. Along with Thomas Jefferson Green, Gadsden enlisted the aid of Isaac Edward Holmes, a former South Carolinian congressman-cum-San Francisco lawyer, and Archibald Peachy, originally of Virginia and now chair of the Judiciary Committee. It was Peachy who introduced Gadsden’s petition to the California legislature, which then sent it to the Committee on Federal Relations.¹⁹ There, however,

¹⁷ James Gadsden to Thomas Jefferson Green, Dec. 7, 1851, William Alexander Leidesdorff Collection, HEHL. Green and Gadsden probably met during their time in Florida in the 1830s. Clearly their visions for proslavery expansion in the American West were closely aligned. For background on this letter, as well as Gadsden’s proposed colony, and the career of Thomas Jefferson Green, see Parish, John C. “A Project for a California Slave Colony in 1851,” *Huntington Library Bulletin* 8 (Oct. 1935), pp. 171-175. Gadsden’s plans for cotton cultivation in California may have been more prescient than any at the time recognized. Shortly after the Civil War, planters began cultivate the crop in the rough vicinity of where Gadsden had hoped to settle his slaveholding colony; see Chapter 6.

¹⁸ James Gadsden to M. Estes, December 10, 1851, in the *Charleston Courier*, February 7, 1852. The letter was reprinted in a number of outlets, including the *National Era*, February 19, 1852.

¹⁹ *California State Assembly Journal*, 1852, pp. 159-160.

the plan finally and quietly died.²⁰ Thus, much like the stillborn 1850 Mississippi plan for a California slave colony, Gadsden's scheme never moved far beyond the realm of imagination. Yet these efforts were reflective of a resilient political movement that refused to cede the Far West to free labor. In fact, that such a memorial, in brazen disregard of California's constitution, would even receive a hearing in the legislature speaks volumes about the proslavery currents then sweeping through the state's governing body.

Gadsden himself carried no slaves into California, but a handful of fellow southerners continued to move their human property westward in defiance of state law.²¹ *Frederick Douglass' Paper* reported, for instance, on a Maryland slaveholder who was preparing to transport his slave into California as late as December 1852.²² More alarming, though, were the reports coming from South Carolina that year. According to the Charleston press, the steamship *Isabell* made at least two journeys with California-bound slaveholders and their chattel property aboard, carrying first 39 slaves and then 55 slaves in these two trips. "It would seem that this slave emigration is not an accident, or a spontaneous movement," the *National Era* fretted, "but that it is part of a system of measures concerted between Slavery-Propagandists on the Atlantic and Pacific seaboards." California was technically free soil, the paper continued, but the state

²⁰ For more on Gadsden's memorial to the California legislature, see Smith, *Freedom's Frontier*, 48; Richards, *California Gold Rush and the Coming of the Civil War*, 125-127; Powell, "Southern Influences in California Politics," 105-106.

²¹ There are hints that abolitionist forces in Massachusetts were attempting to send men to California, in an effort, it seems, to combat slavery in the West. A passing reference to this activity can be found in Charles F. Hovey to Samuel May, June 14, 1852, Samuel May Papers, Boston Public Library.

²² *Frederick Douglass's Paper*, December 3, 1852, reprinting an article that initially appeared in the *New York Tribune*.

nevertheless continued to harbor black slaves and their masters in isolated mining communities “where the only law is that of force.” In such circumstances, “how are [slaves] to know their rights, and who is there to assert them?”²³ This is precisely the logic that moved Robert Givens to write to his father in September 1852 on the security of slave property in California. “I don’t consider there is any risk in bringing Patrick [one of the family’s slaves] alone... as no one will put themselves to the trouble of investigating the matter,” he wrote. “When he gets in, I should like to see any one get him out.”²⁴

Despite the best efforts of Gadsden and aside from the noteworthy trips off the Isabell, slaveholders never mustered the importation, en mass, of bondpeople to the West. Yet they did devise a number of stratagems to ensure that slavery would continue in free-soil California under other guises. A common strategy was to establish agreements with slaves themselves in order to bind their labor for a fixed term. Taken into California as presumed slaves, African Americans would only win their freedom, per these agreements, after working for a set number of years or after earning a certain amount of money. In this way, the contract – a hallmark of free labor ideology – became a tool for the perpetuation of bondage.²⁵ For many African Americans, this meant that they would not win freedom until years after the passage of California’s antislavery

²³ “Slavery and California,” *National Era*, February 19, 1852, p. 30.

²⁴ Robert R. Givens to his father, September 10, 1852, Robert R. Givens letters to family, BANC. For more first-hand commentary on the westward movements of slaveholders during this time, see Carr, *Pioneer Days in California*, 346; and Anna Lee Marston, ed., *Records of a California Family: Journals and Letters of Lewis C. Gunn and Elizabeth LeBreton Gunn* (San Diego, n.p. 1928), 171.

²⁵ On the ideological power of the contract, see Amy Dru Stanly, *From Bondage to Contract: Wage Labor, Marriage, and the Market in the Age of Slave Emancipation* (Cambridge: Cambridge University Press, 1998). For more on these particular contracts, see Smith, *Freedom’s Frontier*, 57-60.

constitution. For instance, it took Peter Green, the former slave of Thomas Thorn (Chapter 1), until 1855 before a justice of the peace certified that his “obligation has been complied with” and that he was “legally discharged.”²⁶ Similarly, Biddy Mason and thirteen fellow slaves only won their release from their master in 1856, after having been transported to California from Texas in 1851.²⁷ In other cases, aspiring masters sought the unpaid labor of African Americans by claiming legal guardianship over them. John Rowland, for instance, went to court in order to adopt Rose, an African American child, maintaining that her mother was unable to provide adequate care and thus Rose should be relocated to a white home.²⁸ Framed as an act of charity, Rowland’s intention was very likely to bind Rose as an unfree domestic laborer.

The landscape of unfreedom in the Far West consisted of more than just African American slaves. The state’s shrinking, but still substantial, Indian population provided a ready source of bound labor for many landowning Californians. American emigrants to California readily adopted forms of Indian debt peonage that had flourished under

²⁶ “Thomas Thorn, State of California, County of Mariposa,” in “California Freedom Papers,” *Journal of Negro History* 3 (January 1918), 48-49. Other documents in this collection record the efforts of several others to win their freedom, and who, like Green, endured a deferred emancipation. For more on these arrangements, see Smith, *Freedom’s Frontier*, 57-60; Beasley, *Negro Trail Blazers*, 84.

²⁷ Mason’s party consisted of two slave families who were carried to California by their master, Robert Smith, in 1851. Knowing that he could no longer safely keep his slaves in California by mid-decade, Smith attempted to transport Mason and her fellow slaves back to Texas by mid-decade. But they sued for their freedom in 1856, winning their release upon the ruling of southern California’s leading jurist, Benjamin Hayes. Mason would become the foremost member of Los Angeles’s free black community during this period. For a transcript of the Hayes ruling, see *National Anti-Slavery Standard*, April 5, 1856.

²⁸ “Guardianship of Rose, a negro minor child,” Los Angeles Probate Court Records, 1850-1910, No. 45, HEHL. My thanks to Sarah Barringer Gordon for drawing my attention to this document in the Huntington’s collections. For more on John Rowland see, Donald E. Rowland, *John Rowland and William Workman: Southern California Pioneers of 1841* (Spokane, WA: Arthur Clark, 1999); For an illustration of Rowland’s Los Angeles estate – which bears a striking resemblance to a southern plantation – see John Albert Wilson, *History of Los Angeles County, California, with Illustrations Descriptive of Its Scenery, Residences, Fine Blacks and Manufactories* (Oakland: Thompson & West, 1880)

Mexican rule. Cave Coutts, a transplanted slaveholder from Tennessee, established a large ranch near San Diego, making use of Indian debt peons, bound apprentices, and convicts. To the best of his ability, Coutts recreated a southern plantation in the American West, substituting cheaper, unfree Indian laborers for black slaves.²⁹ The parallels between Coutts's rancho and a southern plantation were not lost on the nineteenth-century historian Hubert Howe Bancroft, who noted that, even after the Civil War, "everything about Guajorne [Coutts's estate] had the air of the home of a wealthy southern planter."³⁰

Los Angeles also featured its own Indian "slave mart". After a long work week, several hundred Indians customarily gathered on Saturdays near Los Angeles's Calle de los Negros to drink, gamble, and fight. Municipal authorities would wait until these Indians were thoroughly inebriated by sundown on Sunday, and then drive the most incapacitated into an open-air corral. On Monday morning these Natives would be auctioned off to the highest bidders for a week of labor. If they were paid at all, it was often in alcohol, thereby ensuring the whole process could begin again the next weekend.³¹ By the 1850s this Indian auction had become the second most important

²⁹ Michael Magliari, "Free Soil, Unfree Labor: Cave Johnson Coutts and the Binding of Indian Workers in California, 1850-1867," *Pacific Historical Review* 73 (August 2004). Magliari is one of the foremost experts on Indian slavery in California. The history of unfree Indian labor in the West, he argues, upsets the conventional chronology of slavery and emancipation. Not until well after the Civil War did California become a truly free state by extinguishing its longstanding system of unfree Indian labor. For more, see Michael Magliari, "Free State Slavery: Bound Indian Labor and Slave Trafficking in California's Sacramento Valley, 1850-1864" *Pacific Historical Review* 81. For similar arguments about the periodization of emancipation and the various forms of unfree labor in the West, see Stacey L. Smith, "Emancipating Peons, Excluding Coolies: Reconstructing Coercion in the American West," in Gregory P. Downs and Kate Masur, eds., *The World the Civil War Made* (Chapel Hill: University of North Carolina Press, 2015).

³⁰ Hubert Howe Bancroft, "Personal Observations during a tour through the Line of Missions of Upper California," MSS, typescript, 187-?, 22-23, BANC.

³¹ According to Horace Bell, one of southern California's keenest early memorialists, "Los Angeles had its slave mart, as well as New Orleans and Constantinople – only the slave eat Los Angeles was sold fifty-two times a year as long as he lived, which did not generally exceed one, two, or three years, under the new

source of municipal revenue, second only to the licensing fees imposed on Los Angeles's drinking and gambling venues. The practice would continue into the early 1870s. In their search for bound labor, Californians learned to look beyond the black-white binary.

A State Divided Against Itself

Although individual slaveholders certainly derived significant advantages from the exploitation of Native peoples, when southern imperialists imagined the possibilities for unfree labor in the West, they spoke primarily of black slavery.³² Perhaps most promising for proslavery expansionists was the long-lived state division campaign, intended to create, many presumed, a slaveholding territory in southern California.³³

dispensation;" Bell, *Reminiscences of a Ranger; or Early Times in Southern California* (Los Angeles: Yarnell, Caystille & Mathes, 1881), 48-49. Other accounts of this practice can be found in John Mack Faragher, *Eternity Street: Violence and Justice in Frontier Los Angeles* (New York: W.W. Norton & Company, 2016), 246-247; and Daniel Brendan Lynch, "Southern California Chivalry: The Convergence of Southerners and Californios in the Far Southwest, 1846-1866," (PhD dissertation, UCLA, 2015), 127.

³² The scholarship on Native American slavery in the West is extensive and growing. However, I only engage briefly with this history because I have not found sufficient evidence to suggest that proslavery expansionists in the South thought seriously or systematically about the possibilities for this sort of labor. As this dissertation concerns southern visions of empire and the politics of slavery, rather than the workings of western labor systems per se, I leave this history to the scholars who have already done so much to trace the contours of slavery in the West. See, for instance, Smith, *Freedom's Frontier*; Magliari, "Free Soil, Unfree Labor;" Magliari, "Free State Slavery;" James F. Brooks, *Captives and Cousins: Slavery, Kinship and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002); Ned Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West* (Cambridge, MA: Harvard University Press, 2006); and Andres Resendez, *The Uncovered Story of Indian Enslavement in America* (New York: Houghton Mifflin Harcourt, 2016).

³³ The best study on California's state division movement is Ward M. McAfee, "California's House Divided," *Civil War History* 33:2 (1987), pp. 115-130. Scholarship on the subject dates back well over a century, beginning with Hubert Howe Bancroft, *History of California*, 7 vols. (San Francisco: The History Co., Publishers, 1884-1890), 7:254-55; Theodore H. Hittell, *History of California*, 4 vols. (San Francisco: N. J. Stone and Co., 1885-1897), 1:261; James M. Guinn, "How California Escaped State Division," *Historical Society of Southern California*, Annual Publications (1905), 223-32; William Henry Ellison, "The Movement for State Division in California 1849-1860," *Southwestern Historical Quarterly* 17 (1914): 111-124; Rockwell D. Hunt, "History of the California State Division Controversy," *Annual Publication of the Historical Society of Southern California* 13 (1924), 37-53. For more recent works see Richards, *California Gold Rush and the Coming of the Civil War*; Daniel Brendan Lynch, "Southern California Chivalry: The Convergence of Southerners and Californios in the Far Southwest, 1846-1866," (PhD dissertation, UCLA, 2015), 109-117. Also, Don E. Fehrenbacher, *The Slaveholding Republic: An*

Reflecting the demographic and political divisions of the nation as a whole, the lower half of California was more distinctly southern in origin and proslavery in outlook than the northern portion of the state. It was, therefore, a natural target for slaveholding imperialists. If only the southern counties could be split from California, they reasoned, this territory could jettison the antislavery constitution of 1849 and become a magnet for southern emigrants and their human chattel. This is precisely what Mississippi's two senators, Henry Foote and Jefferson Davis, had in mind when, during the debates of 1850, they attempted to extend the Missouri Compromise line to the Pacific coast.³⁴ And it also may have motivated William Gwin's earlier attempts to enlarge the state boundaries during the constitutional convention debates.³⁵ In many ways the state division movement represented a continuation of James Gadsden's scheme by other means. Gwin, Foote, Davis, and Gadsden were all driving at the same objective: to override California's free soil constitution and secure a foothold for slavery on the Pacific coast.³⁶

Account of the United States Government's Relations to Slavery, completed and edited by Ward M. McAfee (New York: Oxford University Press, 2001), p. 222 – it's likely that McAfee, and not Fehrenbacher, is responsible for the brief section on California state division.

³⁴ For Foote's amendment and the extensive debate that followed, see *Congressional Globe*, 31st Congress, 1st session, appendix, 1485-1504; see also, 31st Congress, 1st session, 602-604. See also William W. Freehling, *The Road to Disunion: Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990), 505-507.

³⁵ Elisha Crosby believed that Gwin, at this early date, was already conspiring to introduce slavery into southern California. "It was pretty well understood by those who knew that Gwin had at the time we were seeking to have the state admitted, promised the southerners that if they would admit the state he would further the plan of colonizing the southern portion of California with Southern people," Crosby wrote in his memoirs, "and quietly with out attracting attention get a majority in the Legislature of California to pass a bill dividing the state, making the southern part of it slave;" Crosby, *Memoirs*, 62.

³⁶ As John Carr argued, "From the adoption of the State constitution in 1849 to 1861, the Southern wing of that party did everything in their power to divide the State, their purpose being to make a slave State out of the Southern portion of it;" Carr, *Pioneer Days in California*, 346.

One of the first state division efforts centered on Los Angeles, where leading citizens called a meeting in September 1851 to rally support and pledged “to use every effort to produce a separation of the Southern portion of the State from the Northern.”³⁷ A subsequent convention attracted thirty-one delegates from the counties of Los Angeles, San Diego, Santa Barbara and Monterey, who reiterated complaints of inequitable taxation and unanimously endorsed a plan for the formation of a separate territory in southern California.³⁸ Over the subsequent decade, the state legislature fielded petitions for state division on a nearly annual basis.³⁹ The justifications for such an action – in addition to the ubiquitous tax complaints – were regularly rehearsed: the sheer size of the state; the distance separating southern residents from their capital; and the regional imbalance in legislative representation.⁴⁰

In all the pleas for state division mustered by southern Californians, one issue remained conspicuously unstated – that of slavery. Yet few were blind to the sectional implications of this campaign. As slaveholders had argued since the 1840s, southern California constituted ideal terrain for the extension of the South’s peculiar institution. Robert Givens, son of a Kentucky slaveholder, predicted that if California were to be

³⁷ The meeting was covered in *Daily Alta California*, October 1, 1851; see also *Alta*, September 25, 1851.

³⁸ *Alta California*, October 27, 1851. Californians were not the only ones considering a division of their territory in 1851. A movement for the division of Oregon was underway that same month; see *Alta California*, October 14, 1851.

³⁹ For commentary on the frequency of state division petitions, see *Sacramento Daily Union*, March 3, 1859.

⁴⁰ There was indeed some precedent for a divided California. Mexican California was briefly split between two rival leaders with official residences at San Diego and Monterey. During the constitutional convention of 1849, the Spanish-surnamed delegates for the southern counties showed a preference for separate territorial status. As the Virginia emigrant John S. Griffin noted at the time, the native Californians of Los Angeles opposed the organization of a constitutional convention altogether, because “evidently don’t like the idea of falling under Uncle Sam’s clutches,” John S. Griffin, *Los Angeles in 1849: A Letter from John S. Griffin, M.D. to Col. J.D. Stevenson, March 11, 1849* (Los Angeles: Privately Printed, 1949), 14.

divided, “the southern division will become a slave State.” He continued, “It is settled almost entirely by Southerners, and they will exert themselves to the utmost extent to carry the day.”⁴¹ Hinton Rowan Helper noted similar developments with similar consequences. “The applicability of slave labor to the soil of Southern California is now becoming a theme of discussion in that region, and it is probable that the experiment will one day be tried,” he wrote. The state division issue had already “occupied the attention of the legislature,” Helper continued, “and while it is generally admitted that the people are about equally divided upon the measure, it is universally conceded that, in case of its adoption, the southern portion will establish the laws and institutions of Virginia and Louisiana.”⁴²

As Givens, Helper, and others recognized, southern Californians themselves were especially zealous in the cause of slavery. Between the Indian slave mart of Los Angeles, the plantation-style rancho of Cave Couts, and a small slaveholding Mormon population in San Bernardino, residents of the region had already demonstrated a decided interest in systems of unfree labor.⁴³ Demography alone gave the slave states a claim to southern California. Of the U.S.-born population living in Los Angeles County in 1860, 52 percent hailed from the slave South. To be sure, this represented only a slim majority of the Anglo-American population, but at a time when only about 39 percent of the nation’s

⁴¹ Robert R. Givens to his father, September 10, 1852, Givens letters, BANC. John Batchelder Peirce tracked this state division movement as well. “We are hav’g a scheme matured to make South California a Slave State,” he wrote to his wife. “Masters with their Slaves are moving in.” Peirce to Hitty Peirce, September 17, 1851, Peirce papers, MHS.

⁴² Hinton Rowan Helper, *The Land of Gold: Reality Versus Fiction* (Baltimore: Henry Taylor, 1855), 278-279.

⁴³ For more on the Mormon slaveholding colony in San Bernardino, see Lapp, *Blacks in Gold Rush California*, 119-121; and Kate B. Carter, *The Negro Pioneer* (Salt Lake City, Utah Printing Company, 1965), 33.

population as a whole had been born south of the Mason Dixon line, Los Angeles could indeed be considered a comparatively southern place.⁴⁴

Los Angeles' geographic position helps explain its southern character. The second-most heavily traveled overland route to California, the Gila River trail, terminated in southern California. At the height of the gold rush in 1849, roughly 6,000 Anglo-Americans traveled over this trail, a majority of whom came from Texas. Although most would continue northwards to the gold fields near Sacramento, a number of these argonauts eventually settled in the Los Angeles area.⁴⁵

What made southern California particularly hospitable to proslavery interests was not necessarily the numerical advantage that white southerners in the region enjoyed, but rather, the political culture they created. In California, proslavery Democrats wielded power well beyond their numbers, and that was no less true in the southern part of the state. With the support of their Spanish-surnamed allies, proslavery migrants made free soil politics anathema in Los Angeles County.⁴⁶ While William Gwin pulled the strings

⁴⁴ For these figures, I am indebted to Dan Lynch and his careful hand-counting of the 1860 census; see Lynch, "Southern California Chivalry," 12-15. Benjamin Hayes, southern California's leading judge and a southerner himself, compared the population of antebellum Los Angeles to "such as you find on the frontiers of Missouri;" Benjamin Hayes to B.M. Hughes, January 24, 1853, in Hayes, *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875*, Marjorie Tisdale Wolcott, ed. (Los Angeles: Marjorie Tilsdale Wolcott, 1929), 90-93.

⁴⁵ For the history of overland travel during the period, see Odie B. Faulk, *Destiny Road: The Gila Trail and the Opening of the Southwest* (New York: Oxford University Press, 1973); Richards, *California Gold Rush and the Coming of the Civil War*, 49-57; Ralph Bieber, ed. *Southern Trails to California in 1849* (Glendale, CA: Arthur H. Clark, 1937); and Ronald Woosley, *Migrants West: Toward the Southern California Frontier* (Sebastopol, CA: Grizzly Bear Publishing, 1996). For a rich collection of newspaper reports on the gold-rush era migration to California, see the Ralph Bieber Collection, a massive, uncatalogued archive at the Huntington Library.

⁴⁶ On several occasions in the early 1850s, southern mobs threatened violence when they felt the actions of local authorities had endangered their security in slave property; see Faragher, *Eternity Street*, 209-210. According to the account of one overland migrant, southern California's "cutthroats (all from the southern states)" put a low price on black life. He witnessed a group of such southerners round up three black waiters and force them into a corral, "with tight adobe walls six to eight feet high. Shutting the gates, the gamblers mounted the walls and began emptying their revolvers at the negroes, who crazed with fear,

of the proslavery Democratic machine from his senate seat in Washington, his close friend Joseph Lancaster Brent – a Maryland native and future Confederate general – presided as the party boss of Los Angeles. A staunch supporter of slavery and a perennial ally to the region’s Mexican-born elite, Brent ensured that his fellow southerners were well positioned in local governance. As he noted in his memoirs, Brent had become “so decidedly the leader in Los Angeles politics” by mid-decade, “that... no one could be elected whom [he] did not support, and no one defeated whom [he] befriended.” Charles E. Carr, a Louisiana native and California state legislator, would later claim that Brent carried Los Angeles in “his vest pocket.”⁴⁷ Thanks to partisans like Brent, antebellum Los Angeles could be considered the far western outpost of the slave South. And as such, it offered a tempting and attainable target for proslavery expansionists.

In 1852 the state legislature made a particularly cunning play for state division. Spearheaded by Henry Crabb, the son of a prominent Tennessee slaveholder, a group of politicians began agitating for a new constitutional convention in order to remedy, they argued, certain points on taxation and public expenditures. Their true intention, however, was likely to legalize slavery in the Far West by splitting off the southern part of the state as a separate territory. Their call for a new convention passed the state assembly but

finally escaped by climbing over the walls. One was badly wounded but none were killed. While this was going on, the gamblers danced and shouted with glee;” Jessie H. Goodman, ed. *Overland in 1849: From Missouri to California by the Platte River and the Salt Lake Trail, an Account from the Letters of G.C. Pearson* (Los Angeles: Cole Holmquist Press, 1961), 53. For more on the alliance between white southerners and *californios*, see chapter 4.

⁴⁷ Both quotes in Joseph Lancaster Brent, *Memoirs of the War Between the States* (No place: Nanine B. Sloo, 1940), 22-23. On Brent’s influence with the Mexican-born population of Los Angeles, many of whom he represented legally, see Joseph Lancaster Brent to Edward Brent, April 16, 1851, Brent Papers, Huntington Library. For more on Brent’s power, see Faragher, *Eternity Street*, 376.

narrowly failed in the senate, due to clever obstructionist efforts of the antislavery stalwart David Broderick.⁴⁸ But the fight was far from over (see Chapter 4). Too much was at stake – not just the matter of slavery in the Far West, but also of southern representation in Congress. Even if bonded labor never took root along the Pacific, an independent southern California – with its population of staunch southern partisans – would nevertheless provide a powerful bulwark for proslavery politics at the national level.

A former Illinois congressman by the name of Abraham Lincoln saw the far-reaching consequences of this political movement then unfolding at the edge of the continent. As southerners continued to press for California state division, Lincoln looked on with growing unease. In a list of resolutions that he drafted yet never delivered, he addressed a number of proslavery initiatives, including the re-opening of the African slave trade, the Kansas-Nebraska controversy, and California's territorial movement. His draft of January 1855 urged Congress, "To resist, to their utmost, the now threatened attempt to divide California, in order to erect one portion thereof into a slave-state."⁴⁹ Here was the slave power at work, Lincoln's resolutions suggested, from the shipping lanes of the Atlantic to the shores of the Pacific.⁵⁰

Although foiled in their early attempts at state division, California's southern-born politicians fought for proslavery rights on more than one front. While some free

⁴⁸ Powell, "Southern Influences in California Politics," 117-118.

⁴⁹ Abraham Lincoln, Draft of Resolutions for presentation in the U.S House of Representatives, January 1855, in Roy P. Basler ed., *The Collected Works of Abraham Lincoln*, 8 vols. (New Brunswick: Rutgers University Press, 1953), 2:301; cited in McAfee, "California's House Divided," 118-119.

⁵⁰ For a treatment of the slave power thesis and its adherents, see Leonard Richards, *The Slave Power: The Free North and Southern Domination, 1780-1860* (Baton Rouge: Louisiana State University Press, 2000).

states like Massachusetts challenged the Fugitive Slave Act of 1850, California's politicians ensured that the Pacific slope would remain a particularly inhospitable place for escaped bondspeople and their abolitionist allies. One San Francisco paper, for instance, cheered slave catchers in their hunt for Frederick Douglass and hoped for his return "to perpetual labor in the most menial capacity at the South."⁵¹ In 1852 the California legislature voted to burn all abolitionist circulars that had found their way into the state, thereby handing southern slaveholders a far western ally in their campaign to ban and eradicate antislavery literature.⁵² True, California's abolitionists scored some victories in the early 1850s, driving out the occasional slaveholder who had dared to trespass on free soil. But those victories were rather limited in scope, as abolitionist John Batchelder Peirce confessed to his wife. "As to your fears about my taking too active a part in the anti slavery affairs here – I don't do anything," he wrote in the summer of 1851. "I can't for there is nobody to cooperate with scarcely. We have no organized society here and nothing to act on but now and then a slave case."⁵³

Western abolitionists like Peirce suffered a bruising defeat in 1852 with the passage of California's fugitive slave act. Although California had effectively outlawed slavery in 1849, there were still hundreds of enslaved blacks in the mining regions,

⁵¹ *Pacific Daily News*, November 28, 1850, reprinted in the *North Star*, January 20, 1851.

⁵² *Journal of the Fifth Session of the Legislature of the State of California* (Sacramento: B.B. Redding, State Printer, 1854), 426; See also Gerald Stanley, "The Republican Party in California, 1856-1868" (PhD dissertation, University of Arizona, 1973), 20.

⁵³ John Batchelder Peirce to Hitty Peirce, July 8, 1851. In an earlier letter, Peirce recounted one of the victories that he and his allies had achieved over slavery within the state, when he and a mixed-race group of abolitionists brought to court a master who had been operating in California in violation of its free soil constitution. The slaveholder was forced back to the South without his bondspeople. Peirce noted, however, that there were still "hundreds of blacks here brot [sic] hither by their masters to work the mines;" Peirce to Hitty Peirce, April 8, 1851, both letters in John Batchelder Peirce Papers, MHS.

according to Peirce's own estimates, and no legislation to define the status of those who had been carried into the state prior to the passage of its antislavery constitution. The 1852 law – drafted by Henry Crabb, who was simultaneously lobbying for a new constitutional convention – clarified matters in a distinctly proslavery manner.⁵⁴ Crabb's bill mandated state aid for the recapture of fugitives, and, more crucially, allowed masters to return to the South with their slave property. California's free soil constitution, it stipulated, did not guarantee freedom for the black slaves still laboring within the state. The bill sailed through the state assembly, 42 to 11, and passed in the senate, 14 to 9, with aid from James Estell of Kentucky, who owned more than a dozen slaves on his Solano County farm.⁵⁵ As it was initially intended, the act gave masters one year in which to return to the South with their human chattel, but it was extended for an additional two years by the state's proslavery legislature.⁵⁶

Whereas historian Leonard Richards described the law as “largely symbolic,” Stacey Smith has convincingly demonstrated that it had very real consequences for California's 2,000 resident African Americans, both slave and free. Crabb's bill, she argues, amounted to a “three-year suspension of the antislavery constitution” and exposed California's blacks to fraud and kidnapping. Because African Americans could not

⁵⁴ Henry Crabb would later orchestrate a failed filibustering operation in Sonora, Mexico. He and nearly his entire invading force of 85 were killed; *Execution of Colonel Crabb and Associates. Message from the President of the United States, Communicating Official information and correspondence in relation to the execution of Colonel Crabb and his associates*, February 16, 1858 House Executive Doc. No. 64, 35th Congress, 1st Session. For commentary on Henry Crabb's political and military career, see Henry Foote, *Casket of Reminiscences* (Washington, D.C.: Chronicle Publishing Company, 1874), 386.

⁵⁵ The voting record is documented in *California State Assembly Journal*, 1852, pp. 146-147.

⁵⁶ Those guilty of obstructing the search for fugitives or in aiding escaped slaves, were subject to a fine of “not less than five hundred dollars, and imprisonment not less than two months.” For the full text of “An Act Respecting Fugitives from Labor, and Slaves brought to this State prior to her admission into the Union,” see *Statutes of California*, 1852, pp. 67-69.

testify against whites in California's courts, they were especially vulnerable to charges of fugitivism and therefore re-enslavement. Indeed, with the fugitive slave law in hand, California's jurists, on the whole, ruled in defense of slaveholders. In dozens of cases between 1852 and 1855, they rejected the freedom claims of African Americans and remanded them to their owners.

The state Supreme Court rendered a particularly consequential ruling in the case of three previously liberated African Americans, Robert Perkins, Carter Perkins, and Sandy Jones. The men had been carried to California during the gold rush, only to be emancipated in 1851, shortly before their master returned alone to Mississippi. But upon the passage of the fugitive slave law one year later, their former owner's cousin reclaimed the ostensibly liberated slaves. When their case came before the supreme court, the two presiding judges, both southern-born Democrats, ruled in favor of the master's cousin, effectively re-enslaving the three African Americans and giving firm legal backing to state's fugitive slave law. It was a ruling that, in many ways, prefigured the Dred Scott decision of 1857 by sustaining slaveholders' rights to carry their human property across free soil without risk. The highest court in California had spoken: slavery was national.⁵⁷

Such decisions deepened the divisions between antislavery and proslavery forces within the state, and attracted national and international attention to California's political battles. The Perkins case, in particular, galvanized the small abolitionist community in

⁵⁷ For accounts of Crabb's bill and the legal battles that ensued, see Smith, *Freedom's Frontier*, 46, 64-73; Richards, *California Gold Rush and the Coming of the Civil War*, 127-131; Lapp, *Blacks in Gold Rush California*, 139-146; Powell, "Southern Influences in California Politics," 110-112. Smith, in particular, makes the fugitive slave bill a centerpiece of her chapter on black slavery in California.

California, which would continue to press freedom suits for the enslaved and to lobby against the ban on black testimony.⁵⁸ But in such a proslavery state, theirs was an uphill battle. Abolitionists as far away as Britain recognized as much when, in 1854, one antislavery advocate noted that America had effectively “extended the legalization of the traffic to California” – a reference, most likely, to the security that masters enjoyed under the state’s fugitive slave bill.⁵⁹

Martin Delany, a leading black abolitionist, similarly lamented proslavery developments in the Far West. “California by three successive acts of the legislature, has granted to slave-holders the right to take their slaves into the State, for and during the term of three consecutive years;” he claimed in an 1855 speech in Pittsburg, “and now seriously contemplates its permanent establishment, which doubtless will be consummated during the next year.”⁶⁰ The wholesale reintroduction of slavery to California never came to pass, as Delany and others had feared, but southerners would continue to wield an outsized influence in the legislature and in courtrooms across the state. They pressed their advantages as California divided against itself. Half a decade after the passage of its antislavery constitution, California was less free than ever.

William Gwin’s California

⁵⁸ Reports of freedom suits appeared in northern and abolitionist papers up until 1855. See, for instance, *National Anti-Slavery Standard*, July 6, 1855. For a history of this antislavery activity in the wake of California’s fugitive slave law, see Lapp, *Blacks in Gold Rush California*.

⁵⁹ *British Banner*, March 22, 1854.

⁶⁰ The speech was given in Pittsburg in August 1855 and reprinted in the *Provincial Freeman*, August 24, 1855.

Perhaps the most remarkable fact of California's early political history is the degree of control that proslavery southerners were able to maintain despite their numerical disadvantages. They owed much of this success to one man in particular, William McKendree Gwin. The Mississippi planter-cum-California kingpin built an extensive network of proslavery Democrats within the state, giving shape to the political faction that would become known as the Chivalry. Although the etymology of the name is somewhat obscure, the Chivalry originated in the early 1850s as a pejorative for the proslavery wing of California's dominant Democratic party – most likely as a play on the feudal sensibilities of antebellum southerners.⁶¹ Through the decade, Gwin served as the de facto leader of this faction, and used his influence at the national level to fill California's federal posts with his southern friends. Gwin was as generous to his allies as he was unrelenting with his enemies, and, like many southerners in California, he resorted to the duel when sufficiently antagonized.⁶² Resilient and ambitious in equal measures, Gwin weathered the vagaries and violence of California politics to steer the ship of state in a consistently southern direction. Indeed, under his direction, antebellum California became something of a client to the slave South.

When not lobbying for federal appropriations or a Pacific railroad through slave country, Gwin was often calling in personal favors to staff California's plum posts with likeminded southerners. As the state's ranking senator through most of the decade, Gwin essentially wielded veto rights over any federal appointment to California. Even during

⁶¹ For more on the origins of the term, see Lynch, "Southern California Chivalry," 66.

⁶² For reports on some of Gwin's political feuds, see Sylvester Mowry to Edward Bicknell, May 30, 1853, letters of Sylvester Mowry, BANC; and *Frederick Douglass' Paper*, June 18, 1858. Gwin's brother was killed in a political dispute in Mississippi roughly two decades earlier.

his two years out of office, from 1855 to 1857, he spent much of his time in Washington as a presidential confidant. Gwin distributed these plums in return for political fealty. And there were plenty of positions to go around: the state required a legion of appointees to staff its courts, the postal service, the Indian Office, the land office, the San Francisco Custom House, and a number of lesser positions. The Collector of Ports of San Francisco alone controlled a staff of 80 to 200 men. While California's mines yielded diminishing returns, federal jobs continued to pay, and to pay well, through the decade. In this way, Gwin and the Chivalry enforced a strict sense of party discipline that helped them overcome their relatively small base of southern-born voters within the state. In distributing these plums, Gwin was transparently sectional. He "proved treacherous to his northern friends and always favored the south," the former state senator Elisha Crosby recalled. "No northern man, no friend at the north who was known to be strongly against slavery ever received anything at his hands. Every thing he did was in favor of Southern interests."⁶³ The San Francisco Customs House came to be known as the Virginia Poorhouse, "from the number of scions of the first families of Virginia that were stowed away there on fat salaries."⁶⁴

But if Gwin's allies were legion, so too were his enemies. In the scramble for political office, those overlooked by the Chivalry machine often turned to Gwin's main rival, David D. Broderick, a Democrat from New York. John Bigler, the state's governor from 1852 to 1856, did just that after finding himself consistently outmaneuvered by

⁶³ Crosby, *Memoirs*, 62.

⁶⁴ Carr, *Pioneer Days in California*, 347. For more on the federal patronage in California and how Gwin controlled it, see Richards, *The California Gold Rush and the Coming of the Civil War*, 116, 183-186; Powell, "Southern Influences in California Politics," 74, 77, 99.

Gwin in the contest for spoils. Writing to his brother – then serving as governor of Pennsylvania – Bigler complained that the Pierce administration “listens to Gwin” and that “we are not heard or consulted.”⁶⁵ Hitching his political fortunes to the anti-Chivalry faction, Bigler reinforced the influence of Broderick and ensured that the biggest threat to Gwin’s control would come from within the Democratic party itself. While Gwin headed the Chivalry, Broderick marshaled what became known as the Shovelry, a faction of mildly antislavery northerners who sought to block the overtly pro-southern agenda that currently prevailed within California. By mid-decade if not earlier, the Shovelry – a play on the working-class roots of leaders like Broderick, the son of a stonemason – represented a powerful alternative and consistent check on the proslavery politics of California’s southern leadership.

Like Gwin, Broderick inspired (and demanded) strong demonstrations of loyalty from his political allies. He was, after all, an acolyte of New York’s hierarchical Tammany machine, and he carried those lessons to California, where he became an “able, powerful and autocratic leader of his wing of the party,” in the words of the contemporary observer, James J. Ayres.⁶⁶ The Chiv leader, Milton Latham, was merely repeating a common refrain when he described Broderick as one with “the peculiarity of tying to him his supporters in the most wonderful degree.”⁶⁷ He was “implacable as an enemy, but unswervingly true to his principles and his friendships,” Ayres recalled. “the

⁶⁵ John Bigler to William Bigler, April 14, 1854, William Bigler Papers, Box 6, Historical Society of Pennsylvania (HSP). For more on John Bigler and federal patronage, see [Winston?] S. Pierce to William Bigler, Box 5, Bigler Papers, HSP.

⁶⁶ Ayres, *Gold and Sunshine*, 119.

⁶⁷ Milton Latham to James Mandeville, November 18, 1856, James Mandeville Papers, Box 8, HEHL.

idol of the rougher classes, [Broderick]... controlled them to his iron will by a supremacy that brooked no question.”⁶⁸ In many ways, the leaders of the Chivalry and Shovelry factions were natural counterpoints. Broderick, the product of the bare-knuckle ward politics of New York’s working-class communities, resented the aristocratic hauteur of Gwin, the wealthy planter.⁶⁹ Yet despite their vastly disparate backgrounds and constituencies, both leaders employed similar tactics in order to gain an edge in the rough-and-tumble political climate of antebellum California. Both the Chivalry and the Shovelry resorted to bullying, ballot stuffing, and outright violence to win votes.⁷⁰

Broderick was by no means an abolitionist, but the brazen agenda of the state’s Chivalry leaders consistently drew the New Yorker into the controversy over slavery and black rights – or lack thereof. As early as 1850, Broderick, then in the state senate, helped defeat an act to exclude African American migration into California. His opposition to Gwin intensified in 1852 after the Chivalry leader blocked Broderick’s bid for the open U.S. Senate seat and instead secured the election of the doughface John B. Weller. That same year, Broderick distinguished himself in the struggle against the proslavery faction when he took a stand – albeit a futile one – against Henry Crabb’s

⁶⁸ Ayres, *Gold and Sunshine*, 121.

⁶⁹ For more on these divergences and general background on Broderick, see Arthur Quinn, *The Rivals: William Gwin, David Broderick, and the Birth of California* (New York: Crown, 1994), 41-55. Opponents of Broderick regularly mocked his background. One “gentleman of high standing,” remembered him from his New York days as “a Bullying rowdy fireman” who “kept a three cent grogery;” Andrew Jay Hatch to James W. Mandeville, March 3, 1854, Box 4, James W. Mandeville papers, HEHL.

⁷⁰ As Broderick purportedly told one of his supporters: “You respectable people I can’t depend on. You won’t go down and face the revolvers of those fellows, and I have to take such material as I can get hold of. They stuff ballot boxes and steal the tally lists, and I have to keep these fellows to aid me;” Annis Merrill, Statement of Recollection on Early Days of San Francisco after the American Occupation for Bancroft Library, Mss, 1878, p. 10, BANC. For more on corruption in early California politics, see John Currey, Incidents in California, Statement by Judge John Currey for Bancroft Library, Mss, 1878, BANC; Jefferson Martenet to his mother, April 2, 1857, Jefferson Martenet Correspondence, HEHL. Currey even suggested that John Bigler, Broderick’s ally, twice won the gubernatorial election through fraud, pp. 11-12.

fugitive slave bill. Broderick had more luck in another contest against Crabb, when he derailed the Tennessean's attempts to call a new constitutional convention, which, many assumed, was intended to force a division of the state. The next year, Broderick triumphed over the proslavery wing of the party when he helped secure the gubernatorial election of John Bigler over several southern-born rivals.⁷¹ With each successive struggle, the gulf widened between the two factions of the Democratic party.

A breaking point came in 1854 with the national controversy over the Kansas-Nebraska act. Overriding the objections of Broderick and other antislavery moderates, the Chivs in the statehouse passed a joint resolution approving the Stephen Douglas's bill in May of that year. California thus became the only free state aside from Douglas's Illinois to endorse the legislation that overturned the Missouri Compromise and permitted the introduction of slavery into a northern territory.⁷² Perhaps California's Chivs saw in Kansas the first domino in a chain that would push slavery to the Far West. This is certainly what the slaveholding senator David Rice Atchison had in mind when he wrote, "If Kansas is abolitionized, Missouri ceases to be a slave State, and New Mexico becomes a free State; California remains a free State." But, he continued, "If we secure Kansas as a slave State, Missouri is secure; New Mexico and Southern California, if not

⁷¹ For more on these political battles, see Powell, "Southern Influences in California Politics," 78-89, 128; Stanley, "The Republican Party in California," 61.

⁷² *Statutes and Amendments to the Codes, State of California, 1854*, pp. 223-224; and *California State Assembly Journal*, 446. For John B. Weller's support of the bill, see John B. Weller, *Speech of Mr. Weller, of California, in the Senate, February 13, 1854, on the Nebraska and Kansas Bill* (no publisher, no date), Benjamin Hayes Scrapbooks, Vol. 17, p. 70, BANC. [Did any slave states not endorse Kansas-Nebraska, like perhaps Delaware?]

all of it, become a slave State.”⁷³ As Atchison and many across the South and West recognized, California’s free soil constitution was anything but permanent. Indeed, the same California legislature that endorsed the Kansas-Nebraska act would continue to give protection to slaveholders within the state, by passing an extension of the fugitive slave act with three-to-one support in the senate.⁷⁴

The issue of slavery became, at times, a fighting matter in California. Before Bleeding Sumner, there was Bleeding Colby. In April 1854, a proslavery state senator attacked one of his free soil colleagues with a cane, thereby anticipating by two years Preston Brooks’s infamous assault on Charles Sumner on the U.S. Senate floor. The affray took place shortly after the extension of the fugitive slave act within the California legislature. When one lawmaker pointed out that the state Supreme Court had, in fact, ruled in favor of the fugitive slave law – a reference to the Perkins decision, no doubt – Senator Colby of Sacramento responded that such judicial opinions could not prevent him from entertaining contrary views. The staunchly proslavery Senator Leake of Calaveras County took issue with the remark, and shortly thereafter “obtained possession of a heavy cane,” according to a report in the *Sacramento Daily Union*. Once the senate had adjourned for the day, Leake advanced upon Colby with the cane and, according to the same report, “struck him several blows...over the head.” Colby managed to wrestle his assailant to the ground before several colleagues intervened and ended the melee.

⁷³ Atchison’s letter initially appeared in the *Charleston Mercury* and was reprinted in the *National Anti-Slavery Standard*, November 10, 1855. For more on the impact of Kansas on the prospects for slavery in the Far West, see Chapter 4.

⁷⁴ For more on the Chiv support for Kansas-Nebraska, see Smith, *Freedoms’ Frontier*, 74-75.

Apparently Leake's aim was not as true as Preston Brooks's would be two years later, and Colby escaped with several scratches on his head.⁷⁵

California was again a political bellwether during the elections of September 1854. In the wake of Kansas-Nebraska, rifts among California's Democrats reflected the divisions that had been exposed within the party's national leadership as well. The Chivalry and Shovelry broke off into rival conventions during the summer of 1854, and ran on separate tickets and separate platforms in the fall elections. Among other measures, Gwin's platform reaffirmed support for the Kansas-Nebraska Act, endorsed Robert Walker's Atlantic and Pacific Railroad (what Thomas Jefferson Green called "the great slavery road"), and nominated for Congress Philemon Herbert of Alabama and James W. Denver of Virginia.

In spite of rising discomfort over slavery's expansion and the organization of a Know-Nothing Party within the state, the proslavery wing of the party overwhelmed their free-soil opposition in the elections – a result that even surprised some party insiders. "The returns as they came in astonished every one, but none more than the Whigs & Broderickites," one Democratic operative wrote. "It [the Chivalry] has made a clean

⁷⁵ The report of the affray is in *Sacramento Daily Union*, April 13, 1854. It also receives a brief mention in Lapp, *Blacks in Gold Rush California*, 146; and Smith, *Freedom's Frontier*, 74-75.

sweep.”⁷⁶ Especially promising was the election of two Chivs to U.S. Congress, Herbert and Denver, who would continue to promote southern interests at the national level.⁷⁷

The divisions between the two wings of the Democracy would provide an opening for the newly formed Know Nothing Party the next year, whose candidates upended the old balance of power by winning the governorship, as well as majorities in the assembly and state senate.⁷⁸ Yet this was not a death blow to southern interests in California, since most Know Nothing leaders, like David Terry of Texas and Henry Foote of Mississippi, professed strong proslavery views. In fact, Terry even supported the reopening of the African slave trade. In any case, the Know Nothing insurgency was short-lived.

⁷⁶ Luther B. Curtiss to James W. Mandeville, September 28, 1854, Mandeville papers, Box 4, HEHL. The James Mandeville collection is an especially rich resource for the political struggles within California’s Democratic party at mid-decade. Mandeville, although born in New York, was a steadfast Gwin ally, and he and his correspondents kept close tabs on the shifting fortunes of their Chivalry faction. On the divisions within the Democratic Party at this time, see P.L. Solomon to Mandeville, Jan. 31, 1854, Box 3; Fleming Amyx to Mandeville, April 1, 1854, Box 4. On the 1854 election for California’s open U.S. Senate seat – which again saw David Broderick foiled in his bid for the office – see Edward Rutledge Galvin to Mandeville, Feb. 1, 1854, Box 3; Fleming Amyx to Mandeville, February 4, 1854, Box 3; Andrew Jay Hatch to Mandeville, March 3, 1854, Box 4; all in Mandeville papers, HEHL.

⁷⁷ It was James Denver for whom the capital of Colorado would later be named. Herbert, on the other hand, would have a more checkered career. Upon being declined breakfast at a Washington D.C. hotel in 1856, an enraged Congressman Herbert incited a brawl with one of the establishment’s waiters. After the combatants were separated, Herbert drew a pistol, fired, and killed the waiter. Although acquitted of manslaughter, his congressional career was finished and he did not seek reelection. Herbert later moved to Texas where he practiced law. Then, in the spring of 1861 he traveled to Arizona, and played a leading role in the secessionist movement there (see Chapter 4). He returned to the South during the war, joined the Confederate army, was wounded at the Battle of Mansfield in April 1864, and died of his wounds several months later. For the sensation created by Herbert’s killing of the hotel waiter, see *New York Times*, May 12, 1856; for biographical details see Philemon T. Herbert in *Biographical Directory of the United States Congress* [retrieved June 2, 2016]. For John B. Weller’s efforts to secure Herbert a strong defense at trial – for which he drew sharp criticism – see John B. Weller, *Speech of John B. Weller, Delivered in Sacramento, at a Mass Meeting of the Democracy, Held on Saturday Night, July 25th, 1857* (Sacramento: James Anthony & Co., 1857), Hayes Scrapbooks, Vol. 17, BANC.

⁷⁸ Know Nothing candidates won 56 of 90 assembly races and 17 of 33 senate seats. For an account of the rise and fall of California’s American Party, see Richards, *The California Gold Rush and the Coming of the Civil War*, 176-180; and Powell, “Southern Influences in California Politics,” 91-96. For more on the early organization of the Know Nothing Party in California, see R.A. Robinson to Mandeville, August 11, 1854, Box 4; Luther B. Curtiss to Mandeville, Sept. 1 1855, Box 6. On the Know Nothing surge in popularity and power, see Charles L. Scott to Mandeville, Jan. 19, 1856, Box 6, all in Mandeville papers, HEHL. See also, Jefferson Martenet to his mother, September 15, 1854, Jefferson Martenet correspondence, HEHL.

Democrats succeeded in blocking Foote's bid for the open U.S. Senate seat in the 1856 race, and by the winter of that year, political operatives could confidently predict that the Chivalry would "rout them horse and foal next fall."⁷⁹ True to such political forecasts, the American Party was driven from power in September 1856, and the Chivs regained their dominant position within the statehouse.⁸⁰

Although the enduring divisions within the Democratic Party denied Gwin reelection to the U.S. Senate, he continued to exert his political influence during a two-year lull, before reclaiming his seat by 1857.⁸¹ Like Gwin himself, his Chivalry faction weathered numerous threats to its power, beating back a Know Nothing insurgency and continuing to check the formidable opposition of Broderick's Shovelry. Between the fugitive slave act, the endorsement of the Kansas-Nebraska bill, the election of Chiv representatives to Congress, and the tireless scheming for a division of the state, proslavery Californians consistently allied their state with the slave South. Even though

⁷⁹ Caleb Gilman to Mandeville, Feb. 13, 1856, Box 7. For commentary on the poor prospects of Foote and other "midnight marauders" within the American Party, see William C. Parker to Mandeville, January 13, 1856, Box 6; Fleming Amyx to Mandeville, January 25, 1856, Box 6. For more on the sinking ship of Know Nothingism, see William B. Norman to Mandeville, August 14, 1856, Box 7, all in Mandeville papers, HEHL. Much like his fellow Mississippian William Gwin, Henry Foote saw in the West a chance for political advancement. In his memoirs, Foote referred to Gwin as "my old and valued friend," although like much of Foote's remembrances, this remark bears the heavy hand of historical revisionism. Gwin's allies were, after all, largely responsible for denying Foote the senate seat; Foote, *Casket of Reminiscences*, 340.

⁸⁰ As one Chiv supporter celebrated, "You have killed Know Nothingism, Black Republicanism, and all the other isms," J.B. Kennedy to Mandeville, Nov. 9, 1856, Box 8, Mandeville papers, HEHL.

⁸¹ Curiously, Gwin claimed, in his own memoirs, to have served continuously from 1849 to 1861. Perhaps he did not consider the 1855-57 period as a break in his service, as legislature failed to elect a replacement and thus his old seat remained vacant for those two years. William M. Gwin, *Memoirs on the History of United States, Mexico, and California of Ex Senator Wm. M. Gwin, Dictated by Himself for Bancroft Library*, Mss, 1878, BANC, pp. 1-4. [check Or's photographs for page numbers]. Gwin's memoirs are notoriously unreliable. For instance, Gwin paints himself as a disinterested party in the slave controversy and as a committed Unionist. His revisionist writings seem to have strongly influenced Lately Thomas, his biographer, who portrays Gwin in a highly flattering light; Lately Thomas, *Between Two Empires: The Life Story of California's First Senator, William McKendree Gwin* (Boston: Houghton Mifflin, 1969).

plans for the full-scale importation of slavery to California had foundered, the enduring power of Chivalry politics provided a safe haven for southerners in the West and a safeguard for proslavery interests within Congress.

The Dismal Career of California Republicanism

There was no greater testament to the strength of proslavery politics in California than the chronic troubles of the state's early Republican Party. In most other states, the divisiveness of the Kansas-Nebraska Act opened a wedge for Republican politics and profoundly weakened Democratic machines after 1854. Not so in California. Aside from the brief Know Nothing interlude, Democrats swept every election within the state and dealt the Republican party a string of humiliating defeats, up until 1860. Free soil, free labor, free men – this rallying cry, by and large, fell on deaf ears in antebellum California.

By the time California's Republican party formed in the spring of 1856, antislavery politicians had already founded chapters in most every other free state of the union. Slow to organize, the state's Republican machine was also small in numbers. "No record, I venture to say, can be found of a political organization starting out with fewer adherents," recalled Cornelius Cole, the founding member. Aside from a few personal friends, including the merchants Collis Huntington, Mark Hopkins, Leland Stanford, and the Crocker brothers, the entire early membership "could be counted on one's fingers,"

Cole added.⁸² The first state convention in April 1856 in Sacramento attracted delegates from only thirteen of California's forty-two counties, with over half the delegates coming from either San Francisco or Sacramento itself. Unlike their Democratic adversaries, most of these early adherents to Republicanism were political novices.⁸³

The 1856 presidential campaign of John C. Fremont threw hard light on these organizational weaknesses. Fremont carried eleven of sixteen free states, with majorities as large as 78, 64, and 61 percent in parts of the Northeast. Yet in California he captured barely 19 percent of the vote, his weakest showing in any free state. The Pathfinder, one might suspect, could have counted on greater support from the state that had made him its first U.S. senator, and where he had earned early celebrity as the leader of the Bear Flag rebellion. But controversy over a floating land grant that Fremont held in Mariposa antagonized voters in California's mining districts, and Chiv opponents made the most of his disputed claims. The Mariposa issue, however, only partly explains his electoral rout. In the state elections of September 1856, after all, the Republican Party fared even worse than Fremont himself, polling just 18 percent across California.⁸⁴

As state senator Colby had learned in 1854 and as Republican candidates found two years later, to speak openly against slavery in antebellum California was to court danger. Among the southern-born majority of Sonoma County, for instance, "The name of 'black Republicans' stunk in their nostrils worse than that of a horse-thief," according

⁸² Cole, Cornelius, *Memoirs of Cornelius Cole* (New York: McLoughlin Brothers, 1908), 112-113. For more commentary on the founding of the party, see also Carr, *Pioneer Days in California*, 326; and Merrill, *Recollections of Early Days of San Francisco*, MSS, BANC, p. 10.

⁸³ The best account of the state's early Republican Party remains the dissertation of Gerald Stanley, "The Republican Party in California."

⁸⁴ Richards, *The California Gold Rush and the Coming of the Civil War*, 169-172, Stanley, "The Republican Party in California," 52-53.

to memorialist John Carr.⁸⁵ While Democrats and Know Nothings ran their party rallies without incident, the threat of violence loomed over every Republican gathering during these early years. A mob interrupted the state's first Republican meeting in April 1856, hounding the speaker and overturning his platform. Matters hardly improved from there. Throughout the 1856 campaign, proslavery zealots regularly disrupted meetings, pelted speakers with rotten food, and even pulled a Republican candidate from his speaking stand. If a man "was known to have any free-soil sentiments," Carr recalled, "he was spotted at the ballot-box, and likewise socially."⁸⁶ Such threats took on a particularly dire aspect with the appearance, in May 1856, of a handbill entitled "TO ARMS!" It called for the lynching of all Republican leaders, "and as many of the Attaches of said traitors as may be deemed necessary to restore the public quiet and put a stop to such treasonable practices."⁸⁷

In their tactics of violent intimidation, these anti-Republican obstructionists bore some resemblance to the proslavery squatters then operating in Kansas, and likewise earned the epithet "border ruffians" from California's beleaguered free soilers. As a prominent California jurist recalled, these border ruffians ensured that, "to be an abolitionist or a freesoiler was certain destruction to the aspirations of any person for political preferment."⁸⁸ Antebellum California's political landscape was a battlefield, and proslavery forces mustered in superior numbers to sustain their electoral edge.

⁸⁵ Carr, *Pioneer Days in California*, 342.

⁸⁶ Carr, *Pioneer Days in California*, 328. For comments on California's border ruffians, see p. 332.

⁸⁷ Cole, *Memoirs*, 113-114. As Cole happily noted, however, no hangings followed from this threat. For more on anti-Republican violence, see Stanley, "The Republican Party in CA," 37-39.

⁸⁸ John Currey, *Incidents in California*, Statement by Judge John Currey for Bancroft Library, Mss, 1878, p. 7, BANC.

While mobs assailed Republican rallies, California's politicians bolstered their own credentials through rhetorical assaults on free soilers, abolitionists, and African Americans, generally. Democrats repeatedly denied the petitions of California's black community to lift the ban on their testimony in court.⁸⁹ In an effort to overturn this ban, the state's African American leaders organized the Colored Conventions of 1855, 1856, and 1857 – giving California more meetings of this sort than any state other than Ohio – yet they could make little headway against the prevailing anti-black sentiment within the legislature.⁹⁰ These were the same lawmakers, after all, who regularly derided Republicans as “nigger worshippers,” “Black Republicans,” “fanatics,” “abolitionists,” “wooly heads,” “negrophilists,” and “white niggers.” Benjamin Franklin Washington of Virginia – the chairman of the Democratic Central Committee, who would run the leading Democratic paper during the Reconstruction era (Chapter 6) – accused Republicans of attempting to transform black into white.⁹¹ Meanwhile, southern California's preeminent orator, E.J.C. Kewen, blasted Republicans for forming “a party ‘conceived in sin, and brought forth in iniquity,’” who had unfurled “their black, piratical ensign” in defense of “traitorous principles.”⁹² California's Democrats were particularly

⁸⁹ As future Supreme Court Justice Stephen J. Field wrote, “At that time there was a great deal of feeling throughout the country on the subject of slavery, and any attempt to legislate in behalf of the colored people was sure to excite opposition, and give rise to suggestions that its promoter was not sound on the slavery question.” Thus, Field recalled, California's legislature quickly rejected black petitions on the testimony ban; Stephen J. Field, *Personal Reminiscences of Early Days in California, with Other Sketches* (no place: Stephen J. Field, 1893), 114.

⁹⁰ For reports on these Colored Conventions, see D.P. Stokes, *Proceedings of the First State Convention of the Colored Citizens of the State of California*, November, 1855, Harvard University, Rare Books and Manuscripts; A.E. Booth, *Proceedings of the Second Annual Convention of Colored Citizens of the State of California, Held in the City of Sacramento*, December 9-13, 1856, Harvard, Rare Books and Manuscripts; and *Frederick Douglass' Paper*, July 17, 1857. See also, Lapp, *Blacks in Gold Rush California*, 187-230.

⁹¹ Stanley, “The Republican Party in CA,” 37-42.

⁹² E.J.C. Kewen before the Democratic Committee of Los Angeles, September 15, 1856, in *Los Angeles Star*, September 20, 1856. Widely regarded as southern California's finest and fiercest orator, Kewen was

outraged at the election of N.P. Banks as Speaker of the U.S. House of Representatives – an indication how popular free soil politics had become outside of the South and Far West – and they made opposition to his appointment a central point in their anti-Republican crusade.⁹³

Against this avalanche of derision, violence, and electoral defeat, California's Republicans quickly moderated their official positions. To counter the frequent claims – albeit almost entirely false – that they harbored racially egalitarian views, California Republicans did all in their power to distance themselves from the stigma of abolitionism. While the state party platform in 1856 had opposed the expansion of slavery into the territories, Republicans thereafter abandoned this plank in favor of popular sovereignty. Meanwhile, the few Republicans within the statehouse proved to be far from progressive on racial issues. For instance, they voted for a Chinese exclusion bill, for a homestead law which denied homesteading rights to blacks and Chinese, and for a bill to declare null and void all marriages between whites and “negroes, mullatoes or Mongolians.” This

an unflinching champion of southern interests. The *Star* was the ideal venue for such a speech, as its editor, Henry Hamilton was, along with Kewen, one of the most outspoken defenders of the Chivalry faction in southern California. For more on both Kewen and Hamilton, see John W. Robinson, “Colonel Edward J.C. Kewen: Los Angeles' Fire-Eating Orator of the Civil War Era” *Southern California Quarterly* 61 (summer 1979), 159-181; Robinson, “A California Copperhead: Henry Hamilton and the Los Angeles Star” *Arizona and the West* 23 (Fall 1981), 213-230; also, Lynch, “Southern California Chivalry,” 106-109; Faragher, *Eternity Street*, 376-384.

⁹³ See *Speech of Hon. Frank Tilford, in the Senate of California, March 13, 1856, upon the Resolution of the Assembly, Concerning the Result of the Recent Election for Speaker in the U.S. House of Representatives* (Sacramento: B.B. Redding & Co., 1856), in Hayes Scrapbooks, Vol. 17, BANC. “Is it magnanimous or in good faith that the Northern or free States should wield the power obtained by such means, to trample on the feelings, or destroy the institutions of the South[?],” Tilford argued. He even presaged secession, warning that the men of the South “shrink, but with no unmanly fear, from the contemplation of civil war: yet mindful of their great descent, they will perish rather than submit to degradation.”

was not the racially enlightened Republican Party of Eric Foner's *Free Soil, Free Labor, Free Men*.⁹⁴

In the 1857 state election, the machine's leaders took a step that was probably unique in the history of the Republican party: they nominated a slaveholder for governor. Although he had voted for the admission of California as a free state while representing North Carolina in Congress in 1850, Edward Stanly still owned one bondsperson in his native state at the time of his gubernatorial nomination seven years later. During the campaign, Stanly endeavored to show "that the Republican party was not an Abolition party," in his own words. To that end, he cited his past congressional record, highlighting his opposition to both the abolition of slavery in the District of Columbia and the Wilmot Proviso. "A declaration by Congress that the South should never have any more slave States, I could not support," Stanley reassured a Sacramento audience during his campaign. When it came to slavery, there was "only... one evil," and that was the "degradation of labor."⁹⁵ At the polls, Stanly and the recalibrated platform on which he ran performed slightly better than had Republican candidates the previous year,

⁹⁴ Stanley, "The Republican Party in California," 30-32, 53-58, 81, 85-86, 89. Although Foner concedes that Republicans of the antebellum period did not, by and large, profess racial egalitarianism, his historical actors are nonetheless guided by a moral imperative to secure basic civil rights for African Americans. On matters of race relations, he argues, Republicans challenged "the prevailing opinion of the 1850s" and acknowledged "the essential humanity of the negro;" Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1970), 5, 9, 13-16, 261. In California, on the other hand, Republicans did not risk moralizing on race or even supporting modest civil liberties for African Americans.

⁹⁵ All of the above quotes are from Edward Stanly, *Speech of the Hon. Edward Stanly, Delivered at Sacramento, July 17th, 1857, at a Public Meeting Held in the Forest Theater* (no publisher, no date), BANC. For Stanley's proslavery position in Congress, see *Cong. Globe*, 25th Congress, 2nd session, appendix, 87. For a synopsis of another Stanly campaign speech in which he claims to have purchased his one slave "as an act of humanity," see *Sacramento Daily Union*, August 27, 1857.

capturing 22.5 percent of the vote.⁹⁶ Yet their prospects remained bleak. Republicans were still, by and large, political outcasts in California.

That same year, however, Republicans scored a victory by proxy in the election of the antislavery Democrat David Broderick to the U.S. Senate. Since 1852, Broderick had been vying for the seat, but his ambitions were consistently checked by Gwin's proslavery faction, until finally the New Yorker mustered the necessary support in the 1857 contest.⁹⁷ More promising still, Broderick's politicking had seemingly secured California's share of the federal patronage for the Shovelry. In what some called "the corrupt bargain," Broderick threw his support behind his nemesis, sealing Gwin's election for the second senate seat, and in return, Gwin agreed to hand over the federal patronage to Broderick's discretion. Although the two future senators tried to conceal their arrangement, it soon became known that Gwin had signed and sealed a document to this end – what became known as the "scarlet letter." Soon, both Chivarly and Shovelry leaders were embroiled in scandal.⁹⁸ But no amount of scandal could fully sour

⁹⁶ The Democratic nominee, John B. Weller, won in a landslide. The anomaly of the gubernatorial election of 1857 did not escape John Carr, who noted that the ardently proslavery candidate hailed from a free state, while the free soil candidate came from the slave South; Carr, *Pioneer Days in California*, 342. For more on the election, see Stanley, "The Republican Party in California," 59-60; and Gerald Stanley, "The Politics of the Antebellum Far West: The Impact of the Slavery and Race Issues in California," *Journal of the West* 16 (1977), 19-20.

⁹⁷ Reports on the buildup to the election and the politicking of the 1857 contest can be found in... To Gwin [signed only "your friend"], November 10, 1856, Box 8; David Blanchard to Mandeville, Nov. 16, 1856, Box 8; William B. Norman to Gwin, Dec. 20, 1856, Box 8; Gwin to Mandeville, Dec. 25, 1856, Box 8; all in Mandeville papers, HEHL.

⁹⁸ Indeed, Broderick and Gwin did a poor job of concealing their bargain. Soon after the election, one correspondent reported on the "rumored contract between Gwin and Broderick and a great deal of howling on the part of those who have always opposed Gwin." P.L. Solomon to James Mandeville, Mandeville papers, Box 8, HEHL. Another observer wrote, "Gwin has sold his friends for the sake of being elected. He has signed a contract giving Broderick the entire Federal patronage of California," John G. Hyatt to Charles M. Hitchcock, January 20, 1857, Hitchcock Family Papers, BANC. For years afterward, Gwin would deny that he entered into any such contract with Broderick. In an August 1859 he asserted that he had willingly given up the patronage with no expectation that Broderick would, in return, support his candidacy for the U.S. Senate; William M. Gwin, *An Address of Hon. W.M. Gwin to the People of the State*

Broderick's hard-won victory. At long last, it looked as if there might be a chance for California's moderate antislavery forces to exert control at the national level.

The Chivalry at High Tide

Broderick would not have long to savor his victory. If he had expected support from President Buchanan – whose campaign he backed in 1856 – he was to be sorely disappointed. The president's administration was staffed with southerners as well as northerners with proslavery sympathies, like Buchanan himself. Thus Broderick won himself few friends with his opposition to the recent Dred Scott decision, which Buchanan's official organ, the *Washington Union* had endorsed. And while Gwin initially remained aloof from the internecine struggles of Washington, the two Representatives from California, Charles L. Scott and Joseph McKibbin quickly joined forces against Broderick.⁹⁹ The deck was thus stacked against him, as Broderick quickly realized. When he finally secured a meeting with Buchanan, the president was notably cold. And when he pushed to have his friend John Bigler installed as collector of ports of San Francisco – one of the richest plums in the state – Buchanan instead handed the position to the Chiv favorite and proslavery ultra, Benjamin Franklin Washington. “Broderick is defeated, & is now in open hostility” to the Buchanan administration,

of California, on the Senatorial Election of 1857, Giving a History Thereof, and Exposing the Duplicity of Broderick, also Extracts from Speeches Delivered at Various Places upon the Political Issues of the Day (San Francisco: Daily National, 1859).

⁹⁹ According to Charles Scott, Gwin “was utterly powerless, by reason of the contract that he had entered into to relinquish the patronage of the state.” But Scott, McKibbin and others in Washington presented “a solid & undivided force” against Broderick; Charles L. Scott to Mandeville, March 18, 1857, Box 8. As Gwin himself noted, “Scott & McKibbin have assumed to control the patronage of the State against Broderick,” Gwin to Mandeville, March 19, 1857, Box 8, both in Mandeville papers, HEHL.

gloated Charles Scott in April 1857.¹⁰⁰ Gwin exulted as the humiliated Broderick rushed back to California “in a great rage” after less than a month in Washington, in a desperate attempt to secure the gubernatorial election of an antislavery ally.¹⁰¹ But he was again checkmated by the Chivalry, who succeeded in electing the doughface Weller.¹⁰² By outmaneuvering Broderick, California’s leading politicians would continue to enrich office-seeking southerners in the West and to endorse proslavery legislation at the national level.

Observers from the slave states were especially relieved by the humbling of Broderick. The sectional struggles of California’s Democrats had become well known to those outside the state, and slaveholding leaders like Jefferson Davis took a particularly lively interest in western politics. As one of the keenest continental expansionists, Davis recognized that the political fortunes of the Far West were closely linked with those of the slave South – one of the reasons he battled so diligently for a far southern transcontinental railroad. By 1853, if not earlier, Davis had been warned of the “miserable New York tacticians” in California and the Broderick faction who “are at heart against the South, against state rights, and favor all schemes of speculation, by legislation or otherwise,” in the words of Mississippi emigrant, Lewis Sanders. Yet he could take heart from the fact that Democrats would be denied office in California if they

¹⁰⁰ Scott to Mandeville, April 2, 1857, Box 8, Mandeville papers, HEHL.

¹⁰¹ Gwin to Mandeville, April 3, 1857, Box 8, Mandeville papers, HEHL. By this point, Gwin had effectively reneged on his pledge to refrain from the patronage struggles, and had would continue to nurture a close personal friendship with Buchanan. See Gwin to Mandeville, April 5, 1857, Box 8, for comments on “visiting the Cabinet and the President with whom I had talks they will not forget.”

¹⁰² For accounts of the 1857 struggles between Broderick and the Chivalry, see Richards, *The California Gold Rush and the Coming of the Civil War*, 196-200; Quinn, *The Rivals*, 227-251; Thomas, *Between Two Empires*, 142-165.

did not demonstrate sufficient opposition to “free soil and abolition tendencies.”¹⁰³

Watching these political developments in the West, Davis concluded that, “the country on the Pacific is in many respects adapted to slave labor, and many of the citizens desire its introduction.” If only the South could secure a favorable railroad route, he continued, slavery could expand westward and “future acquisitions to the South would insure to our benefit.” The result, he concluded, would be greater Congressional power for slaveholding interests.¹⁰⁴

The relationship between proslavery forces in the South and West, as Davis’s correspondence illustrates, was symbiotic. While Davis coveted California’s support in order to bolster southern influence within Congress, Californians in turn looked to leaders like Davis to ensure that the state’s antislavery forces would not gain the upper hand in Washington. Davis’s efforts on behalf of proslavery Californians became indispensable upon the election of Broderick to the U.S. Senate. As one western correspondent wrote, “Southern men here begin to look to you as their champion in the future Congresses to stave off the stealing land and other bills that will be introduced by Broderick, an uneducated low brute as he is.” Citing the bargain between Gwin and Broderick, he predicted the state’s offices “will be filled with shoulder strikers & black republicans, Spare us this.” He continued, “You have many personal friends as well as admirers in

¹⁰³ The quote about “New York tacticians” comes from Lewis Sanders to Jefferson Davis, March 5, 1853; the rest from Sanders to Davis, April 9, 1853, both in Jefferson Davis Papers, Special Collections & Archives, Transylvania University, Lexington, KY. My thanks to Susan Brown at Transylvania for making these and other letters available to me. It should be noted, however, that Sanders was no friend of Gwin, despite their common commitment to slaveholding rights, an indication that, although the Chivalry was a well-regulated political machine, it was plagued, like any other party faction, by deep internal divisions.

¹⁰⁴ Jefferson Davis to William R. Cannon, December 7, 1855, Lynda Lasswell Crist, ed., *The Papers of Jefferson Davis, 1853-1855, Vol. 5*, (Baton Rouge: Louisiana State University Press, 1985), 142.

this state, and every man friendly to the South & her institutions here, do not wish traitor politicians to ride over this community.”¹⁰⁵ As such correspondents recognized, California was not an island unto itself. Southerners belonged to a transcontinental community with shared political agendas. And they advanced those objectives by checking Broderick’s ambitions in Washington.

Over the coming years, slavery’s allies in the West kept up the fight. In September 1857 Kansas’s territorial legislature, dominated by slaveholders, met in Lecompton to draft a constitution in order to formally legalize bondage and to override the proposed free soil Topeka Constitution of 1855. The territory’s free-state majority boycotted the ensuing vote for ratification, and even Robert J. Walker, the solidly proslavery territorial governor (and spearhead for the “great slavery road”), resigned his office rather than implement a constitution that clearly lacked popular support. Nevertheless, Buchanan gave Lecompton his executive endorsement, thereby igniting an intra-party struggle along sectional lines – pitting the president and southern Democrats against Stephen Douglas and many of fellow northern Democrats. That rift was replicated within California’s congressional leadership, with Gwin and Scott supporting Lecompton and Broderick and McKibbin opposing it.¹⁰⁶ As Buchanan’s support waned and the Democratic Party unraveled, one might have expected California’s proslavery

¹⁰⁵ W.R. Isaacs MacKay to Jefferson Davis, January 13, 1857, in *Papers of Jefferson Davis, 1856-1860*, Vol. 6, pp. 99-101; see also Sanders to Davis, March 19, 1858, Transylvania Special Collections.

¹⁰⁶ The *National Anti-Slavery Standard*, April 10, 1858 published a list of the 31 U.S. senators and representatives who favored the Lecompton constitution, which included the names of William M. Gwin and Charles L. Scott.

partisans to moderate their position. Instead, they redoubled their efforts and brought the Far West even deeper into the slave South's political fold.

Indeed, while the Lecompton controversy invigorated antislavery politics throughout much of the country, it seemed to have the opposite effect in California. The state legislature lost little time in endorsing the proslavery constitution for Kansas, while the Chivalry press gained fresh fodder in its campaign against free soilers, blasting opponents of the Buchanan administration as "freedom shriekers," "abolitionists," and "Black Republicans."¹⁰⁷ Meanwhile, Gwin, as chair of the Senate Caucus Committee, punished the Democratic mutiny by booting Broderick from the Committee on Public Lands and removing Douglas from his chair on the Committee on Territories. Gwin would later justify his action by citing Douglas's position on popular sovereignty. Douglas was not fit for the office because he believed, in Gwin's words, that "a Territorial Legislature could *lawfully* by non-action or hostile legislation exclude slavery from such Territory." Gwin, on the other hand, argued that slaveholding rights in the territories were inviolable, regardless of what local voters may decide.¹⁰⁸ California's preeminent politician made his position clear: slavery was truly national, and western leaders would work to keep it that way.

¹⁰⁷ For California's endorsement of the Lecompton Constitution, see *Statutes of California, 1858*, 353-354. For more Democratic race-baiting, see the *Sonora Democrat's* response to anti-Lecomptonites, reprinted in the *Daily Globe*, February 5, 1858.

¹⁰⁸ The quote from Gwin comes from his 1859 Grass Valley speech, excerpted in Stephen A. Douglas, *Letter of Judge Douglas in Reply to the Speech of Dr. Gwin at Grass Valley, Cal.* (no publisher, no date), BANC. The pamphlet was a reprinting of Douglas's letter to the *Daily National* of San Francisco, written August 16, 1859 and published September 16, 1859. In it, Douglas argues that Gwin opposes the very fundamentals of popular sovereignty, and thereby places him at a proslavery extreme.

They did so in a particularly brazen fashion within California's Supreme Court in February 1858. Several months earlier, a Mississippi slaveholder, Charles Stovall had moved to Sacramento with his bondsman, Archy Lee. Once on California's free soil, Lee escaped, only to be recaptured by Stovall and dragged before two separate courts in order to defend his right of ownership. When both courts ruled against Stovall, he took his case to the state Supreme Court, which – to the shock and outrage of California's antislavery population – overturned the previous rulings and remanded Lee to slavery. That the state's fugitive slave code had lapsed roughly three years earlier mattered little to justices Peter Burnett and David S. Terry, both southern by birth and advocates for slaveholding rights in the West. In what historian Rudolph Lapp calls a "judicial absurdity," the justices ruled that Stovall's poor health and unfamiliarity with California law merited an exception to the state's free soil constitution and granted him permission to return to Mississippi with his slave property.

Galvanized by the clear miscarriage of justice, a group of abolitionists intercepted Stovall before he could return to Mississippi and secured a final hearing for Lee before a federal court, the U.S. District in San Francisco. There, Lee finally won his freedom. But the efforts of California's African Americans exacted a heavy toll. The legal fees took so much money from the black community that their newspaper, the *Mirror of the Times*, folded.¹⁰⁹ And shortly after the final verdict, California's pro-Lecompton faction

¹⁰⁹ The case and its aftermath was covered extensively in California's press. For detailed reports, see *Sacramento Daily Union*, March 8, 18, 19, 20, 22, 25, 1858; *Daily Alta California*, February 6, March 6, 9, April 20, May 31, 1858. For records of the several trials, including affidavits from Stovall and Archy Lee's attorneys, see *Stovall v. Archy, a Slave*, Case Files of the U.S. Commissioner, Record Group 21, Records of the District Courts of the United States, 1685-2009. For scholarly accounts see Rudolph M. Lapp, *Archy Lee: A California Fugitive Slave Case* (Berkeley: Heyday, 1969); Lapp, *Blacks in Gold Rush California*, 148-152, 236, see p. 149 for Lapp's "judicial absurdity" remark; Smith, *Freedom's Frontier*, 76-78.

proposed a new fugitive slave law and a bill to ban black immigration into the state, which passed the assembly before failing in the senate.¹¹⁰ Whether or not Senator James Henry Hammond of South Carolina had been apprised of these developments is uncertain. But when he looked to the western states and territories in March 1858, he could assure his southern brethren that “there is no antagonism between the South and [California and Oregon], and never will be.”¹¹¹

Unable to express their grievances at the polls, California’s African Americans instead voted with their feet. In April 1858 over 200 blacks, including Archy Lee himself, left California for Victoria, British Columbia. “Many of the colored [sic] people of California will select their future houses in the British possessions,” Billington Crum Whiting, a lawyer and former state senator wrote. “They are pleased with the idea of being allowed to vote, to testify in courts & to sit on juries.”¹¹² An estimated 400 to 800 African Americans from California settled in Victoria before the war, amounting to one of the largest movements of free blacks prior to the Great Migration of the early twentieth century. The discovery of gold in British Columbia proved especially enticing to prospective migrants, as did the possibility of escape from the discriminatory political

¹¹⁰ For the voting record on Assembly bill No. 411, “An Act to restrict and prevent the immigration to and residence in this State by Negroes and Mulattoes,” see *California State Assembly Journal*, 1857, pp. 811-812, 822-824.

¹¹¹ This was said during Hammond’s famous “King Cotton” speech, *Cong. Globe*, 35th Congress, 1st Session, (March 4, 1858), pp. 959-962. Broderick responded with a lengthy speech of his own. “Cotton king!” he scoffed at Hammond. “No, sir. Gold is king.” By Broderick’s estimates, the value of California’s gold exports was over one half the total value of cotton from all the slave states combined. He also used the speech as an opportunity to lash out at Buchanan, who had spurned him the previous year. Broderick hoped that future historians would ascribe the Lecompton Constitution to “the fading intellect, the petulant passion, and trembling dotage of an old man on the verge of the grave;” *Cong. Globe*, 35th Congress, 1st Session, appendix, 193.

¹¹² Billington Crum Whiting to Susan Helen Whiting, May 19, 1858, Billington Crum Whiting Papers, HEHL.

and legal culture of California.¹¹³ “Other parts of the world are unpolluted by the pestilential presence of the negro-hater,” reported *Frederick Douglass’ Paper*, in an article that urged California’s blacks to seek the mineral riches and enlightened policies of British Canada. “Here can the black American go as a man.”¹¹⁴

Stacey Smith refers to the Supreme Court decision in the Archy Lee case as “the dying gasp of slaveholder rights in California.”¹¹⁵ But there was still plenty of life left in the Chivalry. Philip Roach, a leader in the proslavery faction of California’s Democratic Party, made this much clear in his 1859 correspondence with Jefferson Davis.¹¹⁶ In a June letter, Roach enclosed the Chiv party platform as well as a list of candidates for twelve of the top offices, noting that “we have many fire-eating men as you will note by their places of nativity.” Indeed, the entire slate of candidates – with the exception of a single Pennsylvania doughface – was either southern-born or had come to California after prolonged residence in the South.¹¹⁷ Much like some of Davis’s other western

¹¹³ That California’s blacks would seek another mining community is understandable, as many had originally emigrated to the Pacific coast in search of gold. On African American migrants and the California gold rush, see *Frederick Douglass’ Paper*, April 1, 1852.

¹¹⁴ *Frederick Douglass’ Paper*, June 4, 1858. The abolitionist press was initially under the impression that the California legislature had succeeded in banning black immigration to the state. *Frederick Douglass’ Paper* corrected this misconception in a June 18, 1858 article. For more contemporary accounts on the political discrimination and violence that California’s blacks faced, see *Anglo-African Magazine*, January 1859. During the Civil War, Victoria’s black community raised money to aid contrabands. For an account of the migration and the factors that motivated it, see Lapp, *Blacks in Gold Rush California*, 239-255.

¹¹⁵ Smith, *Freedom’s Frontier*, 77. If there’s a critique to be made of Smith’s interpretation of Chivalry politics, it is that she dismisses the southern bloc from her narrative too quickly. According to historian Tamara Venit Shelton, the decline of the Chivalry was largely attributable to the faction’s inability to retain the allegiance of the squatter vote. Shelton, *A Squatter’s Republic: Land and the Politics of Monopoly in California, 1850-1900* (Berkeley and San Marion, CA: University of California Press, 2013), 46-47.

¹¹⁶ A native of Ireland, Roach moved to California during the gold rush of 1849. He became the first American mayor of Monterrey and also served as a newspaper editor and a member of the state legislature. For a brief biography, see Dunbar Rowland, ed., *Jefferson Davis, Constitutionalist: His Letters, Papers and Speeches*, Vol. 2 (Jackson, Mississippi: Mississippi Department of Archives and History, 1923), 442.

¹¹⁷ The list of candidates was as follows. For Governor: Milton S. Latham, Ohio (via Alabama); for Lt. Governor: John G. Downey, Ireland (via Mississippi); for Congress, northern district: John C. Burch, Missouri; for congress, southern district: Charles L. Scott, Virginia; for justice of the supreme court: W.W.

correspondents, Roach wrote as if California constituted part of the Mississippi senator's constituency. He praised Davis for past efforts and urged him to continue his advocacy for both a Pacific railroad and the Butterfield overland mail road. "When this question arises in Congress [of increased funding for the overland road]," Roach wrote, "I hope that you will merit our gratitude by its earnest advocacy."¹¹⁸ In turn, he assured Davis that he would do his utmost to prevent a particular rival from securing a congressional nomination.¹¹⁹ Thus, as the sectional controversy intensified, the West's Chivs and the South's political leaders continued to operate in tandem.

Per Roach's predictions, proslavery loyalists carried the state in the 1859 elections. In the three-way gubernatorial race, the Chiv candidate, Milton S. Latham, won in a landslide, capturing nearly 62 percent of the vote. Leland Stanford, the Republican candidate, captured less than 10 percent – the most dismal showing from his party in a decade punctuated by electoral disappointment. Republicans even lost their former stronghold of San Francisco to Lecompton Democrats. Furthermore, in the race for the state's two U.S. House seats, California voters elected a pair of fire-eating

Cope, Kentucky; for attorney general: T.H. Williams, Kentucky; for clerk of the supreme court: C.S. Fairfax, Virginia; for state treasurer: T. Findley, Pennsylvania; for controller of state: S.H. Brooks, Virginia; for surveyor general: H.A. Higley, Florida; for superintendent of public instruction: A.J. Moulder, Virginia; for state printer: C.T. Botts, Virginia. On the issue of slavery in the territories, the Chiv platform stated, "any attempt by Congress, or any of the States, to establish or maintain, prohibit or abolish the relation of master and slave in a Territory, would be a departure from the original doctrine of our American institutions." All this was included in Philip A. Roach to Jefferson Davis, June 27, 1859, in Rowland, ed. *Davis, Constitutionalist*, 4:59-61.

¹¹⁸ He reminded Davis that "To carry this region, next canvass, we must have a candidate on a strong Rail Road platform," and fretted the other southerners did not show sufficient zeal for the cause. He added, "After the R.R. the dearest object of hope for the Californians is the overland mail." Roach to Davis, May 17, 1859, in Rowland, ed. *Davis, Constitutionalist*, Vol. 4, pp. 52-53.

¹¹⁹ Roach to Davis, May 27, 1859, see also Roach to Davis, July 22, 1859, both in Jefferson Davis papers, Transylvania Special Collections. For more on the election and Roach's high hopes for a Chivalry victory over both Broderick Democrats and Republicans, see Roach to Davis, July 19, 1859 and July 25, 1859, both in Rowland, ed., *Davis, Constitutionalist*, Vol. 4, pp. 91-92.

Democrats, Charles L. Scott of Virginia and John C. Burch of Missouri. It would seem that Californians' anxieties over abolitionism trumped their anxieties over slaveholding expansion, in an election that can be seen as a referendum on the Lecompton Constitution and the status of slavery in the territories. Aside from these electoral victories, proslavery Democrats also succeeded in filling California's federal positions with southern-born men. Virginians now served as the collector of the port of San Francisco and as navy agent; Missourians held the San Francisco surveyorship as well as the superintendency of the mint; two Georgians ran the state's Indian agency; and a Texan headed the office of appraiser general. The only non-southerner in a major federal post was James W. Mandeville, a longtime Gwin ally from New York.¹²⁰

California's antislavery forces suffered their gravest loss that fall, not at the polls, but on a remote field near Lake Merced. Aside from the Hamilton-Burr affair, no duel in American history had such far-reaching political consequences as the one between David Broderick and David Terry in September 1859. Broderick had a legion of political adversaries, but few as hot-blooded or as deadly as Terry. The son of a Mississippi planter, Terry spent his formative years in Texas, before migrating to California with a company of fellow southerners and five slaves. As Stephen J. Field recalled, "Mr. Terry had the virtues and prejudices of men of the extreme South in those days," and he aired those prejudices freely, whether on the bench of California's supreme court or in public

¹²⁰ On the 1859 federal posts in California, see Richards, *The Californian Gold Rush and the Coming of the Civil War*, 183; on the elections of that year, see Stanley, "Politics of Antebellum Far West," 22-24; and Stanley, "The Republican Party in California," 72-78.

diatribes.¹²¹ It was one such diatribe that ignited the feud with Broderick, who was almost equally quick to anger.¹²² Their first attempt at a duel on September 12, 1859, ended in their arrest, though they were soon released and reconvened, along with their seconds and a crowd of 73 spectators, the following day.¹²³ There, Broderick's hair-trigger pistol prematurely discharged, leaving the skilled marksman Terry with a clean shot. He sighted along the barrel, took aim, and delivered the mortal blow.¹²⁴ Broderick expired three days later, the last U.S. senator to be killed until Bobby Kennedy in 1968.¹²⁵

Broderick's body was still warm when antislavery Californians began to cry foul. Chiv opponents claimed that Broderick's gun was designed to misfire, while Terry had practiced extensively with hair-trigger pistols. Quite simply, "the duel was unfair,"

¹²¹ Field, *Personal Reminiscences*, 124. Terry was known to carry a bowie knife and a pistol on his person, and he became involved in a number of quarrels and brawls during his time in California. See Powell, "Southern Influences in California Politics," 140141.

¹²² Because of his short-fuse and his manifold enemies within the state, Broderick was, on several occasions, drawn into nearly violent feuds. Indeed, political observers in California regularly predicted that Broderick's political disputes would end in duels. Billing Whiting, for instance, reported on an 1852 feud between Broderick and another political adversary, a Virginian and judge on California's superior court; see Whiting to Susan Helen Whiting, March 18, 1852, Whiting Papers, HEHL.

¹²³ According to Annis Merrill, had the judge "held them to bail, the duel would not have taken place," Merrill, *Recollections of Early Days of San Francisco*, MSS, BANC, p. 7-8.

¹²⁴ A number of newspapers across the country reported on the duel, as well as the political feud from which it originated. That feud started with a speech from Terry at the pro-Lecompton Democratic Convention of 1859, where he savaged Broderick and California's antislavery politicians. "Perhaps they [Broderick's supporters] do sail under the flag of Douglas, but it is the banner of the Black Douglas [great cheers] whose name is Frederick, not Stephen," Terry thundered. When Broderick read the transcript of the speech he lashed out against "The damned *miserable wretch*." Broderick had defended Terry against the Vigilance Committee in 1854, and had "hitherto spoken of him as an honest man – as the only honest man on the bench of a miserable corrupt Supreme Court," Broderick reportedly said, "but now I find I was mistaken. I take it all Back. He is just as bad as the others;" *Daily Columbus Enquirer* (Columbus, Georgia), October 14, 1859.

¹²⁵ Richards, *The California Gold Rush and the Coming of the Civil War*, 3-7; 219-221. Broderick was not the only prominent Californian to be killed in a duel in the 1850s. One year earlier, George Pen Johnson gunned down state senator William I. Ferguson. Ironically, Ferguson was the author of the state's anti-dueling law. Johnson had recently achieved a degree of celebrity as the U.S. commissioner who finally ruled in Archy Lee's favor, thus granting him his freedom; Oscar Tully Shuck, ed. *History of the Bench and Bar of California* (Los Angeles: Commercial Printing House, 1901), 240-245; Carr, *Pioneer Days in California*, 345.

according to California jurist Annis Merrill.¹²⁶ But the conspiracy ran deeper than that, according to others. Indeed, they claimed that Broderick's death was part of a premeditated plan to remove from office the most powerful threat to a Chivalry political monopoly. "It became apparent before the election that a settled & fixed determination had been agreed upon by the southern chivalry to kill of [sic] Broderick & thereby create a vacancy in the senate to be filled by one of their own kind," Billington Whiting wrote to his wife. Broderick had thus become merely "another victim to gratify the sectional malice of southern politicians."¹²⁷ Southerners had, after all, been conspiring to advance their proslavery interests in the West since before statehood, and there was little reason to believe they had significantly modified their strategies. True to form, the Chivalry lost little time in filling Broderick's seat with Henry P. Haun, a moderately proslavery Democrat from Kentucky.¹²⁸

California's antislavery leaders now wielded a cudgel with which to bludgeon the dominant Chivalry faction. Although Broderick had remained a Democrat to his dying day, beleaguered Republicans were particularly eager to claim the mantle of the West's antislavery martyr. Edward Baker, the Republican leader and Archy Lee's defense attorney, delivered the eulogy at Broderick's funeral – "the largest and most imposing that had been seen up to that time in San Francisco," according to one observer.¹²⁹ Baker

¹²⁶ Merrill, *Recollections of Early Days of San Francisco*, MSS, BANC, p. 7-8.

¹²⁷ Whiting also remarked on how the duel had been rigged in Terry's favor. Of the two pistols, "one was marked with a scarcely perceptible nick indicating Mr. Terry's choice," he wrote. "They one left to Broderick went off at the slightest touch, and was prematurely discharged;" Whiting to Susan Helen Whiting, Sept. 18, 1859, Whiting Papers, HEHL.

¹²⁸ Haun served the remainder of Broderick's term, until March 1860, at which point he was replaced by Milton S. Latham.

¹²⁹ Carr, *Pioneer Days in California*, 363. Broderick's death elicited a national outpouring of grief. New York held a second funeral for its native son, while the Republican National Convention at Chicago hung a

reinforced rumors of a Chiv conspiracy by quoting Broderick's supposed last words: "They have killed me because I was opposed to the extension of slavery and a corrupt Administration." In eulogizing Broderick, Baker clearly hoped to bury Gwin. He thus harped on proslavery malfeasance. "Never in the history of political warfare has any man been so pursued," Baker claimed. "It has been a system tending to one end, *and the end is here.*" The result, he lamented, was a state without direction, caught in the grasp of a merciless slave power. His eulogy ended on a note of despair: "Who now can speak for California?"¹³⁰

Conclusion

The answer was not at all heartening. True, charges of conspiracy had struck a chord with California's voters and badly damaged the reputation of the Chivalry machine. But with a congressional delegation monopolized by slaveholding interests and a statehouse controlled by Lecompton Democrats, California had probably never seemed further from its free soil origins than it did during the fall of 1859.¹³¹ From the perspective of California's ailing antislavery faction, there was no clear end in sight to the long reign of southerners in state politics. Lecompton Democrats shrugged off the

portrait of Broderick, ringed in black crepe. In California, trophy hunters began seeking Broderick's autograph, and his supporters erected a monument at his gravesite in Lone Mountain Cemetery, San Francisco. For the text of the New York funeral address, see John W. Dwinelle, *A Funeral Oration upon David C. Broderick, Late Senator from California, Delivered at the Chapel of the New York University, on Sunday Evening, Nov. 20th, 1859* (Rochester: Benton & Andrews, 1859). On Broderick autograph collectors, see John G. Downey to Lewis Jacob Cist, Oct. 18, 1861, Joh G. Downey Papers, BANC. Baker would himself become an antislavery martyr just a few years later, when he was killed at the Battle of Ball's Bluff in October 1861.

¹³⁰ Edward D. Baker, *Oration of Colonel Edward D. Baker over the Dead Body of David C. Broderick, a Senator of the United States, 18th September, 1859* (New York: De Vinne Press, 1889), 7-9, 13.

¹³¹ In the legislature of 1859, 19 of the 30 state senators were southern-born, while northerners had a slight edge in the assembly, 40 to 34; Powell, "Southern Influences in California Politics," 143.

moral outrage that followed in the wake of Broderick's death. "It is astonishing how virtuous men become after they are dead," the southern-born bookseller Jefferson Martenet wrote from San Francisco. "Obituary addresses are lies, barefaced lies."¹³² Meanwhile the abolitionist press looked to political developments in the Far West with increasing disquiet. Reporting on the fallout from Broderick's death – which had created "a sensation in the Federal metropolis" – the Washington correspondent to the *National Anti-Slavery Standard* painted a particularly gloomy picture. "California is perhaps the most hopeless State in the Union," he wrote. "She is overrun by Southern lawyers and bankrupt slaveholders. It will take twenty years to give California an anti-slavery sentiment."¹³³

Furthermore, the state's proslavery partisans were a particularly resilient lot. Southerners did not fold their tents after the passage of a free-soil constitution in 1849, nor did they surrender their political claims when slaveholders like Thomas Jefferson Green had been driven from the gold fields. Instead, they consolidated their power in a well-oiled political machine that exercised a virtual monopoly on federal patronage in order to preserve the plums of the state for southern-born loyalists. Meanwhile, through the statehouse and the courtrooms, they crafted laws that gave enormous protection to slaveholders and imperiled the liberties of the state's black population. And finally, they tapped deep-rooted currents of anti-black racism in the West to marginalize a Republican Party that had otherwise been surging across the free states of the Union. With such a

¹³² Jefferson Martenet to his mother, October 3, 1859, Martenet correspondence, HEHL. Martenet was a relatively moderate Whig through much of the decade, but amid rising sectional tensions, his loyalties drifted toward the Lecompton wing of the Democratic Party.

¹³³ *National Anti-Slavery Standard*, October 22, 1859.

deeply entrenched proslavery elite, the state's free soil constitution was never secure, whether from conspirators like James Gadsden or advocates of state division like Henry Crabb. California never became a slave state, but it certainly voted like one through much of the antebellum period.

Westering slaveholders did not confine themselves to the Pacific Coast, however. While California's antebellum political history has attracted close scholarly inquiry for decades, if not longer, students of the subject have largely overlooked a corollary narrative: the emergence of a small but committed proslavery community directly to the east. During the 1850s, New Mexico, Arizona, and even Utah welcomed southern emigrants, who, in turn, brought the Desert West into the political orbit of the slave South. In many ways, this history serves as something of a postscript to the great slavery road. Although slaveholders failed to construct a Pacific railway, their ancillary achievements – the Gadsden Purchase the overland mail road, most significantly – helped ease the way for southern emigration across the region and thereby created a foothold for proslavery interests in these territories. California constituted merely the far western rim of a proslavery corridor that stretched across the continent.

Chapter 4
SLAVERY'S SUNBELT AND THE SECTIONAL CRISIS
IN THE FAR SOUTHWEST, 1850-1861

Snatching odd moments during sentinel duty at Fort Fauntleroy in New Mexico, William Need penned an urgent message to Secretary of War Simon Cameron in September 1861. Thousands of miles from the killing fields of Manassas, Virginia, where the Union army had gone down in defeat several months earlier, an equally ominous development was unfolding along the borderlands of the American Southwest. “The Texas rebels and Arizona cut-throats, like the ancient Goths and Vandals, are at the very gates,” threatening the entire western half of the continent, Need warned. That threat was especially dire, he added, as the territory lacked both the means and the will to beat back the rebel invaders. Indeed, New Mexico had been in the hands of proslavery military and political forces for years, and now, with Confederate secession, a longstanding southern plot to capture the Southwest seemed nearly inevitable. To ascertain the nature of rebel ambitions in the Southwest, Need wrote, Cameron should look no further than the Confederate chief himself. For more than a decade, Jefferson Davis had coveted the region, especially Arizona, “his beau ideal of a railroad route to the Pacific.” The region, Need continued, “was to him the terra incognita of a grand scheme of intercommunication and territorial expansion more vast and complicated than was ever dreamed of by Napoleon Bonaparte in his palmiest days of pride and power.”¹

¹ William Need to Simon Cameron, September 27, 1861, *Official Records of the War of the Rebellion* (hereafter *OR*) Series I, Vol. L, Part I, 635-641.

Need's fears were justifiable. And his assessment of Jefferson Davis's western ambitions was hardly exaggerated. Southern leaders had indeed expended considerable political capital in an attempt to spread their influence over the Southwest, and many of their efforts had been crowned with success. Southerners leveraged their power to help pass a slave code in Utah in 1852 and an even more far-reaching proslavery statute in New Mexico in 1859; they bested northern Congressional opposition to construct an overland mail route through slave country and into California; and they backed two nearly successful territorial movements in southern California and southern New Mexico. In reconstructing these proslavery operations, this chapter argues that the sectional conflict reached into a region traditionally ignored by political historians of the antebellum period. Proslavery leaders transformed the Southwest into a sectional battleground and, by the outbreak of the Civil War, achieved a subtle political conquest of the region.

As previously noted, scholarship on slaveholding imperialism has focused inordinate attention on a small group of dramatic actors and episodes – border ruffians in Bleeding Kansas, filibusters and diplomats in Cuba, and William Walker's armies in Nicaragua. But these ventures distract from a more prolonged and ultimately more successful campaign to extend a proslavery political order across the Far West. Although a handful of historians have studied the slave controversy in isolated western territories, by stepping back and examining the cumulative effect of proslavery politics across the entire region, a slave power comes into focus that was both more nimble and more

expansive than scholars have recognized.² Indeed, by the late 1850s, southerners created what we could call a proslavery Sunbelt, a transcontinental sphere of influence stretching from the coastal Carolinas in one direction to southern California in the other. It was a region, as Need recognized, beholden to a numerically weak but politically powerful faction of southerners. And a region that would pose serious problems for Unionists on the eve of the Civil War.

What has become known as the Sunbelt – a region sweeping from the southeastern United States to California – is the subject of a sophisticated and growing body of scholarship. Although historians have backdated the beginnings of this Sunbelt, it remains, by virtually all accounts, a twentieth-century development.³ This chapter adopts the spatial framework of the Sunbelt to present a new way of thinking about nineteenth-century American regionalism. To be sure, many of the factors that distinguish today's Sunbelt – military spending, conservative politics, Christian faith, and

² For more geographically focused regional studies, see Loomis Morton Ganaway, *New Mexico and the Sectional Controversy, 1846-1861* (Philadelphia: Porcupine Press, 1976, reprint of 1944 edition); Leonard Richards, *The California Gold Rush and the Coming of the Civil War* (New York: Vintage, 2007); Mark J. Stegmaier, "A Law That Would Make Caligula Blush? New Mexico Territory's Unique Slave Code, 1859-1861," *New Mexico Historical Review* 87: 2 (spring 2012), pp. 209-242; Newell G. Bringham, "The Mormons and Slavery – A Closer Look," *Pacific Historical Review* 50 (August 1981). Although it treats the slavery controversy only briefly, the most complete overview of the region during this period remains Howard R. Lamar, *The Far Southwest, 1846-1912: A Territorial History* (Albuquerque: University of New Mexico Press, 1966, revised edition, 2000).

³ See, for example, Darren Dochuk, *From Bible Belt to Sunbelt: Plain-Folk Religion, Grassroots Politics, and the Rise of Evangelical Conservatism* (New York: Norton, 2011). Other seminal works in Sunbelt historiography include Richard M. Bernard and Bradley R. Rice, eds., *Sunbelt Cities: Politics and Growth Since World War II* (Austin: University of Texas Press, 1984); Bruce J. Schulman, *From Cotton Belt to Sunbelt: Federal Policy, Economic Development, and the Transformation of the South, 1938-1980* (Durham: Duke University Press, 1994); Matthew D. Lassiter, *The Silent Majority: Suburban Politics in the Sunbelt South* (Princeton: Princeton University Press, 2007); Michelle Nickerson and Darren Dochuk, eds., *Sunbelt Rising: The Politics of Space, Place, and Region* (Philadelphia: University of Pennsylvania Press, 2014); Matthew D. Lassiter and Joseph Crespino, eds., *The Myth of Southern Exceptionalism* (New York: Oxford University Press, 2009); Sean P. Cunningham, *American Politics in the Postwar Sunbelt: Conservative Growth in a Battleground Region* (New York: Cambridge University Press, 2014).

metropolitan development – were not yet in evidence during the mid-nineteenth century.⁴ But thinking anachronistically about the Sunbelt does indeed have its conceptual payoffs. Most crucially, by moving a twentieth-century framework into an antebellum setting, we combat the inclination to view the Far West as a land apart.⁵ Great distances may have separated, say, miners in Arizona from planters in Mississippi, but they often saw themselves in common cause, committed to the political ideology of slavery and a shared legislative agenda. Slaveholders looked to New Mexico, Arizona and California as a natural extension of the South, and they built a broad political coalition across this southern corridor of the continent. If, as the Sunbelt paradigm premises, there is a strong political affinity that links the present-day South and Southwest, scholars would be wise to trace the origins of that association to the antebellum period. That regional identity long predated air conditioning, the presidential campaign of Barry Goldwater, or the spread of Christian evangelicalism. It took root in the 1850s, when the slave South moved into the Far West.

Slavery Among the Saints

⁴ For reflections on the meaning and historiography of the Sunbelt, see David Goldfield, “Writing the Sunbelt,” *OAH Magazine of History* 18 (October 2003), pp. 5-10 and Goldfield, “Searching for the Sunbelt,” *OAH Magazine of History* 18 (October 2003), pp. 3-4.

⁵ Again, there remains a historiographical divide between work on the nineteenth-century South and West. Several scholars of the Texas borderlands and American empire have been successful at bridging this divide. See Andrew J. Torget, *Seeds of Empire: Cotton, Slavery, and the Transformation of the Texas Borderlands, 1800-1850* (Chapel Hill: University of North Carolina Press, 2015); Sarah Rodriguez, “‘Children of the Great Mexican Family’: Anglo-American Immigration to Texas and the Making of the American Empire, 1820-1861,” (PhD dissertation, University of Pennsylvania, 2015); Randolph B. Campbell, *An Empire for Slavery: The Peculiar Institution in Texas, 1821-1865* (Baton Rouge: Louisiana State University Press, 1991). See also A. Hope McGrath, “An Army of Working-Men: Military Labor and the Construction of American Empire, 1865-1915” (PhD dissertation, University of Pennsylvania, 2016).

Against a rising tide of abolitionism, slaveholders began articulating a new conception of their peculiar institution by the mid-1830s, emphasizing the harmonious bond between master and slave and the divine nature of that relationship. No longer was slavery a necessary evil, as Thomas Jefferson and others argued; it was now, in the words of John C. Calhoun, a “positive good.”⁶ Southern religious leaders took a particularly active role in this proslavery campaign, countering the religiously inspired attacks of northern abolitionists by pointing to the scriptural justifications for human bondage. By the early 1840s, the Virginian Baptist minister Thornton Stringfellow had emerged as perhaps the most persuasive polemicist of this new creed. As God had blessed the patriarchs of the Old Testament with slaves and his divine favor, Stringfellow wrote in 1841, “it would seem that the institution was one furnishing great opportunities to exercise grace and glorify God, as it still does, where its duties are faithfully discharged.”⁷ The African race was divinely destined for slavery by the curse of Canaan, Stringfellow argued, which condemned Canaan and his supposedly dark-skinned offspring to perpetual servitude as punishment for the sins of his father, Ham.⁸ Slavery

⁶ John C. Calhoun, “Speech on the Reception of Abolition Petitions, Delivered in the Senate, February 6th, 1837,” in Richard R. Cralle, ed., *Speeches of John C. Calhoun, Delivered in the House of Representatives and in the Senate of the United States* (New D. Appleton, 1853), 625-33.

⁷ Thornton Stringfellow, “A Brief Examination of Scripture Testimony on the Institution of Slavery,” in *The Ideology of Slavery: Proslavery Thought in the Antebellum South, 1830-1860*, ed. Drew Gilpin Faust (Baton Rouge: Louisiana State University Press, 1981), 148. For secondary literature on proslavery polemics and especially the religious justifications for bondage, see John Patrick Daly, *When Slavery Was Called Freedom: Evangelicalism, Proslavery, and the Causes of the Civil War* (Lexington: University of Kentucky Press, 2002); Luke E. Harlow, *Religion, Race, and the Making of Confederate Kentucky, 1830-1880* (Cambridge: Cambridge University Press, 2014); and Mark Smith, *Debating Slavery: Economy and Society in the Antebellum American South* (Cambridge: Cambridge University Press, 1998).

⁸ See Genesis, 9:20-27. The scripture has been subject to intense theological debate for centuries. How this curse applied only to the African race is unclear, as no mention is made in the scripture to Ham’s skin color. The nature of Ham’s sin is also ambiguous. According to the scripture, Ham “uncovered” the nakedness of his drunken father, Noah, but what this may mean is far from certain. Contemporary scholarship often refers to this as the Curse of Ham, although nineteenth-century writers generally

was, above all, a merciful institution, Stringfellow continued, a boon to both master and slave alike, and a source of protection and security for a race unprepared for independence.⁹ Such arguments were central to the southern evangelical revival of this period, a revival, as Stephanie McCurry has argued, that strengthened domestic dependencies, endowing masters with a theological justification for their absolute authority over wives, children and slaves.¹⁰

This religious defense of slavery found adherents in what may seem an unlikely place: The Church of Jesus Christ of Latter-Day Saints, founded in 1830 by Joseph Smith in western New York. Indeed, Smith and other Mormon writers articulated these proslavery religious arguments several years before Stringfellow's major essay on the subject. Like southern writers during this period, Mormons stressed the scriptural justification for slavery. "The fact is uncontrovertable [sic]," Smith wrote in 1836, "that the first mention we have of slavery is found in the holy bible, pronounced by a man who was perfect in his generation and walked with God." Similarly, Smith cited the curse of Canaan, arguing that what God had fixed, abolitionists had no right to undo.¹¹ Other Mormons followed their prophet's lead. They stressed the protection that slavery provided to bondspeople and again referenced Biblical justifications, particularly the curse of Canaan. According to one such writer, abolition would unleash "a reckless mass

referenced Canaan. For Stringfellow on this subject, see "Scripture Testimony on the Institution of Slavery," 140.

⁹ Stringfellow, "Scripture Testimony on the Institution of Slavery," 165-167.

¹⁰ Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995), 171-207. See also, Christine Leigh Heyrman, *Southern Cross: The Beginnings of the Bible Belt* (Chapel Hill: University of North Carolina Press, 1997).

¹¹ Joseph Smith to Brother Oliver Cowdery, n.d. in *Latter Day Saints' Messenger and Advocate* 2:7 (April 1836), 289-291.

of human beings, uncultivated, untaught and unaccustomed to provide for themselves the necessities of life – endangering the chastity of every female who might by chance be found in our streets.”¹² Stringfellow could not have said it better himself.

This early Mormon commitment to proslavery polemics was no doubt conditioned by the need for fresh recruits to the faith. At the time of these writings, Smith and the majority of the Saints lived in Missouri, and thus had to tow the proslavery line in order to avoid alienating the local population. After being expelled from that state, however, Smith’s views shifted radically. During his 1844 presidential bid, he publically attacked the institution of slavery and called for the compensated emancipation of all slaves by the year 1850.¹³ This was as close as any prominent Saint would come to preaching abolition for the next twenty years, however. After Smith’s assassination and the Mormon exodus to Utah, church leaders would return to the earlier arguments in defense of slavery. Although slaveholding would never become economically central to Mormon Utah, the Saints ensured that it would at least be politically and theologically viable.

When, in 1847, roughly 150 of the faithful followed Brigham Young across the continent into what would become Utah, they brought with them a handful of slaves. Still standing in central Salt Lake City, the Brigham Young monument, which records the names of Utah’s first white inhabitants, also bears testimony to the presence of three of

¹² “The Abolitionists,” in *Latter Day Saints’ Messenger and Advocate* 2:7 (April 1836), 299-301; see also W. Parrish, letter to *Latter Day Saints’ Messenger and Advocate* 2:7 (April 1836), 295-296.

¹³ Joseph Smith, *General Smith’s Views of the Powers and Policy of the Government of the United States* (Pontiac, Mich.: Jackson Print, 1844), 1-6. See also, Bringhurst, “The Mormons and Slavery,” 331-332. Of the several brief treatments of slavery and Mormonism, Bringhurst’s is the most helpful.

these enslaved pioneers, Green Flake, Hark Lay and Oscar Crosby.¹⁴ Due to shaky census data in such a far-flung territory, the exact number of slaves in early Utah is difficult to ascertain. The census of 1850 lists twenty-six slaves and twenty-four black freedpeople, although the actual numbers may well be higher, according to some historians.¹⁵ By one early pioneer's count, thirty-four black slaves accompanied the Mississippi Company as it traveled west to Utah during this period.¹⁶ The antislavery press back east took note of these forced migrations of enslaved people, with the New York *Evening Post* predicting in 1851 that Utah is "just as likely to be a slave as a free State."¹⁷ In Utah itself, the official Latter-Day Church establishment did little to refute its associations with slavery. "The laws of the land recognize slavery," church leader Orson Hyde wrote in 1851. "If there is a sin in selling a slave, let the individual who sells him bear that sin, and not the church." Anyway, he added, "All the slaves that are there appear to be perfectly contented and satisfied."¹⁸

Testimony from former slaves themselves tells a different story, however. Along with a party of several other enslaved people, Alex Bankhead was forcibly transported to

¹⁴ They are listed as "Colored Servants." At least two other slaves in that first party of Mormon emigrants died along the trail; Jack Beller, "Negro Slaves in Utah," *Utah Historical Quarterly* 2:4 (October 1929), 122-124. And at least one of these slaves worked directly for Brigham Young himself.

¹⁵ Utah's 26 slaves listed in the census of 1850 are designated, "*En route* for California." Their destination was likely San Bernardino, which had a small slaveholding population of Mormons (Chapter 3); J.D.B. DeBow, *Statistical View of the United States... Being a Compendium of the Seventh Census* (Washington: Beverley Tucker, 1854), 332. See also Ronald G. Coleman, "Blacks in Utah History: An Unknown Legacy," in Helen Z. Papanikolas, ed., *The Peoples of Utah* (Salt Lake City: Utah State Historical Society, 1976), 116-117.

¹⁶ Kate B. Carter, *The Negro Pioneer* (Salt Lake City, Utah Printing Company, 1965), 17-18. For more on early migrations of Mormons and their slaves, see James B. Christensen, "Negro Slavery in the Utah Territory," *The Phylon Quarterly* 18 (3rd Quarter, 1957), 298.

¹⁷ New York *Evening Post*, n.d., quoted in *Zion's Herald and Wesleyan Journal*, February 5, 1851, p. 22; see also *The Liberator*, February 14, 1851, p. 27.

¹⁸ Orson Hyde, "Slavery Among the Saints," in *The Latter-day Saints' Millennial Star* 13:4 (February 15, 1851), 63.

Utah from Alabama in 1847. In the late 1890s, Bankhead provided his reminiscences of slavery among the Saints for Salt Lake City's black newspaper, the *Broad Ax*. He recalled a small community of fellow slaves who would congregate in a large room on State Street to "discuss their condition." Together they would "gaze in wonderment at the lofty mountains, which reared their snowy peaks heavenward, and completely forbade them from ascertaining how they could make their escape back to the South, or to more congenial climes." Their condition in Utah "was far from being happy," according to Bankhead, and "many of them were subjected to the same treatment that was accorded the plantation negroes of the South."¹⁹ Although slaves could and did join the Mormon church, they were admitted in subordinate positions.²⁰ And church membership did not necessarily guarantee better treatment. Utah may have represented the promised land for certain Mormon leaders, but it was nothing of the sort for their enslaved laborers.

Brigham Young himself held an ambiguous position on slavery, but one largely consistent with earlier Mormon defenses of the institution. In his governor's message of January 1852, he addressed both Indian and African slavery at length. "[W]hile servitude may and should exist, and that too upon those who are naturally designed to occupy the position of 'servant of servants,' [i.e. Africans, the descendants of Ham]," Young proclaimed, "yet we should not fall into the other extreme, and make them as beasts of the field." He called for the humane treatment of those relegated to "servitude," which, he believed, may eventually ameliorate the condition of "the poor, forlorn, destitute,

¹⁹ *Broad Ax*, March 25, 1899. Note: this interview was transcribed and paraphrased by the paper's publisher, Julius Taylor, and thus does not reflect exact quotes from Bankhead. For more on Bankhead and the *Broad Ax*, see Coleman, "Blacks in Utah History," 121-123.

²⁰ Christensen, "Negro Slavery in the Utah Territory," 299.

ignorant savage, or African, as the case may be.”²¹ Here, Young took a position not inconsistent with the proslavery paternalism of the South, which held that bondage would prove a blessing to the bondspeople themselves. When Horace Greeley questioned Young on these views several years later, the Mormon leader was even more explicit. Slavery, according to Young, was a “divine institution, and not to be abolished until the curse pronounced on Ham shall have been removed from his descendants.” Nevertheless, Young did not believe that chattel slavery could flourish in Utah, and that ultimately it would come into the Union as a free state.²²

At Governor Young’s request, the Mormon legislature legalized slavery in February 1852. The act passed the same year that the church establishment took its official stand on plural marriage, thereby linking slavery and polygamy, what Republicans would later call the “twin relics of barbarism.” Compared to southern slave codes, Utah’s “Act in Relation to Service” provided more protections for the enslaved themselves. For instance, if a slaveholder was proven guilty of “cruelty or abuse, or neglect to feed, clothe, or shelter his servants in a proper manner” the so-called “contract” between master and slave could be rendered null and void. Masters were also obligated to send their slaves to school for “not less than eighteen months, between the ages of six, and twenty years.” And slaveholders were also subject to fines or imprisonment if they transported slaves out of the territory against their will.²³ What constituted the will of the

²¹ Brigham Young, “Governor’s Message to the Council and House of Representatives of the legislature of Utah,” in *Deseret News*, January 10, 1852.

²² Horace Greeley, *An Overland Journey from New York to San Francisco, in the Summer of 1859* (New York: M. Saxton, Barker & Co., 1860), 211-212.

²³ “An Act in Relation to Service,” sections 6, 8 and 9, in *Acts, Resolutions and Memorials, Passed at the Several Annual Sessions of the Legislative Assembly of the Territory of Utah* (Salt Lake City: Joseph Cain, 1855), 160-162. Not unlike the American Constitution, Utah’s slave code cloaked slavery in euphemisms,

enslaved, however, was far from clear. Despite these various protections, much of Utah's proslavery statute would have been familiar to southern migrants. As was the case in most southern states, those guilty of intercourse with either free or enslaved blacks were subject to heavy fines – between \$500 and \$1000 in Utah.²⁴ Furthermore, the act gave Utah's white inhabitants full license to both buy and sell slaves. Budgets and bills of sale bear testimony to a limited slave trade within the territory and indicate that slaves continued to fetch high prices – as much as \$800 to \$1000 – throughout the decade.²⁵ Although “An Act in Relation to Service” applied certain brakes on the inherent cruelty of the institution, Utah's slaveholders, because of their social position and the lack of surveillance in a frontier community, still possessed immense power over the lives of the enslaved.

“An Act in Relation to Service” – the first legislative enactment to formally protect slavery in a far western territory – cannot be explained by economic factors. At that time, the territory harbored only twelve slaveholders and perhaps as few as sixty to seventy slaves. Simply put, human bondage was not a driving force in Utah's economic development. However, those twelve slaveholders hailed from Utah's elite circles – a member of the Council of Twelve Apostles, the first mayor of Salt Lake City, and Utah's territorial representative in Congress.²⁶ Thus, this proslavery statute can be seen as both a

referring to “service” and “servants.” For further commentary see, Christopher B. Rich, Jr., “The True Policy for Utah: Servitude, Slavery, and ‘An Act in Relation to Service,’” *Utah Historical Quarterly* 80:1 (winter 2012).

²⁴ “Act in Relation to Service,” section 4, p. 161. For more on anti-miscegenation statutes, see Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996).

²⁵ The *Liberator*, May 2, 1856, p. 70; see also Dennis L. Lythgoe, “Negro Slavery in Utah,” *Utah Historical Quarterly* 39, (winter 1971), 53.

²⁶ Bringhurst, “Mormons and Slavery,” 332.

concession to an elite minority of slaveholders within the territory and as an incentive to aspiring migrants from southern states. With the act, the Mormon legislature broadcast its receptiveness to the South's peculiar institution and its commitment to protecting property in other humans. Utah, as Young himself recognized, was not destined to become a plantation society, but its political allegiances nevertheless betrayed a strong southern bias.

In defending slavery, the issue foremost in the minds of Mormon leaders was not southern immigration, however. Rather, the most pressing concern was the maintenance of another peculiar institution: polygamy.²⁷ Utah's leaders looked to the South as a natural ally when polygamy came under attack in the early 1850s, and southern slaveholders and Mormon Saints alike spoke out against federal incursions into their social systems. The *Millennial Star* explicitly linked the proslavery and pro-polygamy defense as early as 1853. "The State laws of the North have nothing to do with the domestic relations of the South," the *Star* argued. "So it is in regard to Utah; she asks not the interference of any state of this Union to dictate to her what kind of policy she must adopt in her legislative enactments."²⁸

The *Deseret News*, a Mormon mouthpiece, took an especially hard line against the North regarding the slavery controversy, cheering both the Kansas Nebraska Act and the Dred Scott decision.²⁹ "African slavery in South Carolina is a legalized domestic

²⁷ I have been convinced of this point in conversations with Sarah Barringer Gordon. For the connections between proslavery and polygamist defenses, see her forthcoming work, Sarah Barringer Gordon and Jan Shipps, "Convergence in the Kingdom of God: The Mountain Meadows Massacre in American History," *Journal of the Early Republic* (forthcoming).

²⁸ "A Word with Our Opponents," *Millennial Star* 15:17 (April 23, 1853).

²⁹ *Deseret News*, April 13, 1854. On the Dred Scott decision, the paper was especially jubilant, if premature: "Those 'twin relics of barbarism' can now flourish wherever the people will it in any of the

institution, and was and is at least permitted so to be by the federal compact to which Massachusetts was a party,” the *Deseret News* argued in 1857, “while white slavery, adultery, whoredom and other gross abominations... are nevertheless extensively practiced and securely domesticated [in Massachusetts].”³⁰ In response to the Republican attack on the “twin relics of barbarism,” the Latter-Day Church establishment urged support for the Democratic Party with a strident proclamation: “The Democratic party is the instrument, in God’s hand, by which is to be effected our recognition as a sovereign State, with the domestic institutions of Slavery and Polygamy, as established by the patriarchs, and prophets of old.”³¹ As the Latter Day elite and the Mormon press made clear, Utah’s affinity for the slave South ran deep – indeed much deeper than scholars have recognized.³²

Ultimately, slaveholding leaders never mustered the support for Utah and plural marriage that the Saints had hoped they would, although some southerners certainly felt drawn to the anti-government position of polygamists. “As a Southern man, my sympathies are with the Mormons,” one slavery apologist wrote to the *Richmond South* in 1857. “The same measure that is dealt out to them for their polygamy, would be dealt out to us for our slaveholding.”³³ Other proslavery partisans, however, proved less sympathetic. To the chagrin of Mormon leaders, Democrats in Congress opposed Utah’s

Territories of the United States, and Uncle Sam can attend to his own legitimate business without troubling himself any further about them.” *Deseret News*, May 20, 1857.

³⁰ *Deseret News*, February 4, 1857.

³¹ Quoted in *The Independent*, Nov. 13, 1856, p. 368 and the *National Era*, November 20, 1856, p. 188.

³² An exception is Bringhurst, “Mormons and Slavery,” 333.

³³ Reprinted in the *National Era*, December 24, 1857, p. 206.

bids for statehood, while the proslavery President James Buchanan launched a federal invasion force in the short-lived Utah War of 1857-1858.³⁴

Nevertheless, Mormon leaders would never fully relinquish their proslavery leanings. The *Deseret News* went so far as to defend the international slave trade in a June 1859 editorial. The paper made its case by first reiterating the standard theological defense of the institution: “Slavery is not ‘forbidden by Divine Law’ – on the contrary, most liberal provisions have been made, by that law, regulating, sustaining, perpetuating the ‘institution’ even from the day it was said: ‘Cursed by Canaan; a servant of servants shall he be unto his brethren.’”³⁵ That individual slaves were occasionally subject to inhumane treatment “furnishes no just grounds for reprobating the system,” the *News* continued. Rather, by de-criminalizing the international slave trade, Congress would present an olive branch to the South and thereby mitigate the dangers of sectional strife. Not only could political disaster be averted, but the enslaved themselves might, in fact, benefit from such a trade, the *News* continued. “[I]s it not evident that, when brought to this country and placed under the careful supervision of the humane southern planter, the condition of the native African will be at least in some degree improved?”³⁶ From the political mouthpiece of a frontier territory, populated mostly by northern white families, came many of the hallmarks of the classic proslavery defense: biblical justifications for human bondage, insistence that antislavery forces would have to give ground to appease the South, and paternalistic assurance that enslavement would ameliorate the condition of

³⁴ See *Deseret News*, January 20, 1858.

³⁵ *Deseret News*, June 1, 1859.

³⁶ *Deseret News*, June 1, 1859.

Africans. Even in the absence of a plantation economy, Mormon Utah had nevertheless embraced much of the proslavery creed. Slavery would remain legal in Utah until Congress abolished the institution in the territories in June 1862.

The Politics of Slavery in New Mexico

When New Mexico became a U.S. territory in 1850, it was neither slave nor free. While Congress had admitted California to the Union as a free state at that time, the newly formed territories of New Mexico and Utah were left to decide for themselves whether to permit slavery within their borders. Those hoping New Mexico would act as speedily as Utah in drafting a proslavery statute could expect little aid from the large majority of Mexican-born residents, who evinced only a marginal interest in sectional politics.³⁷ And while southern military and political officials had carried a small handful of black slaves into the territory, New Mexico showed little promise as a plantation society.³⁸ Yet from the outset, New Mexico harbored a prominent proslavery element, determined to bring the new territory into the slave South's political orbit. Over the coming decade, this southern contingent would grow ever more powerful, charting an increasingly proslavery course for New Mexican politics.

³⁷ According to the 1850 census, New Mexico had a population of over 60,000 (inclusive of Native Americans), although fewer than 800 were white Americans; see De Bow, *Statistical view of the United States... Being a Compendium of the Seventh Census*, 332; and Hubert Howe Bancroft, *History of Arizona and New Mexico, 1530-1888: The Works of Hubert Howe Bancroft, Vol. XVII* (San Francisco: The History Company, 1889), 642.

³⁸ Ganaway, *New Mexico and the Sectional Controversy*, 57. Millard Filmore's appointment as the first chief justice of the territorial supreme court was Grafton Baker, a Mississippi lawyer, who came to the territory with one of his slaves.

Commerce was a powerful adhesive agent in bringing together the Desert West and the slave states of the South. The main commercial artery through the territory, the Santa Fe Trail, connected New Mexico's capital with Independence, Missouri. According to Thomas Butler King, trade between Missouri and New Mexico was worth \$5 million, a compelling reason, he argued, to accelerate this commerce with a transcontinental railroad through the region.³⁹ Commercial prospects brightened further with the arrival of the Butterfield overland mail road, which ran through slave country and across the Far West. The road "was working wonders in this region," one visitor observed, "opening the country, and inducing the enterprising to venture from home and to try their fortunes in a new land."⁴⁰ Meanwhile, the territory's delegate to Congress, Miguel Otero, lent his support to William Gwin's campaign for a far southern transcontinental railroad. From the perspective of New Mexico's commercial elite, most roads ran to the South.

The territory's first Congressional delegate, Hugh N. Smith, warned of proslavery schemes within New Mexico as early as 1850. To Smith, an antislavery partisan, the real threat lay less in the expansion of chattel slavery, per se, than in the more insidious spread of southern political influence across the Far West. "The cement of this strength in the South is not so much the interest in slave property, but the political power dependent on it," he wrote. "The great struggle is to secure for the decaying popular force of that section an equal weight in the Senate of the United States with the rapidly progressive

³⁹ [T. Butler King], *First Annual Report to the Board of Directors of the Southern Pacific Railroad Company Chartered by the State of Texas* (New York: American Railroad Journal Office, 1856), 18.

⁴⁰ J.T. Sprague to W.W.H. Davis, May 13, 1860, quoted in Lamar, *The Far Southwest*, 92.

population and multiplying free states of the Union.”⁴¹ A proslavery New Mexico, he suggested, could ultimately bolster the South’s waning influence in Congress. Eastern antislavery forces took seriously this threat to the Southwest and established several abolitionist leagues in the early 1850s. Organized in 1851, the Free Territory League sought to establish and support antislavery newspapers while also financing legal counsel in Santa Fe.⁴² Meanwhile, the agent of another abolitionist league was sent to the territory to assume the editorship of the *Santa Fe Weekly Gazette*. New Mexico was quickly becoming a sectional battleground.

These early antislavery activities produced more in the way of political backlash than abolitionist zeal, however. The *Santa Fe Gazette*, for instance, remained in the hands of its antislavery editors only briefly before taking on distinctly Democratic leanings by 1853.⁴³ As the sectional controversy intensified, the *Gazette* – by then New Mexico’s most prominent publication – moved further and further into the proslavery fold. The paper trumpeted its allegiances – “a friend of the south” and a fierce opponent of the “the fanatics and disunionists of the North.”⁴⁴ During the Kansas controversy, the *Gazette*’s Virginia-born editor, Samuel Yost, heaped scorn on “Black Republicans” and endorsed the proslavery Lecompton Constitution.⁴⁵ Like the *Deseret News*, the *Gazette* also criticized American attempts to police the international slave trade. When a Georgian planter offered to purchase some 200 to 300 slaves from a captured slave ship

⁴¹ Hugh N. Smith, *Address of Hugh N. Smith, of New Mexico, to the People of that Territory* (Washington: no publisher, 1850), 2.

⁴² On the activities of the Free Territory League, see *National Era*, September 25, 1851, p. 154.

⁴³ On that backlash and the *Gazette*’s political about-face, see Ganaway, *New Mexico and the Sectional Controversy*, 58.

⁴⁴ *Santa Fe Gazette*, September 12, 1857.

⁴⁵ *Santa Fe Gazette*, January 16, August 21, November 27, 1858.

rather than return the human cargo to Africa, the *Gazette* offered only praise. “These savage negroes...under the discipline and tuition of kind and humane masters, would in a few years have become civilized and Christianized,” the paper argued. With a heavy dose of planter paternalism, the *Gazette* continued, “As slaves, their condition morally, physically, and intellectually, would be improved.”⁴⁶ Those in the South took note of such proslavery partisanship in New Mexico. A correspondent to the *Richmond Enquirer*, for instance, envisioned a bright future for proslavery interests in the Far Southwest, predicting, “New Mexico is bound to be a slave State.”⁴⁷

That prediction proved prescient. Although not yet a state, New Mexico joined Utah by formally legalizing black slavery within its borders, passing a particularly robust slave code in early 1859. Like Utah, New Mexico had an economically and numerically marginal population of black slaves – somewhere between ten and fifty, by one recent estimate.⁴⁸ But like Utah, New Mexico coveted southern support and thus the territory’s politicians proved eager to demonstrate their loyalty to the slave states. That New Mexico’s population was overwhelmingly Mexican and therefore far removed from the sectional controversy had little impact on the politics of the territory, which were controlled by a handful of elites, largely sympathetic to the proslavery cause.

The backdoor politicking that led to the passage of *An Act to Provide for the Protection of Property in Slaves in this Territory* showcased the long reach of the slave

⁴⁶ *Santa Fe Gazette*, November 13, 1858. The paper would later argue that the U.S. campaign against the international slave trade was simply too costly to justify the results; see *Gazette*, July 3, 1860.

⁴⁷ *Richmond Enquirer*, quoted in the *Sacramento Daily Union*, December 28, 1857.

⁴⁸ Mark J. Stegmaier, “A Law That Would Make Caligula Blush? New Mexico Territory’s Unique Slave Code, 1859-1861,” *New Mexico Historical Review* 87: 2 (spring 2012), 209-210.

South in western territorial affairs. That process began with Miguel Otero, New Mexico's congressional delegate, whose Spanish surname belied his deep southern connections. Otero's marriage into a prominent Charlestonian family entrenched him in elite southern society and entangled his territorial mission in sectional politics. He recognized that New Mexico required federal favors to promote economic development, finance its territorial government, and to provide protection from Indian attacks. And he also recognized that his connections, along with his territory's southern leanings, made New Mexico a natural ally of proslavery politicians. A slave code, as his southern allies had assured him, would help "attract greater... political attentions from the States," and also "elevate our own class of free laborers."⁴⁹

At the insistence of Reuben Davis of Mississippi, Otero tapped his network of southern-born allies within New Mexico's territorial system to request the drafting and passage of a slave code.⁵⁰ The deck was stacked heavily in Otero's favor by the regional origins of this leadership: the territorial secretary, Alexander M. Jackson, hailed from Mississippi; the publisher of the Santa Fe *Gazette* was a native of Missouri; a justice on the territorial supreme court (and Otero's brother-in-law), William J. Blackwood, came from South Carolina; and the governor, Abraham Rencher, had migrated from North Carolina. All strongly favored their native section and the passage of a slave code. Thus,

⁴⁹ Miguel Antonio Otero to Charles P. Clever, December 24, 1858, Ritch Collection, Henry E. Huntington Library, San Marino, Calif.

⁵⁰ See also Otero to Alexander Jackson, December 16, 1858, in, John A. Bingham, "Bill and Report of John A. Bingham, and Vote on Its Passage, Repealing the Territorial New Mexican Laws Establishing Slavery and Authorizing Employers to Whip 'White Persons' and others in their Employment, and Denying them Redress in the Courts" (Washington: Republican Executive Congressional Committee, 1860), 1.

slavery's Sunbelt was stitched together through a web of familial connections and wide-ranging political networks.⁵¹

A small handful of southern-born politicians helped rush the slave bill through New Mexico's legislative process, bypassing a roll call in the house and thereby preventing members from registering a negative vote. By February Governor Rencher had signed *An Act for the Protection of Property in Slaves in this Territory*, giving New Mexico a far more draconian slave statute than the one passed in Utah some seven years earlier. Compared to Utah's proslavery statute, the New Mexico act provided fewer protections for the enslaved and stipulated harsher punishments for those interfering with slave property. There were stiff fines and prison terms for enabling slaves to escape, for stealing slaves, for furnishing slaves with free papers, for enticing slaves to absent themselves from service, for inciting slave rebellion, and for arming slaves. Slaves could be whipped for public disorderly conduct or for "insolent language, or signs, to any free white person." They were also prohibited from testifying in court against whites. Like the Utah code, New Mexico's closely policed the color line, outlawing intermarriage between white and black, and sentencing to death any black person, free or enslaved, guilty of raping a white woman. In line with many southern states, New Mexico's bill made slavery a perpetual institution, in that it "totally prohibited" the emancipation of slaves within its borders.⁵²

⁵¹ For more on the background to this slave code, see Stegmaier, "A Law That Would Make Caligula Blush?", 210-212; and Ganaway, *New Mexico and the Sectional Controversy*, 60-68.

⁵² "An Act to provide for the protection of property in Slaves in this Territory," in *Laws of the Territory of New Mexico. Passed by the Legislative Assembly, Session of 1858-59* (Sante Fe: A. De Marle, 1859), pp. 64-80.

One could dismiss this slave code as needlessly detailed for a territory that harbored so few owners of black slaves. With thirty-one sections, *An Act to Provide for the Protection of Property in Slaves in this Territory* was far and away the longest bill passed by the New Mexico legislature during the 1858-59 session. But as Alexander M. Jackson, New Mexico's territorial secretary and the likely author of the code, recognized, it represented a crucial, if largely symbolic, victory for the slave South. Slaveholders had recently failed to pass the Lecompton Constitution in Kansas, meaning free labor would likely prevail there. The slave code in New Mexico, then, enabled southerners to save face and flex their muscle elsewhere in the West. Although the passage of the law did not prompt a mass migration of slaveholders to the territory, it did signal that the peculiar systems of law in the South would now hold sway in far-flung territories.⁵³ In many ways, it represented the institutionalization and elaboration of the Dred Scott decision, handed down in March 1857, legally affirming slaveholding rights in the territories. As Jackson would later write to Jefferson Davis, "[T]his legislation perfected the title of the South to New Mexico."⁵⁴

Others within New Mexico and across the South were no less jubilant. Shortly after the act's passage, a New Mexican correspondent wrote to the *Memphis Daily*

⁵³ During the debate over the compromise that bore his name, John J. Crittenden of Kentucky, turned to the issue of New Mexico's slave code. The statute "is as strong in favor of the master as the laws of Kentucky or Missouri," he claimed. "I believe it is the law of Mississippi transcribed literally, *verbatim*... The law is as complete on the subject as the law of any State that I know of," *Cong. Globe*, 36th Congress, 2nd session, (March 1861), 1313.

⁵⁴ Alexander Jackson to Jefferson Davis, February 17, 1861 in John P. Wilson, ed., *When the Texans Came: Missing Records from the Civil War in the Southwest, 1861-1862* (Albuquerque: University of New Mexico Press, 2001), 18. In many ways, Jackson personified the geographical mobility and political objectives that created this proslavery Sunbelt. A politician of fortune, he moved between Mississippi and New Mexico, eager to promote slavery's cause at every turn. Jackson moved east to the slave states at the outset of the Civil War, only to return southwest once again as a staff officer in an invading Confederate army.

Appeal to spread the good word. The correspondent confirmed what many southerners had already come to believe, writing, “This action of the legislative power of New Mexico should be the more gratifying to the South for the reason that it is but the truthful reflex of the sentiments and disposition of the people of the Territory.” He insisted that New Mexico would provide a lucrative market for human chattel, evidenced by the recent sale of a “third rate negro girl” for the large sum of \$1000 in gold. But perhaps most gratifying of all to southern expansionists were the implications that New Mexico’s slave code had for a transcontinental railroad. With bondage formally protected in New Mexico, such a railroad could utilize slave labor, “the most efficient and the most reliable,” and thereby follow a southern route to the Pacific.⁵⁵ The proslavery *Washington States* wrote in equally grand terms about the imperialist prospects of New Mexico’s legislation. “[N]ot only does slavery thus secure a firm foothold in the Territory of New Mexico – almost an empire in itself – but the position affords the South every facility of expansion in the very direction most inviting to its institutions,” the *States* reported. The paper predicted that soon Arizona and Nevada – which had yet to be organized as territories – along with parts of Mexico, would fall under slavery’s sway. Slaveholders may have lost Kansas, the paper continued, but “they have secured ample indemnity in a quarter where, instead of being a sickly exotic, slavery will take root in a congenial soil, and flourish of its own inherent vigor.”⁵⁶

Antislavery politicians and writers, not surprisingly, proved unwilling to cede this western victory to the South. From his office at the New York *Daily Tribune*, Horace

⁵⁵ *Memphis Daily Appeal*, March 6, 1859.

⁵⁶ *Washington States* (n.d.) quoted in *Sacramento Daily Union*, May 11, 1859.

Greeley raged against New Mexico's proslavery legislation for well over a year. If the code represented a "mere scheme on the part of some scurvy politicians to curry favor at Washington," then why make it so elaborate and so far-reaching, Greeley asked. This "most inhuman and piratical Slave-Code" was more than just a symbolic act, he concluded, but rather, a serious attempt on the part of southern schemers to transform the Southwest into a bona fide slave society.⁵⁷ Greeley envisioned a region overrun by slaveholders – "zealous proslavery Propagandists" filling federal offices, slaveholding army officers monopolizing western military posts, "platoons" of "Border Ruffians" moving west from Kansas, and "the scum of Southern rascaldom" moving east from California. In New Mexico, Greeley noted gravely, "Slavery rules all."⁵⁸ These fears were exaggerated, to be sure, but Greeley was certainly correct in assuming that the Southwest had become a very hospitable place for proslavery partisans.

While Greeley editorialized, antislavery politicians both in Santa Fe and Washington organized campaigns to repeal New Mexico's slave code. In early 1859, New Mexico's speaker of the house made the first attempt at a repeal. But, after branding him an abolitionist and a black Republican, opponents quickly stripped him of his speakership and then overwhelmingly rejected his effort.⁵⁹ In May 1860, Ohio Representative John Bingham took the fight to Washington with a federal bill to "disapprove and declare null and void" New Mexico's slave code, as well as its

⁵⁷ New York *Daily Tribune*, March 10, 1859 and July 31, 1860.

⁵⁸ New York *Daily Tribune*, December 31, 1860. Several months later, on the verge of civil war, Otero published a scathing indictment of Greeley's writings, blasting the New York editor – "an unscrupulous demagogue, and a vile calumniator" – and his "infidelic horde" of Republican allies; Miguel Antonio Otero, *An Abolition Attack upon New Mexico, and a Reply by Hon. M.A. Otero* (Santa Fe: Santa Fe Gazette, 1861), Ritch Collection, Huntington Library, 4-5, 15.

⁵⁹ Stegmaier, "A Law That Would Make Caligula Blush?", 216-218.

legislation regarding the punishment of bound peon laborers.⁶⁰ Although those in Santa Fe had held firm against any repeal efforts, Bingham and his Republican allies reasoned that, under the 1850 law establishing New Mexico as a territory, Congress retained the power to override any obnoxious act of the territorial legislature. Bingham's repeal bill passed narrowly in the House, 97 to 90, but then failed in the Senate.⁶¹ Yet up until the eve of the Civil War, Bingham continued his agitation against the slave code – legislation that, in his words, “would bring blushes to the cheek [sic] of Caligula.”⁶² He never mustered the necessary support, however, and New Mexico's law remained on the books until 1862.⁶³

The law was important in catapulting New Mexico into the national debate over slavery, not necessarily in opening the floodgates to African bondage in the Far West. Westerners in search of unfree workers could find cheaper alternatives in the centuries-old Indian slave trade, as did Cave Coutts in California (Chapter 3).⁶⁴ More affordable

⁶⁰ US Government Doc., 36th Congress, 1st session, House Resolution 64; also “Bill and Report of Bingham”.

⁶¹ 36th Congress, 1st session, 2045-2046, 2059.

⁶² 36th Congress, 2nd session, appendix, 82-83.

⁶³ For more on these repeal efforts, see Stegmaier, “A Law That Would Make Caligula Blush?,” 216-222.

⁶⁴ Again, the literature on Indian slavery in the American West is extensive. See James F. Brooks, *Captives and Cousins: Slavery, Kinship and Community in the Southwest Borderlands* (Chapel Hill: University of North Carolina Press, 2002); Ned Blackhawk, *Violence Over the Land: Indians and Empires in the Early American West* (Cambridge, Mass.: Harvard University Press, 2006); Andres Resendez, *The Uncovered Story of Indian Enslavement in America* (New York: Houghton Mifflin Harcourt, 2016); Michael Magliari, “Free Soil, Unfree Labor: Cave Johnson Coutts and the Binding of Indian Workers in California, 1850-1867,” *Pacific Historical Review* 73 (August 2004); Michael Magliari, “Free State Slavery: Bound Indian Labor and Slave Trafficking in California's Sacramento Valley, 1850-1864” *Pacific Historical Review* 81; Stephen V. Hoak, “And Who Shall Have the Children? The Indian Slave Trade in the Southern Great Basin, 1800-1865,” *Nevada Historical Society Quarterly* 41:1 (spring 1998), pp. 3-25; Sondra Jones, “‘Redeeming’ the Indian: The Enslavement of Indian Children in New Mexico and Utah,” *Utah Historical Quarterly* 67:3 (summer 1999). For one of the early surveys of the West's coercive labor regimes, see Howard Lamar, “From Bondage to Contract: Ethnic Labor in the American West, 1600-1890,” in Steven Hahn and Jonathan Prude, eds., *The Countryside in the Age of Capitalist Transformation: Essays in the Social History of Rural America* (Chapel Hill: University of North Carolina Press, 1985). More recently,

still, they could acquire debt peons. Along with enslaved Indian labor, peonage of mostly Mexican-born peasants constituted part of a vast complex of unfree labor in the West. According to W.W.H. Davis, a longtime resident of the region, African slavery simply would not pay in a territory so thoroughly suffused with cheap peon labor. “The present labor of the country is so much cheaper than any that could be introduced, that a person would hardly be justifiable in risking his capital in slaves with so little prospect of profitable return,” Davis remarked in his 1857 account.⁶⁵ For roughly \$5 in monthly wages, landholding New Mexicans could secure indebted workers. Once under contract they could then trap these *peones* in an endless cycle of debt by maintaining prohibitively high prices on all goods at local stores, which masters generally controlled themselves. *Peones* could only break from this arrangement by paying off their debt, a virtually impossible feat, according to Davis.⁶⁶

Treatment of *peones* was regularly cruel. A statute passed the same year as New Mexico’s slave code gave masters carte blanche in the correction of their *peones*, so long as they did not resort to clubs or whips. “No court of this Territory shall have jurisdiction, nor shall take cognizance of any cause for the correction that masters may give their servants for neglect of their duties as servants,” the statute read, “for they are considered as domestic servants to their masters, and they should correct their neglect and faults.”⁶⁷ Furthermore masters were not obligated to provide for *peones* in sickness or in old age.

see Elliot West, “Reconstructing Race,” in *The Essential West: Collected Essays* (Norman, OK: University of Oklahoma Press, 2012).

⁶⁵ W.W.H. Davis, *El Gringo; Or, New Mexico and Her People* (New York: Harper & Brothers, 1857), 108.

⁶⁶ Davis, *El Gringo*, 232. See also Bancroft, *History of Arizona and New Mexico*, 681.

⁶⁷ “An Act amendatory of the Law relative to Contracts between Masters and Servants,” section 4, *Laws of the Territory of New Mexico, 1858-1859*, pp. 24-26. In his campaign against New Mexico’s slave code, Bingham also took aim at this peonage statute; see “Bill and Report of Bingham.”

“When he becomes too old to work any longer, like an old horse who is turned out to die, he can be cast adrift to provide for himself,” Davis wrote.⁶⁸ Although *peones* could not be bought or sold at market, like black chattel slaves, their condition was hardly any better, according to Davis. “Peonism is but a more charming name for a species of slavery as abject and oppressive as any found upon the American continent,” he wrote.⁶⁹ Black chattel slavery may have never taken root in New Mexico, but the territory clearly possessed its own peculiar institution. Like the slave South, the economy of New Mexico ran on unfree labor, and its legislators were dedicated to its preservation. Indeed, it took until 1867 and an act of Congress to abolish peonage in New Mexico.⁷⁰

Bleeding Arizona?

No region in New Mexico was more ardently proslavery than the southernmost part. Known generally as “Arizona” or “Arizonia,” this region comprised much of the land carved out by the Gadsden Purchase, the treaty authored by James Gadsden to facilitate the construction of a Pacific railroad along the 32nd parallel. Although railroad

⁶⁸ Davis, *El Gringo*, 233.

⁶⁹ Davis, *El Gringo*, 232. Geologist Raphael Pumpelly largely agreed, calling Mexican peonage “practically a system of slavery;” Raphael Pumpelly, *Across America and Asia. Notes of a Five Years Journey around the World and of Residence in Arizona, Japan and China* (New York: Leypoldt & Holt, 1870), 32. California legislator and slaveholding stalwart, Thomas Jefferson Green, made similar remarks about the institution, in a statement that served, simultaneously, as an apologia for chattel slavery and a critique of Mexican peonage. Green was especially appalled by the use of the pillory as an instrument of punishment peons. “I cannot err in saying that, if the owner of negroes in the United States were to permit such an instrument of torture upon his plantation,” Green wrote, “public reprobation, universal and overwhelming, would cause him to abandon the neighborhood thus outraged;” Thomas J[efferson]Green, *Journal of the Texian Expedition against Mier* (New York: Harper & Brothers, 1845), 427-429.

⁷⁰ For the deferred abolition of Mexican peons, see Stacey Smith, “Emancipating Peons, Excluding Coolies: Reconstructing Coercion in the American West,” in Gregory P. Downs and Kate Masur, eds., *The World the Civil War Made* (Chapel Hill: University of North Carolina Press, 2015). For the afterlife of this particular labor arrangement, see Gunther Peck, *Reinventing Free Labor: Padrones and Immigrant Workers in the North American West, 1880-1930* (Cambridge: Cambridge University Press, 2000).

bills would continue to languish in Congress, the purchase paid dividends for proslavery expansionists in other ways, namely by attracting a sizeable number of southerners, mostly Texans, to the valley along the Mesilla River. These southern émigrés congregated primarily in the town of Mesilla, numbering roughly 2,500 residents and strategically situated in a rich agricultural region along the route linking Texas to California. It was also proximate to gold, silver, and copper mines – exactly the sort of repositories that Jefferson Davis hoped, and Horace Mann feared, would one day be operated by slave labor (Chapter 1).⁷¹ In these early years, however, few southern migrants carried their slaves into Arizona. But they did bring their ardent proslavery sympathies, illustrating once again that the political reach of the South could continue stretching westward in the absence of chattel slavery itself. By the mid-1850s, Arizona was essentially a satellite of the plantation South, a vital link in slavery’s Sunbelt.⁷²

Arizona presented a particularly tempting field for proslavery expansionists because of its well-documented richness in agricultural and mineral resources. Make no mistake, several travelers in the region argued, Arizona’s arid landscape belied its natural abundance. The riches of southern New Mexico’s mines had been known to American expansionists since the 1840s, if not earlier (Chapter 1). But more recent investigations had revealed the presence of a potentially even more valuable resource: cotton. The

⁷¹ See Horace Mann to James Richardson, et. al., May 3, 1850, in *Horace Mann’s Letters on the Extension of Slavery into California and New Mexico; and on the Duty of Congress to Provide the Trial by Jury for Alleged Fugitive Slaves* (Washington: Buell and Blanchard, 1850), 5-7; see also Mann to the *Boston Atlas*, June 6, 1850, also in *Horace Mann’s Letters*; *Cong. Globe*, 31st Congress, 1st session, 1005-1006; John R. Bartlett to Jefferson Davis, December 29, 1850, in *PJD*, 4:146-147.

⁷² For the southern composition of early Arizona, see the travel memoir of Pumpelly, *Across America and Asia*, 29. For background on early Arizona, see Hall, “The Mesilla Times: A Journal of Confederate Arizona,” 338-339, 343; and Bancroft, *History of Arizona and New Mexico*, 474-493.

Virginian surveyor, Andrew B. Gray, drew attention to the opportunities for staple crop cultivation in the Southwest in an 1856 report, following his extensive exploration of the region for Robert Walker's Pacific railroad project.⁷³ His encounters with the Pimo and Maricopa Indians convinced Gray of the agricultural fertility of the region, especially along the Gila River. In their Indian villages he found wheat, corn, tobacco, and most promisingly, cotton. Upon examining a sample, Gray determined that their product was "not unlike the celebrated Sea Island cotton," with its "exceedingly soft and silky" fiber. "Large tracts of land on the Gila and in other portions of this district, appear to possess the same properties of soil," he concluded, "and where, I have no doubt the finest cotton will soon be extensively raised and brought to its highest state of perfection by proper cultivation."⁷⁴

While Gray speculated, James Gadsden experimented and collaborated. Upon receiving a handful of Arizona cotton seeds from a friend at Fort Yuma, Gadsden proceeded to grow a small crop in his native South Carolina. The conclusions were highly promising, he reported to his fellow expansionist, Matthew Fontaine Maury. Shortly thereafter, the *Washington States* obtained a sample of Gadsden's crop and concluded, "If Arizona is to furnish us with cotton-fields capable of producing such a

⁷³ Walker himself had invested in the Sonora Exploring and Mining Company, a group formed in 1856 under the leadership of Charles Debrille Poston of Kentucky, bound for the silver mines of Arizona. For more on Poston's venture, see Samuel Truett, *Fugitive Landscapes: The Forgotten History of the U.S.-Mexico Borderlands* (New Haven: Yale University Press, 2008), 38-40.

⁷⁴ A[ndrew] B[elcher] Gray, *Southern Pacific Railroad. Survey of a Route for the Southern Pacific R.R., on the 32nd Parallel* (Cincinnati: Wrightson & Co., 1856), 60. Like many native southerners, Gray settled in Tucson, Arizona before the war, and then joined the Confederate army upon the outbreak of hostilities. He died in 1862 in a steamboat explosion. For more on the cotton growing potential of the region, see Samuel Woodworth Cozzens, *The Marvellous [sic] Country; Or, Three Years in Arizona and New Mexico* (London: Sampson Low, Marston, Low, and Searle, 1875, second edition), 99.

material as this, it will be an additional inducement to Southern people to occupy it.”⁷⁵

The Gadsden Purchase lands, as Gadsden himself now recognized, were even more valuable than previously imagined. Indeed, the Gila River valley seemed a natural extension of the southern plantation ecosystem. After all, Arizona – and southern California for that matter – rested at the same latitude as Gadsden’s South Carolina.

As promising as the Mesilla Valley may have been in its agricultural and mineral potential, the region remained so far distant from the major northern New Mexican settlements, especially Santa Fe, that white migrants in the south began to nurture a sense of separate identity.⁷⁶ In January 1855, James A. Lucas, a member of New Mexico’s territorial legislature and an ardent proslavery partisan, first introduced a bill for separate territorial status for Doña Ana County, which included Mesilla. It was quickly tabled by the territorial legislature, but Lucas organized another campaign in the summer of 1856, and in August that year a convention from Tucson petitioned Congress with a memorial signed by 260 residents. Mesilla held its own territorial convention in September 1858 and another in June 1859. By then, Arizona’s territorial agenda was generating serious national consideration.⁷⁷

The expansion of slavery was not an explicit mission of this territorial movement, but observers on both sides of the Mason Dixon line recognized that the creation of a new

⁷⁵ Gadsden’s letter to Maury and the subsequent report from the *Washington States* was reprinted as “The Cotton Fields of Arizona Territory,” *De Bow’s Review* 24 (April 1858), 320-321.

⁷⁶ Residents of Arizona regularly complained of a lack of law enforcement and development, due to their distance from the territorial capital. See, for instance, Lansford Hastings to Gov. Rencher, July 11, 1858, RI 907, Ritch Collection, Huntington Library.

⁷⁷ Background on Arizona’s early territorial movement can be found in William S Kiser, *Turmoil on the Rio Grande: History of the Mesilla Valley, 1846-1865* (College Station: Texas A&M Press, 2011), 133-142; Bancroft, *History of Arizona and New Mexico*, 504-506; Ganaway, *New Mexico and the Sectional Controversy*, 105.

territory in such a proslavery region would amount to a major coup for the South. Not surprisingly, northern politicians came out in force against Arizona's territorial bid, while southern leaders rallied in support. With J.D.B. De Bow as its president, the 1857 commercial convention at Knoxville warmly endorsed Arizona's territorial campaign.⁷⁸ That same year, President Buchanan, gave his executive blessing to Arizona. He would continue to recommend separate territorial status for Arizona, even after losing out in his other western proslavery initiative over Kansas's Lecompton Constitution.⁷⁹ A number of slaveholding congressmen, including Thomas Jefferson Rusk of Texas, William Gwin, and Jefferson Davis also formally supported Arizona's organization as a territory.⁸⁰ Albert Gallatin Brown of Mississippi was more explicit, when, in December 1860, he called for the transfer of New Mexico's slave code into Arizona, which "shall not be repealed during the territorial existence of said Territory."⁸¹

Not all slaveholders, however, proved so eager for the prompt organization of Arizona, despite its potential. James Gadsden himself took a surprisingly reluctant and nuanced position. In a November 1857 letter to the *Charleston Courier*, Gadsden urged caution in endorsing Arizona's territorial bid, as premature action on the part of southerners might give "a pretext at Washington for reviving the agitations of Kansas on the soil of Arizona, and by which another Walker Squatter Sovereignty would inevitably

⁷⁸ For reports on the convention, see *Richmond Whig*, August 18, 1857; *Charleston Mercury*, August 19, 1857; and *Charleston Courier*, August 19, 1857.

⁷⁹ President Buchanan's Message to Congress, December 6, 1859, in *Congressional Globe*, 35th Congress, 2nd session, appendix, 5.

⁸⁰ *Congressional Globe*, 34th Congress, 3rd session, 817; 35th Congress, 1st session, 13, 62; US Govt. Doc., 35th Congress, 1st Session, Senate Journal, 41-47; *Globe*, 35th Congress, 2nd session, appendix, 48; 36th Congress, 1st session, 2071; *Richmond Whig*, March 2, 1860.

⁸¹ *Congressional Globe*, 36th Congress, 2nd session, 195-196.

rob the South of its inheritance before it was prepared to take possession.”⁸² Like many proslavery imperialists, Gadsden saw Arizona as the South’s rightful “inheritance,” but he also worried that territorial organization might spur abolitionist crusaders into action, who would invade the region and set up another western antislavery government, as they were currently doing in Kansas.⁸³ In essence, Gadsden envisioned Arizona as another Bleeding Kansas, as sectional adversaries migrated west to the next available theater. And past experience, he reasoned, indicated long odds for the South.

News from Kansas confirmed what Gadsden most feared: an abolitionist invasion of the South’s rightful “inheritance.” A January 1858 letter from the antislavery bastion of Lawrence, Kansas to the *Boston Journal* reported, “A great deal of interest is manifested here relative to the proposed Territory of Arizona.” According to the Kansas agent, “A great many Free State men have stated their determination to go in the spring, or when the difficulties are settled here... the principal reason for going being the desire to help the cause of free institutions there.”⁸⁴ Southern papers seized on rumors of abolitionist migration to galvanize a proslavery reaction. “The last mail brought the startling news that societies were forming in the New England States and that men had been organized into companies and regularly drilled in Kansas, for the purpose of abolitionizing Arizona by force of arms,” warned the *Texas State Gazette*. “Their

⁸² *Charleston Courier*, November 13, 1857.

⁸³ Alfred A. Smith would later articulate similar fears of northerners beating southern migrants to the Southwest. “The only hope of extension that the South has, is from Utah, New-Mexico, and Indian territories. Even this is but a feeble hope,” Smith lamented in his plea for southern secession. “Is it likely that the North, which has Europe in addition to her own population to draw her emigrants from, will permit us quietly to occupy these territories?” Smith, “A Southern Confederacy: Its Prospect, Resources, and Destiny,” *DeBow’s Review* 26 (May 1859), 571-572.

⁸⁴ Lawrence, Kansas to the *Boston Journal*, January 24, 1858, reprinted (with a great deal of alarm) in the *Charleston Mercury*, March 23, 1858.

success in Kansas has summoned from the haunts of crime in their great cities, hordes of paupers and vagabonds to enlist in the new foray against slavery.” According to the paper, “[N]o severer blow could be inflicted upon the South and her hopes than the occupation of this territory by armed antislavery propagandists.” By planting antislavery forces in a “Southern clime” (i.e. Arizona), abolitionists would effectively cut off slavery’s escape valve by blocking “acquisition of new slave States at the Southwest, where alone we can look for expansion.”⁸⁵ Like Gadsden, the *Gazette* saw great potential in the American Southwest, including northern Mexico, and struck a decidedly protective posture whenever threats emerged along this long southern corridor.

But when other proslavery expansionist looked westward to Arizona, they saw potential rather than calamity. To be sure, “an angry struggle” lay ahead, in the words of J.D.B. De Bow, as Arizona was both well suited to slavery and situated at a critical crossroads for transcontinental communication.⁸⁶ The *Baltimore Sun* agreed: “There are strong indications of an intention to transfer the Kansas struggle to Arizona.” But given Arizona’s fertility – especially with regard to cotton cultivation – and mineral wealth, “There is a better chance for the establishment of slavery in the latter than there ever was in the former Territory,” the paper projected.⁸⁷

Reports of southern migration to the Southwest were particularly heartening to advocates of proslavery expansion. The *Columbus (Georgia) Times* confirmed that one General Henningsen had begun recruitment efforts across several southern cities to

⁸⁵ *Texas State Gazette*, May 22, 1858. See also, the *Daily Confederation* (Montgomery, Alabama), June 30, 1858.

⁸⁶ *DeBow’s Review*, November 1857, p. 543.

⁸⁷ *Baltimore Sun* (n.d.) quoted in *New Orleans Daily Picayune*, February, 17, 1858.

“collect emigrants for Arizona.” According to the paper, Henningsen intended “to succeed in colonizing that territory with southern men, with the ultimate purpose of impressing the institutions of the South upon the political fortunes of that country.”⁸⁸ With a scheduled departure for July 1859, this mobile and politically motivated population of young men was prepared to defend a region they viewed as a natural appendage of the slave South. The New Orleans *Daily Picayune* likewise predicted a steady expansion of southerners through the Southwest. As emigration to the Northwest waned, future settlers would instead head for the more salubrious climate along the southern corridor. The cumulative effect of this movement would be a decisive victory for the slave South. “In Utah, New Mexico and Arizona it [slavery] exists by local law,” the *Picayune* stated triumphantly, “and as additional accessions to this field of wealth shall be acquired from Northern Mexico, as will assuredly by the case in a very short period, the demands of slave labor will then be clearly a necessity.”⁸⁹ By these accounts, the future hopes of the slave South lay in the Southwest.

Ultimately Bleeding Arizona never materialized, largely because antislavery forces failed to migrate in sufficient numbers to spark any armed conflict. Perhaps bloodshed could have been expected had Arizona been organized into a territory before the Civil War. But any conflict would have been one-sided. Despite the Mexican-born

⁸⁸ *Columbus Times* (Georgia) (n.d.), reprinted in the *Charleston Mercury*, June 28, 1859.

⁸⁹ New Orleans *Daily Picayune*, September 11, 1859. Other sources similarly noted an uptick in southern migration to Arizona, “the Mecca of aspiring speculators,” according to the *Alexandria Gazette*, January 31, 1859. See, also, Sacramento *Daily Union*, July 4, 1859.

majority, Arizona's proslavery white population would continue to dictate the political path of the proposed territory.⁹⁰

As Arizona continued to attract ambitious young southerners, one of the region's preeminent citizens, Sylvester Mowry, redoubled his efforts for territorial recognition. Although born in Providence, Rhode Island, Mowry wed his political fortunes to the southern element in the region, and was in turn named Arizona's unofficial delegate to Congress three times over. He brought greater visibility to Arizona's territorial bid through a series of lectures and publications, not in the least by promoting the region's natural fertility. In his *Memoir of the Proposed Territory of Arizona* (1857), he extensively cited Virginian Andrew B. Gray's report on the prospects for cotton cultivation in the Southwest.⁹¹ By invoking Gray's survey and his speculations about cotton, Mowry expanded on the familiar notion that Arizona represented a natural extension of the plantation South. Here was a region, he argued, which would support "all the fruits known to a Southern clime—grapes, wheat, corn, and cotton in great abundance."⁹²

Mowry elaborated on some of these themes in an 1859 address to the American Geographical & Statistical Society. That Mowry gave this address in New York did little to temper his proslavery commitment; in fact, he likely understood that New York financiers had provided much of the capital for the South's plantation regime.⁹³ Again he

⁹⁰ [Again, some census numbers would help make my argument stronger.]

⁹¹ Sylvester Mowry, *Memoir of the Proposed Territory of Arizona* (Washington: Henry Polkinhorn, 1857), 13-15.

⁹² Mowry, *Memoir*, 8.

⁹³ On the connections between New York's financial elite and slavery, see Sven Beckert, *The Monied Metropolis: New York City and the Consolidation of the American Bourgeoisie, 1850-1896* (Cambridge: Cambridge University Press, 2001), 85-89.

stressed the suitability of Arizona's soil for plantation agriculture. "Rice, sugar and cotton are best adapted to the soil of the Colorado bottom," Mowry claimed, suggestively noting that, "the extreme heat of the climate in the summer months will prevent white labor from agricultural pursuits to any great extent."⁹⁴ He thus avoided an outright endorsement of slave labor, while strongly suggesting that free labor would be untenable. Mowry enhanced his proslavery *bona fides* with a plug for the extreme southern Pacific railroad, "not only the most practicable, but probably the only practicable route."⁹⁵ He appended to this address a lengthy excerpt from Jefferson Davis's January 1859 speech on the Pacific railroad. There was thus little mistaking where the loyalties of Mowry, and Arizona more generally, lay.

With no decisive action coming from Congress on the territorial issue, Arizona's white residents took matters into their own hands. In April 1860, a convention of 31 delegates, with James A. Lucas presiding as president, met in Tucson to draft a territorial constitution. Although the delegates sidestepped the direct mention of slavery during the proceedings (not unlike the delegates at the American Constitutional Convention of 1787), their actions and endorsements betrayed their proslavery leanings. Not only did Arizona's delegates formally approve the "the pure, wise, and patriotic administration of our venerable President James Buchanan," they also created a new county in honor of future Confederate General Richard S. Ewell and a member of the convention, who had

⁹⁴ Sylvester Mowry, *The Geography and Resources of Arizona & Sonora: An Address before the American Geographical & Statistical Society* (Washington: Henry Polkinhorn, 1859), 14.

⁹⁵ Mowry, *Geography and Resources*, 34.

been stationed at nearby Fort Buchanan.⁹⁶ The convention elected as provisional governor Lewis S. Owings, a Texan, who in turn selected his fellow Texan, James A. Lucas as territorial secretary. The territorial constitution, drafted by the convention, again made no direct mention of slavery, as the authors likely realized that any outright endorsement of the institution would only enflame sectional discord and potentially scuttle their hopes for territorial recognition. But, crucially, it did recognize the laws of New Mexico “to be in full force and effect in this, the Territory of Arizona.”⁹⁷ New Mexico’s slave code thus became Arizona’s slave code.

The constitution and published proceedings were largely symbolic. Congress, to no one’s surprise, refused to recognize the rogue document and Arizona thus remained part of New Mexico territory. But it would also remain a region apart, even more committed to a proslavery agenda than the rest of New Mexico. As the nation spiraled toward disunion, Arizona’s residents would let their sectional allegiance shine.

A State Still Divided Against Itself

While southern New Mexicans battled for separate territorial status, a similar movement was intensifying directly to the west. For years, a prominent assortment of Californians – many of them of the proslavery variety – had advocated for state division.⁹⁸ California, they pointed out, was substantially larger than any state east of the

⁹⁶ *The Constitution and Schedule of the Provisional Government of the Territory of Arizona, and the Proceedings of the Convention Held at Tucson* (Tucson: J. Howard Wells, 1860), 8, 9.

⁹⁷ *Arizona Constitution*, article III, section 9.

⁹⁸ In California’s constitutional convention of 1849, William Gwin argued for a boundary line that would reach all the way to the Rockies, expecting that “If we include territory enough for several States, it is competent for the people of the State of California to divide it hereafter. This is a privilege guaranteed by the Constitution of the United States;” J. Ross Browne, *Report of the Debates in the Convention of*

Mississippi, too cumbersome an expanse of territory to be administered by a small legislative body in Sacramento. Furthermore, the southern part of the state was poorly represented in this legislature and unfairly taxed as a result. Thus, the only equitable solution to such an unbalanced administration was to split the state just south of San Luis Obispo, and convert this lower section into an independent territory. Although several historians have studied this state division movement, none place developments within California alongside the concurrent campaign unfolding in Arizona.⁹⁹ Taken together, these territorial movements constitute an integral, if ultimately unsuccessful, component of the proslavery campaign in the Southwest. By literally redrawing the American map, southern partisans hoped to bolster their waning representation in Congress and to strengthen their political grip across the lower corridor of the continent.

If southern partisans wanted to disguise their proslavery agenda, they could not have found a better figurehead for the movement by the late 1850s. Andres Pico hardly fit the criteria for a slave power conspirator. A landowner of mixed African, Native

California on the Formation of the State Constitution, in September and October, 1849 (Washington, D.C.: John T. Towers, 1850), 169. Given Gwin's political aspirations, he likely saw state division – or state multiplication, in other words – as an opportunity to increase his chances of obtaining a seat in the U.S. Senate. For more on Gwin at the constitutional convention, see Arthur Quinn, *The Rivals: William Gwin, David Broderick, and the Birth of California* (New York: Crown, 1994), 66-73; and Chapter 1 of this dissertation.

⁹⁹ See again, Ward M. McAfee, "California's House Divided," *Civil War History* 33:2 (1987), pp. 115-130; Hubert Howe Bancroft, *History of California*, 7 vols. (San Francisco: The History Co., Publishers, 1884-1890), 7:254-55; Theodore H. Hittell, *History of California*, 4 vols. (San Francisco: N. J. Stone and Co., 1885-1897), 1:261; James M. Guinn, "How California Escaped State Division," *Historical Society of Southern California*, Annual Publications (1905), 223-32; William Henry Ellison, "The Movement for State Division in California 1849-1860," *Southwestern Historical Quarterly* 17 (1914): 111-124; Rockwell D. Hunt, "History of the California State Division Controversy," *Annual Publication of the Historical Society of Southern California* 13 (1924), 37-53; Richards, *California Gold Rush and the Coming of the Civil War*; Daniel Brendan Lynch, "Southern California Chivalry: The Convergence of Southerners and Californios in the Far Southwest, 1846-1866," (PhD dissertation, UCLA, 2015), 109-117; Don E. Fehrenbacher, *The Slaveholding Republic: An Account of the United States Government's Relations to Slavery*, completed and edited by Ward M. McAfee (New York: Oxford University Press, 2001).

American, and European ancestry, Pico belonged to the wealthy class of *Californios* who had ruled the region during the Mexican era and were yet to be entirely dispossessed under American control. Some of his own property, however, had fallen victim to the burdensome system of American taxation, which placed disproportionately heavy levies on land – largely as a measure to reduce the size of Mexican-owned ranchos and thereby make more land available for white settlers.¹⁰⁰

During the 1850s, the aggrieved Pico and many of his fellow *Californios* joined forces with southern California’s dominant political faction, the proslavery wing of the Democratic party known as the Chivalry.¹⁰¹ It was an unlikely alliance, to be sure, one that fused the proponents of racial slavery with California’s large Mexican-born population. But it was also a highly effective pairing in the mixed-race political climate of southern California, and one that produced the most successful initiative for state division to date. Pico, as a member of the state assembly and one of the leading figures of this alliance, put forward this measure in early 1859.¹⁰² His bill called for the division of California just below San Luis Obispo and the creation of the territory of Colorado from the state’s southern counties. The land mass reserved for this southern territory

¹⁰⁰ See Leonard Pitt, *The Decline of the Californios: A Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley: University of California Press, 1971).

¹⁰¹ For the best study of this alliance, see Daniel Brendan Lynch, “Southern California Chivalry: The Convergence of Southerners and Californios in the Far Southwest, 1846-1866,” (PhD dissertation, UCLA, 2015). The 1851 state division meeting in Los Angeles featured some of the leading figures in this alliance, including Pio Pico, brother of Andres, acting as one of the meeting’s vice presidents, and Joseph Lancaster Brent, a Maryland native and future Confederate general; for a list of the meeting’s leading figures, see *Alta California*, October 1, 1851.

¹⁰² In the early 1850s, Andres Pico had been a Broderick supporter, but when Gwin installed him as state tax collector for the district of Southern California he secured the Californio’s allegiance. For biographical detail on Pico, see Lynch, “Southern California Chivalry,” 66-70; and the firsthand postbellum account of Hubert Howe Bancroft, “Personal Observations during a tour through the Line of Missions of Upper California,” MSS, typescript, 187-?, pp. 36-37, BANC.

mapped almost perfectly onto Foote's explicitly proslavery proposal nine years before (Chapter 1) – Pico didn't even bother to change the name.

The Pico bill may have carried a Spanish, rather than a southerner's surname, but the proslavery undercurrents to the state division movement had become unmistakable in the sectionally charged atmosphere of 1859. This was, after all, a year that would witness John Brown's raid on Harpers Ferry, Senator David Broderick's death at the hands of a Chiv rival, and open talk of southern secession. Even before Broderick's death, however, California's moderate antislavery press regularly aired charges of a Chivalry conspiracy.

The Sacramento *Daily Union* established itself as the state's firmest editorial opponent of state division, a movement that the paper insisted smacked of proslavery scheming. The proposed territory of Colorado, according to the *Union*, "was only the ground-work for a new Southern State on the Pacific."¹⁰³ As the measure worked its way through the state legislature, the paper grew increasingly anxious, not just for the fate of California, but for the state of the Union itself. "Southern empire on the shores of the Pacific is what the leaders of the ultra slavery party in Congress have long coveted above all things, and it is not likely they will neglect the opportunity which a division of this State will present," warned the *Union* in late March 1859. In this bid for a western empire, slaveholders would not stop at the division of California and its "inevitable" conversion to slave territory, however. "To connect the South with her domain on the Pacific, and bind the intermediate Territories of Arizona and New Mexico, a Pacific Railroad terminating at San Diego will be of the first necessity."¹⁰⁴ The proposed

¹⁰³ Sacramento *Daily Union*, March 3, 1859.

¹⁰⁴ Sacramento *Daily Union*, March 26, 1859. See also *Daily Union*, August 13, 1859.

territory of Colorado was therefore merely a part – albeit an important one – in a much larger enterprise to link the entire Southwest to the slave economy. New Mexico, Arizona, southern California, and a transcontinental railroad to bind them all – this was slavery’s Sunbelt at its core.

Historians have long recognized the proslavery cast to California’s state division movement.¹⁰⁵ As contemporaries noted, the Pico party line on state division – as a measure to provide tax relief for southern California’s landowners – was simplistic at best and duplicitous at worst. Such grievances could have been addressed through an amendment to the tax code, rather than splitting the state in two.¹⁰⁶ In his careful analysis of the assembly and senate votes on the bill, historian Ward McAfee identified a distinct Chiv preference for state division, though the vote did not perfectly follow sectional lines. In the senate, for instance, the Virginian and future Confederate officer Cameron E. Thom abstained, while the fire-eating John C. Burch voted against the bill. Perhaps they worried about the ability of southern emigrants to transform the territory of Colorado into a slave state – a fear echoed by southern expansionists like James Gadsden in his writings on the Arizona territorial movement.¹⁰⁷ Ultimately, however, their

¹⁰⁵ California historians have been debating the politics of this movement for well over a century. The earliest scholarship saw proslavery scheming written all over southern California’s territorial movement; Bancroft, *History of California*, 7:254-55; Hittell, *History of California*, 1:261; Guinn, “How California Escaped State Division,” 223-32. In 1914 William Henry Ellison challenged this interpretation and gave new credence to Pico’s old tax grievances; Ellison, “The Movement for State Division in California,” 111-124. Half a century later, Ward McAfee presented the most penetrating analysis of this movement to date. He refutes Ellison’s argument, while noting that the earlier claims of a coordinated Chiv conspiracy may be overblown. My interpretation aligns most closely with McAfee’s.

¹⁰⁶ McAfee, “California’s House Divided,” 117.

¹⁰⁷ McAfee, “California’s House Divided,” 124-128. The Sacramento *Daily Union* was quick to point out the sectional bias that animated the vote; see *Union*, May 31, 1859. For Gadsden’s fears of northern influx in Arizona; again, see Charleston *Courier*, November 13, 1857. It seems highly likely that a number of those who voted for the bill were motivated largely by a desire to create more states on the Pacific, and therefore greater congressional representation for the Far West.

reasoning remains obscure, as does the precise logic of the legislators who ensured passage of the Pico bill by votes of 33 to 25 in the assembly and 15 to 12 in the senate.¹⁰⁸

A smoking gun that would link state division to a bald proslavery gambit is yet to surface. Southern-born politicians in California did not openly campaign for state division as a slaveholder's issue, after all. In the heated political atmosphere of 1859, Chiv Democrats exercised rhetorical restraint around sectionalized issues like Pico's bill, lest their proslavery bias jeopardize the passage of southern-friendly legislation. But no amount of circumspection could disguise the fact that the Pico bill represented another victory for the expansionists of the slave South.

Onlookers in the slave states made that much clear. Southern expansionists cheered the state division movement on Pacific Coast, and – as the *Sacramento Daily Union* feared – mapped these developments onto their larger imperial imaginary.¹⁰⁹ Speaking at a Vicksburg convention in the summer of 1859, Henry Foote chided the growing body of southern secessionists by arguing that slavery could be best preserved, and even extended, within the Union. Just look westward, he urged his audience. “Give [slavery] fair scope and verge, and it will expand itself in all congenial territories.” He assured the crowd that “in less than two years from this time, if we are wise, we will have a slave State in Southern California. The State has been divided within the last six months for that purpose.” Arizona was also fertile ground for slavery, he continued, and even the

¹⁰⁸ For the full text of “An Act granting the consent of the Legislature to the Formation of a different Government for the Southern Counties of this State,” *Statutes of California, 1859*, pp. 310-311.

¹⁰⁹ Although several treatments nod to southern interest in the Pico controversy, historians are yet to fully trace the trans-regional impact of California's state division movement.

Pacific Northwest beckoned as a field for further expansion.¹¹⁰ Foote's faith in the popular will of westerners was well founded. After all, California's legislators had effectively carried out what Foote himself had attempted to do through congressional mandate nine years earlier.

Like Foote, the *Baltimore Sun* mused on the broader implications for state division, explicitly linking the territorial movements in Arizona and California. The Washington correspondent to the *Sun* reported that while southerners were making "preparations for the colonization of Arizona... on a large scale," Californians were endeavoring to establish a territory in the southern part of their state, "in order to add to Arizona, and thus constitute a new State, and probably a slave State." According to the correspondent, "This would seem to be the best prospect that is now offered in any quarter for the early admission of any new slaveholding States."¹¹¹ Although southern California was not likely to fuse with Arizona, as the *Sun* projected, the instinct to group

¹¹⁰ Foote's speech is found in "The Southern Convention at Vicksburg, Part 2," *De Bow's Review* 27 (August 1859), 216. Foote envisioned, not the proto-sunbelt of many southern expansionists' fantasies, but an even larger domain of slavery that would effectively encompass the entire Pacific West. True to form, the *Sacramento Daily Union* reprinted portions of Foote's speech to confirm the paper's suspicions of a national proslavery conspiracy at work in California. "It has also been suspected for some time past," the *Union* reported, "that the slavery propagandists in this State were acting in concert with their brethren and sympathizers in the Southwestern Atlantic States, and Foote's positive declaration seems to confirm the suspicion;" *Union*, August 17, 1859. Foote was so convinced of the proslavery nature of the Pacific Coast, that, while serving in the Confederate Congress in October 1862, he proposed a resolution, "recognizing the practical neutrality of the States of California and Oregon, and of the Territories of Washington and Nevada." His resolution suggested "the advantages which would result to the people thereof upon an immediate assertion on their part of their independence of the United States; and proposing, upon their so doing, the formation of a league, offensive and defensive, between said States and Territories and the confederate States of America," in Frank Moore, ed., *The Rebellion Record: A Diary of American Events, with Documents, Narratives, Illustrative Incidents, Poetry, Etc.*, 11 volumes (New York: G.P. Putnam, 1863), 5:90.

¹¹¹ *Baltimore Sun*, April 1859, excerpted in *Los Angeles Star*, May 28, 1859; see also, McAfee, "California's House Divided," 127.

these two would-be territories in a discussion of slaveholding expansion was certainly apt – though not a pairing that historians have repeated.

The press in the Deep South also tracked the vote on Pico’s measure. Reprinting an article from the New York *Tribune*, the Georgia *Weekly Telegraph* (Macon) noted that “The prospect of dividing California, no doubt with the idea of the erection of the southern part of it into a new Slave State,” was again under consideration.¹¹² In a November 1859 article, the Columbus (Georgia) *Daily Enquirer* was even more explicit about slavery’s prospects in the West. By that point, the state division measure had passed both houses of the state legislature, and moved to a popular referendum by southern California’s voters, who endorsed the territory of Colorado by a three-to-one margin. The *Enquirer* provided a breakdown, by county, of the popular vote in southern California, before musing on the possibilities for slave agriculture in the would-be territory. “[T]he prevalent opinion is that cotton, tobacco, and perhaps sugar, can be profitably cultivated,” the paper noted; “in fact, the main object of its own residents in demanding the division is understood to be the raising of these Southern products and the introduction of slavery.”¹¹³

Southerners had been eyeing California as a probable site of plantation agriculture for well over a decade by this point, but their dreams had never been so close to actualization. Indeed, in this state division movement we might detect something of a

¹¹² Weekly Georgia *Telegraph* (Macon), May 17, 1859.

¹¹³ Columbus (Georgia) *Daily Enquirer*, November 1, 1859. As the *Enquirer* reported, a total of 2457 southern Californians voted for the territory, and only 828 against; for more southern reports on California state division, see New Orleans *Daily True Delta*, November 12, 1859 and December 11, 1859; San Antonio *Ledger and Texan*, February 11, 1860.

coda to James Gadsden's earlier attempts to carve out a slaveholding colony on the Pacific coast.¹¹⁴ Gadsden had died several months before the state legislature passed the Pico bill, but his spirit lingered in this initiative that would make way, most likely, for the re-introduction of slavery to California. That reports of California state division reached the South via the Butterfield overland mail road, across Gadsden Purchase lands, seems additionally fitting.

But in all the optimism surrounding southern reports of California's division ran a chord of doubt. By September 1859 the measure had passed both houses of the state legislature, received the governor's signature, and won the approval of a vast majority of southern California's voters. Yet it still required Congressional approval in order to be made law. And there was reason to expect a hard fight ahead, especially with a new Republican plurality in the House of Representatives. "If the Black Republicans think there is reason to fear the making of a slave State by this movement, they will of course resist it to the bitter end in Congress," the Columbus *Daily Enquirer* fretted, "and if they permit it to pass with a view of making a struggle for the possession of the Territory, we shall probably have the Kansas troubles re-enacted on the Pacific shore."¹¹⁵ Again, Bleeding Kansas cast a long westward shadow that extended into the territorial struggles of Arizona and southern California.

¹¹⁴ Again, see James Gadsden to M. Estes, December 10, 1851, in the *Charleston Courier*, February 7, 1852; James Gadsden to Thomas Jefferson Green, December 7, 1851, William Alexander Leidesdorff Papers, Huntington Library; see also John C. Parish, "A Project for a California Slave Colony in 1851," *Huntington Library Bulletin* 8 (Oct. 1935), 171-175.

¹¹⁵ Columbus (Georgia) *Daily Enquirer*, November 1, 1859.

Southerners could at least find some solace in the fact that the man responsible for communicating the Pico bill to Washington was Governor Milton Slocum Latham. Although born in Ohio, Latham had spent several years in Alabama before coming to California, and had thoroughly established his bona fides as a Lecompton Democrat. A proponent of “proper subjugation” for African Americans and the right of slaveholders to carry their human property into the territories, Latham enjoyed the backing of California’s Chivalry faction.¹¹⁶ But if slaveholding expansionists expected the governor to stand firmly on their side, his official *Communication* was a disappointment. Although he recognized that southern Californians nurtured justifiable grievances, their attempt to split the state was “for the present, at least, impolitic.”¹¹⁷ Latham may have been a southern sympathizer, but he was first and foremost a politician, and he saw the way the wind was blowing in Congress by early 1860. An outright endorsement of the bill would have likely smacked of proslavery intrigue – a risky play at a time when sectional feelings ran at fever pitch in the wake of John Brown’s raid on Harpers Ferry.

¹¹⁶ Latham’s views on slavery are most clearly articulated in an April 1860 senate speech, a response to William Seward’s “irrepressible conflict” address; *Congressional Globe*, 36th Congress, 1st session, 1727-1729. See also William F. Thompson, “The Political Career of Milton Slocum Latham of California” (PhD dissertation, Stanford University, 1952). See also Or Rappel-Kroyzer, “The California Political System at the Dawn of the Civil War,” (masters thesis in progress, Tel Aviv University)

¹¹⁷ *Communication of Governor Latham to the President of the United States in Relation to the Division of the State of California* (Sacramento, 1860), 4. The communication was one of the few pieces of official business that Latham completed as governor. In fact, his five-day term makes him the shortest serving executive in California history. He had replaced another doughface Democrat, John B. Weller, the governor originally responsible for signing the Pico bill in April 1859. Upon the death of David Broderick, Latham was appointed to the U.S. Senate by his Chiv allies in the statehouse. Latham, however, was not a consistent Chiv ally, nor did he enjoy a particularly easy relationship with William Gwin. For more on this particular rivalry, see George Wallace to Milton S. Latham, February 23, March 29, and March 30, 1860, all in Papers of Milton S. Latham, California Historical Society, Sacramento, CA. My thanks to Or Rappel-Kroyzer for drawing my attention to these letters and for his own observations on this period in California’s political history.

Ultimately the bill died in the Senate judiciary committee, although California's legislature would continue to agitate for state division. In spring of 1860, a majority report endorsed the continued attempts to divide the state of California. The minority, on the other hand, urged caution in the present political climate. "The civil discord which now so trammels Congress and threatens our Federal Union had its origin in questions growing out of our territorial organization," it read, "and California, occupying a position so eminently conservative, should be the last to offer another opportunity for the enactment of new Kansas difficulties."¹¹⁸

Before falling victim to rising sectional tensions, the would-be territory of Colorado represented a high-water mark in a decade of proslavery separatism on the Pacific coast. From Foote's attempts to divide the state during the congressional debates of 1850, to Gadsden's 1852 petition for a slaveholding colony along the coast, to the momentarily successful initiative of 1859, slaveholders had seen in California a golden opportunity for expansion. Their failure to formally organize a slave territory on the Pacific should not obscure the substantial political inroads they made into an ostensibly free state. In fact, the popularity of Pico's measure speaks to the resilience of proslavery politics in California, in the teeth of the sectional crisis then gripping the nation. If the antebellum campaign for state division had died in the Senate judiciary committee, the

¹¹⁸ *Journal of the House of Assembly of California at the Eleventh Session of the Legislature* (Sacramento: C.T. Botts, 1860), 228-233. See also, *Sacramento Daily Union*, January 27, 1860; *Los Angeles Star*, March 10, 1860; *Sacramento Daily Union*, March 15, 1860.

dream of a southern empire along the Pacific would live on. Slaveholders who coveted a piece of the Far West would not have long to wait. War was brewing.

Southern Secession, Western Separatism

On December 20, 1860, South Carolina adopted secession ordinances and broke from the Union. From there, the rebellion rippled west – much further west, in fact, than most historians recognize. Indeed, from the perspective of anxious Unionists in the Far Southwest, the entire region – from New Mexico and Arizona into California – appeared poised to follow South Carolina’s lead. The territory of New Mexico, for instance, remained firmly within the South’s political orbit after Lincoln’s election: northern New Mexico was economically tied to Missouri while the southern part of the territory was strongly linked to Texas; the major newspapers, the *Santa Fe Gazette* and the *Mesilla Times*, continued to disseminate proslavery views; and the territory’s governor, secretary, and the majority of the local military commanders hailed from below the Mason Dixon Line.¹¹⁹ Meanwhile, in California, secessionists met secretly in an attempt to mobilize the

¹¹⁹ The outbreak of the war triggered an exodus of military commanders from New Mexico to the Confederate South, including Colonel William Wing Loring, the departmental commander, Colonel George B. Crittenden, the chief of staff, Major Henry Hopkins Sibley, Major James Longstreet, Captains Richard S. Ewell, Cadmus M. Wilcox, and Carter L. Stevenson, and Lieutenant Joseph Wheeler; see Alvin M. Josephy, Jr., *The Civil War in the American West* (New York: Vintage, 1991), 34. Ewell, originally from Virginia, had previously commanded the garrison at nearby Fort Buchanan and supported Arizona’s bid for territorial status. As the Union unraveled he downplayed the depth of sectionalism among New Mexico’s military officers. “Every one here is on the tenter [sic] hooks of impatience to know what the Southern States will do,” he wrote from Albuquerque. “The truth is in the army there are no sectional feelings and many from extreme ends of the Union are the most intimate friends;” Richard S. Ewell to Bettie Ewell, January 22, 1861, in Donald C. Pfanz, ed., *The Letters of General Richard S. Ewell: Stonewall’s Successor* (Knoxville: University of Tennessee Press, 2012), 161-162. Like so many others from New Mexico, Ewell resigned his commission in the U.S. army upon Virginia’s secession. He eventually rose to the rank of lieutenant general in the Confederate army, the third-highest ranking commander in the Army of Northern Virginia, behind Robert E. Lee and James Longstreet, who had also served in the territory.

state's military forces on behalf of the rebellion.¹²⁰ True, Abraham Lincoln had carried California, but he did so with just 32 percent of the ballots – the lowest proportion of votes he received in any free state.¹²¹ Some of the state's preeminent citizens even contemplated a separatist movement of their own, in order to form an independent Pacific Republic.¹²²

Over a decade of robust proslavery activity within California gave hope to secessionists that the Pacific Coast might peel off from the Union if it came to civil war.¹²³ And indeed, leading figures within the state had been surprisingly explicit on this

¹²⁰ One of the most colorful accounts of these early secessionist plots in California comes from one of the conspirators himself; see Ashbury Harpending, *The Great Diamond Hoax and other Stirring Incidents in the Life of Ashbury Harpending*, edited by James H. Wilkins (San Francisco: James H. Barry, 1913), 25-42. According to Harpending, such schemes “may seem chimerical at this late day, but then, take my word, it was an opportunity absolutely within our grasp,” p. 30. Secretary of War and future Confederate general John B. Floyd may have had an eye to this nascent secessionist movement when he sent 75,000 muskets to California on the eve of war; see Powell, “Southern Influences in California Politics,” 151; and Jefferson Davis to John B. Floyd, March 22, 1860, Jefferson Davis papers, BANC.

¹²¹ Lincoln edged Douglas by a mere 643 votes out of a total 119,876 ballots cast, a victory that surprised many on the Pacific Coast. After all, the Republican Party had faced some of its most sobering defeats at the hands of California's electorate in previous years. Furthermore, the state's entire congressional delegation – its two congressmen and two senators – supported Breckinridge, as did every single state officer, except Governor John G. Downey, who backed Douglas. Thus, the San Francisco bookseller Jefferson Martenet had good reason to assume that “Breckinridge & Lane we will carry this state by Ten Thousand easy,” Martenet to his mother July 30, 1860; also see Martenet to mother, September, 7, 1860, both in Jefferson Martenet papers, HEHL. Lincoln did especially poorly in southern California, where the leading figures had all campaigned for Breckinridge. For the pro-Breckinridge campaign within Los Angeles County, see *Los Angeles Star*, September 8, September 29, and November 3, 1860. For more on the election see, Richards, *The California Gold Rush and the Coming of the Civil War*, 224-229; Etta Olive Powell, “Southern Influences in California Politics before 1864” (M.A. thesis, University of California-Berkeley, 1929); Gerald Stanley, “The Republican Party in California, 1856-1868” (PhD dissertation, University of Arizona, 1973), 88-109.

¹²² Benjamin Hayes, the leading jurist of southern California and a Maryland native, was a keen observer of both secessionist activity within the state and plans for a so-called Pacific republic. See Benjamin Hayes, *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875*, Marjorie Tisdale Wolcott, ed. (Los Angeles: Marjorie Tisdale Wolcott, 1929), 251-256. Volume 7 within the Hayes Scrapbook collection at the Bancroft Library also tracks secessionist activity and the Civil War in the Southwest.

¹²³ There was also a movement within Oregon and Washington, which has been detailed by an older generation of scholars. See Dorothy Hull, “The Movement in Oregon for the Establishment of a Pacific Coast Republic,” *Oregon Historical Quarterly* 17:3 (September 1916); Keith Murray, “Movement for Statehood in Washington” *Pacific Northwest Quarterly* 32:4 (Oct. 1914); Walter Carleton Woodward, *The Rise and Early Political Parties in Oregon, 1843-1868* (Portland: J.K. Gill, 1914); Joseph Ellison, “Designs

point. Shortly after he delivered California's state division petition to Congress, Milton S. Latham, now a U.S. Senator, outlined the possibility for a grander sort of western separatism in a spring 1860 speech. He projected that, in the event of civil war, California would declare its independence and form part of a vast western republic, extending as far as the Rocky Mountains. Alternating between grim projections of eastern devastation and boastful remarks on western superiority, Latham argued that an independent California would shield itself from "fratricidal strife and mutual ruin." With the state's abundant resources and natural advantages, Latham queried, "Why should we trust to the management of others what we are abundantly able to do ourselves?"¹²⁴ The senate speech kicked up a minor firestorm in the West, and Latham, ever the opportunist, soon retracted his remarks on Pacific secessionism.¹²⁵

But others picked up where the senator left off, and often made explicit connections between western separatism and southern secession.¹²⁶ In a December 1860 letter, Charles L. Scott, one of the two U.S. Representatives from California, gave a full-throated endorsement to independence movements in both the South and West. "In my

for a Pacific Republic, 1843-62," *Oregon Historical Quarterly* 31:4 (December 1930), pp. 319-342. My thanks to Knute Berger for introducing me to the Pacific Northwestern component of this story.

¹²⁴ Before moving to his comments on Californian independence, Latham devoted much of the speech to an attack on abolitionism. He argued that "the South claims nothing but her constitutional rights," and defended slaveholders' prerogative to the "protection and enjoyment" of their human property within the federal territories. *Cong. Globe*, 36th Congress, 1st session, 1727-1729.

¹²⁵ With convenient historical amnesia, Latham insisted "there is not a word of truth" in the assertion that California "would form a Pacific Republic" in the event of southern secession; *Cong. Globe*, 36th Congress, 2nd session, p. 27. For the national critique of western separatism, see *Alta California*, December 11, 1860 (which called it a "burlesque upon disunion"); *San Francisco Bulletin*, November 27, 1860 (branding it a "suicidal step") and December 24, 1860; *New York Herald*, Dec. 14, 1860 and January 5, 1861.

¹²⁶ Ashbury Harpending, one of the major pro-Confederate conspirators in California, claimed that the "Republic of the Pacific" was to be "a preliminary" for a Confederate takeover of the state; Harpending, *The Great Diamond Hoax and other Stirring Incidents in the Life of Ashbury Harpending*, 30-31. For more on the direct links between Confederate support and western independence, see *Los Angeles Southern News*, March 1, 1861.

heart of hearts I warmly sympathize with the South,” he wrote, “and cordially endorse and fully justify them in not remaining in the Union under the President elect.” Although California boasted a large southern-born population, Scott noted, it would pursue its own path to independence. “If this Union is divided and two separate confederacies are formed,” he vowed, “I will strenuously advocate the secession of California and the establishment of a separate republic on the Pacific slope.” He believed California’s mineral resources, agricultural wealth, and access to the Pacific trade would assure its independence and its success. But an independent California would retain close ties with the South, he predicted, namely through the construction of a long-awaited railroad between the two regions.¹²⁷ California’s governor John C. Weller and U.S. Representative John C. Burch made a similar projections, while Senator William Gwin, although more circumspect, privately hoped that California would break from federal control.¹²⁸ Thus, at one point or another, the state’s entire congressional delegation supported a western separation.¹²⁹

We should not be entirely surprised. A minority position, to be sure, Pacific separatism nevertheless tapped a deep-seated western bitterness toward the federal

¹²⁷ Charles L. Scott to Charles Lindley, Chairman of the Democratic State Central Committee of California, Dec. 21, 1860, printed in the *San Francisco Bulletin*, January 16, 1861. Similarly, the Los Angeles Star predicted that an independent California would pave the way to a southern Pacific railroad. “A trans-continental railroad would be built between New Orleans and San Diego in less than two years,” *Los Angeles Star*, December 8, 1860; see an article on the same subject in the December 22, 1860 issue. See also William Carey Jones to the *San Francisco Herald*, December 15, 1860, in Benjamin Hayes Scrapbooks, Vol. 19, no. 10, BANC.

¹²⁸ For Burch’s position, see *Red Bluff Independent*, January 8, 1861; *Sacramento Daily Union*, February 13, 1861; also Winfield J. Davis, *History of Political Conventions in California, 1849-1892* (Sacramento: California State Library, 1893), 128-129. For Gwin’s more ambiguous but nonetheless staunchly pro-southern views, see William Gwin to Calhoun Benham, February 8, 1861, *OR*, Series II, Vol. II, 1015; Gwin to Joseph Lancaster Brent, March 27, 1863, Brent papers, HEHL.

¹²⁹ Support for a Pacific republic emanated from a minority of Californians, but given the political power of some of its keenest champions, it can hardly be considered a fringe position.

government and a very American tendency to imagine bold geopolitical reconfigurations.¹³⁰ National loyalties and the American map itself – as secessionists from South Carolina to Arizona had made clear – were in a state of dramatic transition. And California had never rested comfortably with the free soil status quo. From James Gadsden’s would-be slave colony, to the proposed territory of Colorado, southern schemers were constantly on the lookout for ways to redraw western boundaries and open loopholes in the state’s antislavery constitution. The Pacific republic debates can thus be seen as a postscript to a decade of proslavery operations within the West, as well as a prelude to the pro-Confederate activity that would menace large parts of the state during the war years.¹³¹

Ultimately, California remained true to the United States. Within the legislature, unionists prevailed over separatists and pledged California’s loyalty to the northern war effort. By 1861 William Gwin was out of office while his Chivalry faction had lost face due to its deep associations with the secessionist South. Furthermore, the federal patronage was now in the hands of a Republican administration, driving Chiv loyalists from the plum posts that they had occupied for so long.¹³² Yet while western separatism

¹³⁰ In fact, the possibility of a western republic predated the secession crisis. For a long and detailed rumination on this early movement, see [where’s that damn article from 1852?]. That California had been part of the Union for little more than a decade may also explain this tendency to view national boundaries as malleable.

¹³¹ For more on the malleability of nineteenth-century North American map and geographical imaginings of early Americans, see the forthcoming work of Rachel St. John and Thomas Richards, “The Texas Moment: Breakaway Republics and Contested Sovereignty in North America, 1836-1846” (PhD dissertation, Temple University, 2016).

¹³² For Lincoln’s undoing of this Chivalry bulwark, see Abraham Lincoln, “Memoranda on Federal Appointments,” c. April 1, 1861, Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, 8 vols. (New Brunswick: Rutgers University Press, 1953), 4:304-306.

had been discredited, it could not be eradicated. As it had since the gold rush, the slave South continued to cast a long shadow over the Pacific Coast (Chapter 5).

Meanwhile, New Mexico's leading political figures did little to disguise their anti-administration sentiments. Miguel Otero, for instance, blamed disunionism, not on the rash actions of slaveholders, but upon Republicans and the "accursed negro."¹³³ Although Otero remained neutral during the conflict, his wife was an avowed secessionist and he never surrendered his fierce anti-abolitionist views.¹³⁴ Similarly, The *Santa Fe Gazette* looked gloomily upon a future of Republican rule. "Abolitionism has become a fixed principle among the Northern citizens as is plainly enough manifested by the vote at the recent presidential election," the paper lamented.¹³⁵ Several months later, Alexander Jackson, one of the region's most eager secessionists, wrote to his friend Jefferson Davis to encourage "the assignment of New Mexico to the Southern Confederacy," an action that he believed "will certainly be in consonance with the wishes of a majority of her people."¹³⁶ Yet he added a caveat: no matter how pro-Confederate New Mexico's residents may have been, the territory's political allegiance would be dictated by Missouri, the economic lifeline of Santa Fe. "These people are fully prepared to go South, provided Missouri so goes," Jackson assured Davis, "but in advance of Missouri, no expression could be obtained from any respectable body of them."¹³⁷

¹³³ Otero to Colonel Collins, November 8, 1860, in *Santa Fe Gazette*, December 8, 1860.

¹³⁴ See again, his fierce response to Horace Greeley in early 1861; Otero, *An Abolition Attack upon New Mexico*.

¹³⁵ *Santa Fe Gazette*, December 8, 1860.

¹³⁶ Alexander Jackson to Jefferson Davis, February 17, 1861 in Wilson, ed. *When the Texans Came*, 19.

¹³⁷ Jackson to Davis, February 17, 1861, *When the Texans Came*, 20.

Missouri never seceded, nor did the northern half of New Mexico. Rather than foment rebellion within the territory, leading secessionists, like Jackson himself, left for the Confederate states. He would later return to New Mexico as a staff officer for an invading rebel army. As they had in California, Republicans shored up the limited Unionist sentiment within the territory through shrewd political placements. For most of the decade, federal appointments to the Far West had been made with an eye toward appeasing southern-born Democrats. Lincoln reversed that trend and ousted the old proslavery guard. Crucially, he replaced the territorial governor Abraham Rencher with Henry Connelly, a Virginia Unionist. In his first annual message in December 1861, Connelly celebrated his territory's political loyalties: "[W]hen the secession began and for some time after it had been in progress, it was presumed by the prime movers of the scheme, that our Territory would join them in their attempts to pull down the pillars of free government." Instead, Connelly proudly reported, New Mexico responded with a "patriotic outpouring of men" for the war machine.¹³⁸ The territorial governor no doubt inflated the territory's Unionism. New Mexico was no patriotic stronghold, after all. It clung to an uneasy Unionism, constantly threatened by neighboring Texas. The political indifference of the Mexican-born majority probably best explains the territory's wartime loyalty – or, more accurately, failure to secede – rather than any deep-seated commitment to the northern war effort. It should be remembered that four slave states – Delaware, Kentucky, Maryland and most crucially Missouri – also resisted secession.

¹³⁸ Henry Connelly, *The First Annual Message of Governor Connelly, Delivered before the Legislative Assembly of the Territory of new Mexico, December 4th, 1861* (Santa Fe: Santa Fe Gazette, 1861, 12; see also, Henry Connelly, *Proclamation by the Governor* (September 9, 1861), HEHL.

Furthermore, Connelly could only speak for the northern part of the territory. In the southern portion, the separatist region of Arizona, matters took a decidedly different turn. During the election of 1860, a group of Mesilla residents staged an unofficial election in which they proceeded to “elect” John C. Breckenridge by forty votes, over Lincoln’s five, Douglas’s three, and Bell’s seven.¹³⁹ As the secession crisis deepened, so too did the proslavery loyalties of Arizona’s white residents. In Tucson, Sylvester Mowry advocated for secession, claiming that the region would be safer from Indian attacks under Confederate protection.¹⁴⁰ While South Carolina dispatched commissioners throughout the slave states to encourage secession, Texas sent an agent of its own to Arizona, Philemon T. Herbert, a former U.S. representative from California and more recently a lawyer in El Paso.¹⁴¹ Writing to Secretary of State William Seward that month, William Need lamented, “The slave power in this Territory [Arizona] and New Mexico has been as proscriptive of Republicans as in South Carolina.”¹⁴²

As the slave states of the South debated disunion, Arizona’s white residents hosted two secession conventions of their own. They gathered first in Mesilla on March 16, 1861, where, once again, James A. Lucas presided over the convention. Several, including Herbert and General W. Claude Jones gave impassioned speeches in defense of

¹³⁹ Kiser, *Turmoil on the Rio Grande*, 143.

¹⁴⁰ Ganaway, *New Mexico and the Sectional Controversy*, 109-110. Mowry was arrested in Tucson by General Carlton and marched through the town’s streets in chains in June 1862. He was convicted of treason before a military tribunal, stripped of his property, and imprisoned at Fort Yuma, until November 1862.

¹⁴¹ For an excellent account of South Carolina’s secessionist commissioners, see Charles B. Dew, *Apostles of Disunion: Southern Secession Commissioners and the Causes of the Civil War* (Charlottesville: University of Virginia Press, 2002). For more on Herbert see James J. Ayres, *Gold and Sunshine: Reminiscences of Early California* (Boston: Gorham Press, 1922), 120; and Chapter 3 of this dissertation.

¹⁴² Quoted in Ganaway, *New Mexico and the Sectional Controversy*, 108.

southern independence. Jones made the decision a stark one – between subjugation and empire. “Northward, insult, wrong, and oppression are frowning upon us,” he thundered. “Southward a brilliant and glorious pathway of hope, leads to the star of empire smiling over a constellation of free and sovereign States.” In this choice between Union or secession, the Butterfield overland mail road stood out to Jones as a decisive factor. A “Southern Post Master General” had initially established the road through Arizona to the Pacific, Jones reminded the delegation, but “as soon as the North came into power, it was taken away from you and placed ten degrees farther toward the north pole.”¹⁴³

Transcontinental communication had been one of the major precipitating factors in the rift between the free soil North and the slave South, and it remained a central issue for the separatists of the Desert West. And thus, the convention unanimously resolved “that we will not recognize the present Black Republican Administration and that we will resist any officers appointed to this Territory by said Administration with whatever means in our power.”¹⁴⁴

A week later, white residents met at Tucson and, under the chairmanship of Granville H. Oury, also adopted secessionist resolutions.¹⁴⁵ With these two conventions, Arizona broke from the Union – well before the slave states of Virginia, Arkansas, Tennessee and North Carolina, which did not secede until after the firing on Fort Sumter

¹⁴³ Mesilla *Times*, March 30, 1861. Thank you to Sarah Allison, special collections librarian at New Mexico State University, for making available this scarce issue. For California’s coverage of the Arizona secession movement, see Sacramento *Daily Union*, April 4 and April 16, 1861.

¹⁴⁴ This resolution was included in the report of Lorenzo Labadie to James L. Collins, June 16, 1861 in Wilson, ed. *When the Texans Came*, 27. See also *OR*, Series I, Vol. IV, 39 for another report on Arizona’s disunion convention.

¹⁴⁵ For a report of this meeting, see Mesilla *Times*, March 30, 1861. The Arizona secessionists did not bother consulting the native Mexican population, probably realizing they could not count on them for support.

in April. That the federal bastion of Fort Fillmore stood a mere six miles from Mesilla, the capital of the new Confederate territory of Arizona, did not deter the region's secessionists. In August, they elected Oury as delegate to the Confederate Congress.¹⁴⁶ With that series of nearly uncontested conventions and elections, Arizona reaffirmed one of the principles of southern imperialism: a plantation economy was not a precondition for proslavery loyalty; the South could achieve its expansionist aims even without the extension of a chattel slave system.

In the coming months, white Arizona would not waver in its commitment to the Confederacy. When Lorenzo Labadie, a federal Indian agent, arrived in Mesilla in early summer 1861, he was met by a belligerent committee of local secessionists. "They have desired to compel me to depart from within the limits of the Territory of Arizona, and have given me to understand that if I do not comply voluntarily they will drive me out by brute force," Labadie wrote to his superior. "They have at hand a fine barrel of tar, into which they will put the first officer appointed by President Lincoln, feather him, and start him out to fly."¹⁴⁷ New Mexico's Unionist congressional delegate, W.W. Mills, found the situation in Mesilla equally distressing. "A disunion flag is now flying from the house in which I write, and this country is now as much in the possession of the enemy as Charleston is," Mills reported. "The *Mesilla Times* is bitterly disunion," he continued, "and threatens with death any one who refuses to acknowledge this usurpation." With

¹⁴⁶ Ganaway, *New Mexico and the Sectional Controversy*, 108-110.

¹⁴⁷ Lorenzo Labadie to James L. Collins, June 16, 1861 in Wilson, ed. *When the Texans Came*, 27. One local resident offered to lend the Confederate government between \$150,000 and \$300,000 to provision rebel troops in New Mexico, while another hosted army officers fleeing California for their homes in the South. For more on the early secessionist movement in Arizona, see Ganaway, *New Mexico and the Sectional Controversy*, 108-113.

two exceptions, all the officers at nearby Fort Fillmore were “avowedly with the South.”

Compounding these local problems, Mills warned, was an invasion force from rebel Texas, expected to cross into New Mexico in a mere two weeks.¹⁴⁸

Conclusion

In the spring of 1861, a curious tune could be heard in the streets and saloons of Los Angeles. “We’ll Hang Abe Lincoln from a Tree” was not the song of some embittered minority; it was an anthem of Civil War southern California, a manifestation of the proslavery and anti-Republican sentiments that had for so long characterized the politics of the region.¹⁴⁹ That Los Angeles and many parts of the Far West developed in such a manner was no accident. Since the American seizure of northwestern Mexico in 1848, slaveholders had looked to this part of the continent as a political appendage of the South. And they ensured as much through a combination of factors: infrastructural development, migration, and political pressure. To be sure, relatively few of them carried black slaves into the Southwestern territories. As W.W.H. Davis noted, the expenses and risks of moving valuable human property into frontier settings proved too great for most southerners, who could otherwise expect greater returns on slave labor in the heavily policed plantation districts of the Deep South.¹⁵⁰ But even in the absence of a plantation

¹⁴⁸ W.W. Mills to John S. Watts, June 23, 1861, *OR*, Series I, Vol. 4, p. 56.

¹⁴⁹ John W. Robinson, *Los Angeles in Civil War Days, 1860-1865* (Norman: University of Oklahoma Press, 1977, 2013), 50-51. For more on the pro-Confederate “tone” of southern California during the early months of the war, see Benjamin Hayes to Ed. M. Samuel, February 11, 1861; Hayes to his sister Emma, February 14, 1861; Judge Brown to Hayes, July 6, 1861, all in Benjamin Hayes, *Pioneer Notes from the Diaries of Judge Benjamin Hayes, 1849-1875*, Marjorie Tisdale Wolcott, ed. (Los Angeles: Marjorie Tilsdale Wolcott, 1929), pp. 251-256.

¹⁵⁰ For more on the risks (and some of the rewards) of transporting slave property to the Southwest, see *National Era*, February 19, 1852, p. 30.

economy, southerners succeeded in transporting their political culture across the western territories – to the extent that certain parts of the Far West proved more eager for a slaveholders' rebellion than did many areas of the slave South.

By extending their influence across the territory taken from Mexico, southerners created what we might call a proslavery Sunbelt. Again, this is not the Sunbelt of the twentieth century that historians have so richly described – this was not yet a region stitched together by military spending, Christian evangelicalism, and metropolitan development. However, the sense of shared political identity that currently unites the southern half of the country did not spring up suddenly in the post-World War II era. The fortunes of the South and the Southwest had been inextricably and deliberately bound roughly a century earlier. Western leaders affirmed their southern affinities through legislation, like the slave codes of Utah and New Mexico, and through territorial movements, as in southern California and Arizona. And with the Butterfield overland mail road, southern leaders built a physical monument to these regional interconnections. Although much of the Southwest did not ultimately follow the Deep South out of the Union, it remained, in the eyes of Confederate officials, ripe for the taking. Thus, when rebels invaded the Southwest during the early phases of the war, they did so as self-styled liberators of a region they had long identified as their own.

Chapter 5
THE CONFEDERATE DREAM OF A CONTINENTAL EMPIRE,
1861-1865

On July 21, 1861, the newly self-proclaimed Confederate States of America launched its first invasion of the war. In terms of manpower and destructive force, it was nothing spectacular, especially compared to the bloodletting of the conflict's later campaigns. But it was geopolitically significant nonetheless. With a deployment of just over 250 men, John R. Baylor's invasion of New Mexico made manifest what many had long known: slaveholders laid claim to the Southwest, and they were prepared to assert their title to that region through force of arms. Slipping across the border of west Texas into the Mesilla Valley, Baylor's invaders quickly exploited the territory's patchwork defenses and tenuous Unionism, capturing the region's command, Fort Fillmore and its 700 men, by late July. On August 1, 1861, from the proslavery hotbed of Mesilla, Baylor issued a proclamation declaring the Confederate Territory of Arizona, with a northern border stretching to the 34th parallel.¹ Although Union forces soon began to mobilize against this far western wing of the rebellion, the Confederate presence in the region only strengthened in the months ahead. The rebel president Jefferson Davis – who had done more than anyone else to bolster proslavery interests in the Southwest during the antebellum period – reinforced the invasion with a much larger force of roughly 2500

¹ As noted in chapter 4, a proslavery delegation had declared Arizona's allegiance to the Confederacy in March 1861. Baylor's conquest thus gave military backing to a region that had already been claimed by the rebellion.

under Brigadier General Henry Hopkins Sibley, arriving in the fall of 1861. Slavery's Sunbelt now had an army behind it.²

In many ways, the rebel invasion of the Southwest represents the military continuation of a political process begun years before. As with the proslavery campaign for the Far West during the antebellum period, California was the ultimate objective of this Confederate invasion. Baylor certainly appreciated the “vast mineral resources” of Arizona, but the true strategic payoff of his invasion depended on opening a thoroughfare to the Pacific – precisely what southern expansionists attempted through the Gadsden Purchase, the “great slavery road”, and the Butterfield mail route during the preceding decade.³ Indeed, we cannot truly understand Confederate grand strategy in the Far West independent of these antebellum political campaigns. Whereas a number of historians have explored the military history of Baylor's and Sibley's invasions, few connect these operations to their antecedent political movements.⁴ We should view southern political machinations and rebel invasions alike as a continuous process that stretched from 1850 to the collapse of the Confederacy fifteen years later.

² The most detailed account of this invasion is Donald S. Frazier, *Blood and Treasure: Confederate Empire in the Southwest* (College State: Texas A&M University Press, 1995).

³ On the strategic significance of this conquest, see Baylor to General Earl Van Dorn, August 14, 1861, *Official Records of the War of the Rebellion* (OR), Series I, Vol. IV, 22-23. See also T.T. Teel, “Sibley's New Mexican Campaign – Its Objects and the Causes of Its Failure,” in *Battles and Leaders of the Civil War*, Vol. 2, edited by Robert Underwood Johnson and Clarence Clough Buel, 4 vols. (Edison, NJ: Castle, 1995), 2:700.

⁴ Indeed, we know far more about the logistics of this campaign than the longstanding political imperatives that set it in motion. Exceptions include Megan Kate Nelson, “Death in the Distance: Confederate Manifest Destiny and the Campaign for New Mexico, 1861-1862,” in *Civil War Wests: Testing the Limits of the United States*, edited by Adam Arenson and Andrew R. Graybill (Oakland: University of California Press, 2015), and Frazier, *Blood and Treasure*, chapter 1. Frazier, however, overlooks proslavery imperialism during the crucial decade of the 1850s.

As in the antebellum period, proslavery expansion was aided and abetted by a transcontinental network of allies. This chapter will therefore follow not only rebel invasions coming from the East, but also homegrown Confederate operations originating from within the West. In California, in particular, the strong proslavery coalition of the pre-war period gave way to a menacing pro-Confederate movement during the war years, concentrated in the southern part of the state. In many ways, the state was divided against itself on a north-south axis, mirroring the political fault lines that had fractured the nation as a whole. Indeed, southern California had to be garrisoned to prevent the numerous Confederate sympathizers in the region from fomenting rebellion in the West. We might, therefore, view the state – and to a certain extent the entire Southwest – as a vast border region, not entirely unlike Missouri or Kentucky, where rebellion constantly simmered and Union control could only be maintained through overwhelming military force.⁵

California's Civil War

California may have averted secession or the formation of a breakaway Pacific republic, but the state was hardly free of rebellious activity during the war years. Baylor, writing from his post in the Confederate territory of Arizona in the fall of 1861, recognized as much. “California is on the eve of a revolution,” he reported, with “many

⁵ Zac Coswert has recently extended this conception of a vast Border West to include Indian Territory. His provocative essay, “Should Indian Territory Be Considered a Border State?” was written in response to arguments I introduced during the panel, “Go West Young Historians! Expanding the Boundaries of Civil War Studies,” at the Society for Civil War Historians conference in Chattanooga in June 2016; see his essay at <http://www.civildiscourse-historyblog.com/blog/2016/6/13/should-indian-territory-be-a-border-state>.

Southern men there who would cheerfully join us if they could get to us.”⁶ Hundreds, perhaps, were poised to join his ranks, if only rebel forces could open a pathway to the Pacific, Baylor predicted.⁷ Although the revolution of Baylor’s fantasies never materialized, a number of prominent California residents did slip across state lines to offer their services to the Confederacy. Indeed, the list of Confederate officers from California amounts to something of a who’s who of western politics: David Terry, the former chief justice of the state Supreme Court and the killer of Broderick; former Congressmen Charles L. Scott and Philemon T. Herbert; Los Angeles political kingmaker Joseph Lancaster Brent; General John B. Magruder; ex-U.S. District Attorney Calhoun Benham; at least three state senators; a handful of assemblymen; and agents in a number of federal posts, including the state controller, state navy agent, and a former surveyor general.⁸

Southern California represented the favored point of departure for western rebels. From there, future Confederate generals Albert Sidney Johnston, George Pickett, Lewis Armistead, and Richard Garnett all resigned their commissions and fled east.⁹ After

⁶ Baylor to Major S.B. Davis, November 2, 1861, *OR*, Series I, Vol. IV, 149.

⁷ Baylor to Colonel H.E. McCulloch, November 10, 1861, *OR*, Series I, Vol. IV, 135.

⁸ For more on the Confederate exodus from California, see Robinson, *Los Angeles in Civil War Days*, 62-64, 83-85, 118; Helen B. Walters, “Confederates in Southern California,” *The Historical Society of Southern California Quarterly* 35 (March 1953), 51-52; Woolsey, Ronald C. “The Politics of a Lost Cause: ‘Seceshers’ and Democrats in Southern California during the Civil War,” *California History*, 69 (Winter 1990/1991), 376; Albert Lucian Lewis, “Los Angeles in the Civil War Decades, 1850-1868” (Ph.D. Dissertation, University of Southern California, 1970); Clarence C. Clendennen, “Dan Showalter – California Secessionist,” *California Historical Society Quarterly* 40 (Dec. 1961), 309-325; Etta Olive Powell, “Southern Influences in California Politics before 1864” (M.A. thesis, University of California-Berkeley, 1929), 191-193.

⁹ Prior to this, a number of conspirators within California approached Albert Sidney Johnston, then the commander of the Pacific Department. They hoped he would aid the Confederate cause by remaining in California, and handing over the state’s military resources to the Confederacy. Johnston ultimately declined. “If you want to fight,” he told California’s secessionists, “go South.” Asberry Harpending, *The Great Diamond Hoax and other Stirring Incidents in the Life of Ashbury Harpending*, edited by James H.

resigning as the commander of the Pacific Department, Johnston was escorted out of the state by Alonzo Ridley and his Los Angeles Mounted Rifles, a unit of about 80 California secessionists, who had earlier been outfitted with a full complement of rifles, revolvers and sabers by the order of Governor John G. Downey. En route to Texas, this company traveled over the old Butterfield road, thus transforming the antebellum mail route into a Confederate thoroughfare. The Los Angeles Mounted Rifles would become the only organized militia from a free state to fight under a Confederate banner. Shortly thereafter, Joseph Lancaster Brent slipped from the port of San Diego, and after a brief imprisonment under Union guard, rose to the rank of brigadier general of a Louisiana cavalry unit.¹⁰ Two years later, Cameron Thom left his Los Angeles law practice as well as his infant son – named in honor of Albert Sidney Johnston – to join the Confederate cause in his home state of Virginia.¹¹ Such were the sacrifices that certain Californians were willing to make for the rebellion. In total, Johnston, Ridley, Brent, and Thom represented just a fraction of the Confederates who fled from southern California.

Wilkins (San Francisco: James H. Barry, 1913), 43. For more on this conspiracy, see Alvin M. Josephy, Jr., *The Civil War in the American West* (New York: Vintage, 1991), 235-236.

¹⁰ In Southern California, a group of rebels approached Brent, offering him the command of a 200-man Confederate unit. He declined, under the assumption that his services would be more useful within the Confederacy itself. "I saw that a coup d'état might easily be made, and at least the Southern part of the State carried over to the Confederate cause, at first, but that in a very little while the United States could send gunboats and troops, as many as were needed while we had no means of getting either, especially gunboats, that the Confederates would be overcome and the people of the state who had helped them would be ruined," he recorded in his memoirs. "I expressed these views very emphatically, and told the men who came to me that I would advise all those who wished to fight to go south and join the Confederate army, where they would be of real service, -- that I intended to do this." Joseph Lancaster Brent, *Memoirs of the War Between the States* (No place: Nanine B. Sloo, 1940), 52-53.

¹¹ "You can appreciate in part the agony that is mine at the thought of turning my back (most probably forever) upon my motherless infant," Thom wrote to his brother before departing for the Confederacy. Cameron Erskine Thom to Pembroke Thom, January 5, 1863; Cameron Erskine Thom to Pembroke Thom, September 27, 1863; William Alexander Thom to brother, June 30, 1863, all in Thom Family Papers, section 3, folder 5, Virginia Historical Society. For Thom's military career see, Robert E.L. Krick, *Staff Officers in Gray: A Biographical Register of the Staff Officers in the Army of Northern Virginia* (Chapel Hill: University of North Carolina Press, 2003), 284.

According to the estimates of Horace Bell, a rare southern California Unionist, Los Angeles County furnished the rebellion with “colonels, majors and captains without end, besides about two hundred and fifty of the rank and file who were... sent over the desert to the Confederate forces in Texas.”¹²

California’s rebels waged a two-front war on the Union. While hundreds offered their services directly to Confederate armies, a vocal and numerous contingent remained in the West, placing Unionist officials on high alert to the ever-present threat of a regional rebellion. As Governor Frederick Low would later recall, the Civil War period in California marked “perhaps one of the most difficult positions ever held by an executive in the state” given the “large secession element here.”¹³ General Edwin Sumner, commander of the Department of the Pacific, would not have disagreed. During the early years of the war, reports on California’s secessionist activity poured into his headquarters. According to local intelligence, rebel sympathizers ranged from arms-bearing militants to clandestine conspirators to more matronly figures, including one Mrs. Bettis, an enthusiastic secessionist who had begun rallying Californians in support of southern independence.¹⁴ The cumulative effect of these reports led Sumner to conclude

¹² Horace Bell, *On the Old West Coast: Being further Reminiscences of a Ranger*, edited by Lanier Bartlett (New York: Grosset & Dunlap, 1930), 74. Bell’s predictions align with the estimates of more recent historians; see Robinson, *Los Angeles in Civil War Days, 1860-1865* (Norman: University of Oklahoma Press, 1977, 2013), 85. In 1862 the *Los Angeles Star* printed a list of Californians who had recently joined Confederate armies as officers; see *Star*, November 29, 1862.

¹³ Frederick F. Low, *Some Reflections of an Early California Governor Contained in a Short Dictated Memoir by Frederick F. Low, Ninth Governor of California, and Notes from an Interview between Governor and Hubert Howe Bancroft in 1883* (Sacramento: Sacramento Book Collectors Club, 1959), 12.

¹⁴ See four letters to Sumner about the powerful presence of secessionists in southern California, *OR*, Series I, Vol. L, Part 1, pp. 563-566.

that, while “there is a strong Union feeling with the majority of the people of this State... the secessionists are much the most active and zealous party.”¹⁵

Concerned Unionists agreed: While the state’s legislative and military authorities remained loyal to the government, this strong body of secessionists threatened to transform the California into another border state. An August 1861 letter from a group of San Francisco businessmen to Simon Cameron, Secretary of War, argued against diverting Union troops from California to eastern theaters for precisely this reason. California was a powder keg of secessionist activity, waiting to go off, they warned. “The hatred and bitterness toward the Union and Union men,” they wrote, “manifested so pointedly in the South and so strongly evinced on the field of battle, is no more intense there than here.” They estimated that 16,000 Knights of the Golden Circle currently operated in California. Although that figure is probably an exaggeration, the threat of a regional rebellion was all too real. If secessionists were able to organize in sufficient numbers, they warned, “The frightful scenes now transpiring in Missouri would be rivaled by the atrocities enacted upon the Pacific Coast.” To this they added, “We need only appeal to the examples furnished by Missouri, and even Virginia, to show that the efforts of a comparatively small number of audacious and unscrupulous men are sufficient to precipitate an unwilling population into disunion, or at least to inaugurate civil war.”¹⁶

¹⁵ Sumner to Colonel E.D. Townsend, Assistant Adjutant-General, Department of the Pacific, April 28, 1861, *OR*, Series I, Vol. L, Part 1, p. 472.

¹⁶ [San Francisco businessmen] to Simon Cameron, August 28, 1861, *OR*, Series I, Vol. L, Part 1, 589-591. The letter was written in response to rumors that Sumner was to be sent east to Texas with 5000 California troops, thus depriving the state of much needed defenders.

Anxieties ran particularly high during the September 1861 gubernatorial election, a three-man race which pitted the Republican Leland Stanford in against John Conness and the former state attorney general, John R. McConnell, a Kentucky native. For many, McConnell's platform – which justified the right of secession, opposed military coercion, and embraced the Crittenden compromise – raised the specter of rebellion within the state.¹⁷ If California went for McConnell, the future Democratic Senator Eugene Casserly fretted, the election would “do more to encourage the foe and protract the war... than another Manassas.” Like San Francisco's concerned business community, he especially feared a border war within the state. “Heaven forbid that California should ever be another Missouri!”¹⁸ According to the Sacramento *Daily Union*, the McConnell ticket had galvanized the powerful secessionist element within California. The paper was probably right to assume that California possessed “a larger number of persons who sympathize with the enemies of the Government, than any other free State in the Union.” Their votes for McConnell, the *Daily Union* added, represented something of a declaration of war against the government.¹⁹ The *Alta California* echoed these dire projections about the fragility of Unionism within the state, predicting that “if McConnell had been elected, the Bear flag, in a short time, would have been raised” by secessionists, and with a sympathetic administration, they would have invaded Northern California to overwhelm the Unionists there.²⁰

¹⁷ The platform was written by two southerners, who would later flee California to join the Confederate Army. For more on McConnell and the election of 1861, see Etta Olive Powell, “Southern Influences in California Politics before 1864” (M.A. thesis, University of California-Berkeley, 1929), 176-180.

¹⁸ Eugene Casserly, “The Issue in California. Letter of Eugene Casserly to T.T. Davenport, August 27th, 1861,” (San Francisco: Charles F. Robbins, 1861 5, 11-14.

¹⁹ Sacramento *Daily Union*, August 28, 1861.

²⁰ *Alta California*, September 9, 1861. For more on the election of 1861, which

Although Stanford carried the state as McConnell and Conness split the Democratic vote, the Republican victory hardly dispelled fears of a western rebellion. Southern California, in particular, remained a proslavery stronghold. In fact, Los Angeles County registered a strong two-to-one majority in favor of McConnell over Stanford.²¹ And a year later, Los Angeles's voters once again backed secessionist candidates, E.J.C. Kewen and J.A. Watson, for positions in the state assembly. Their victory prompted Henry Dwight Barrows, the *San Francisco Bulletin's* correspondent in Los Angeles, to lament another rebel victory in his precinct. "Well, the Secessionists have carried this county, body and boots, for Jeff Davis, and for the *dis*-United States," he wrote. "Let it never be forgotten that the county of Los Angeles, in this day of peril to the Republic, is two to one for Dixie and Disunion; or, for permitting disunion without a struggle."²²

As Barrows and others were quick to note, the political leanings of Los Angeles County's residents confirmed that pro-Confederate impulses remained alive and well within California, even after initial secession scares flared out. Fears of a statewide insurrection may have been exaggerated, but secessionists in southern California were full of more than just the sound and the fury. Indeed, they constituted a powerful fifth column within California and posed, according to many, an immediate threat to Unionism in the West. Pro-southern sentiments, of course, were nothing new to Los Angeles.

²¹ Robinson, *Los Angeles in Civil War Days*, 70-71; Woolsey, "Politics of a Lost Cause," 378; for more on the election, see Winfield J. Davis, *History of Political Conventions in California, 1849-1892* (Sacramento: California State Library, 1893), 179-180. Davis contends that Stanford's victory convinced more southern sympathizers within the state to leave for the Confederacy, including a several congressmen.

²² *San Francisco Bulletin*, September 13, 1862. For more reports on secessionism within Los Angeles, see *Los Angeles Southern News*, March 1, 1861.

During the 1850s, a wave of Anglo-American immigrants, largely from Texas, began transforming the Mexican pueblo into a proslavery outpost of roughly 4,400 residents by the time of the 1860 census. As early as 1859, the Butterfield overland mail route linked Los Angeles directly to the South, and helped expedite southern migration to the Southwest. Not surprisingly, when Lincoln issued a call for 75,000 troops to suppress the rebellion in the spring of 1861, many within Los Angeles – most likely a majority of the town’s residents – sided with the secessionists. Soon, the strains of two popular songs could be heard in the city’s streets and saloons, “We’ll Hang Abe Lincoln to a Tree” and “We’ll Drive the Bloody Tyrant from Our Dear Native Soil.” Rebel sympathizers paraded the Bear Flag, a symbol of California separatism, through the towns of El Monte, San Bernardino, Merced, and Visalia. Secessionist activity so alarmed future Union general Winfield Scott Hancock, then stationed in Los Angeles, that he assembled a small arsenal of Derringers for his own use, while also arming his wife.²³

As Hancock fortified his household against a potential Confederate uprising, Sumner made moves to garrison the entire county. By September 1861, the commander of the Department of the Pacific was preparing to send a sizeable force into southern California to stem the tide of secessionism in the region.²⁴ Writing to Colonel George Wright, commander of the southern district, Sumner made clear his military priorities within California. “The secession party in this State numbers about 32,000 men...

²³ Robinson, *Los Angeles in Civil War Days*, 16-17, 25, 50-51; Benjamin Franklin Gilbert, “The Confederate Minority in California,” *California Historical Society Quarterly* 20 (June 1941), 168. As Horace Bell recalled, “Los Angeles was ardently Southern in its sentiments at the outbreak of the great War of Secession. The leading men of the county were for the Jeff Davis government first, last and all the time. Men loyal to the United States Government were in a hopeless minority.” Bell, *On the Old West Coast*, 72.

²⁴ Sumner to Col. E.D. Townsend, September 17, 1861, *OR*, Series I, Vol. L, Part 1, p. 623.

congregating in the southern part of the State and it is there they expect to commence their operations against the Government,” Sumner wrote. This disloyalty, he continued, “has been tolerated too long already, and I desire that you will put a sudden stop to all demonstrations in favor of the rebel government, or against our own.”²⁵ He promised a ready supply of reinforcements.

True to his word, Sumner increased the number of soldiers in southern California and delayed their shipment east. On guard against secessionist demonstrations, Union troops were stationed in San Bernardino, Santa Barbara, Visalia, and Los Angeles. By January 1862, the Union command shifted its operations to Drum Barracks, located in Wilmington, outside Los Angeles. The camp housed between 2,000 and 7,000 federal troops at various points during the war, including the famous California Column under James Henry Carleton, giving Wilmington a larger population than Los Angeles itself. In an ironic twist of fate, thirty-one camels from the U.S. Camel Corps arrived in Los Angeles in June 1861, and remained a common sight in the city’s streets until they were sold at auction in 1863. Thus, for at least a brief period, Jefferson Davis’s pet project for southwestern development during the antebellum period had been transformed into an agent of Yankee control. Between these camels and, most notably, thousands of federal troops, southern California had been garrisoned against its own disloyal residents.²⁶

The federal presence may have dissuaded more organized forms of rebellion, but it hardly eliminated pro-Confederate agitation in southern California. To celebrate the Confederate victory at Bull Run in July 1861, for instance, Los Angeles’ rebels staged a

²⁵ Sumner to Colonel George Wright, September 30, 1861, *OR*, Series I, Vol. L, Part 1, 643.

²⁶ Robinson, *Los Angeles in Civil War Days*, 58-61, 68-69, 93-94.

rally and openly insulted the Union Army.²⁷ In the cities of San Bernardino and El Monte, rebels thwarted attempts to establish Union Clubs.²⁸ Southern supporters also resorted to outright violence on occasion. In even they pitched a Union supporter from an upstairs window of the Bella Union hotel, where Confederate sympathizers frequently gathered during the first year of the war.²⁹ “Is Southern California a part of the rebel Confederacy that loyalty to the Union is neither respectable nor safe?” bemoaned Henry Dwight Barrows in April 1862. “Our local State, county, and city officers, with very few exceptions, are avowed sympathizers with [the Confederacy],” he wrote, “and the Union cause is very generally despised.”³⁰ Take A.J. King, for instance, the undersheriff of Los Angeles County and “a notorious secessionist,” according to Barrows. King had rallied a large gathering of Confederate supporters in the town by displaying a life-size portrait, of rebel General P.G.T. Beauregard, “elegantly engraved and framed.”³¹ Given this atmosphere, Union troops had to proceed with caution beyond the walls of their garrisons. As Horace Bell recalled, the soldiers stationed at Drum Barracks “scarcely dared appear in town on account of the wrath of the populace.”³²

The rebel spirit was perhaps equally strong 190 miles north of Los Angeles, in the town of Visalia. “There are more secessionists in this and the adjoining counties than

²⁷ Woolsey, “Politics of a Lost Cause,” 376.

²⁸ Gilbert, “The Confederate Minority in California,” 157. David Terry purportedly organized nightly meetings of secessionists in El Monte; see *OR*, Series I, Vol L, Part 1621-622. For more on the disloyalty of San Bernardino’s residents, see *Alta California*, November 23, 1864.

²⁹ Robinson, *Los Angeles in Civil War Days*, 58-59

³⁰ Barrows to Brigadier Gen. George Wright (who was then the commander of the Pacific Department) April 10, 1862, *OR*, Series I, Vol. L, Part 1, p. 996.

³¹ Henry D. Barrows, the US Marshal of the Southern District of California, to Col. J.H. Carleton, April 9, 1862, *OR*, Series I, Vol. L, Part 1, p. 993. Shortly thereafter, King was arrested on charges of treason, though released upon taking a loyalty oath; *OR*, Series I, Vol. L, Part 1, p. 994.

³² Bell, *On the Old West Coast*, 75.

there are in proportion to the population in any part of the United States this side of Dixie,” concluded a Union officer stationed nearby. On a daily basis, he reported, rebel sympathizers would “ride through the streets of Visalia and hurrah for Jeff. Davis and Stonewall Jackson.”³³ That a federal garrison had been established one mile north of Visalia in October 1862, seemed only to galvanize Confederate sympathizers. They regularly mocked Union soldiers as “Lincoln hirelings,” and instigated a number of violent confrontations. One such fight led to an exchange of gunfire and the death of a Union soldier as well as the wounding of two Visalia agitators – what we might consider the westernmost casualties of the war.³⁴

While open confrontations were not uncommon in certain pro-southern strongholds, much of California’s secessionist activity took place behind closed doors or under the cover of darkness. Two major secret societies were active in California during the war – the Knights of the Golden Circle and the Knights of the Columbian Star. Members in both organizations pledged themselves to the Confederate cause, and sought ways to aid the rebellion from the far side of the continent. The San Bernardino Knights of the Golden Circle, for instance, resolved, “That we mutually pledge to each other our lives, our property, and our sacred honor to sustain our brethren of the Southern States in the just defense of all their constitutional rights, whether invaded by the present Executive or by a foreign foe.”³⁵ The Knights of the Columbian Star, who tended to be

³³ Lt.-Col. George S. Evans to Lt. Col. R.C. Drum, December 1, 1862, *OR*, Series I, Vol. L, Part 2, p. 236.

³⁴ Evans to Drum, *OR*, Series I, Vol. L, Part 2 236. For more reports of pro-Confederate activity beyond Los Angeles and Visalia, see *OR*, Series I, Vol. L, Part 2, p. 707 and Series I, Vol. L, Part 2, pp. 924-925.

³⁵ Clarence Bennett to General Edwin Sumner, August 6, 1861, *OR*, Series I, Vol. L, Part 1, p. 556-558. This resolution was obtained by a Unionist agent who had infiltrated the San Bernardino chapter. He also reported on the order’s secret grip and its passcode.

more active in the northern part of the state, made similarly grandiose pronouncements. According to one report, members of a Sacramento chapter pledged to keep themselves well-armed and to “resist the enforcement of any and all unconstitutional laws by the Administration.”³⁶ They also raised money to be transmitted to the Confederacy under “pretense of giving to the rebel sanitary for rebel prisoners.” Because activities and membership rolls were kept secret, it is impossible to determine, with any degree of accuracy, the numerical strength of these two secret societies. One informant estimated that the Knights of the Columbian Star numbered about 24,000 and an equal number of Knights of the Golden Circle. Although these numbers are undoubtedly too high, the two societies did attract their fair share of high-profile Californians. Beriah Brown, editor of the Copperhead *Democratic Press* of San Francisco, purportedly headed the organization, while ex-governor John Bigler was a “prominent member.”³⁷ As in the antebellum period, California’s proslavery element continued to attract the support of political elites during the war years.

California’s Confederate sympathizers undermined the Union cause in a number of ways: they paraded openly on the streets of Los Angeles and Visalia; they organized secretly in the backrooms of San Bernardino and Sacramento; they fled directly to Confederate lines to offer their services to rebel armies; and they also waged a war of words in California’s newspapers. The politics of the old proslavery Chivalry faction lived on in a number of publications, and raised considerable alarm for beleaguered

³⁶ Robert Robinson to Brigadier General John S. Mason, August 10, 1864, *OR*, Series I, Vol. L, Part 2, p. 938. Information in this letter was obtained by a confidential informant, Hiram Potter.

³⁷ *Ibid*, p. 940.

Unionist authorities within the state. According to the estimates of Etta Olive Powell, over one hundred newspapers were printed in California during the war years, and of these, roughly thirty opposed the Lincoln administration.³⁸

The *Equal Rights Expositor* of Visalia was one of the most staunchly anti-Union papers of this kind. Operated by S.J. Garrison and Lovick P. Hall, a Mississippi native and longstanding advocate for the extension of slavery into the Pacific West, the *Equal Rights Expositor*, cheered the Confederate cause, even as federal authorities began concentrating troops in Tulare County. Rather than colonize free blacks, the *Expositor* argued in a typical editorial, why not colonize abolitionists?³⁹ According to one Union officer stationed nearby, the *Expositor* “goes as far if not further than the vilest sheet published in Richmond.”⁴⁰

Los Angeles housed an inflammatory, anti-Unionist editor of its own. Henry Hamilton, though born in Ireland, was a longstanding admirer of the South and the southern political diaspora within California.⁴¹ He supported William Gwin, E.J.C. Kewen, and the Chivalry faction, and dedicated his weekly paper, the *Los Angeles Star*,

³⁸ The state’s papers took issue with a range of administration policies, including emancipation and the federal army’s presence in California. The most vocal of those were the *Sonora Democrat*, *Stockton Republican*, *Napa Echo*, *Grass Valley National*, *Dutch Flat Enquirer*, *Butte Record*, *Butte Democrat*, *Mariposa Free Press*, *State Rights Journal*, *Sierra Citizen*, *Sonora Union* and *Plumas Standard*; Powell, “Southern Influences in California Politics,” 194-198. For more on the press in antebellum California generally, see Washington Bartlett, *Statement of Washington Bartlett a Pioneer of 1849 for Bancroft Library*, Mss, 1877, BANC.

³⁹ For background on the *Expositor* and its editorial views, see Gilbert, *Confederate Minority in California*, 160-162.

⁴⁰ Lt.-Col. George S. Evans to Lt. Col. R.C. Drum, December 1, 1862, *OR*, Series I, Vol. L, Part 2, p. 236.

⁴¹ Hamilton came to the U.S. in 1848, working briefly as a printer’s apprentice in New Orleans, which is perhaps where he acquired his strong southern sympathies. But he remained in Louisiana only briefly, arriving in California’s gold fields in 1849. The best available treatments of Hamilton’s life and editorial career can be found in Robinson, *California in Civil War Days*, and John W. Robinson, “A California Copperhead: Henry Hamilton and the *Los Angeles Star*,” *Arizona and the West* 23 (Fall 1981), pp. 213-230.

to heaping scorn on Abraham Lincoln and the Union war effort. Founded in 1851 as the city's first newspaper, the *Star* came under the editorial direction of Hamilton by 1856, who lent it a reputation for cosmopolitanism, literary polish, and acerbic political commentary.⁴² In many ways, the *Star* became the political mouthpiece for southern California's pro-Confederate population during the war years, lashing out against what Hamilton viewed as an unholy war. He kept particularly close tabs on Union authorities within the area, who were busy committing "outrages" against the local citizenry and arresting innocents on what he dismissed as unfounded charges of treason.⁴³ And he articulated, perhaps better than any editor in the region, southern California's natural affinity for the slave states. "We are on the highway to and from the South, our population are from the South, and we sympathize with her," he announced in a January 1861 issue. "Why then should we turn our backs on our friends and join their enemies to invade, impoverish, and despoil them?"⁴⁴ Hamilton thus echoed what many others had suggested for years: the South's sphere of influence stretched all the way to the Pacific.

No federal action, according to Hamilton, was more outrageous than the Republican campaign for emancipation. Lincoln's preliminary emancipation proclamation, had transformed the Union war effort into a campaign "for a dissolution of

⁴² Los Angeles had one other newspaper during the war years, the *Semi-Weekly Southern News*, published by C.R. Conway and Alonzo Waite.

⁴³ *Los Angeles Star*, November 29, 1862; November 7, 1863; May 14, 1864.

⁴⁴ *Los Angeles Star*, January 5, 1861. This particular passage is quoted in both Faragher, *Eternity Street*, 384 and in an official report presented in the state senate, aimed to discredit Hamilton's 1864 bid for office; "Report of the Senate Committee on Elections, in the Contested Election Case. Ramirez vs. Hamilton," (Sacramento: O.M. Claves, 1864), 5. The report also quoted the same issue of the *Star*, in which Hamilton mused on the possibility of southern California forming "a Territory of the Pacific Republic, or if the people prefer it, they might seek admission as a Territory of the Southern Republic."

the Union” as it was, Hamilton wrote.⁴⁵ In another article, he continued to rage: “Was ever such an outrage perpetrated in the name of law, or such foul perjury committed, as by this man, sworn to maintain the Constitution and govern by the laws?”⁴⁶ As for Lincoln himself, he was a “tyrant” and an “obscure, fourth-rate lawyer” who had somehow swindled his way into the highest office in the land.⁴⁷ When Union armies – what he dubbed the “Abolition force” – went down in defeat, Hamilton seemed almost to gloat. Of the Confederate triumph at Fredericksburg in December 1862, for instance, he reported with no small degree of satisfaction, “Their greatest leaders... attempted to measure swords with the Rebel leaders, and their inferiority is written in gore.”⁴⁸ Not only was emancipation bald theft and a tremendous waste of human life, he argued, it also would bring only misery to the slaves themselves. Quoting a conservative London paper, the *Star* made its position clear: “The fact is that the whole negro population, with here and there an exception, has been happy and contented under slavery; that the free negro is utterly unable to take care of himself in the midst of a superior number of whites; that he will do no work at all, and is one of the most miserable beings in creation.”⁴⁹ In short, Lincoln and his party were attempting to bring about “the maddest revolution recorded in the annals of time.”⁵⁰

Always a minority within the state, California’s pro-Confederate population nevertheless wielded a political influence well beyond its numbers. To be sure, reports of

⁴⁵ *Star*, November 8, 1862. For more outrage over Lincoln’s early endorsement of emancipation, see *Star*, December 13, 1862.

⁴⁶ *Star*, January 3, 1863.

⁴⁷ *Star*, November 7, 1863.

⁴⁸ *Star*, December 27, 1862.

⁴⁹ *Star*, April 23, 1864.

⁵⁰ *Star*, January 16, 1864, quoting the London *Herald*, no date.

their numerical strength and organizational capacities were exaggerated. And rebel sympathizers certainly never succeeded in creating a coordinated, widespread revolt within the state.⁵¹ But if California's anti-Unionists never mustered anything resembling a full-scale rebellion, they nevertheless provoked enough alarm in high government authorities – one might even call it a siege mentality – to delay the eastern transfer of Union soldiers and to justify garrisoning the southern part of the state. Unionist anxieties may have been overblown, but they were not entirely unjustified. Federal authorities had good reason to fear the operations of a determined minority. After all, it did not require a particularly long memory to recall how a relatively small faction of proslavery southerners had come to dominate the state's antebellum politics. Many of those politicians, like E.J.C. Kewen, remained active and powerful within the state, while others, like William Gwin, menaced the Union from abroad.⁵² Time and again, California had cast its lot with the South, and there was reason to suspect – with

⁵¹ Historian Ronald Woolsey argues that the older scholarship has inflated the seriousness of the rebel threat in California. “[A]nti-Union sentiment in southern California emanated from a provincial viewpoint,” he argues. “Criticism of the Civil War stemmed not from an endearment to the Confederacy, but from the effects of the war on the locale itself;” Woolsey, “Disunion or Dissent? A New Look at an Old Problem in Southern California Attitudes toward the Civil War,” *Southern California Quarterly* 66 (Fall 1984), 196. More recent works have pushed this position even further. Tamara Venit-Shelton, for instance, argues that the California “perpetuated a baseless secession anxiety in the state;” Venit-Shelton, “A More Loyal, Union Loving People Can Nowhere Be Found”: Squatters’ Rights, Secession Anxiety, and the 1861 ‘Settlers’ War’ in San Jose,” *Western Historical Quarterly* 41 (winter 2010), 489. Similarly D. Michael Bottoms has recently argued, “When the Civil War broke out, California quickly declared for the Union and remained staunchly loyal throughout the war;” Bottoms, *An Aristocracy of Color: Race and Reconstruction in California and the West, 1850-1890* (Norman, OK: University of Oklahoma Press, 2013), 5. In this chapter, I have argued that while earlier scholars may have inflated the Confederate threat in California, the most recent scholarship has pushed too far in the other direction.

⁵² For representative samples of Chivalry stalwarts inflaming anti-administration sentiment, see John C. Burch, *Speech of Hon. John C. Burch, Delivered at Weaverville, California, before a Mass Meeting of the Democracy and Compromise Union Men of Trinity County, May 25, 1861* (Sacramento, 1861; and E.J.C. Kewen, *State of the Union. Speech of Hon. E.J.C. Kewen, on The State of the Union; Delivered before the Democracy of Sacramento in Assembly Hall, April 27, 1863*, Huntington Library.

Confederate armies marching from the East and rebels organizing within the West – that the state was anything but secure.

Slavery's Sunbelt at High Tide

The greatest threat to Unionism in California came not from the fifth column of Confederate sympathizers within the state, but from the conquering rebel armies in New Mexico. Baylor's invasion had secured the southern half of that territory, what had become the Confederate territory of Arizona by August 1861. Over the course of the next year, Baylor attempted to shore up his military control over region, while Arizona petitioned for political representation within the Confederate Congress. By February 1862, Jefferson Davis signed the territorial bill and Granville Oury was admitted to the rebel Congress as Arizona's delegate. With the territory's organization and admission, slaveholders thus achieved by force of arms what they had been attempting through political means for nearly a decade. The newly installed territorial government soon went to work for the Confederacy, confiscating the property of Unionists in the region, including some mines owned by northerners around Tucson and Tubac.⁵³ In control of the upper Rio Grande as well as the old Butterfield overland road, Baylor possessed a base of operations for further incursions into New Mexico and even California.

From the outset of the war Davis disavowed the imperial ambitions of the rebellion. "We seek no conquest, no aggrandizement, no concession of any kind from the States with which we were lately confederated;" he wrote, "all we ask is to be let

⁵³ Loomis Morton Ganaway, *New Mexico and the Sectional Controversy, 1846-1861* (Philadelphia: Porcupine Press, 1976, reprint of 1944 edition), 119-121.

alone.”⁵⁴ Yet his government’s founding document made no such promises. As Article IV, Section 3.3 of the Constitution of the Confederate States of America mandated, “The Confederate States may acquire new territory, and Congress shall have power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States.” Furthermore, the Constitution stipulated that in all new territories, “the institution of negro slavery... shall be recognized and protected by Congress.”⁵⁵ No amount of dissimulating from the rebel chieftain could disguise what was unfolding in the Southwest from the summer of 1861 through the spring of 1862: The Confederacy made a bid for a continental empire, organizing two invasion forces in order to extend its frontier westward to the Pacific.⁵⁶

⁵⁴ Rowland, *Jefferson Davis Correspondence*, 5:84, quoted in James M. McPherson, *Embattled Rebel: Jefferson Davis as Commander in Chief* (New York: Penguin, 2014), 28; see also p. 103. Abraham Lincoln himself was under no such illusions. He recognized that an imperial agenda had directed slaveholding ambitions in the West from the outset. During the secession crisis, he cautioned against compromise which might “put us again on the high road to a slave empire,” Lincoln to William Henry Seward, February 1, 1861, in Roy P. Basler, ed., *The Collected Works of Abraham Lincoln*, 8 vols. (New Brunswick: Rutgers University Press, 1953), 4:183. With his focus fixed on the Atlantic Basin, Matthew Karp seemingly forgets these western operations during the war years. “The Confederate government under Jefferson Davis may have been tempted by dreams of territorial aggrandizement,” he writes, “but it did not pursue them in 1861 or at any point in the next four years;” Karp, “This Vast Southern Empire: The South and the Foreign Policy of Slavery, 1833-1861,” (PhD dissertation, University of Pennsylvania, 2011), 432.

⁵⁵ *Constitution of the Confederate States of America* (Milledgeville: Boughton, Nisbet & Barnes, 1861), Article IV, Section 3.3, p. 19. It was precisely these provisions that the slaveholders’ Congress employed to admit the newly created territory of Arizona into the Confederacy. For an interactive version with commentary, see Stephanie McCurry, “The Rebel Constitution,” *New York Times* Disunion series, March 10, 2011.

⁵⁶ In the postwar era, the Confederacy’s commanders engaged in revisionist interpretations of their rebellion and the course of American history. Jefferson Davis was always a better propagandist than a historian. The irony was palpable when he later attempted to explain the causes of the Civil War. “To preserve a sectional equilibrium and to maintain the equality of the States was the effort on one side [the Confederacy], to acquire empire was the manifest purpose of the other,” he wrote in his memoir. Jefferson Davis, *The Rise and Fall of the Confederate Government* (New York: D. Appleton and Company, 1881), I, vii. Similarly, in an 1866 letter to Lord Acton – who had cheered southern secession in 1861 – Robert E. Lee framed the struggle as one between a confederacy for limited government and an American empire bent on conquest. “I can only say that while I have considered the preservation of the constitutional power of the General Government to be the foundation of our peace and safety at home and abroad, I yet believe that the maintenance of the rights and authority reserved to the states and to the people, not only essential to the adjustment and balance of the general system, but the safeguard to the continuance of a free government,” he wrote in 1866. “I consider it as the chief source of stability to our political system,

The primary agents in that mission were Colonel Henry Hopkins Sibley and his army of roughly 2,500 invading Texans. Baylor's victories in the summer of 1861 had been swift and decisive, but with Union armies mustering in Colorado, New Mexico and California, his small Confederate force was in desperate need of reinforcement. Sibley's task, according to T.T. Teel, an artillery officer in the invading force, was to bolster Baylor's presence in the Southwest and to secure the conquest of New Mexico. But "*the objective aim and design of the campaign*" Teel continued, "*was the conquest of California.*" Indeed, "as soon as the Confederate army should occupy the Territory of New Mexico, an army of advance would be organized, and 'On to San Francisco' would be the watchword," he wrote. Further gains might then be expected in Chihuahua, Sonora and Baja California, "either by purchase or by conquest."⁵⁷ Thus, when Sibley's army set out for New Mexico in the fall of 1861, they carried with them the promise of a transcontinental, slaveholding empire.

Federal authorities were well aware of both rebel objectives and Union vulnerabilities. As the inspector general of New Mexico wrote to Henry Halleck in February 1862 – when federal prospects in the Southwest seemed particularly dire – Confederate grand strategy in the region was to "extend their conquest toward old Mexico and in the direction of Southern California."⁵⁸ This would have come as no great surprise to Halleck or any other observer of antebellum politics. Slaveholders had, after

whereas the consolidation of the states into one vast republic, sure to be aggressive abroad and despotic at home, will be the certain precursor of that ruin which has overwhelmed all those that have preceded it." Robert E. Lee to Lord Acton, December 15, 1866, in *Selections from the Correspondence of the First Lord Acton*, vol. 1, John Neville Figgis and Reginald Vere Laurence, eds. (London: Longmans, Green, and Company, 1917), 303. My thanks to John Barr for directing my attention to this letter.

⁵⁷ Teel, "Sibley's New Mexican Campaign," 2:700, (*italics original*).

⁵⁸ Captain Gurden Chapin to Henry Halleck, February 28, 1862, *OR*, Series I, Vol. IX, pp. 634-635.

all, actively sought a southwest passage to the Pacific for well over a decade, primarily by lobbying for a transcontinental railroad. A southern route across the country, they reasoned, would ensure a proslavery sphere of influence across the Southwest and provide more direct access to the lucrative China trade for their plantation economy. Confederate grand strategy deviated little from this antebellum mission, except in that slaveholders now had an army behind them.⁵⁹ With the Union blockade of the Atlantic coastline, a Pacific outlet had become even more essential to slaveholders' commercial interests. To this end, Confederate officials looked greedily toward the gold mines of California and the treasure ships of the Pacific. Furthermore, if the rebellion could control the entire southern half of the continent, the Confederacy would stand a better chance of achieving international recognition. With Baylor holding on in Confederate Arizona and Sibley prepared to join him with a larger force from Texas, the Pacific had probably never seemed closer to the slave South.

Unfortunately for the Confederacy's nascent western empire, Sibley was ill suited to the enormous task at hand. He had begun recruiting his brigade from south central and east Texas in August of 1861, shortly after Baylor had secured Mesilla. But it took until October of that year before he finally set off, at which point Baylor's position in Arizona had been considerably weakened by disease and Apache raiding parties.⁶⁰ As they made

⁵⁹ W.H. Watford writes that, "In the western correspondence of the Confederacy nothing appeared quite so frequently as the phrase 'outlet to the Pacific;'" Watford, "Confederate Western Ambitions," *Southwestern Historical Quarterly* 44 (October 1940), 168. See also, Hubert Howe Bancroft, *History of Arizona and New Mexico, 1530-1888: The Works of Hubert Howe Bancroft, Vol. XVII* (San Francisco: The History Company, 1889), 510-511.

⁶⁰ By the end of the summer, Apache raiders had killed more of Baylor's men than had federal armies; Frazier, *Blood and Treasure*, 64-66. For the environmental obstacles that Sibley faced, see Nelson, "Death in the Distance."

their way across west Texas, his three regiments, along with a handful of slaves and 4,000 animals, were plagued by water shortage, a lack of feed for the beasts, and Indian raiders. Sibley had expected to supply his army off the fat of the land, but he found the countryside alarmingly lean in the late fall of 1861. His weary troops did not arrive at Fort Bliss until mid-December, at which point Sibley took command of Baylor's forces and formed the Confederate Army of New Mexico.⁶¹

Upon his arrival, Sibley issued a proclamation to the people of New Mexico, a document that largely echoed the rhetoric of slaveholding expansionists from the antebellum era. "By geographical position, by similarity of institutions, by commercial interests, and by future destinies New Mexico pertains to the Confederacy," he announced on December 20, 1861.⁶² Through military means, Sibley was, in essence, continuing the earlier work of proslavery agents, who had succeeded in linking the Southwest to the slave South through immigration, infrastructural development, and proslavery legislation. As this earlier breed of southern politician argued, the Southwest was a natural appendage of the slave South, and the political outlook of the region largely confirmed this belief. Now Sibley was simply claiming a region that many believed had long since belonged to the slaveholding states.

But what Sibley and Baylor found in the Southwest in late 1861 and early 1862 did not entirely reflect the region's political allegiances of the previous decade. True, Mesilla had warmly greeted Baylor in the summer of 1861, and the Confederate territory

⁶¹ Frazier, *Blood and Treasure*, 117-134.

⁶² Proclamation of Brigadier General H.H. Sibley to the People of New Mexico, December 20, 1861, *OR*, Series I, Vol. IV, p. 89.

of Arizona remained loyal to proslavery interests. But in New Mexico to the north federal authorities ensured that their territory would not follow the lead of Arizona in breaking from the Union. Lincoln's appointment of strong Union men to New Mexico's territorial leadership replaced proslavery partisans, who previously served as territorial governor and secretary. The new territorial legislature finally succeeded in overturning New Mexico's infamous slave code, which had withstood a national campaign for repeal since its passage in 1859. Even the proslavery *Santa Fe Gazette* tempered its positions and largely ceased its usual attacks on abolitionists and Lincoln. Meanwhile, the new governor, Henry Connelly, began mobilizing the population, eventually enrolling between 5,000 and 6,000 New Mexican volunteers.⁶³ As these enlistments began to climb, Connelly celebrated the territory's Unionism in his first annual message, in December 1861. "This patriotic outpouring of men," he proclaimed, "has removed all cause of suspicion which may have been excited in the minds of our countrymen in the loyal States in reference to the position we occupy in connection with the war."⁶⁴ He added that the local force was now strong enough to beat back any invading army from Texas.⁶⁵ Although that projection ultimately proved premature, Connelly and his Unionist allies could take solace in the support they received from the largely Hispanic population, whose loyalties had been aroused by an all-too familiar foe – Anglo invaders from Texas.⁶⁶

⁶³ Ganaway, *New Mexico and the Sectional Controversy*, 94-100.

⁶⁴ Henry Connelly, *The First Annual Message of Governor Connelly, Delivered before the Legislative Assembly of the Territory of new Mexico, December 4th, 1861* (Santa Fe: Santa Fe Gazette, 1861), 12.

⁶⁵ Connelly, *First Annual Message*, 12. See also, Henry Connelly, *Proclamation by the Governor* (September 9, 1861), Henry E. Huntington Library.

⁶⁶ See William Campbell Binkley, *The Expansionist Movement in Texas, 1836-1850* (Berkeley: University of California, 1925.)

Despite growing Union strength in New Mexico and waning supplies for Sibley's force, the rebel army continued pushing into Yankee territory. In March 1862 the New Mexican capital of Santa Fe fell to Sibley's army, thereby unleashing a new wave of fear in California. With Union forces scattered and close to 3,000 conquering Texans concentrated in New Mexico, this was perhaps the high tide of slavery's Sunbelt. The rebellion now controlled all of Arizona and southern New Mexico, from the Rio Grande to nearly the Colorado River. Further victories could have carried them to the gold fields of Colorado, to the shores of the Pacific, and even into the states of northern Mexico. To that end, Sibley dispatched Colonel James Reily to negotiate with the governor of Chihuahua, who reportedly granted the Confederacy's first recognition by a former power. Reily also attempted to secure a depot for Confederate supplies at Guaymas, in the Mexican state of Sonoma.⁶⁷ Meanwhile, Confederate scouts pushed westward to within 80 miles of California.⁶⁸

Much like Baylor's invasion less than a year earlier, Sibley's thrust into New Mexico caught Union forces flat-footed. Yet though his initial conquests were notable, his luck would not hold. At the Battle of Glorieta Pass in late March 1862, a tactical victory quickly turned into a strategic disaster. Although the rebels initially took the field, a Union detachment under the command of John M. Chivington – who would later lead U.S. troops in a massacre of Cheyenne and Arapaho Indians at Sand Creek –

⁶⁷ Because Mexico was not affected by the Union blockade, the country therefore offered Confederates their only international market to exchange cotton for war supplies; see Watford, "Confederate Western Ambitions," 174-175.

⁶⁸ The westernmost engagement of the war took place at Stanwix Station; Martin Hardwick Hall, *Sibley's New Mexico Campaign* (Austin: University of Texas Press, 1960), Introduction.

destroyed Sibley's supply train, an irreversible blow to the Confederate advance. With inadequate provisions to hold his position in New Mexico, Sibley began a long retreat back to Confederate Texas, [losing much of his force to the brutal summer heat and Indian raiders. According to some, the Confederate defeat had less to do with Union tactical skill, and more to do with Sibley's own inadequacies. T.T. Teel, for one, attributed the failure of the campaign to his commander's ineptitude – namely his administrative oversights and tendency to “let the morrow take care of itself.” Compounding this lack of leadership was a “want of supplies, ammunition, discipline, and confidence.” Had Baylor had full command over the invasion, Teel speculated, “the result might have been different.”⁶⁹ Sibley also reportedly suffered from kidney stones and often abused alcohol to deaden the pain. He was confined to his wagon and drunkenly incapacitated at several strategic moments during the campaign. In short, Sibley was ill equipped to carry slavery's empire across the continent.

That Confederates were the first to recognize and then exploit the strategic importance of the Southwest should come as no surprise. After all, slaveholders had, for well over a decade, coveted the region and the transcontinental thoroughfare it opened, and made moves to shore up their political control there in the years before the war. But Union officials gradually awakened to the importance of the Southwest and when they did, they responded with force, mobilizing units from Colorado, California and even Kansas. They beat back the Confederate advance at Glorieta Pass, and, for the remainder of the war, deployed the majority of their fighting force against a rebellion of a different

⁶⁹ Teel, “Sibley's New Mexican Campaign,” 700.

sort – the numerous Native American peoples of the West who continued to assert their tribal sovereignty. But for the better part of the year, the rebellion maintained control of southern New Mexico, what Confederates designated Arizona. In the face of provisional shortages, environmental difficulties, powerful Indian tribes, and Union forces, this was no mean feat. Compared to the far larger rebel invasions in the eastern theaters – namely Robert E. Lee’s push into Maryland and Pennsylvania, which were quickly turned back at Antietam and Gettysburg, respectively – Baylor and Sibley conducted lengthy occupations. These Southwestern invasions would not turn the tide of war in the way that eastern campaigns did, but for the early part of the conflict they proved that the rebellion could achieve perhaps not only independence, but also territorial aggrandizement.

In an official report of the campaign – what amounted to something of a post-mortem – Sibley attempted to shrug off the Confederate defeat. The commander who once rode off for the West with such high expectations for a continental rebel empire, now dismissed the region as unworthy of the Confederacy’s efforts. “Except for its political geographical position,” Sibley wrote to his superior, “the Territory of New Mexico is not worth a quarter of the blood and treasure expended in its conquest.”⁷⁰ Others in the Confederate high command, however, would not so quickly write off the value of that region. The rebellion may have suffered an irreversible defeat, but the war in the Far West was far from over.

⁷⁰ Brigadier General Henry Hopkins Sibley to General S. Cooper, May 4, 1862, *OR*, Series I, Vol. IX, p. 506-512. Sibley also tried to explain his frequent absence from the field due to “the state of my health.”

After Sibley

Neither homegrown secessionists nor Texas invaders mustered enough support to break California or New Mexico from the Union, but the embers of rebellion in the Southwest would continue to burn throughout the war, alarming loyalists and emboldening Confederate hopes for a transcontinental empire. Jefferson Davis himself, a longtime proponent of western expansion, refused to turn his back on the region that had handed Sibley such a decisive defeat. Until the last days of the rebellion, the Confederate high command would authorize several additional invasions, commission a guerilla force in California's gold country, and launch a privateering mission in the Pacific Ocean. Indeed, the slaveholders' dream of empire in the West would almost outlive slavery itself.

From the earliest days of the war, rebels threatened – at least rhetorically – Union control of the Pacific Ocean. As federals tightened their grip on Atlantic trade, Confederates sought commercial outlets elsewhere – hence Sibley's preoccupation with both Mexico and the ports of southern California. The Pacific trade had long held a prominent place in the imperial imagination of slaveholders, thus it should come as no surprise that secessionists mused on the possibilities of piracy in the Pacific when war broke out. In an open and anonymous letter to President Lincoln, the proslavery polemicist Edward Pollard looked to the Pacific as a potentially lucrative theater of war. Confederate privateers “will destroy the commercial and navigating interests of the North,” he boasted in a May 1861 letter. “[T]hey will scour the South Pacific as well as

other oceans of the world; they will penetrate into every sea, and will find as tempting prizes in the silk ships of China as in the gold-freighted steamers of California.”⁷¹

Union authorities recognized both the value and the vulnerability of their gold shipments from California. Unsurprisingly, one of Lincoln’s first acts after the firing on Fort Sumter was to ensure the protection of the nation’s maritime commerce, especially the Pacific treasure ships.⁷² “I do not know what we would do in this great national emergency,” Ulysses S. Grant is rumored to have said, “were it not for the gold sent from California.”⁷³ To be sure, there was more bombast than actual threat in declarations like Pollard’s. After all, the Confederacy lacked the naval capacity to launch a full-scale maritime contest in the Pacific. But the rebellion did possess important contacts in California who proved all too eager to assist in a privateering campaign. And with only six sloops-of-war and fewer than 1000 sailors to protect a vast coastline and lucrative commerce, absolute Union naval control of the Pacific was anything but foreordained.⁷⁴

Enter the adventurer and ardent California secessionist, Ashbury Harpending. The scion of a wealthy Kentucky family, Harpending attached himself to proslavery schemes at an early age. At fifteen he sailed for Nicaragua in one of William Walker’s

⁷¹ [Edward Pollard], Letter to the President, May 30, 1861, in Edward A. Pollard, *The Southern Spy. Letters on the Policy and Inauguration of the Lincoln War. Written Anonymously in Washington and Elsewhere.* (Richmond: West & Johnston, 1862), 68.

⁷² Lincoln recalled this decision in a later message to Congress, dated May 27, 1862, in Frank Moore, ed., *The Rebellion Record: A Diary of American Events, with Documents, Narratives, Illustrative Incidents, Poetry, Etc.*, 11 volumes (New York: G.P. Putnam, 1863) 5:145.

⁷³ Quoted in Walters, “Confederates in Southern California,” 41. Grant knew first-hand of the wealth coming from western mines as he had spent time in gold-rush California before the war; see Ulysses S. Grant, *Personal Memoirs of U.S. Grant* (New York: The Century Co., 1895), 159-166.

⁷⁴ With Sibley’s invasion of the Southwest, the Pacific squadron was placed on alert. For more on federal naval presence in the Pacific theater, see Aurora Hunt, *The Army of the Pacific: Its Operations in California, Texas, Arizona, New Mexico, Utah, Nevada, Oregon, Washington, plains region, Mexico, etc. 1860-1866* (Glendale, Calif.: Arthur H. Clark, 1951), 301-320.

expeditions, though American officials intercepted his ship and prevented the young Harpending from taking part in ground operations. Upon southern disunion, he helped organize a secessionist movement within California, appealing to Albert Sidney Johnston to turn over the entire Department of the Pacific to the nascent western rebellion. Failing in this, he shifted his attentions toward the Pacific, where he reasoned a weak Union naval presence could be turned to the Confederacy's advantage.⁷⁵ In 1862 Harpending traveled overland to Vera Cruz, then via blockade runner to Charleston, and from there to Richmond, where he laid his plans before Jefferson Davis. He proposed to sail a sloop to Mexico, transform her into a fighting vessel, and seize the first eastbound Pacific Mail steamer that crossed their path, confiscating the ship's gold and silver shipments. Then Harpending and his associates proposed "to equip the captured liner as a privateer and figured to intercept two more eastbound Pacific Mail steamers before the world knew what was happening in those days of slow traveling news."⁷⁶ Although Davis was wary of any operation that could be construed as piracy, he was clearly intrigued by this plan. According to Harpending, Davis "fully realized the importance of shutting off the great gold shipments to the East from California," which in his estimation, "would be more important than the many victories in the field."⁷⁷ Thus Harpending received a commission as a captain in the Confederate navy, even though "I had never been on a man-of-war in my life."⁷⁸

⁷⁵ "It would have been hard," Harpending recalled, "to find a more reckless secessionist than myself." For more on his background and secessionist activity, see Chapter 4 of this dissertation and Harpending, *Great Diamond Hoax*, 9-26.

⁷⁶ Harpending, *Great Diamond Hoax*, 73-74.

⁷⁷ Harpending, *Great Diamond Hoax*, 46-48.

⁷⁸ Harpending, *Great Diamond Hoax*, 48.

Harpending returned to California in July 1862 and soon enlisted the help of two co-conspirators, Ridgley Greathouse and a young English gentleman, Alfred Rubery – colorful names to match the nature of their operation. Together they purchased the *J.M. Chapman*, a 90-ton schooner moored in San Francisco’s bay, and outfitted the ship with two twelve-pound canons, while also purchasing a small arsenal of side arms – rifles, revolvers and cutlasses. “[W]ithout much difficulty” Harpending also found “twenty picked men – all from the South, of proved and desperate courage.” The *Chapman* never made it out of port, however. As they were preparing to set sail in March 1863, Harpending’s plot was betrayed by the ship’s navigator, and soon he was staring down the trained guns of a US warship and several boatloads of Marines. Harpending and his associates were taken to Alcatraz and then to San Francisco’s Old Broadway jail. After six months in prison, Harpending was finally convicted of high treason – though his crew was acquitted. Fortunately for Harpending, Lincoln’s Amnesty Proclamation of December 1863 granted full pardon to all political prisoners on the condition they take and keep a loyalty oath. He thus won his freedom by February 1864, after nearly a year of confinement, bankrupted and utterly foiled in his plans to bring the Confederacy into the Pacific.⁷⁹

Harpending may have failed in his mission to secure Union gold shipments, but he certainly succeeded in setting the Pacific coast on high alert to a Confederate naval threat. The War Department was soon receiving appeals for additional protections for San Francisco harbor, while Washington temporarily suspended gold shipments from

⁷⁹ Harpending, *Great Diamond Hoax*, 65-89. For more on the operation, see Hunt, *Army of the Pacific*, 305-310.

California.⁸⁰ The California press was among those calling for greater naval vigilance and bolstered defenses. Had the *Chapman* made it to the high seas, “it would have been in her power to annihilate the commerce of the port,” the *Alta California* reported in the immediate aftermath of the affair. “Every vessel leaving or entering the port would have fallen an easy pretty.”⁸¹ In another article, the *Alta* reiterated the call for greater naval security, arguing, “A bombardment of an hour would set the town, as it is for the most part built of wood, on fire in fifty places.”⁸² When the trial began, the San Francisco press called for the execution of the *Chapman* traitors. They pointed to Harpending’s letter of marque from Jefferson Davis as proof positive of his nefarious designs. “These men of the *Chapman*... committed a treason as grave as any that ever was, or ever could be, committed,” the *Alta* claimed. “That of Arnold was not baser or more malicious.”⁸³

As Harpending languished in prison, Jefferson Davis authorized yet another audacious rebel plot in the Far West under yet another inexperienced commander. This time it was Lansford Hastings, an eccentric mapmaker and would-be conquistador, who won the approval of the Confederate high command. Hastings had achieved notoriety before the war when his faulty directions sent the Donner Party to a disastrous winter in the High Sierra in 1846-1847. Although Hastings had been born in Ohio, his politics took a southern turn by the outbreak of the war, perhaps as a result of his 20-year residency in proslavery California. In December 1863 he wrote to Davis with a plan that made Sibley look like a paragon of restraint by comparison. Hastings proposed to raise a

⁸⁰ Hunt, *Army of the Pacific*, 314; Walters, “Confederates in Southern California,” 50.

⁸¹ *Alta California*, March 16, 1863.

⁸² *Alta California*, March 17, 1863.

⁸³ *Alta California*, September 9, 1863; see also, *Alta California*, Oct. 13, 1863.

force of 3,000 to 5,000 partisans from California's southern sympathizing population, then march east to reclaim Arizona for the rebellion. The campaign would open "an unbroken intercourse between California and the Confederacy," according to Hastings. Furthermore, it would serve as a "connecting link between the Atlantic and Pacific Oceans, the best and most feasible line of communication across the continent, the only practicable Atlantic and Pacific railroad route, the most valuable agricultural and grazing lands, and the richest mineral region in the known world."⁸⁴

The plan was nothing short of preposterous, coming from a man with lack of military experience and an abundance of past navigational blunders, but he clearly knew how to appeal to Davis. By highlighting railroad development, as well as the agricultural and mineral richness of the Southwest, Hastings spoke the language that southern imperialists had employed throughout the antebellum period when discussing slaveholding prospects in the Southwest. Davis thus approved the plan and commissioned Hastings a major in the Confederate army. Although the campaign never materialized – probably a result of Hastings's own shortcomings as a military commander and ongoing Confederate difficulties in the major eastern theaters – that Davis would even countenance such an operation speaks to the enduring pull of the Far West on the southern imperial imagination.⁸⁵

Western rebels had more success with a smaller, but better organized, operation around Sacramento in 1864. Under the command of Captain Rufus Ingram, a group of

⁸⁴ Lansford Hastings to Jefferson Davis, December 16, 1863, *OR*, Series I, Vol. L, Part 2, pp. 700-701.

⁸⁵ For more on this plan and a related instance of Confederate recruitment in the Far West, see Clarence C. Clendenen, "A Confederate Spy in California: A Curious Incident of the Civil War," *Southern California Quarterly* 45 (September 1963): 225-229.

southern sympathizing desperados brought a taste of Missouri's guerilla warfare to California's gold country. Ingram himself had fought under the notorious partisan leader, William Quantrill in Missouri, and had played an active role in the rebel raid on Lawrence, Kansas in August 1863, in which Quantrill's rangers murdered over 180 civilians and burned nearly every building in town. Known as the "Red Fox" in Missouri, Ingram saw an opportunity in California, which boasted a sufficient population of Confederate sympathizers without an experienced leader. He began recruiting in March 1864, mainly from the Knights of the Golden Circle around San Jose, eventually attracting an outfit of some 50 men. Initially he had hoped to lead his unit back to the major military theaters of the East, but with scanty funding, he opted for a guerilla campaign within California itself. As Ingram's lieutenant and Monterrey undersheriff Tom Poole later recalled, "If we could not raise means enough to go South, we were to raise and [sic] insurrection in California."⁸⁶

The band that the California press would soon dub "Ingram's Partisan Rangers" achieved their greatest success in June 1864, when they robbed a Wells, Fargo stagecoach of its substantial cargo of gold and silver. Ingram established his Confederate bona fides with a note he handed to the stage driver: "This is to certify that I have received from Wells, Fargo & Co., the sum of \$____ cash, for the purpose of outfitting recruits enlisted in California for the confederate states' army. R. Henry Ingram, captain

⁸⁶ Quoted in *Alta California*, September 10, 1864. For the most complete treatment of Ingram and his raiders, see John Boessenecker, *Badge and Buckshot: Lawlessness in Old California* (Norman: University of Oklahoma Press, 1988), 133-155; see also, C[h]arles W[arren] Haskins, *The Argonauts of California, being the Reminiscences of Scenes and Incidents that Occurred in California in Early Mining Days* (New York: Fords, Howard & Hulbert, 1890), 224.

commanding company, C.S.A.”⁸⁷ The band of six buried the bullion at a nearby spring and then fled to their hideout, where local authorities, hot in pursuit, tracked them down. Ingram and his raiders opened fire, killing one officer and grievously wounding another. In the exchange Pool lost half his cheek to a shotgun blast, and decided to remain at the hideout while the rest of the gang made their escape. He was later captured when backup arrived, and subsequently made a full confession, identifying his confederates and revealing where the bullion had been buried.⁸⁸

Rebel activity and small-scale carnage continued through most of the summer. After a failed heist in mid-July, the gang fled to another hideout, where they were again tracked down by posse of sheriffs, constables and citizens. And once again, Ingram and his partisans came out firing, wounding two sheriffs, while two of their own died in the exchange. In late July, California authorities, backed by four companies of infantry – a testament to just how seriously Union officials viewed this threat – arrested ten of Ingram’s raiders. Several members of the gang robbed two more stagecoaches in early August, but by then their partisan campaign was all but played out. By early September, authorities had killed or arrested nearly every active member of the band – fifteen captured, two dead – except for Ingram and one other. Local citizens packed the courtroom that month, as the majority of the Ingram raiders stood trial for murder and highway robbery – although notably not for treason.⁸⁹ Ingram himself, however, eluded justice, melting into the countryside and disappearing from history.⁹⁰

⁸⁷ Quoted in Davis, *Political Conventions*, 204-205.

⁸⁸ Boessenecker, *Badge and Buckshot*, 141-147.

⁸⁹ *Alta California*, September 10, 1864.

⁹⁰ Boessenecker, *Badge and Buckshot*, 149-155.

The roundup of Ingram's scattered guerillas coincided with a broader Unionist campaign against insurrection within the state. The most notable target of these crackdowns was California's Copperhead press. As early as February 1862, the U.S. Postmaster banned the *Los Angeles Star* from the mails. Several months later the *Visalia Equal Rights Expositor*, the *Stockton Argus*, and the *San Jose Tribune*, followed by the *Placerville Mountain Democrat* and *Stockton Democrat*, joined the *Star* on the list of banned materials. The prohibitions wounded the finances of these Copperhead papers, although local southern sympathizers rallied in defense of their beleaguered press. In Visalia, for instance, substantial donations from local anti-Unionists, particularly from the women of Tulare County, floated the *Equal Rights Expositor* while its subscriptions sagged under the ban. Similarly, the *Los Angeles Star* endured with the support of Democratic sympathizers in the area. When the mails were reopened to the *Star* in January 1863, the editor Henry Hamilton redoubled his defiance of Lincoln's administration. "[T]he prohibition was impotent," Hamilton boasted, "so do we despise this proffered sop."⁹¹ Where prohibition failed to silence the southern sympathizing press, mob vengeance often proved more persuasive. After editor Lovick P. Hall published an abusive article on California's federalist volunteers, titled "California Cossacks," a Unionist mob, led by soldiers, demolished the press and offices of the *Expositor*. One of Merced's Copperhead papers met a similar end at the hands of enraged Unionists.⁹²

⁹¹ *Los Angeles Star*, January 17, 1863.

⁹² For more on the crackdown on the state's anti-Union press, see Robinson, "A California Copperhead," 219-228; Robinson, *Los Angeles in Civil War Days*, 114-115, 149-150; Gilbert, *Confederate Minority in California*, 162-164.

Along with prohibitions and mob action came a flurry of arrests. Harpending and his co-conspirators, Ingram's rangers, and other less violent offenders all came under lock and key during the course of the war, most of them passing through the federal prison at Alcatraz. In 1862, two of southern California's most outspoken anti-Unionists, Henry Hamilton and E.J.C. Kewen, were arrested, taken to Drum Barracks and then transported to Alcatraz. Upon their release, the citizens of El Monte treated them to a celebratory barbeque. The undersheriff of Los Angeles, A.J. King, who had so brazenly displayed a life-sized portrait of rebel General P.G.T. Beauregard, was also arrested on charges of conspiracy, though like Hamilton and Kewen, he secured his release upon taking a loyalty oath. Of all Confederate sympathizers in California, none was more extraordinary than Peter Biggs, a former slave turned Los Angeles barber and Democratic partisan, who was escorted to Drum Barracks in 1864 for suspected treason.⁹³ The *Expositor's* editor, Lovick P. Hall was arrested twice during the course of the war, remaining under guard until September 1865, several months after the conflict had ended.⁹⁴

Coupled with Confederate defeats and the departure of southern sympathizers for the military theaters of the East, these military detainments helped dampen rebel activity in the Far West. Confederate plots, like Harpending's would-be privateering expedition and Ingram's guerilla raids, deeply unsettled California's Unionists, but the loyal majority held firm throughout the war, especially in the northern half of the state.

⁹³ For more on Biggs, see the forthcoming article by Daniel Lynch and Kendra Field in the *Western Historical Quarterly*.

⁹⁴ Again, see, Gilbert, *Confederate Minority in California*, 164; Robinson, "Henry Hamilton," 220-221; Robinson, *Los Angeles in Civil War Days*, 101-111, 140; see also *OR*, Series I, Vol. L, Part 1, p. 1015.

Opposition to the Lincoln administration, which had been fueled by the state's antebellum Democratic traditions, dwindled as the contest wore on. So too did Democratic voter turnout at a statewide level. In 1864, perhaps intimidated by militant Unionism, Kewen and Hamilton opted not to run for reelection to the state legislature. That year, financial difficulties finally forced Hamilton to sell the *Star* to a pro-Union Democrat. Later, the wealthy Unionist Phineas Banning purchased the press and materials, moved it to Wilmington, and filled its columns with praise for Lincoln.⁹⁵ The proslavery spirit that had burned so brightly during the antebellum period and the early war years had waned to mere embers.

A California Rebel in Napoleon's Court

But that spirit was hardly dead. It merely migrated. While Unionist crackdowns had suppressed the most vocal signs of secessionism in the Far West, California's rebels had gone international by mid-war. Most threatening, in the eyes of federal authorities, was former U.S. senator William McKendree Gwin, who, by 1864, had reached the court of Napoleon III. Gwin had relocated to Paris where he launched a campaign to convince the French emperor to back a scheme for a colonial settlement in Sonora, Mexico. He proposed to populate Sonora, then under the jurisdiction of France's puppet emperor, with American miners and adventurers, who would help trigger a gold rush in the region – a la California some twelve years earlier. Although Gwin was not an official representative of the Confederate government, Union authorities were under no illusions:

⁹⁵ Woolsey, "Politics of a Lost Cause," 379-380; Robinson, "A California Copperhead," 227-228.

the Mississippi planter-cum-California statesman was a southern partisan through and through, and his Sonora colony might very well serve as a far western base of operations for the rebellion. Ulysses S. Grant recognized as much when he contemplated the invasion of Gwin's Sonora colony in January 1865.⁹⁶ In Grant's mind, the threat Gwin posed was dire enough to transform a civil war into an international conflagration.⁹⁷

Union officials watched Gwin's movements carefully – well before he moved to Paris. After all, few could forget that Gwin was the leading figure in California's proslavery political faction, the owner of a Mississippi plantation, and a close confidant of Confederate sympathizers across the country. Two of those sympathizers served as his traveling companions in October 1861 as slipped out of California. Joining future Confederate general Joseph Lancaster Brent and the prominent Chiv lawyer, Calhoun Benham, Gwin boarded the *USS Orizaba* en route to New York via Panama. But the three never intended to sail for a U.S harbor. Instead, according to Brent, they planned to “leave the steamer at Panama, make our way to the West Indies, and from there run the blockade into one of the Southern ports, which could be easily done at that period of the war.”⁹⁸ As their misfortune would have it, however, also aboard the *Orizaba* were four hundred U.S. soldiers under the command of General Edward Vose Sumner, the former commander of the Pacific Department, who had been particularly vigilant in his

⁹⁶ Ulysses S. Grant to Irvine McDowell, January 8, 1865, *OR*, Series I, Vol. L, Part 2, p. 1118.

⁹⁷ Standard accounts of Gwin's Sonora colony can be found in Lately Thomas, *Between Two Empires: The Life Story of California's First Senator, William McKendree Gwin* (Boston: Houghton Mifflin, 1969); Hallie M. McPherson, “The Plan of William McKendree Gwin for a Colony in North Mexico, 1863-1865,” *Pacific Historical Review* 2 (December 1933), pp. 357-386; Roy Bloss, “Senator Defiled,” unpublished MSS biography of William M. Gwin, Bancroft Library. The smartest analysis of Gwin's border-crossing is Rachel St. John, “The Unpredictable America of William Gwin: Expansion, Secession, and the Unstable Borders of Nineteenth-Century North America,” *Journal of the Civil War Era* 6 (March 2016), pp. 56-84.

⁹⁸ Brent, *Memoirs*, 59.

surveillance of California rebels during the opening phase of the war. While at sea, Sumner ordered the arrest of Gwin, Benham and Brent, “all leading, active, and influential men of the party in rebellion against the government.”⁹⁹

In protesting their arrest, the three prisoners nearly sparked an international conflict. When the *Orizaba* pulled into port at Panama City, several American southerners there – including the former minister to Panama, who owed his appointment to Gwin – caught wind of the ex-senator’s arrest. They appealed to the governor, who in turn dispatched a company of soldiers to the landing wharf to protest the “violation of the sovereignty of Panama.” Sumner threatened to bombard the city if his orders were resisted and sent the three prisoners ashore, guarded by a flotilla of small boats and four hundred soldiers, while a man-of-war pulled into the port and turned its broadside on the city. According to Brent, their arrest was carried out with “a ‘pomp and circumstance of war’ such as Pizarro himself never possessed on the Isthmus when at the height of his power.”¹⁰⁰ Thus secured, the prisoners were sent off to New York under parole, and later imprisoned at Fort Lafayette, before ultimately securing their release on the orders of Lincoln by the end of 1861.¹⁰¹

⁹⁹ Edwin Vose Sumner to Lawrence Kip, November 4, 1861, Joseph Lancaster Brent Papers, Huntington Library. For an account of the arrest of the Californians and the search of their property, see Henry B. Judd to Charles S. Merchant, November 5, 1861; and Henry B. Judd to Charles S. Merchant, Nov. 5, 1861, both in Brent Papers, HEHL.

¹⁰⁰ Brent, *Memoirs*, 67-69.

¹⁰¹ According to George Dennison Prentice, the prisoners’ chief ally in securing their release, “Mr. Lincoln stated to Mr. Benham that he (Mr. Benham, Dr. Gwin, and Mr. Joseph L. Brent might go their several ways – they to ask no questions, nor any questions to be asked of them, and the pending affair between them and the Government, growing out of their arrest and parole, to be thus entirely disposed of and ended.” George Dennison Prentice, Memorandum, December 7, 1861, Brent Papers, HEHL. Earlier, the three had signed a statement of parole, Calhoun Behnham, Joseph Lancaster Brent and William M. Gwin to William Henry Seward, December 5, 1861; see also William Henry Seward, Memorandum, December 10, 1861, both in Brent Papers, HEHL. Roy Bloss notes that Gwin was “the first Senator of a free-soil state ever to be arrested and jailed by the government he served;” Bloss, “Senator Defiled,” 351.

Gwin returned to the Mississippi River Valley to look after his plantation for the next few years, while his son served a brief stint in the Confederate cavalry. Musing on his next steps, he wrote to Brent in March 1863. The plan was to run the blockade with his son – since released from military service – and head to Canada, and from there to either Cuba or Europe. America was no place for him, he concluded, with Union troops closing in on every side. “I want to get away from war,” he wrote. Although “my negroes are as yet safe,” there was no telling how far the Yankees (“the vilest thieves on Earth”) would go with regard to southern property. Ultimately, however, Gwin hoped to return to California – and more specifically, to a California free from Union control. “When the war is over & the South gains her independence we will return to California,” he wrote. “If we conquer we can put down the Yankees there & what a country it is & what a climate.”¹⁰² Although sketchy in their details, here were plans for a separate empire on the Pacific: first, southern independence, then the termination of U.S. rule in California.

But California had to wait until Confederate independence. In the meantime, France beckoned. After Union forces sacked his Mississippi plantation in July 1863, Gwin boarded the side-wheeler *R.E. Lee*, ran the federal blockade, and sailed for Paris. There he joined a large community of southern expatriates, many of whom were endeavoring to enlist French aid in the Confederate cause. Although never pledging official support for the the slaveholders’ rebellion, the French emperor, Napoleon III proved receptive to these overtures – substantially more so than other European heads of

¹⁰² Gwin to Brent, March 27, 1863, Brent Papers, HEHL.

state – and he turned a blind eye to the money and munitions that French sources were sending to the Confederate South.¹⁰³ Thus Gwin had reason for optimism when he won an audience with Napoleon to outline his ambitious plan for a new mining colony in Sonora and Chihuahua, Mexico. France had invaded Mexico in the spring of 1862, on the pretext of securing repayment of past debts, and installed the Austrian archduke Maximilian on the throne of the newly created Mexican Empire. Gwin proposed to unearth the hidden wealth of this empire by attracting American immigrants to the mineral regions of northern Mexico, and in the process, provide a buffer against the U.S. government, which was hostile to Napoleon’s puppet government in Mexico. All he asked in return was a military detachment of some one thousand troops to protect his colonists from Comanche and Apache raiders.¹⁰⁴ Enchanted by Gwin’s assurances of mineral wealth in the region, Napoleon and his cabinet officially endorsed the plan by the spring of 1864 and dispatched Gwin to Mexican City to prepare the way for the new colony.¹⁰⁵

The former senator pitched his colony as a golden opportunity for France’s imperial prospects, but Gwin had a different empire in mind when he set out for Mexico in the summer of 1864. Here was a chance, not only to enhance his personal wealth, but

¹⁰³ Nathaniel Beverly Tucker, the brother of St. George Tucker, was one of the many Confederate expatriates who found a warm reception within the high political circles of Paris; see Nathaniel Beverley Tucker to “Dear Friend”, March 8, 1863, Paris, Thom Family Papers, section 3, box 6, VHS.

¹⁰⁴ Gwin proposed “to effect this colonization by emigration principally from the mining districts of the United States of America at the same time encouraging emigration from all other civilized countries;” William M. Gwin to Napoleon III, January 5, 1864, Paris, William McKendree Gwin Papers, Bancroft Library (BANC).

¹⁰⁵ Gwin followed up on his January letter with more detailed plans. See, Rules and Regulations for carrying into effect the Treaty between their Majesties the Emperor of the French and the Emperor of Mexico, Mss; Gwin, Eclaircissement sur le Projet de Colonisation des Etats de Sonora et de Chihuahua, March 1864, and Gwin, Memorandum on the Colonization of Sonora, 1864, all in Gwin Papers, BANC. For more on Gwin’s operations in Paris, see Thomas, *Between Two Empires*, 284-304.

also to mark out an extensive boundary for a new domain on the Pacific, entirely independent of the U.S. As Gwin recalled in his memoirs, the Sonora colony was to be the first step in the formation of a vast Pacific republic. Had the Confederacy won its independence, “it was believed by many that the country would have still been divided by the separation of California from the Union and the establishment of an independent government on the Pacific coast,” Gwin noted. “In that event, northern districts of Mexico would have formed an important addition to the Western Republic.”¹⁰⁶ Gwin thus articulated a more fully realized vision of what he had hinted at in his letter to Brent, when he mused on the possibility of ending Yankee rule in California. By attracting emigrants – and most likely southerners – to Sonora, Gwin was preparing for a future free of U.S. control, and in a strong position to exert his political will over a powerful and mineral-rich Pacific empire.

Only in hindsight does such a geopolitical reordering appear fanciful or far-fetched. As historian Rachel St. John recently argued, Gwin’s visions for Pacific independence were both “entirely possible” and consistent with decades of American imperialism. Expansionist like Gwin – with “grand ambitions and flexible loyalties” – saw “their nation’s boundaries not as a fait accompli but as a work in progress.”¹⁰⁷ Gwin’s plans were particularly consistent with the longer history of proslavery expansionism in the American West. Proponents of a southern transcontinental railroad,

¹⁰⁶ Gwin’s memoirs, originally dictated to the California bookseller and historian Hubert Howe Bancroft in 1878, are notoriously self-serving and revisionist. Throughout, he underplays his proslavery allegiances and Confederate sympathies. Thus his candor here is remarkable. William M. Gwin, “Memoirs on the History of United States, Mexico, and California of Ex Senator Wm. M. Gwin, Dictated by Himself for Bancroft Library,” Mss, 1878, Bancroft Library. (These musings are written on a tipped-in leaf, numbered as page 249 ½.)

¹⁰⁷ St. John, “The Unpredictable America of William Gwin,” 58, 61.

for instance, hoped to exert control over the West through immigration, infrastructural development, and commercial penetration. Territorial conquest and the extension of chattel slavery, while certainly desirable, were not essential to this southern vision of continental control. Similarly, Gwin operated politically rather than militarily, and he hoped to harness the gradual force of immigration to remake this western region in a southern – or certainly an anti-Unionist – image. Henry Crabb, William Walker, Narciso Lopez, and John A. Quitman had repeatedly shown that independent military operations were a bloody and inefficient way to carve out geopolitical spheres of influence. Far better to work within legal, political and diplomatic channels to secure imperial ends – this was the lesson of over a decade of proslavery scheming in the Far West.

In fleeing one war in the United States, Gwin nearly created another in Mexico. When Union officials caught wind of his movements in Sonora, they prepared for a border-crossing conflict. The federal commander Ulysses S. Grant was particularly concerned about Gwin, “a rebel of the most virulent order.” As his army besieged Robert E. Lee’s forces at Petersburg, Virginia, Grant considered the possibility of launching another invasion, thousands of miles to the west. If Gwin organized “the dissatisfied spirits of California” and threatened an incursion of American territory, Grant was prepared to respond in full force. “I would not rest satisfied with simply driving the invaders onto Mexican soil,” he wrote to General Irwin McDowell in January 1865, “but would pursue him until overtaken, and would retain possession of the territory from which the invader started until indemnity for the past and security for the future... was

insured.”¹⁰⁸ McDowell, commander of the Pacific Department, also tracked Gwin’s movements with growing unease. Evidently, two agents were operating in San Francisco to recruit would-be colonists and thereby “plant upon our frontiers a people hostile to our institutions, our influence, and our progress.” McDowell thus dispatched a brigadier general to Arizona to track Gwin’s movements in Mexico, and organized a force of two to three regiments to “provide for any contingency.”¹⁰⁹

Gwin was not officially commissioned by the Confederate government. But Confederates certainly cheered his progress. While Gwin and his son-in-law played up his Unionism in post-war reminiscences, the ex-senator’s wartime actions betrayed an undeniable rebel allegiance. Gwin himself recognized that he was “highly valued because I am with the South in this contest.”¹¹⁰ Even before he arrived in Sonora, California disunionists like Cameron Thom believed French intervention in Mexico would lift rebel prospects in the West.¹¹¹ By the time the former senator moved into the region, the promise of a Confederate outlet in the Far West took fuller form. “Doubtless the Doctor [Gwin] has written you as to his plans in Sonora,” Calhoun Benham wrote to Joseph Lancaster Brent in late 1864. “He is ‘Director in Chief of Colonization in the Departments of Sonora and Chihuahua’ which it is proposed to colonize with Southern

¹⁰⁸ Ulysses S. Grant to Irvin McDowell, January 8, 1865, *OR*, Series I, Vol. L, Pt. II, p. 118.

¹⁰⁹ McDowell to Grant, March 12, 1865, *OR*, Series I, Vol. L, Pt. II, pp. 1158-1160.

¹¹⁰ Gwin to his brother, June 1, 1864, in Evan J. Coleman, “Senator’s Gwin’s Plan for the Colonization of Sonora: Postscript,” *Overland Monthly* 18:104 (August 1891), pp. 203-213. Coleman was Gwin’s son-in-law who, in presenting this account of the Sonora colony, insisted “that there is nothing in Doctor Gwin’s papers to indicate any connection on the part of the Richmond Government with the ‘Sonora Project’,” p. 206. In his memoirs, Gwin claimed to be “a consistent and unwavering union man throughout,” Gwin, *Memoirs*, 249 ½, BANC.

¹¹¹ Cameron Erskine Thom to Pembroke Thom, January 5, 1863, section 3, folder 5; also Charles Slaughter Moorehead to Captain Thom, October 7 and 17, 1863, section 3, folder 3, all in Thom Family papers, VHS.

people from California.”¹¹² John Slidell – the Confederate minister to France, who had been privy to Gwin’s dealings in Paris – held high hopes for the Sonora mission. “His object is to colonize Sonora with sons of southern birth... residing in California,” Slidell wrote to Judah P. Benjamin. “If carried out its consequences will be most beneficial.”¹¹³ Geographic factors alone, as Slidell probably recognized, would have lent the Sonora colony a southern character. In close proximity to rebel Arizona and Confederate-sympathizing southern California, the Sonora colony stood out as a potential magnet for nearby disunionists. As the Confederacy’s armies crumbled in the East, therefore, Gwin’s colony could have opened a rebel escape valve in the West.

Yet for all the Unionist fears and Confederate expectations that he stirred, Gwin’s Mexican career was short-lived. A medley of factors beyond Gwin’s control – interpersonal struggles within the court of Maximilian, the tenacious resistance of Juarez’s Liberal armies, various administrative missteps – conspired to doom his best laid plans.¹¹⁴ Gwin did indeed begin recruiting in California, but without French military aid to protect his would-be colonists from Apache and Comanche tribes, mining operations could not safely commence. Gwin continued pressing his case until the early summer of 1866, several months after the Confederacy’s collapse. By July, however, he finally

¹¹² Calhoun Benham to Joseph Lancaster Brent, November 25, 1864, Brent Papers, HEHL.

¹¹³ John Slidell to Judah Benjamin, Paris, June 2, 1864, in John Bigelow, *Retrospections of an Active Life* (New York, 1900-1913, II, 190, as quoted in Stanley, “Senator William Gwin: Moderate or Racist?” *California Historical Quarterly* 50 (September 1971), 252.

¹¹⁴ Gwin played up these factors in explaining Sonora’s failure; see Gwin, *Memoirs*, 225-245, BANC. For his complaints that he had not received adequate support from Maximilian’s court, see Gwin to Napoleon, July 3, 1865, Gwin Papers, BANC.

abandoned his plans and rode from Mexico City under an armed escort.¹¹⁵ Whereas Maximilian eventually faced a firing squad of Juarez's victorious soldiers, Gwin was fortunate to escape with his life – a fact he attributed to the poor marksmanship of the Mexican Liberals.¹¹⁶ But he had merely leapt from the frying pan and into the fire. Back in the United States, and with Confederate rebellion quashed, the former senator was arrested and transported under guard to Fort Jackson, Louisiana in October 1865.¹¹⁷

He languished there for nearly eight months, until April 1866 – a prison term that reflected the audacity of his plans.¹¹⁸ Aside from Jefferson Davis, no Confederate high official served such a long prison term after the war. And for good reason. In many ways this was the apotheosis – or at least the grandest manifestation – of over a decade of southern scheming in the Far West. James Gadsden and Thomas Jefferson Green had conspired to plant a slave colony on the ostensibly free soil of antebellum California; Henry Crabb and William Walker had launched short-lived and ill-fated invasions of Sonora; Postmaster General A.V. Brown had outmaneuvered northern congressmen to construct an overland mail road along a far southern route; Chivalry Democrats had leveraged their political power to pass a state division bill in California. But only Gwin

¹¹⁵ Three months after Gwin fled Mexico, Maximilian commissioned another veteran proslavery expansionist, Matthew Fontaine Maury, to carry out a similar plan; see Thomas, *Between Two Empires*, 361.

¹¹⁶ Gwin to the Marquis de Montholon, October 15, 1865, in Coleman, "Gwin's Plan for the Colonization of Sonora," 210.

¹¹⁷ On the deterioration of Gwin's Mexican mission, see Thomas, *Between Two Empires*, 314-354; St. John, "Unpredictable America of William Gwin," 73-74; Bloss, "Senator Defiled," BANC, 385-418.

¹¹⁸ Gwin insisted on his innocence to the very end, complaining that "No intimation has been given to me as to the cause of my arrest." He also noted that the garrison at Fort Jackson was "composed of negro troops," likely a galling sight to someone who had until recently commanded a large plantation of black slaves; Gwin to Charles Jean Tristan Montholon, October 15, 1865, Gwin Papers, BANC. In a later letter to Brent, the liberated Gwin continued to complain of his ill-treatment at the hands of the federals. The unreconstructed rebel added, "Thank God I have never taken an oath [of allegiance];" Gwin to Brent, June 13, 1866, Brent papers, HEHL.

had dared to conspire with emperors, to antagonize the Union high command, and to launch a colony intended as the southern extension of an independent Pacific republic. As the U.S. attempted to reassert sovereignty over the former Confederacy, Gwin stood as a reminder of the globetrotting nature of the recent rebellion, when the slave South reached into the courts of emperors.¹¹⁹

The Death of the Southern Dream

As his armies deteriorated across the eastern theaters and his government collapsed around him, Jefferson Davis continued to look west. Indeed, the Confederate dream of a continental empire proved nearly impossible to kill. While Grant, Sherman and Sheridan's Union forces penetrated deep into Confederate territory, Davis considered launching an invasion of his own, once again into the territory of New Mexico. And again, he turned to the commander of the first Confederate invasion of the region, John R. Baylor. Between Gwin's Sonora colony and Baylor's proposed invasion, the West, some believed, represented the last best hope for the rebellion.

For his encore performance, Baylor hoped to tap the region's deep reservoirs of secessionist sentiment. To Confederate Secretary of War James Seddon in December 1864, Baylor wrote of the enduring spirit of rebellion in the Southwest – “the only [remaining] section where men of Southern birth can be raised in large numbers, who sympathize with us and who would join us in this struggle.” From southern California

¹¹⁹ For months after the war, the California press maintained a keen interest in the ill-fated Sonora colony and the man derided as “Duke Gwin.” See San Francisco *Bulletin*, February 22, March 3, November 23, and December 28, 1866; *Alta California* May 6, 1866; Sacramento *Daily Union*, May 18 and November 20, 1866; Marysville *Daily Appeal*, January 16, 1867.

and Arizona he expected to raise somewhere between 5,000 and 10,000 rebel troops, with perhaps an additional 5,000 coming from New Mexico.¹²⁰ For the initial invasion force, however, he intended to once again recruit in Texas. With Confederate coffers nearly emptied by this stage of the war, Baylor expected to fund his operation through the sale of Texas cotton.¹²¹

The Confederate War Department, reeling from Confederate defeats in the East, rejected Baylor's plan. But Davis, a western expansionist to the last, overrode Seddon's decision and endorsed this last, desperate push into New Mexico. In late March 1865, Baylor was commissioned a colonel and given authority to raise an invasion force of 2500 in Texas.¹²² That Davis proved willing to dispatch 2500 soldiers to New Mexico at a time when his armies were disintegrating in Virginia, again illustrates the power of this dream of continental empire. The end of major military operations, however, was a mere few weeks away. Robert E. Lee's Army of Northern Virginia surrendered on April 9, thus effectively ending the war and sinking Davis's hopes for another western campaign.

The Confederate surrender at Appomattox, however, did not completely extinguish the embers of rebellion in the Far West. In late April, Union officers were still fretting over a potential invasion of Arizona.¹²³ And not without reason. Some Arizona rebels were still trying to muster an invasion force a full six weeks after Lee's surrender.¹²⁴ Meanwhile, when news of Lincoln's assassination reached California, the

¹²⁰ John R. Baylor to James Seddon, December 21, 1864, *OR*, Series IV, Vol. III, p. 960.

¹²¹ Baylor to Seddon, January 24, 1865, *OR*, Series IV, Vol. III, p. 1035.

¹²² Baylor's Commission, *OR*, Series IV, Vol. III, pp. 1168-1169. See also Watford, "Far-Western Wing of the Rebellion," 141-142.

¹²³ *OR*, Series I, Vol. L, Part 2, p. 1204

¹²⁴ L. Boyd Finch, "Arizona in Exile: Confederate Schemes to Recapture the Far Southwest," *The Journal of Arizona History* 33 (Spring 1992), 81.

state's anti-Unionists took to the streets in celebration. In Los Angeles "the Southern 'patriots' got on a bust," Horace Bell recalled. "[T]hey howled themselves hoarse – they howled and they hurraed until they fell in the streets, dead drunk." Dr. John S. Griffin and Peter Briggs, the so-called black Democrat, were particularly elated by the news.¹²⁵ Reports of similar celebrations across the state began pouring into the Department of the Pacific. According to one such report, the southern sympathizing citizens of Colusa "fired guns and cheered the assassination of the President."¹²⁶ But Unionists quickly clamped down on these displays. And angry mobs destroyed the presses of five Democratic papers, including the one belonging to Beriah Brown, the reputed head of the Knights of the Columbian Star.¹²⁷

Roughly four months later, in September 1865, the last California rebel faced execution. Tom Poole, Ingram's lieutenant as well as one of Harpending's co-conspirators in the *Chapman* affair, had been convicted on murder charges near Sacramento. Well over a year earlier, he was arrested as a member of Ingram's raiders after a shootout with local authorities that left one officer dead and another seriously wounded. Although Pool was treated as a common criminal, he identified as a Confederate prisoner of war to the very end. Ingram's outfit was a rebel operation, he insisted, and their heists and subsequent shootouts represented military actions against the

¹²⁵ Bell, *On the Old West Coast*, 75. See also, Lewis, "Los Angeles during Civil War and Reconstruction," 292-293. For Griffin's wild celebration upon hearing news of Lincoln's assassination, see Harris Newmark, Harris, *Sixty Years in Southern California, 1853-1913*, 4th edn. (Los Angeles: Zeitlin & Ver Brugge, 1970), 336.

¹²⁶ See in particular the report of E.D. Waite, Acting Assistant Adjutant General, *OR*, Series I, Vol. L, Part 2, p. 1202; see also reports in Series I, Vol. L, Part 2, p. 1198 and Series I, Vol. L, Part 2, p. 1201.

¹²⁷ Bottoms, *Aristocracy of Color*, 62-63; Gilbert, *Confederate Minority in California*, 165. One of the keenest students of Brown's career is Knute Berger, whose work on the subject appears in <http://crosscut.com/2015/08/the-untold-story-of-seattles-racist-mayor/>.

Union government.¹²⁸ Befitting such acts, several members of the gang were convicted of treason, although they later won their freedom on technicalities. That left only Poole to face punishment for the gang's guerilla operations. Despite a spirited campaign conducted by his many friends within the state, he failed to obtain the governor's pardon. On September 29, 1865, five months after Appomattox and roughly 2,500 miles from the war's major military theaters, Tom Poole was hanged – making him perhaps the final casualty in a war that spanned the continent, from the sea islands of the Carolinas to the mining towns of California.¹²⁹

¹²⁸ See their declarations in *Alta California*, September 10, 1864.

¹²⁹ For an account of Poole's trial and execution, see Boessenecker, *Badge and Buckshot*, 155-157.

Chapter 6

THE AFTERLIFE OF THE OLD SOUTH IN THE FAR WEST

Surveying California's post-war political order in the fall of 1866, writer Bret Harte concluded that the state's once dominant Democratic party now faced extinction. "Rip Van Winkle, awakened from his long nap, hurrahing for his Majesty King George, did not exhibit a more incongruous and ridiculous spectacle than these men who seem to have hibernated during the war," Harte wrote to the *Springfield Republican* in 1866. Whereas Democrats – largely southern in origin and proslavery in outlook – had ruled the state through most of the 1850s, they were now, in Harte's estimation, little more than "fossils" of a bygone era.¹ But Harte's projections were entirely premature. Within a year, the state's Democratic Party rode to a stunning electoral victory on a white supremacist, anti-federal platform. And in the coming years, they would tap bitter anti-black and anti-Chinese sentiment to pursue a campaign against Reconstruction, rejecting both the Fourteenth and Fifteenth Amendments – making California the only free state to do so during the period.² This all came at a time when Republicans were successfully pressing their agenda at the national level and when most southern states remained under the aegis of Military Reconstruction.

Through a study of California's Democratic politics, this chapter challenges the geography, chronology and racial composition of the standard narrative of Reconstruction. It insists that we look beyond the Mississippi and beyond black-white,

¹ Bret Harte to the *Springfield Republican*, September 9, 1866, in Bret Harte, *San Francisco in 1866: Being Letters to the Springfield Republican*, George Stewart and Edwin Fussell, eds. (San Francisco, 1951), 55-56.

² Oregon initially ratified the Fourteenth Amendment, and then rescinded its ratification two years later.

North-South binaries, and instead view Reconstruction as a protracted, nationwide struggle over the legacies of slavery and the Civil War – a struggle that often took unexpected turns. Some of the stiffest opposition to Republican policies at the time came from regions far beyond the former Confederate states. In fact, the so-called “retreat from Reconstruction” began largely in California, where as early as 1867 voters vented their frustrations with national policy by driving out of office the party most closely associated with federal action in the South.³ In tracing this western revolt against Reconstruction, it becomes clear that the southern influence on California politics did not die with slavery. Although many of the former proslavery leaders had faded from the scene, the old southern interests that once dominated the state continued to exert a disproportionate influence on California’s political culture. Indeed, the state’s Democratic politicians and writers stressed their affinity for the beleaguered South and articulated, at an early stage, the emerging tenets of Lost Cause mythology. Along with their northern-born partners within the Democratic fold, these southerners blunted the reach of Reconstruction and ensured that the former Confederacy had allies in the Far West.

This chapter joins a small but growing body of literature that seeks to shift the perspective of Reconstruction-era historiography, a historiography that has traditionally limited its purview to the eastern half of the continent. From Hubert Howe Bancroft in the late nineteenth century to Eric Foner in the late twentieth and beyond, historians have overlooked the myriad ways in which federal policy shaped politics in the American

³ William Gillette’s influential *Retreat from Reconstruction, 1869-1879* (Baton Rouge, 1979) ignores California and starts in 1869.

West during this period. Bancroft's pioneering work focused almost exclusively on local politics during the post-Civil War era, while Foner's synthesis, for all that it accomplished, largely ignored political matters in the trans-Mississippi West.⁴ There have been some notable exceptions, however, beginning with Eugene Berwanger's *The West and Reconstruction* in 1981. More recently, the scholarship of Joshua Paddison, D. Michael Bottoms, and Stacey Smith has drawn needed attention to the racial politics of post-Civil War California.⁵ Yet the dominant narrative remains regional rather than national, and none have yet adequately probed the political affinities that bound South and West during this period. The limits of Reconstruction and the path to Redemption must be understood in fully national terms, as a program that stretched from the coast of California to the heartland of the former Confederacy.

Go West, Old South

By the spring of 1865 the Confederacy had been routed, slavery abolished, and the wealth of the rebellious states drained. Yet fears persisted of a lingering threat from

⁴ Hubert Howe Bancroft, *Works of Hubert Howe Bancroft* (San Francisco, 1889); Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877* (New York, 1988).

⁵ Eugene H. Berwanger, *The West and Reconstruction* (Urbana, 1981); Joshua Paddison, *American Heathens: Religion, Race, and Reconstruction in California* (San Marino, 2012); D. Michael Bottoms, *An Aristocracy of Color: Race and Reconstruction in California and the West, 1850-1890* (Norman, 2013); Smith, *Freedom's Frontier*. One of the early advocates for enlarging the geographic boundaries of Reconstruction-era historiography was Heather Cox Richardson, *West from Appomattox: The Reconstruction of American after the Civil War* (New Haven: Yale University Press, 2007). However, in Richardson's account, the West appears as an imagined space rather than a political battleground, and her account is firmly rooted in the East. Other works more successfully integrate western spaces into national narratives. See Sarah Barringer Gordon, *The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth-Century America* (Chapel Hill, 2002); Elliot West, *The Last Indian War: The Nez Perce Story* (New York, 2009); Elliot West, "Reconstructing Race," in *The Essential West: Collected Essays* (Norman, 2012); Steven Hahn, "Slave Emancipation, Indian Peoples and the Projects of a New American Nation-State," *The Journal of the Civil War Era* 3 (Sept. 2013).

the South. Less than a month after Appomattox, the *Sacramento Daily Union* predicted that a flood of rebel refugees would soon inundate the West. The border slave states, warned the *Union*, would send westward a “class of shiftless, lawless Union-haters” and “across the Plains will come the poor, ignorant, brute whites” of the South, along with their political apostasy. The West’s relative lack of African Americans made it a natural escape for the thousands of former Confederates fleeing the fallout of emancipation, the paper added.⁶ Fears of a southern takeover were only compounded by later reports, including one from New York, where a secret cabal of former rebels had purportedly gathered. Because of California’s strong Democratic affiliations, the state was regarded as a field of opportunity for southern politicians, according to the *Union*’s New York correspondent. Among those contemplating a fresh start in the West were former Confederate General P.G.T. Beauregard and California’s estranged former senator, William McKendree Gwin. “I tell you their eyes are turned thitherward,” the correspondent warned.⁷

Ultimately the threat of a mass southern migration to the Far West never materialized. According to census data, the number of Californians born in the former Confederate states increased by only 700 between 1860 and 1870. Yet this enduring distrust of the slave South was not entirely misplaced. Even if the state’s southern-born population had not greatly increased over the previous decade, California still harbored five times as many natives of Confederate states than any other part of the West.⁸

⁶ *Sacramento Daily Union*, April 29, 1865.

⁷ *Sacramento Daily Union*, October 2, 1867.

⁸ The number of inhabitants born in the former Confederacy, by state or territory, is as follows: California, 21,045; Oregon, 4,457; Nevada, 1,531; Washington, 848; Montana, 851; Idaho, 484. Berwanger condenses

Furthermore, few longtime residents could forget that proslavery leaders had steered the state's political course through the antebellum period. And although California remained loyal during the Civil War, pro-Confederate activity had forced Union officials to garrison the southern part of the state, while a venomous Copperhead press agitated against the Lincoln administration. California may have entered the postwar order under relatively progressive Union Party leadership, yet many residents cherished fond memories of California's proslavery past.

Lucy Smith Crittenden Thornton was one such Californian. With a peerless southern pedigree – wife of an Alabama Supreme Court judge, mother of a Confederate officer, and sister of Kentucky Senator John J. Crittenden – Lucy Thornton clung to as many of her prewar connections as she could in postwar San Francisco, where she and her family had lived since 1849. While complaining that “Yankee officers are all the fashion” in San Francisco, her social world still featured large gatherings of former Confederates, including the wife of the slain rebel general, Albert Sidney Johnston.⁹ Meanwhile, Lucy Thornton and her California-based family kept up a close correspondence with friends in the South, lamenting the “melancholy picture of affairs

this census data in, *The West and Reconstruction*, 19-20. For the original figures, see Francis A. Walker, *A Compendium of the Ninth Census (June 1, 1870), Compile Pursuant to a Concurrent Resolution of Congress, and Under the Direction of the Secretary of the Interior* (Washington: Government Printing Office, 1872), 378-388. See also the useful appendix in Doris Marion Wright, “The Making of Cosmopolitan California: An Analysis of Immigration, 1848-1870,” *California Historical Society Quarterly* 19 (December 1940), 339. Several prominent California Confederates fled to Mexico during and shortly after the war; Albert Lucian Lewis, “Los Angeles in the Civil War Decades, 1850-1868” (PhD Dissertation, University of Southern California, 1970), 283-286. For more on the prospects for rebel immigrants in Mexico, see John McCausland to Captain Thom, January 16, 1866, Thom Family papers, section 3, folder 3, Virginia Historical Society.

⁹ Lucy Smith Crittenden Thornton to Harry Innes Thornton, Jr., May 12, 1866; Lucy Thornton to Bessie Thornton, June 21, 1866; Lucy Thornton to Harry Innes Thornton, Jr., March 14, 1867, in Lucy Smith Crittenden Thornton Papers, Huntington Library.

social & political in our beloved old home [Alabama],” in the words of her daughter Sarah.¹⁰ Such sympathies led the Thorntons and other southern expatriates in San Francisco to start a fund for the former Confederate states.¹¹ Although the fund never measured up to Lucy’s expectations, she hoped to entice some of her friends and family to move to California from the Reconstruction South. She reminded her son that while former rebels in the South suffered under federal intervention, prospects appeared much brighter in the West.¹²

Several hundred miles to the south of Lucy Thornton, in the town of Los Angeles, prospects for former rebels appeared more promising still. There, former rebels and rebel sympathizers ruled, making life perilous for the town’s Unionists. In the summer of 1866 “the Civil War continued to rage” in Los Angeles, according to Horace Bell, a Union veteran who had just returned to southern California. Bell found that old friends “turned their backs on me” and spoke spitefully of his wartime service. He met with a common refrain on the city’s streets: “The idea... of a Los Angeles man of your stamp fighting on the side of the blacks! As a “red rag to the Secessionist bulls of the vicinity,” Bell wound up (according to his own estimates) in as many as 40 brawls for his wartime loyalties, although the eventual arrival of more Union veterans relieved some of the pressure.¹³ As a longtime Los Angeles resident, Bell had grown accustomed to the southern character of the town. A natural endpoint to the southern overland route, Los Angeles attracted a

¹⁰ Sarah Thornton to Harry Innes Thornton, Jr., June 20, 1867, Thornton Papers, HEHL.

¹¹ Lucy Thornton to Harry Inness Thornton, Jr. April 14, 1867, Thornton Papers, HEHL. The fund never measured up to Lucy’s expectations. She hoped that it would exceed \$100,000.

¹² Ibid; and Lucy Smith Crittenden Thornton to Harry, Nov. 21, 1866, Thornton Papers, HEHL.

¹³ Horace Bell, *On the Old West Coast: Being further Reminiscences of a Ranger*, edited by Lanier Bartlett (New York: Grosset & Dunlap, 1930), 76-81.

sizeable portion of its population from below the Mason-Dixon Line, and during the 1850s grew into what we might consider the far western outpost of the slave South.¹⁴ During the war, these southern natives transformed Los Angeles and its neighboring counties into a hotbed of secessionist activity, leading Union officials to believe that the state might devolve into an internal civil war.¹⁵ If Bell's postwar experiences are any indication, sentiments were slow to change. Indeed, Democrats carried the Los Angeles Country in every state and national election before 1880.¹⁶ And in 1882 the citizens of Los Angeles went so far as to elect as mayor, Cameron E. Thom, a former captain in the Confederate Army.¹⁷

¹⁴ See again the population data on southern California, carefully compiled by Daniel Lynch in "Southern California Chivalry: The Convergence of Southerners and Californios in the Far Southwest, 1846-1866," (PhD dissertation, UCLA, 2015), 12-14.

¹⁵ See *Official Records of the War of the Rebellion*, Series I, Vol. L, Part. I, 472, 556-558, 563-566, 589-591, 643, 993, 996-997; Series I, Vol. L, Part II, 236, 938; also see John W. Robinson, *Los Angeles in Civil War Days, 1860-1865* (Norman: University of Oklahoma Press, 1977, 2013).

¹⁶ In the immediate aftermath of the war, however, the Democratic old guard feared for the worst in Los Angeles. According to one observer, "The democratic party is dead for the present in this county." As evidence, he cited the Republican purchase of Henry Hamilton's proslavery newspaper, *The Los Angeles Star*, as well as the recent imprisonment of anti-administration stalwarts like Hamilton and E.J.C. Kewen; John W. Shore to Joseph Lancaster Brent, July 9, 1865, Brent papers, Huntington Library (HEHL). By August 1865, however, the gloom that had descended over the Confederate-sympathizing population of Los Angeles had begun to lift. One correspondent encouraged Brent to return to California, writing, "The animosities... of the war are dying away fast, at least, in this State and you can occupy your former status without any cause for chagrin;" Matthew Keller to Brent, August 17, 1865. The Brent papers provide a clear window into the post-war politics of Los Angeles County. As the former political kingpin of the area, Brent attracted observations from many of his old friends. See also Phineas Banning to Brent, August 3, 1865; Joseph Brent Banning to Brent, October 11, 1865; Benjamin Davis Wilson to Brent, July 10, 1865 and April 10, 1868, all in Brent papers, HEHL. For more on the enduring influence of pro-secessionist politics in southern California, see John Mack Faragher, *Eternity Street: Violence and Justice in Frontier Los Angeles* (New York: W.W. Norton & Company, 2016), 440-444.

¹⁷ The most complete record of Thom's career is a brief biography, compiled under the WPA; Clare Wallace, "Cameron Erskine Thom," Municipal Reference Library Records, Los Angeles, 1938. When Thom disembarked in Los Angeles after the war, he was greeted playfully by a prominent citizen, J.M. Griffith, who grasped him by the hand and proclaimed, "Well, you dirty old rebel! You are back here now, and if you behave yourself we will not hang you." Griffith then thrust \$300 in gold into Thom's hand and urged him to get a haircut and some clean clothes. In Jackson Alpheus Graves, *My Seventy Years in California, 1857-1927* (Los Angeles: Times Mirror Press, 1927), 122; see also Albert Lucian Lewis, "Los Angeles in the Civil War Decades, 1850-1868" (PhD dissertation, University of Southern California, 1970), 281-282. For Thom's wartime experiences, see Chapter 5.

The southern influence on California persisted in less violent form along the Merced River in the Central Valley, where several planters launched an ambitious experiment in cotton cultivation. John L. and J.M. Strong, brothers and Georgia natives, served as the pioneers and propagandists of these efforts, gathering around them a small community of fellow southern migrants. John L. Strong viewed California as something of an extension of the plantation South, a state that lay almost entirely “within the cotton zone.”¹⁸ By the early 1870s, efforts at cotton cultivation had created a “mania” in California, according to the Fresno *Expositor*, and soon glowing reports poured in from across the state and even the South.¹⁹ When the Strong brothers shipped their samples to experts in New Orleans, Liverpool and Scotland, they received highly gratifying feedback, attesting to the superior quality of the California crop.²⁰

Aside from the temperate climate, California’s advantage, according to western planters, rested in its laboring population. The Strong brothers insisted that Chinese “coolies” presented an elegant solution to the problem of free black labor. Compared to recently emancipated slaves, argued John L. Strong to a correspondent in Kentucky, Chinese laborers were “less expensive,” “controlled with less difficulty,” and were

¹⁸ In John L. Strong’s letter to the *Pacific Rural Press*, 7 January 1871.

¹⁹ Fresno *Expositor*, November 20, 1872. These reports came from a range of California papers, as well as some publications within the South; see articles from the San Francisco *Bulletin*, San Francisco *Rural Press*, Visalia *Delta*, Woodland *Democrat*, Yuba City *Banner*, San Francisco *Commercial Herald*, Sacramento *Record*, and Stockton *Republican*, all reprinted in “Transactions of the California State Agricultural Society during the Year 1872,” *Journal of the Legislature of the State of California*, Appendix: Reports, Volume 3, 1874, 310-322. See also reports from Georgia in the Georgia *Weekly Telegraph*, 12 September 1871; Savannah *Daily Advertiser*, 27 June 1871; and Daily Columbus *Enquirer*, 4 January 1871.

²⁰ Merced *Argus*, November 25, 1871; Sacramento *Daily Union*, May 12, 1873; John L. Strong, “Cotton Experiments in California” *Overland Monthly* 6:4 (April 1871), 329-330. See also, the positive personal report of Matthew Keller to Joseph Lancaster Brent, August 17, 1865, Brent papers, HEHL.

generally “more efficient.”²¹ These cotton experiments thus constituted both an endorsement of western agriculture and a small-scale revolt against the post-emancipation order in the South. Despite the Strong brothers’ boosterism, however, fantasies of a new cotton kingdom in the West ultimately came to naught. The combination of a labor shortage and California’s distance from markets proved fatal for the crop, which planters had largely abandoned by the late 1870s.²²

Aside from J.M. Strong and his brief foray into state politics, these cotton planters did not pose a serious threat to Union or Republican control in California.²³ A far greater political menace, according to the Unionist press, came from William M. Gwin, the former Mississippi slaveholder who had been California’s Democratic kingpin through the 1850s. Senator Gwin’s postwar political comeback was nothing short of spectacular, a testament to the enduring power of southerners in the state’s affairs. In the spring of 1865, few would have predicted that Gwin could ever return to politics in the West. For the second time in the course of four years, he had been imprisoned on suspicion of treason. He remained under guard at Fort Jackson, Louisiana, until early 1866, for a total of nearly eight months – a longer prison sentence than any Confederate high official other

²¹ John L. Strong to Robert Muldron, 16 November, 1871, in “Transaction of the California Agricultural Society”, 306. Sugar planters in the post-emancipation South also sought the purported advantages of Chinese labor; see Moon-Ho Jung, *Coolies and Cane: Race, Labor, and Sugar in the Age of Emancipation* (Baltimore: Johns Hopkins University Press, 2009). Strong would later claim that white labor would be far more effective than Chinese workers, although he did not discount the proven results of Chinese cotton pickers in California; John L. Strong, “Labor in Cotton Culture,” *Overland Monthly* 13:1 (July 1874), pp. 18-19, 24.

²² California cotton would make a comeback in the 1920s and 30s, and to this day, California ranks second only to Texas in its cotton output. See Devra Weber, *Dark Sweat, White Gold: California Farm Workers, Cotton, and the New Deal* (Berkeley: University of California Press, 1994).

²³ Strong, an “an ultra Democrat, with strong Southern sympathies,” served as a delegate to the constitutional convention before his death in 1878; *San Francisco Bulletin*, November 19, 1878.

than Jefferson Davis.²⁴ California's loyal press had cast him off as a "hoary-headed traitor," while Ulysses S. Grant himself branded him a "rebel of the most virulent order."²⁵ Yet by late 1866 he was back in California, and a year after that he helped orchestrate the astonishing electoral victory of his son, Willie, a former Confederate cavalryman.²⁶ As a state senator, the younger Gwin would become one of the leading opponents of the Fifteenth Amendment, while his father continued to campaign on behalf of his various Democratic friends. Although the elder Gwin never again sought office, he remained a prominent voice in state politics and continued to inspire glowing tributes from California's rapidly growing Democratic population.²⁷ For many, Gwin had not only redeemed himself; he had helped redeem the state for the old guard of the Democratic Party.²⁸

²⁴ For a study of other political prisoners during the Civil War, see William A. Blair, *With Malice toward Some: Treason and Loyalty in the Civil War Era* (Chapel Hill: University of North Carolina Press, 2014). In our conversations, Blair confirmed that Gwin's imprisonment was indeed uniquely long.

²⁵ *Sacramento Daily Union*, November 16, 1861; *OR*, Series I, Vol. L, Part II, 1118. As late as June 1866, Gwin confessed to his old political ally and Confederate co-conspirator, Joseph Lancaster Brent, that "I do not know where to settle," adding "like you I cannot go to California which if alone I would prefer to anyplace on earth." Gwin also affirmed his unreconstructed rebel sympathies. "It would have been better for the people of the South to have been orphaned by the conquerors before they had sullied their chivalry by applying for pardon," he wrote; William M. Gwin to Joseph Lancaster Brent, June 13, 1866, Brent papers, HEHL. Brent himself set sail for Paris that year.

²⁶ The victory is astounding considering that just two years earlier, Willie was worrying about being hanged for his role in the rebellion. See Willie Gwin to his mother, 18 May 1865, in *San Francisco Bulletin*, 28 December 1866.

²⁷ On the sensation Gwin caused in Democratic circles, see *Sacramento Daily Union*, 10 November 1867. For a brief report on the Gwin's continued success within the San Francisco social scene, see Benjamin Davis Wilson to Joseph Lancaster Brent, April 10, 1868, Brent papers, HEHL.

²⁸ For Gwin's biography, a sympathetic and thin account, see Lately Thomas, *Between Two Empires: The Life Story of California's First Senator, William McKendree Gwin* (Boston: Houghton Mifflin, 1969). In his forthcoming book, William Deverell argues that the Civil War wounded, both North and South, sought convalescence and personal healing in the postwar West. Gwin's story illustrates that California could be a site of political redemption as well. Deverell rehearses some of these arguments in "Redemptive California? Re-thinking the Post-Civil War," *Rethinking History* 11, No. 1 (March 2007), pp. 61-78.

The Roots of Revolt

The Far West may have avoided the deluge of former Confederates that some had feared, but California could not so easily escape its proslavery past. That past lived on in Los Angeles' lingering secessionist sentiments, in cotton experiments along the Merced River, and in the second career of William Gwin. It also persisted in the politics of a small but growing core of Democratic politicians. When the Thirteenth Amendment came up for ratification by the states in December 1865, a cadre of California Democrats took a determined stand against emancipation. Senator J.K. Rush of Colusa suggested that the amendment to liberate the nation's slaves simultaneously infringed upon state's rights, and that such measures would only open the floodgates to greater federal encroachments. Furthermore, he argued, why should a mere two-thirds of the states be able to strip Delaware, which had remained loyal to the Union throughout the course of the war, of its enslaved laborers?²⁹ The dominant Union Party easily silenced these anti-abolitionist voices of dissent. However, in future struggles over the meaning of emancipation, Democrats would increasingly exploit California's white supremacist tendencies to gain the upper hand.

California's Democrats began their comeback by tapping into a widely-held fear among the state's voting public: that whites sat uneasily atop a racial pyramid slowly crumbling under the weight of federal Reconstruction. White voters recognized that

²⁹ San Francisco *Bulletin*, 16 December 1865. Several days earlier, a similar group of senators voted against resolutions in tribute to the memory of Lincoln; see *Bulletin*, 14 December 1865. Several months earlier, in the Los Angeles County Democratic Convention, E.J.C. Kewen resumed his old political battles, by helping to draft resolutions opposing suffrage for blacks, Indians, and Chinese; see John W. Robinson, "Colonel Edward J.C. Kewen: Los Angeles' Fire-Eating Orator of the Civil War Era" *Southern California Quarterly* 61 (summer 1979), 174.

measures designed to reconstruct the South would decisively shape the West as well. In fact, Congress extended the suffrage to African Americans in the territories two months before those in the former Confederacy.³⁰ In such a diverse state, whites felt particularly threatened by the prospect of a widening franchise which would inexorably dilute their voting power. These threats to white supremacy came in many shades of brown – African Americans, Native Americans, Hispanics, and Chinese immigrants.³¹ While California’s Mexican-born citizens had earned at least the grudging respect of many white Democrats due to their longstanding ties to the Party – especially in southern California – blacks, Indians, and Chinese residents remained political outcasts and the targets of both rhetorical and physical assaults.³² California’s anxious white electorate quickly connected the dots: if Republicans could remake the racial order in the South, they might similarly empower non-whites in the West. Thus, what began as a mistrust of federal policy grew into what D. Michael Bottoms calls “a level of racial hysteria unmatched anywhere else.”³³

³⁰ Berwanger, *The West and Reconstruction*, 10

³¹ According to the 1870 census, California’s non-white residents accounted for over 10 percent of the state’s total population. Over 4,000 African Americans and nearly 50,000 Chinese, Japanese and “Civilized Indians” lived in the state. The census does not include a separate category for the significant Hispanic population within the state; see Francis A. Walker, *A Compendium of the Ninth Census (June 1, 1870), Compile Pursuant to a Concurrent Resolution of Congress, and Under the Direction of the Secretary of the Interior* (Washington: Government Printing Office, 1872), 9-18.

³² Unlike African Americans, Chinese immigrants, or Native peoples, Hispanics were legally allowed to vote in California, as one of the conditions of the Treaty of Guadalupe Hidalgo and the California Constitution. Indians could win the right to vote, according to the constitution, by a two-thirds concurrent decision from the legislature – although there was little danger of that in California’s postwar political climate; see Article II, Section 1, *Constitution of the State of California* (San Francisco: Alta California, 1849). The discrimination faced by Hispanics had less to do with electoral than with property rights. The postwar period saw a continued campaign to divest the state’s Mexican-born population of their land claims; see Leonard Pitt, *The Decline of the Californios: A Social History of the Spanish-Speaking Californians, 1846-1890* (Berkeley: University of California Press, 1971). For more on the alliance between white Democrats and Spanish-surnamed voters in southern California, see Lynch, “Southern California Chivalry.” For more on the assaults on Chinese and black Californians, see below.

³³ Bottoms, *Aristocracy of Color*, 5.

In the statewide races of the immediate postwar period, local issues generated far less interest (and friction) than national policies. For instance, on crucial state labor issues – namely support for the eight-hour workday – California’s Democrats and Republicans were in agreement. And unlike eastern Republicans, westerners expended little political capital on policies related to prohibition, prostitution, or trade unionism. Instead, California’s electoral battles centered on national Reconstruction and the racial and economic policies that it entailed. By conjuring the bogeyman of an overweening federal government, Democratic leaders differentiated themselves from their Republican opposition and rallied the votes of the white working class. They harped on the cost of Reconstruction in the South, especially expenditures on the Freedmen’s Bureau, and what this might mean for taxation in the West. And above all else, they played to deep racial anxieties by presenting scenarios in which the state’s non-white populations had equal political power.³⁴ These were the anxieties that united many white voters across the continent and made the Republican political experiment such a fragile undertaking.

Attuned to these apprehensions, Democrats made an attack on black voting rights the central plank in their 1865 campaign. Because Republicans also opposed Chinese suffrage, Sinophobia was not the political wedge that it would later become for

³⁴ For a representative samples of these Democratic arguments, see Henry H. Haight, *Speech of H.H. Haight, Esq. Democratic Candidate for Governor, Delivered at the Great Democratic Mass Meeting at Union Hall, July 9, 1867*; Bancroft Library; and Haight, *Inaugural Address of H.H. Haight, Governor of the State of California, at the Seventeenth Session of the Legislature, and Special Message of Governor H.H. Haight, of California Declining to Transmit Senate Resolutions Condemnatory of President Johnson* (New York: Douglas Taylor’s Democratic Book and Job Printing Office, 1868). For more on the similarities between the western Democratic and Republican Parties – that is, on issues not pertaining to Reconstruction – see Berwanger, *The West and Reconstruction*, 5-6, 31-34, 207-208; also, Winfield J. Davis, *History of Political Conventions in California, 1849-1892* (Sacramento: California State Library, 1893), 264-286.

Democratic candidates. At the Democratic State Convention that year, Eugene Casserly, fast emerging as the Party's leading spokesman on this issue, pledged his "opposition to negro suffrage and its inevitable result, the social equality of the negro."³⁵ Democrats like Casserly learned that casting their opponents as champions of black suffrage and racial equality paid political dividends, while simultaneously distracting from accusations of wartime disloyalty. In turn, their opponents complained that Democrats had created a single-issue party. The Stockton *Independent* reported, with some justification, that "the negro is about the only staple in Democratic argument... without him the party would be *non est*."³⁶

As the self-anointed defenders of white rule, Democrats enjoyed modest success in the 1865 elections. Although the Union Party retained control of the statehouse, Democrats won important seats from Sacramento, San Francisco, and Sonoma. But more valuable than any legislative gains were the lessons learned: race baiting won votes, and more generally, vocal opposition to Reconstruction could provide a way forward for the party. In the legislature of 1865-66, Democrats compensated for their limited numbers with the ferocity of their attacks on federal policy. They inserted themselves into the national struggle over Reconstruction by issuing a wave of resolutions on federal issues, while also introducing more localized bills to prevent the immigration of blacks into California and to permanently bar them from the franchise. When, in December 1865, Congress refused to seat the recently elected candidates from former Confederate states –

³⁵ San Francisco *Bulletin*, 20 September 1865.

³⁶ Stockton *Independent*, 18 August 1865, quoted in, Thomas E. Malone, "The Democratic Party in California, 1865-1868 (M.A. Thesis, Stanford University, 1949), 22.

including six members of Davis's cabinet, 58 Confederate Congressmen, and four Confederate generals – California's Democrats spoke out in opposition.³⁷

Support for Andrew Johnson and sympathy for the defeated South became hallmarks of this opposition to Reconstruction. Democrats were jubilant when Johnson vetoed the Freedmen's Bureau bill in February 1866. To celebrate, they held a rally in San Francisco, and issued a series of resolutions, drafted by Benjamin Franklin Washington, the Virginia-born editor of the state's leading Democratic newspaper. In conjunction with opposition to black suffrage, sectional healing was the order of the day:

Resolved: That American progress and civilization alike demand that friendly feelings should be cultivated between the North and the South; that their citizens should forgive and forget the wrongs of the past; that they should seek to soothe the asperities growing out of the war; that they should 'let the dead past bury the dead,' and shaking hands over the graves of common brothers and countrymen, pledge themselves to a better understanding in the future.³⁸

This early paean to reconciliation came at a time when the memory of the war was still fresh in the nation's collective mind, when retribution seemed as likely as reunion. In their battle against Reconstruction, California's Democrats were among the first to embrace the reconciliationist (if racially exclusive) spirit that would, in time, guide much of the nation.³⁹

As Democrats united in opposition to Reconstruction, the Union Party began to fray. A coalition of Republicans and loyalist Democrats that came together during the

³⁷ Malone, "Democratic Party in California", 15, 29-30, 42-46.

³⁸ San Francisco *Bulletin*, 28 February 1866.

³⁹ California and the West are largely absent from David Blight's important account of Civil War memory and the politics of reconciliation. See David Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge, Mass.: Belknap, 2001).

early years of the war, the Union Party clung tenaciously to its old majority in a time of peace. Johnson's vetoes of the Freedmen's Bureau and civil rights bills – triumphs for California's Democrats – exposed fissures within the fragile Union coalition. Party leaders would eventually endorse the civil rights bill – what would become the Fourteenth Amendment – but at the cost of alienating their more conservative allies. Union stalwarts who guided the state during the war years were dismayed to find the party in shambles by 1867. Yet, in many ways, this swift decline was no surprise. Taking the long view of California history, we can see the Union party as merely the product of wartime exigencies, an aberration in the state's deep association with proslavery politics. Beneath the surface, California remained an intensely racist state, hostile to the progressive politics of the Republican postwar order. The Union Party simply lacked the blueprint for a political future. That future belonged to the Democrats and their politics of white supremacy. Thus, the Democratic victories of the late 1860s look less like a "political revolution," as Michael Bottoms has suggested, and more like a return to the political equilibrium that had long reigned in California.⁴⁰ This was a redemption of sorts, not a revolution.⁴¹

⁴⁰ Bottoms writes of this so-called revolution by "a party that only a year earlier had seemed so blackened by the stain of rebellion that few thought it would ever rise again," *Aristocracy of Color*, 55. Although Bottoms remains one of the best historians on this period in California's history, he vastly overplays the strength of the state's Unionism.

⁴¹ Stacey Smith argues that the Democratic resurgence in California marked a western Redemption, as it overturned the previous period of Republican rule within the state and returned to power the political party that had reigned throughout the antebellum period; Smith, *Freedom's Frontier*, 210. Of course, this western Redemption – if we can call it that – did not have to contend with a federal military presence, as did the Democratic Redeemers of the former Confederate states. [This is a provocative conceptualization of California's Democratic comeback, but I don't want to conflate the political resurgences in the South and West, and Stephanie McCurry has largely convinced me that "Redemption" is an awkward fit for the California context.]

A Referendum on Reconstruction

When Congressional Republicans passed three Reconstruction Acts between March and July 1867, they once again invigorated the Democratic cause in California. Here was confirmation of white supremacists' worst fears: not only had the acts placed a suffering South under military rule, but they had enfranchised black voters in the former Confederacy while simultaneously barring many whites from the polls. B.F. Washington, slavery apologist and editor of the San Francisco *Examiner*, raged against what he called the "great Mongrel military despotism" and the "Five Monarchy Acts," a reference to the five military districts into which the former Confederacy had been divided. No amount of scorn seemed sufficient for the Republicans behind these policies. "Never before in this or any other country did a more atrocious band of wicked traitors and unconscionable knaves meet together," Washington seethed.⁴² Military Reconstruction was naked act of northern aggression, according to Washington, born out of a vengeful hatred of the South. "Ranting, raving New England Puritans," Washington wrote, "hate a Southern gentleman and all his belongings, on the same principle that the devil does holy water."⁴³ Other Democrats were no less vehement in their denunciations of Military Reconstruction. An equally irate California Democrat claimed that the recent

⁴² San Francisco *Examiner*, 1 July and 23 July 1867. Thanks to the staff at the Green Library, Stanford University, microfilm archive, for making issues of the *Examiner* available to me. For a particularly rich archive of newspapers articles and digitized rare materials on Washington, see West Virginia GeoExplorer Project <http://www.wvgeohistory.org/>. Thank to Bill Theriault for directing me to his website. Although a staunch supporter of the Confederate rebellion, Washington did not rejoin the slave South during the war. Instead, he went into a political hibernation of sorts within California. But when he emerged during the post-war period, he quickly reasserted himself as one of the West's most vocal slavery apologists.

⁴³ San Francisco *Examiner*, July 24, 1867.

Congressional measures “crushe[ed] beneath the iron heel of naked power every principle of right and freedom [for which] the revolution [had been] fought.”⁴⁴

Democratic politicians carried this outrage into campaign season that summer and urged California’s voters to join them by casting their ballots in protest against Reconstruction. A quick look at the Democratic platform would immediately dismiss any notion that the Far West isolated itself from national issues during this period. In fact, it was precisely upon national issues that Democrats aimed to rebuild the party. Roughly half of their platform planks targeted Reconstruction, especially the issues of black suffrage and military rule in the South. Radical Republicans, the state committee argued, had “imperil[ed] the union by their mad and seditious course.” Reflecting growing sympathy for the defeated South, the committee insisted that “the states lately in rebellion should be dealt with in a spirit of kindness and forbearance” rather than Congress’ current “harsh, illiberal, and oppressive” policy. The committee also hammered on the party’s central plank by reminding voters that suffrage for “negroes, Chinese, and Indians... would end in the degradation of the white race and speedy destruction of the government.”⁴⁵ The cumulative effect of these resolutions was to present a clear and united front of opposition to Republican national policy. And by linking the Union Party with Congressional legislation, California’s Democrats turned the September elections into a referendum on Reconstruction.

⁴⁴ Quoted in Berwanger, *Reconstruction and the West*, 106.

⁴⁵ Winfield J. Davis, *History of Political Conventions in California, 1849-1892* (Sacramento: California State Library, 1893), 264-266.

Opposition to Military Reconstruction, rejection of black suffrage, and sympathy for the defeated South proved a winning formula in the election.⁴⁶ Indeed, this grand strategy catapulted California's Democrats to one of the most stunning electoral reversals in the postwar years. While the Union Party held a decisive 65 percent of the seats in previous state legislature, when the polls closed in September 1867 the Democrats had gained a 22-seat majority in the assembly, and won two of the three U.S. House elections. Out of the state's 47 counties, 32 went Democrat, while Union-Republicans polled a dismal 35 percent in San Francisco, once a party stronghold. Democrats were now poised to elect a U.S. senator in December and to fill most state offices with party loyalists.⁴⁷ Although Union-Republican supporters insisted that their defeat resulted from internal party divisions and low voter-turnout, Democrats recognized that their attacks on Reconstruction had been the deciding factor in the election.⁴⁸ By returning the Democrats to power, California's white voters effectively denounced Military Reconstruction in the South and registered their firm opposition to black suffrage.

The Democratic landslide was all the more remarkable coming as it did at the high tide of national Republicanism. In the election of 1866 – what one scholar has

⁴⁶ Historian Tamara Venit Shelton suggests that antimonopolism, in addition to race-baiting, helped the Democrats secure support from industrial workers and farmers; Shelton, *A Squatter's Republic: Land and the Politics of Monopoly in California, 1850-1900* (Berkeley and San Marion, CA: University of California Press, 2013), 87.

⁴⁷ Gerald Stanley, "The Republican Party in California, 1856-1868" (PhD Dissertation, University of Arizona, 1973); Berwanger, *The West and Reconstruction*, 202-203; Malone, "Democratic Party in California," 62-63.

⁴⁸ For a representative Unionist response to the election, see *Alta California*, 6 September 1867. The *Pacific Appeal*, one of California's two African American papers, was far franker in its assessment of the defeat. "All are aware that the real issue in the nation at present is hinged upon the reconstruction measures of Congress... The Union party went squarely into the political fight, in this State, to sustain Congress, the Democratic party went as squarely into the political fight to oppose the reconstruction measures of Congress. Hence the issue was as plain as daylight. *Pacific Appeal*, September, 14, 1867.

called the most important mid-term contest in American history – Republicans extended their massive majority in Congress to ensure that they controlled well over two-thirds of the votes required to override a Johnson veto.⁴⁹ As Howard Beale noted in his influential account of the election, that decisive victory helped transform the Radicals from a “determined minority” to a position of “irresistible mastery.”⁵⁰ Over the next year, Radical Republicans leveraged these gains to secure the military occupation of the South and to advance their program of black suffrage, constituting what Eric Foner has called “a stunning and unprecedented experiment in interracial democracy.”⁵¹

The 1867 returns thus came as a sobering rebuke to the Republican establishment, still flush from its victories only a year earlier. Twenty states across the country held elections between March and November 1867, and Republicans, according to historian Michael Les Benedict, “lost ground in nearly all of them.”⁵² In Connecticut’s Congressional elections, Democrats won three of four available seats, while the state’s Democratic candidate eked out a narrow victory in the gubernatorial contest. Meanwhile, Ohio’s voters struck down a state constitutional amendment that would have enfranchised black men while barring “disloyal” whites from the polls. In New York and New Jersey as well Republicans lost a substantial amount of votes. Yet what were setbacks for

⁴⁹ Patrick W. Riddleberger, *1866: The Critical Year Revisited* (Carbondale, IL: Southern Illinois University Press, 1979), 202.

⁵⁰ Howard K. Beale, *The Critical Year: A Study of Andrew Johnson and Reconstruction* (New York: Harcourt, Brace and Company, 1930), viii, 399, 406.

⁵¹ Foner, *Reconstruction*, 278.

⁵² Michael Les Benedict, “The Rout of Radicalism: Republicans and the Elections of 1867,” *Civil War History* 18 (December 1972), 341. Benedict argues that these elections, taken together, amounted to a thorough rebuke of Radicalism, and effectively transferred power to the centrist element within the Republican Party. For him, the “critical year” was 1867; Michael Les Benedict, *A Compromise of Principle: Congressional Republicans and Reconstruction, 1863-1869* (New York: W.W. Norton, 1974), ch. 13.

Republicans in most states was an utter rout in California. Only in California did Republicans lose the governorship, the statehouse, and their Congressional majority. In no other free state did the Democratic gubernatorial candidate win by a larger margin than California's Henry H. Haight, who beat his opponent, George Gorham, by more than ten percentage points.⁵³ The message coming from the West was thus especially clear: The party that had seemingly bested President Johnson and his conservative allies faced a hard road ahead. Indeed, following California, Oregon's Democrats also took back the statehouse in 1868. And in the coming years, other western states and territories expressed a growing unease over federal encroachment.⁵⁴ Anyone attuned to the mood in the West could tell that the struggle against Reconstruction would extend far beyond the former Confederacy.

The 1867 defeat proved fatal to California's Union Party, which dissolved shortly thereafter. During the election Union candidates largely ignored national issues, never able to parry the damning Democratic critique that they had abandoned the white voter. When Union gubernatorial candidate George Gorham attempted to set the moral direction of his party by appealing to the "universal brotherhood of man," he played directly into the hands of his race-baiting opposition.⁵⁵ His party's campaign lacked both the

⁵³ For detailed statistics on the 1867 elections on a state-by-state basis, see *The Tribune Almanac and Political Register for 1868* (New York, 1868), 43-65.

⁵⁴ Berwanger, *The West and Reconstruction*, 185-186.

⁵⁵ George C. Gorham, *Speech Delivered by George C. Gorham of San Francisco, Union Nominee for Governor, at Platt's Hall, San Francisco, July 10, 1867* (San Francisco: Union State Central Committee, 1867), 13. Even the former Republican candidate for governor, Edward Stanly, berated Gorham for his inclusive racial politics. In a pro-Haight speech, Stanly derided Gorham as "uniformly black... black in speech, black in principle, black all over." Stanly, a native of North Carolina, also used the speech as an opportunity to criticize Military Reconstruction of the South. The speech is excerpted in *Sacramento Daily Union*, August 10, 1867, quoting an article that originally appeared in the *San Francisco Bulletin*, August 8, 1867.

coherence and the force of previous efforts. Union candidates continued waving the bloody shirt – that is, blaming Democrats for secession and the ravages of the war – but this strategy was evidently yielding diminishing returns.⁵⁶ California’s voters had seemingly traded their indignation over secession for a growing sympathy for the South, now chafing under military occupation. Amid mounting appeals for reconciliation, the Union Party – which was, after all, a product of wartime exigencies – had lost its trump card of anti-Confederate outrage. Those members of the now defunct Union Party who did not defect to the Democrats soon adopted the Republican banner. The reconstituted Republicans would enjoy some success in the coming decades, but only after shedding the racially progressive ideals of the wartime era and crafting a new party image based on the hard experiences of 1867. There would be no more “brotherhood of man” in California electoral politics.⁵⁷

California’s Southern Revival

By 1867 white Californians were eager to bury the past. The Union Party’s failure to sufficiently tap wartime bitterness coincided with a sea change in how Californians imagined the former Confederacy. Through a sort of political alchemy, Democrats had redeemed former rebels and transformed the Party of Lincoln into the enemy of both Union and Constitution. Few Californians would go so far as to defend

⁵⁶ For an example of typical Union Party rhetoric, see the Marysville *Daily Appeal*, 22 June 1867, and Gorham, *Speech at Platt’s Hall*, 14-16 and passim.

⁵⁷ On California Republicans’ abandonment of radicalism, see Gerald Stanley, “‘The Whim and Caprice of a Majority in a Petty State’: The 1867 Election in California,” *Pacific Historian* 24 (1980), 450, 455, and Stanley, “The Republican Party in California,” x, 215.

secession, but Democratic leaders regarded the South as the true victim in a postbellum order that was perhaps more destructive to the nation than the carnage of the war years. Sharpening this sympathy for former rebels was a widely shared fear that the state-sponsored depredations afflicted on the South might soon migrate west.⁵⁸

At the center of both the Democratic and the pro-southern revivals was the newly elected governor, Henry Huntley Haight. Haight's path to Democratic ascendancy was hardly a straight one. A supporter of the Republican candidate John C. Fremont in 1856, Haight went on to serve as the Republican state chairman four years later during Lincoln's campaign. But less than a month into the war, he renounced his previous affiliations, denounced Lincoln's war machine, and began a dramatic swing to the Democratic right – citing northern coercion as the reason for his political transformation.⁵⁹ When his adopted party mounted its comeback in the postwar years, Haight emerged as one of the Democracy's most forceful speakers, especially on the issues of Military Reconstruction and universal suffrage. During the 1867 campaign,

⁵⁸ Even the fiercest wartime Unionists eventually relinquished their outrage over secession. Henry Dwight Barrows, who waged a tireless campaign against pro-Confederate Californians during the war, came to write highly favorable obituaries for the men he once pursued. See his tributes to both Joseph Lancaster Brent, one of several Californians to rise to the rank of general in the Confederate army, and John S. Griffin, a prominent Los Angeles lawyer and Lincoln-hater. Henry Dwight Barrows, "Joseph Lancaster Brent," *Annual Publication of the Historical Society of Southern California and of the Pioneers of Los Angeles County, 1903*, Vol. VI (Los Angeles: George Rice and Son, 1904); Barrows, "Memorial Sketch of Dr. John S. Griffin," *Publications of the Historical Society of Southern California, 1897-1899*, Vol. IV (Los Angeles, n.d). In turn, committed California secessionists embraced the politics of reconciliation and memorialized their erstwhile opponents. See for instance, the motion of Andrew Jackson King, a former Confederate sympathizer, to commemorate the memory of Bilington Crum Whiting, an antislavery Democrat of the Broderick faction; Resolutions by the Los Angeles County Bar, entered by Andrew Wilson Potts, clerk, June 9, 1881, Bilington Crum Whiting papers, HEHL.

⁵⁹ The Republican party, according to Haight, had plunged the nation into civil war through its dogged refusal to compromise with the southern secessionists. "Upon their [Republican] heads will rest the responsibility of the slaughter of unnumbered thousands, the untold misery and the unshakable humiliation which now seem inevitably before us," he wrote to a friend. "Their names will be covered with lasting infamy and their memories loaded with the execrations of posterity." Henry H. Haight to George [R. Bissell?], May 3, 1861, Henry H. Haight Papers, Henry E. Huntington Library, San Marion, Calif.

Haight harped on Radical Reconstruction in a series of rallies held around San Francisco and Sacramento, transforming himself into the “anti-black, states’ rights spokesman for the West.”⁶⁰

Haight may have been born in Rochester, New York, but his sympathies for the defeated South were unmistakable. Before enthusiastic crowds he conjured the image of a vindictive and bullying national government, exacting undue vengeance on former Confederate states long after the war had ended. In one of his most celebrated campaign speeches, Haight played to the reconciliationist impulses of his Democratic audience. “The South seceded, was conquered, and now lies helpless and bleeding at every pore,” he pleaded.⁶¹ Instead of vengeance, he called for “a spirit of broad, catholic patriotism that knows no North, no South, no East, no West.”⁶² This growing, vengeful government, Haight argued, struck at the very heart of American democracy, undermining the constitutional rights of states at every turn. Haight was unshakable in his defense of states’ rights. Some of his political opponents made note of this, charging that not even John C. Calhoun went as far as Haight in attempting to limit federal power.⁶³ In his inaugural address, Haight struck a dire note on this subject. Reconstruction – the policy of black suffrage, the wasteful spending of the Freedmen’s Bureau, and the military occupation of the former Confederacy – had brought about a new and highly

⁶⁰ Berwanger, *The West and Reconstruction*, 108; for a detailed treatment of Haight’s racial politics, see Bottoms, *Aristocracy of Color*, 72-84.

⁶¹ Henry H. Haight, *Speech of H.H. Haight, Esq. Democratic Candidate for Governor, Delivered at the Great Democratic Mass Meeting at Union Hall, July 9, 1867*, 2.

⁶² Haight, *Speech*, July 9, 1867, 1.

⁶³ *San Francisco Bulletin*, 22 January 1870. This was in response to Haight’s claim that constitutional amendments could only be made to limit, and not to extend, the powers originally granted by the Constitution. According to Republicans in the state legislature, even Calhoun “had no such ideas.”

unconstitutional epoch in American history, and if the federal government continued to act beyond its delegated powers, the nation would fall victim to “the worst form of despotism,” or what he would later call “a congressional absolutism.”⁶⁴ Confiding to President Andrew Johnson in 1868, Haight fretted over the dangerous policies of the Radicals, which he feared “would light the flames of civil war again from one end of the country to the other.”⁶⁵

State rights were sacrosanct, according to Haight, especially when it came to the right of denying suffrage to non-white citizens. He argued that a Republican Congress had sacrificed the white South on the altar of black suffrage, and the result was pure pandemonium. Haight devoted much of his inaugural address to this issue. White southerners had been stripped of their constitutional rights and subjected to military despotism, he claimed, which devolved “political control to a mass of negroes just emancipated and almost as ignorant of political duties as the beasts of the field.” The federal policy of Reconstruction, he elaborated, was the “subversion of all civil government under military rule, the abolition of those personal rights guaranteed by the Constitution” and “the subjection of the white population of the Southern States, men, women, and children, to the domination of a mass of ignorant negroes just freed from slavery.” At this point in history, Haight fulminated, the former Confederacy amounted to nothing more than “negro States,” dangerously close to becoming “another St.

⁶⁴ Henry H. Haight, *Inaugural Address of H.H. Haight, Governor of the State of California, at the Seventeenth Session of the Legislature, and Special Message of Governor H.H. Haight, of California Declining to Transmit Senate Resolutions Condemnatory of President Johnson* (New York: Douglas Taylor’s Democratic Book and Job Printing Office, 1868), 6; Haight to William Tell Coleman, October 20, 1868, Haight Papers, Huntington Library.

⁶⁵ Haight to Andrew Johnson, January 18, 1868, Henry Huntley Haight Papers, Bancroft Library, Berkeley, California.

Domingo on our Southern border.”⁶⁶ Haight attempted to bring home the severity of this issue to his California electorate by introducing a thought experiment. “What would you think of the Government, if, to punish you it should disfranchise half your white population, and by military force give the Chinese population the right of suffrage?” Haight goaded at a campaign rally. “What would you think of such legislation? Would you not rather have all the property confiscated and every tenth man hang?”⁶⁷ With this nightmare scenario, California’s leading statesman not only provoked outrage amongst his electorate, but also implicitly approved the South’s violent resistance to Congressional Reconstruction.

Haight’s heated rhetoric on the federal menace and the evils of Reconstruction struck a chord, not only among California audiences, but within the former Confederate states as well. When she read the text of one of Haight’s political addresses, Narcissa Saunders of Nashville, Tennessee felt compelled to express her appreciation directly to the California governor. Saunders congratulated the governor on his effective leadership and thanked him for his enduring support of the South. “Like everything from your pen,” she wrote in June 1868, the speech conveyed “*true* patriotism, justice, and integrity, and gives us *down trodden* people *some hope* of a bright future.”⁶⁸ That same month, Andrew Roland, a distant relative from New Orleans confided in Haight: “Between the ‘cotton wound’ and the Radicals, poor Louisiana has suffered a perfect martyrdom.” That martyrdom included, most egregiously, the political elevation of black men over their

⁶⁶ Haight, *Inaugural Address*, 9-10. For similar sentiments, see Haight to John Bigler, May 7, 1868, Haight Papers, HEHL.

⁶⁷ Haight, *Speech*, July 9, 1867, 3.

⁶⁸ Narcissa P. Saunders to Haight, June 10, 1868, Haight Papers, HEHL.

former masters, a system enforced by strict federal oversight. “So you see how we are persecuted,” Roland added, “having strangers, and negroes in office, to rule us, and make laws for us.”⁶⁹ Here was first-hand confirmation of everything Haight had warned about Military Reconstruction and the perils of black enfranchisement. Beleaguered rebels like Roland knew they had a sympathetic audience in the California governor.

While Haight might have been able to out-Calhoun Calhoun in his bitter denunciations of federal power, no Californian could surpass B.F. Washington in both his opposition Reconstruction and his fierce support for Southern intransigence. Raised on a Virginia plantation and a lineal descendent of George Washington’s brother, B.F. Washington’s Old Southern pedigree ran deep. While he had been airing his outrage for years, it was the Radical measures of 1867 that brought his invective to a fever pitch. In Washington’s eyes, every federal measure was a dire slander on a noble, suffering South. The imprisonment and trial of the former Confederate president Jefferson Davis was a “shameful, disgraceful and contemptible farce.” “We venture to say,” Washington added, “that the history of jurisprudence presents no parallel to the infamy of these proceedings.”⁷⁰ Thanks to Congress, the once prosperous South had been reduced to a Yankee thralldom, equal to “a Poland, a worse than Hungary, and a rival for the despotism of a crushed Ireland.”⁷¹ Secession may or may not have been a mistake – Washington was vague on this – but the southern conscience remained deservedly spotless. “[N]o men ever embarked in a cause with a more thorough conviction of right

⁶⁹ Andrew A. Roland to Haight, June 29, 1868, Haight Papers, HEHL.

⁷⁰ San Francisco *Examiner*, 23 November 1868.

⁷¹ *Examiner*, 12 October 1868; see also, *Examiner*, 19 January 1869.

and justice than did they,” he argued. “No men conscious of wrong could ever have made the heroic and prolonged resistance against such overwhelming odds.”⁷² The real rebels, Washington insisted, were Radical Republicans, who threatened to dismember the nation through their crazed Reconstruction policies. To call the current Congress “the hell-spawn of civilization,” he added, is “a slander on the infernal regions.”⁷³

As slavery’s staunchest post-mortem apologist within California, Washington infused the *Examiner* with a profound nostalgia for the Old South. The San Francisco *Elevator*, one of California’s leading African American papers, hardly exaggerated when it argued that Washington “would doubtless like to see the old era re-established, and slavery triumphant over the land.”⁷⁴ Indeed, just a few days earlier Washington wrote that slavery – the “negro birthright” – had provided each black person in the South with “the protecting care and guardianship of his master who provided for all his wants, and made him a useful member of the community.” Now, “with an insane love for the negro,” Yankees had uprooted this benevolent and prosperous order and attempted to “force” freedom on blacks, which would bring them “nothing but wretchedness and misery.”⁷⁵ While many southerners in the immediate postwar years sought to distance themselves from their slaveholding pasts, Washington came as close to embracing the institution as any leading figure plausibly could. In this respect, he was perhaps less

⁷² *Examiner*, 23 July 1867. For more tributes to the South and southerners, see *Examiner*, 8 July 1868; 16 January 1869

⁷³ *Examiner*, April 1, 1869. Similar screeds can be found in other issues of the *Examiner* throughout the postwar period. See, for instance, 12 June 1865; 7 August 1865; 11 August 1865; 1 July 1867; 6 July 1868; 21 April 1869.

⁷⁴ San Francisco *Elevator*, 28 July 1865. Raised on a Virginia plantation, a lineal descendent of George Washington’s brother, B.F. Washington’s Old Southern pedigree ran deep.

⁷⁵ *Examiner*, 24 July 1865. See also *Examiner*, 11 August, 1865

reconstructed than Jefferson Davis, himself, who all but erased the issue of slavery from his wartime memoir.⁷⁶ By insisting on the benign nature of slavery and the valor of Confederate soldiers, Washington articulated at an early date two fundamental tenets of the emerging Confederate mythology. Indeed, we can reasonably trace to the *Examiner* the beginnings of the Lost Cause in the American West.

Washington was no mere maverick. He edited the leading Democratic paper in California and therefore could rightfully claim to represent many of the views of the state's most powerful party. To be sure, the overtly proslavery wing of California's Democratic Party crumbled shortly after secession. Yet the continuities between the pre-war and post-war political orders in California were more pronounced than historians have yet recognized. Although the old proslavery leader of the party, William Gwin, had retired to mining, railroading, and lobbying, those who followed in his wake – including his son, the former Confederate cavalryman – continued to nurture deep connections to the South. The most detailed study of Democratic politics in post-Civil War California reveals that native southerners continued to wield a disproportionate influence within the state. Of the 17 Democrats who Thomas Malone identified as the party's most influential leaders, over half hailed from former slave states. Only seven, including Haight, were born in free states, while one, Eugene Casserly, came from Ireland.⁷⁷ Clearly, B.F. Washington had good, southern company in the upper echelons of the party.

⁷⁶ Jefferson Davis, *The Rise and Fall of the Confederate Government*, 2 vols. (New York: D. Appelton and Company, 1881).

⁷⁷ See Malone, "Appendix: Biographical Sketches of Men Prominent in the Democratic Party in California, 1865-68," in "Democratic Party in California." While Malone notes each leader's place of birth, he does not reflect on the effects this might have had on the party's southern bias.

Retreat from Reconstruction

With a popular mandate, the ascendant Democratic Party lost little time in attacking federal policy, leading the West in the struggle against Reconstruction. Democrats acted on their campaign pledges to resist Radical Reconstruction, introducing a wave of resolutions in December 1867 in opposition to the military occupation of the South.⁷⁸ Several months later they followed these resolutions with one of their fiercest declarations yet: “Resolved, That it is not only the patriotic duty, but the deliberate purpose of the democratic party *never to submit* to be governed by negroes, nor by those claiming to be elected by negro suffrage.”⁷⁹ Three years after the Civil War, California’s lawmakers were, by all appearances, flirting with rebellion, as determined in their opposition to Reconstruction as any group of legislators reasonably could be. Over the coming years, Democrats were as good as their word, refusing to ratify the Fourteenth Amendment and then overwhelmingly rejecting the Fifteenth.

California Democrats’ battle against the Fourteenth Amendment was hardly a battle at all. After winning two-thirds majorities in Congress, the amendment was sent to the states for ratification, arriving in the summer of 1866 when California’s legislature was in recess. The Union Party governor could have called a special session to consider the amendment but – perhaps realizing that his ailing party could not survive such a contest – he simply left the issue for his successor, Henry Haight.⁸⁰ Not surprisingly,

⁷⁸ Davis, *Political Conventions*, 268.

⁷⁹ *Alta California*, 2 May 1868. Italics in original.

⁸⁰ Outgoing Governor Frederick Low endorsed the amendment in his final message, but it was a futile attempt from a lame duck politician; *The Journal of the Senate during the Seventeenth Session of the Legislature of the State of California, 1867-8* (Sacramento: D.W. Gelwicks, 1868), 35-52.

Haight sat on the legislation and it never came up for a full vote, making California the only free state that did not ratify the Fourteenth Amendment before the turn of the decade.⁸¹ Meanwhile, Senator Eugene Casserly publicly applauded the former Confederacy's ongoing resistance to the amendment, a measure he deemed unconstitutional in that it barred some ex-rebels from voting. This was all part of a Radical "negro supremacy" master plan, Casserly insisted, which also included attempts to arm "en masse the negro hordes of the South." Unless something could be done to avert the Radical spiral, the former Confederacy was headed in the direction of "Hayti", Casserly warned.⁸²

California would never suffer such a cruel fate – this was the Democratic Party pledge in the campaign against the Fifteenth Amendment. Again, Senator Casserly played a leading role in California's ongoing retreat from Reconstruction, railing against the amendment before a large Democratic audience in San Francisco in July 1869. "This Fifteenth Amendment is a subversion of the Constitution," he thundered to applause. "It is no amendment... it is a revolution [Cheers]." Although Congress had amassed a litany of abuses in the post-war years, this amendment, according to Casserly, was the most egregious overreach yet. At the expense of hardworking white voters, it would enfranchise and empower not only "the most wretched negro between the Potomac and the Sabine," but also "the most depraved coolie of China or Hindoostan." Reconstruction

⁸¹ New Jersey, Ohio and Oregon ratified the Fourteenth Amendment in the summer of 1866, only to rescind their ratifications two years later. California would not ratify the amendment until 1959. See Smith, *Freedom's Frontier*, 210, n287; Bottoms, *Aristocracy of Color*, 71, 86.

⁸² Eugene Casserly, *The Issues of the Contest. Speech of Hon. Eugene Casserly, in San Francisco, August 19, 1868, Upon the Invitation of the Young Men's Central Democratic Club* (San Francisco: Independent Dispatch Print, 1868), 4, 5, 8-9.

had made a colony of the South and now its baleful effects were coming to be felt in the West as well, Casserly continued. “[A] small, remote State, like California, is governed at Washington, very much in the spirit in which old Rome, in her decline, might govern a distant province by a pro-consul.”⁸³ Governor Haight picked up on this theme of western subordination several months later in his official review of the Fifteenth Amendment. “If, in our local concerns and interests, we are to be governed by representatives of other States,” he warned, “we might as well be governed by a foreign king or emperor.”⁸⁴ Thus the Fifteenth Amendment, according to Haight and Casserly, would not only inaugurate an era of black and Chinese rule; it would also signal the colonization of the South and West by the federal government. As these leading statesmen of California argued, the South and West were locked in a common struggle against the arbitrary and quasi-monarchical rule of a distant Congress.

This opposition to the federal government and universal enfranchisement – which remained the cornerstones of the Democratic platform – clearly played well with California’s electorate. In the 1869-1870 legislature, Democrats enjoyed a nearly four-to-one majority. They used this majority to issue a resounding renunciation of the Fifteenth Amendment, after Congress submitted the measure to the states in late 1869. Not surprisingly, Willie Gwin, the Confederate soldier-cum-California state senator, was the first within the statehouse to speak out against the amendment. He followed the state

⁸³ Eugene Casserly, *Speech of Hon. Eugene Casserly, on the Fifteenth Amendment, and the Labor Question, Delivered in San Francisco, California, July 28, 1869* (San Francisco: 1869), 2-6.

⁸⁴ Henry H. Haight, *Message of H.H. Haight, Governor of the State of California, Transmitting the Proposed Fifteenth Amendment to the Federal Constitution* (Sacramento: D.W. Gelwicks, 1870), 11.

rights line of thinking that was so popular with his peers by arguing that the federal government had no power to impose universal manhood suffrage.⁸⁵

But no member of the legislature was so strident in his opposition as John S. Hager, who blended appeals for sectional reconciliation with racist tropes. He anticipated a withering defeat for the amendment in California, which had taken pride of place as a Democratic stronghold. “The West is no longer the setting but the rising sun,” he cheered. This push for black voting rights amounted to “a more mischievous – a more dangerous rebellion” than the Civil War itself, Hager warned, and would effectively exchange “white civilization” for “the dominion of the black race.”⁸⁶ According to Hager, all of human history affirmed a simple truth: white and black were inherently unequal. He hammered home his point with a particularly vicious metaphor. “I do not think the donkey is the equal of the thoroughbred,” he argued, “nor do I think our radical Congress can legislate him into a horse, or into social equality with the horse.”⁸⁷ Like Casserly and most of the party, Hager was particularly concerned that the amendment might enfranchise California’s Chinese workers – who constituted roughly 10 percent of the state population – despite assurances from Republicans that the Chinese could never vote, being legally barred from citizenship. Ultimately, Hager’s jeremiad sealed the

⁸⁵ San Francisco *Bulletin*, 7 January 1870 and 17 January 1870. For a brief treatment of Willie Gwin’s legislative career, see Roy Bloss “Senator Defiled: The Life of William McKendree Gwin,” (unpublished manuscript, 1973), Bancroft Library.

⁸⁶ John S. Hager, *Speech of Hon. John S. Hager, of San Francisco, in the Senate of California, January 28th, 1870, on Senator Hager’s Joint Resolution to Reject the Fifteenth Amendment to the Constitution of the United States* (no publication place or date), Bancroft Library, 3-5. Although a Unionist during the war, Hager blamed the bloodshed of 1861-65, as did many California Democrats, on abolitionist northerners rather than on slaveholding southerners. “As a consequence of the determination of the Abolitionists of the North to interfere with Southern institutions and a like determination of the South to adhere to their constitutional rights, that irrepressible conflict, as it has been termed, arose,” he claimed in that same speech.

⁸⁷ Hager, *Speech*, 11.

inevitable. The Democratic majority carried the day, rejecting the amendment by an overwhelming 81 to 16 vote.⁸⁸ California would not ratify the measure until 1962, the only free state to withhold support for so long.

California's campaign against black suffrage took place not just within the statehouse, but also in polling places across the state. Clerks in Sacramento, San Joaquin, Santa Clara, and San Francisco counties refused to register black voters, in defiance of the Fifteenth Amendment, which had become national law in February 1870.⁸⁹ Their defiance received the firm backing of California's attorney general, Jo Hamilton, a native of Kentucky. In a letter to the clerk of Nevada County, California, Hamilton advised "against the registration of negroes." According to Hamilton, "the so-called Fifteenth Amendment" was not "self-operative;" that is, it required confirmation in the California constitution itself in order to become enforceable within the state. Until then, "it is not only not the duty of County Clerks to place their [blacks'] names upon the Great Register, but it is their duty *not* to do it."⁹⁰

Judge Sepulveda of the County Court of Los Angeles reinforced this message in an influential ruling one month later. Citing his 15th Amendment rights, Lewis Green, an African American, had applied for a writ of mandamus to secure his place on the voting registry, and took his case before Sepulveda in the spring of 1870. Sepulveda struck

⁸⁸ Two other free states initially rejected the Amendment, New Jersey and Oregon. They ratified it in 1871 and 1959, respectively. Such resistance was largely symbolic, however, as three-fourths of the states ratified the document in 1869-70, enabling manhood suffrage to become national law just a few days after the California vote. On the California campaign against the Fifteenth Amendment, see Berwanger, *The West and Reconstruction*, 175-183; Bottoms, *Aristocracy of Color*, 87-93; Smith, *Freedom's Frontier*, 210-213; Stanley, "The Republican Party in California," 236.

⁸⁹ Berwanger, *The West and Reconstruction*, 180-181; *Alta California*, 9 April 1870.

⁹⁰ Jo Hamilton to J.J. Rogers, 11 April 1870, in *Alta California*, 13 April 1870.

down the request, ruling, “The wording and spirit of the Amendment is so general in its meaning that it cannot be operative without regulations to enforce and prescribe the mode in which it shall be carried into effect.” Like Hamilton, Sepulveda argued that further “legislative enactments” would be necessary to secure black voting rights. The Amendment, he continued, “cannot punish its violation, and hence it is not self-executing; for really it has no *modus operandi*, and cannot be enforced.”⁹¹ Thus, with the blessings of the attorney general and county judges, state officials succeeded, for a time, in establishing proto-Jim Crow strategies of disfranchisement on the Pacific Coast.

Black Politics and Anti-Chinese Violence in the Age of Emancipation

California’s African Americans did not take these attacks on their citizenship lying down. Emboldened by Confederate defeat and the passage of the Thirteenth Amendment, blacks in the postwar West seized the initiative to inaugurate an era of increased political consciousness and activity. Just as Congressional policy triggered a heated reaction among California’s reactionary white voters, it invigorated a black political struggle that had previously lagged under Democratic rule in the pre-war years. Thus, from the perspective of San Francisco’s African American community – the largest such community west of St. Louis – the black political struggle of the Reconstruction era takes on a truly nationwide dimension.⁹² African Americans may have waged their most

⁹¹ The full ruling is reprinted in the *Los Angeles Star*, May 7, 1870; see also *Los Angeles Daily News*, April 30, 1870. Thanks to Patty Colemann for sharing her research on the Lewis Green case.

⁹² According to the 1860 census, there were 1,170 African Americans living in San Francisco in 1860, amounting to roughly 2 percent of the city’s population. That number did not significantly increase in the following decade. Frank H. Goodyear, “‘Beneath the Shadow of Her Flag’: Philip A. Bell’s *The Elevator* and the Struggle for Enfranchisement, 1865-1870,” *California History* 78 (spring 1999), 27.

intense and important battles in the post-emancipation South, but greater attention on the cognate struggles in the Far West reveals a broader, more nuanced movement than the standard narrative allows.⁹³ As western blacks closely monitored the unfolding struggle within Congress and in the former slave states, they also responded to unique challenges engendered by California's demographics. Their path to citizenship would wind between the rock of white supremacist politics and the hard place of a perceived Chinese labor threat.

The postwar bid for citizenship and voting rights was part of a longer history of black political mobilization, dating back to the early 1850s, at a time when some African Americans in California were still enslaved.⁹⁴ Black political activists cut their teeth in a prolonged campaign against a pair of discriminatory testimony statutes, which barred African Americans from taking the stand in civil and criminal cases involving whites. Centered in San Francisco, the community launched three separate campaigns to end the testimony ban, although the Democratic state legislature ignored all of their petitions. To better identify and pursue black needs within California, the First Colored Convention assembled in November 1855, and a year later, the state's first black newspaper, *The Mirror of the Times*, appeared.⁹⁵ The black community also rallied financially and

⁹³ The standard account of blacks in the American West is Quintard Taylor, *In Search of the Racial Frontier: African Americans in the American West, 1528-1990* (New York: W.W. Norton, 1998).

⁹⁴ The ban stood, however, on Indian, Mongolian and Chinese testimony. For the history of African American political activism in the antebellum and Civil War years, see Rudolph M. Lapp, *Blacks in Gold Rush California* (New Haven: Yale University Press, 1977) and Robert J. Chandler, "Friends in Time of Need: Republicans and Black Civil Rights in California during the Civil War Era," *Arizona and the West* 24 (winter 1982).

⁹⁵ The primary aim of the convention was to assemble opposition to the testimony law; *Proceedings of the First State Convention of the Colored Citizens of the State of California* (Sacramento: Democratic State Journal Print, 1855).

politically around several high profile fugitive slave trials within the state, notably the Archy Lee case. Not until the outbreak of secession and the ascent of the Republican party, however, would African Americans have allies within the state legislature. By 1863, with pressure from the black community, Union-Republican legislators finally overturned the statutes banning black testimony in civil and criminal cases.

Black leaders transferred the lessons learned in their campaign against the testimony laws to a postwar political order that was at once more promising and more challenging.⁹⁶ This was the age of emancipation, but also an era of Democratic resurgence and white backlash. Phillip A. Bell recognized both the pitfalls and the promise of the times when he founded *The Elevator* in San Francisco on April 7, 1865, two days before Robert E. Lee's surrender at Appomattox and amid a nascent, national African American movement for civil rights. A former correspondent for William Lloyd Garrison's *Liberator* and one of the most experienced and respected black activists in the country, Bell quickly turned *The Elevator* into the most widely read African-American periodical within the state, surpassing the other black-owned publication, the *Pacific Appeal*. Within months, Bell had established himself as the most vocal champion of black voting rights in the West. Again and again, he called on both the California legislature and federal congress to break America's long history of oppression by enfranchising its "law loving and law abiding, honest, industrious" black citizens.⁹⁷

⁹⁶ On the continuities between antebellum and postbellum black politics within the South, see Steven Hahn, *A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration* (Cambridge, Mass.: Harvard University Press, 2003)

⁹⁷ *Elevator*, December 22, 1865; see also, *Elevator*, August 25, 1865, October 6, 1865; January 5, 1866; January 19, 1866. When the State Convention of Colored Citizens reconvened for the first time since the Confederate surrender in a push for black voting rights, Bell made sure to publish the entirety of the proceedings; *Elevator*, October, 20, 27, 1865.

In the absence of voting rights, Bell nevertheless ensured that California's African Americans received a comprehensive political education. The *Elevator* published some of the most searing critiques of the state's Democratic leadership, smearing them with the broad brush of wartime treason. Bell blasted the 1870 Democratic leadership as "the legislature of a thousand swindles," little more than a gang of unreconstructed rebels. "Of what material is this infamous body composed, and who are its leaders?" he asked. "They are traitors and the sons of traitors. Wm. M. Gwin, son of an ex-Senator, *soidisant* Count of the Mexican empire, and ... traitor, leads the Senate," Bell charged.⁹⁸ Here, then, was a fierce and capable editor who could lead the black campaign for political rights and simultaneously challenge the white supremacist, Democratic majority.⁹⁹

Yet Bell also turned his acidic pen on far less offensive opponents. California's substantial Chinese population – "alien to our customs, habits and language, heathen in their worship, and naturally licentious" – served as Bell's foil for a thoroughly rooted and reliable black population, "with their American ideas, Christian religion, and family connections."¹⁰⁰ Indeed, for Bell and other black leaders within the state, Sinophobia and black political advancement went hand-in-glove. This rhetorical assault resulted largely from the perceived labor threat caused by rising Chinese immigration. Whereas San Francisco's African American population remained fairly stagnant during the 1860s, the Chinese population had more than tripled. By 1870 the city's Chinese outnumbered

⁹⁸ *Elevator*, February 11, 1870. This was a play on the "legislature of a thousand drinks," the moniker that Thomas Jefferson Green gave to the state's first elected body, due to his frequent invitations to imbibe from his liquor supply (Chapter 3).

⁹⁹ For a brief biography of Bell and his writings, see Goodyear, "Beneath the Shadow of Her Flag".

¹⁰⁰ *Elevator*, December 15, 1865; see also *Elevator*, March 30, 1866.

blacks by more than nine to one, while at the statewide level, there was a 50,000 to 5,000 imbalance in favor of the Chinese.¹⁰¹ Sinophobia only deepened with the debate over the Fifteenth Amendment, as Democrats warned that suffrage would also extend to the Chinese if the statute passed. Bell was particularly insistent that the Fifteenth Amendment would leave Chinese disfranchisement in place, dismissing rumors to the contrary as “the sheerest nonsense and “brazen-faced falsehood.”¹⁰²

The politically beleaguered black community enjoyed plenty of company in its Sinophobia. Although white workers had targeted Chinese immigrants since their arrival during the gold rush, it was not until the postbellum period that racial anxieties crystallized into official anti-Chinese clubs. The first major club of this kind, the Central Pacific Anti-Coolie Association, emerged in the aftermath of a particularly violent anti-Chinese riot in the winter of 1867, in which 400 white laborers drove Chinese contract workers from their jobs on the Portrero Street railway. The rioters injured twelve Chinese laborers, one of whom later died of his wounds. When ten of the rioters were

¹⁰¹ For more on the black response to Chinese labor and immigration, see Goodyear, “Beneath the Shadow of Her Flag,” 34-35; Paddison, *American Heathens*, 17, 21, and passim; Bottoms, *Aristocracy of Color*.

¹⁰² *Elevator*, August 27, 1869. As the *Elevator* monitored national debate in Washington and the progress of Chinese immigration into California, the paper also tracked, with growing unease, the market for Chinese labor in the South. In an address to the National Labor Convention of Colored Men of the United States, reprinted in the *Elevator*, W.H. Hall warned of a new threat of coolie labor in the South. “I assume that it must be evident to any intelligent and unbiased mind,” Hall argued, “that the scheme to import thousands of these heathen people among the religious and confiding Freedmen, was conceived in that unrelenting spirit of oppression, which, convinced of the ultimate elevation of the colored race, and unwilling to tolerate them in the sphere of political and social equality, have sought the necessity of Chinese Coolie labor to control all the industrial resources of the South, and keep up the distinction of caste, which the fruits of Emancipation and Enfranchisement would soon have obliterated.” The importation of coolie labor to the South, Hall continued would “maintain an aristocracy... founded on human servitude; constituting the relations of planter and serf.” *Elevator*, November 19, 1869. Hall’s critique applies equally well to the Strong brothers who sought to create a cotton empire in California on the backs of cheaper, immigrant Chinese labor. For more on this issue, see *Elevator*, December 3, 17, 1869 and Jung, *Coolies and Cane*.

convicted and sentenced to prison, San Francisco's white conservatives, and the newly formed Central Pacific Anti-Coolie Association, in particular, rallied to their defense and eventually won the release of all ten perpetrators on technicalities. California's sole Democratic congressman at the time, Samuel B. Axtell, was central in securing their release.¹⁰³

Also central to this growing anti-Chinese movement was General Albert M. Winn, a former slaveholder and Mississippi militia officer who served under Jefferson Davis during the U.S.-Mexico War. Winn, who owned several slaves in California during the gold rush, emerged as one of the leading voices in anti-Chinese politics during this period, serving as the co-secretary of the Central Pacific Anti-Coolie Association and later as president of the Anti-Chinese Convention.¹⁰⁴ Although there is no evidence to suggest that Winn himself took part in anti-Chinese mob violence, he did little to discourage it. As president of the Anti-Chinese Convention in 1870, Winn addressed a menacing letter to the six Chinese Companies of California, warning (or threatening) them of the likely assaults that would result from increased immigration.¹⁰⁵ Thus, as unreconstructed rebels unleashed a reign of racial terror against free blacks across the

¹⁰³ Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley: University of California Press, 1971), 72, 85; Robert J. Chandler, "'Anti-Coolie Rabies': The Chinese Issue in California Politics in the 1860s," *Pacific Historian* 28 (1984), 38.

¹⁰⁴ Winn's wife brought westward several family slaves in order to join her husband in California in 1849; The Jackson *Mississippian*, October 26, 1849, in Ralph Bieber Collection (uncatalogued collection of gold rush-era newspaper clippings), Huntington Library.

¹⁰⁵ *Alta California*, July 21, 1870. Mayor of Sacramento, a general in the state's militia, and longtime labor movement leader, Winn is still remembered as one of California's founding fathers. For a brief biography – albeit shorn of all references to his anti-Chinese activity – see Sacramento *Daily Union*, August 27, 1883 and November 23, 1888. For more on his background and his anti-coolie organizing, see Saxton, *Indispensable Enemy*, 79.

former Confederacy, southern émigrés in California condoned a not dissimilar wave of violence against the state's Chinese population.

The parallels between southern and western racial violence were often made explicit by the perpetrators themselves. In the late 1860s California's newspapers of the more Republican variety frequently reported on outrages committed by western iterations of the Ku Klux Klan and other unaffiliated vigilante groups.¹⁰⁶ Rather than target African Americans, however, these California Klansmen generally assaulted Chinese immigrants and their white employers, while occasionally threatening Republican politicians and journalists as well. Although there is no evidence to suggest western Klansmen were in direct contact with their southern counterparts, they clearly drew on the terrorist strategies employed by the latter.¹⁰⁷

Like southern Klansmen, western vigilantes operated in a cryptic and clandestine fashion, often achieving their political ends through anonymous threats. In April 1869, "another open Ku Klux proclamation, without address or envelop, was thrown into the Post Office receiving box last night after ten o'clock," reported the *Patriot* of San Jose, where the Klan was particularly active. "It threatens a destruction of all the crops of persons employing even a single Chinaman."¹⁰⁸ A particularly violent message sent to

¹⁰⁶ There is virtually no secondary literature on Klan activity in the Far West during this period. For a brief mention of California's KKK, see Paddison, *American Heathens*, FIND PAGE #. I introduced my findings on the Klan in California in a short-form article for the History News Network and *Time*; see Kevin Waite, "The Shameful History of the KKK We Never Knew," October 6, 2015, <http://m.hnn.us/article/160657>.

¹⁰⁷ We cannot be certain that all racially motivated attacks attributed to California's Klan were, in fact, perpetrated by self-styled Klansmen. It seems possible the state's Republican press painted most racist vigilantes with the broad brush of the KKK in an attempt to link anti-Chinese violence in California – usually Democratic in origin – with the terrorism of the South's Klan. At the same time, many California vigilantes likely adopted the banner of the KKK to heighten the effect of their threats.

¹⁰⁸ San Jose *Patriot*, April 19, 1869, reprinted in the *Alta California*, April 22, 1869. For another KKK circular received through the mail, see Sacramento *Daily Union*, May 1, 1868.

one Rice Eli and signed “Ku Klux Klan,” demanded the cessation of “your obscene and slanderous conversations at once, or the excrements will be ripped out of you.”¹⁰⁹

Although not directly identified with the Klan, an anonymous writer sent a similarly threatening note to a former Union soldier and correspondent to the *Alta California*, warning that “parties are watching your course” and that “serious consequences” could result from further Republican writings. The *Alta* rightfully took this as proof of “the affinity of character between the Ku Klux of the South and the Democracy of California.”¹¹⁰

Anonymous threats may have been effective in certain circumstances, but western Klansmen and various vigilantes also resorted to outright violence. In an article titled “Kuklux Klan – California Branch,” the Sacramento *Daily Union* reported on several raids on northern California ranches in the spring of 1868. The white raiders captured, beat, and “nearly murdered” the Chinese workers on these ranches, the paper reported, and succeeded in carrying away a small amount of money in the process.¹¹¹ The spring and summer of 1869 seems to have been a particularly active period for anti-Chinese vigilantes. In one instance, a group of Klansmen raided a ranch near Santa Cruz, “drove some Chinamen off after horribly maltreating them, abused and terrified the children, declared their intention to Democratize the whole county, broke open the wine cellar and stole, broke and raised Cain generally with things.”¹¹² California’s press also circulated

¹⁰⁹ Marysville *Daily Appeal*, July 25, 1868.

¹¹⁰ *Alta California*, January 6, 1871.

¹¹¹ Sacramento *Daily Union*, April 16, 1868 and May 7, 1868.

¹¹² Santa Cruz *Times*, May 8, 1869, reprinted in Marysville *Daily Appeal*, May 13, 1869. For reports of more Klan activity around Marysville and Eureka, see Marysville *Daily Appeal*, May 19, 1869 and June 13, 1869.

several reports of vigilante attacks on Chinese churches. In Nevada City, California, a newly opened school for Chinese children was scheduled to operate strictly in the daytime and on Sundays, “so as to avoid the Ku Klux Klan, who are burning churches, and will next attempt to destroy all school books,” reported the *Marysville Daily Appeal* in March 1869.¹¹³ Not isolated to a single western state, the Klan and similar vigilante groups also operated in Oregon and Utah, according to several reports.¹¹⁴

The steady stream of reports of Klan atrocities pouring from the West, and especially the South, handed Republicans a stick with which to bludgeon their political opposition.¹¹⁵ Despite the hailstorm of bad press, however, California’s Democrats refused to concede that former rebels were responsible for this southern bloodbath. Rather, they turned the blame back on Republicans. By elaborate contortions of logic, Eugene Casserly charged that the “secret clans and leagues” purportedly organized in the South were merely proof that Republican Reconstruction policies had failed.¹¹⁶ According to Edward Stanly, the former Republican candidate for governor and North Carolina slaveholder, the Klan was “merely an organization for mutual protection against negroes.”¹¹⁷ B.F. Washington, meanwhile, dismissed reports of vigilante violence in the

¹¹³ *Marysville Daily Appeal*, March 3, 1869. For more on the burning of Chinese churches, see *Marysville Daily Appeal*, March 17, 1869.

¹¹⁴ *Alta California*, January 19, 1869; *Sacramento Daily Union*, July 14, 1869; *Marysville Daily Appeal*, August 9, 1871.

¹¹⁵ California’s Republican press rarely missed an opportunity to report on the outrages of the Klan in the former Confederacy, often linking racial violence in the South with Democratic politics in the West. See, for example, *Alta California*, April 24, 1868; April 25, 1868; May 31, 1868; September 27, 1868; *Marysville Daily Appeal*, August 12, 1868; September 24, 1868; September 26, 1868; October 9, 1868, April 29, 1871; *Mariposa Gazette*, November 27, 1868.

¹¹⁶ Casserly, *Issues of the Contest*, 6. Privately, however, Casserly would fret over the rise of the White Leagues during the 1874 campaign, writing, “[E]very ‘outrage’ reported from the South, gives me a chill to the very marrow – for it gives new life to Radicalism and all its atrocities.” Yet note that Casserly continues to attribute the real “atrocities” to Republicans; quoted in Gillette, *Retreat from Reconstruction*, 229.

¹¹⁷ Quoted in Stanly, “The Republican Party in California,” 222.

South, while repeatedly thundering against “the infamous atrocities perpetrated upon defenceless [white] people by the infamous tools of Radicalism.”¹¹⁸ After Congress passed a series of Enforcement Acts in 1870 and 1871, giving needed protections to the freedpeople of the South, the Democratic state central committee of California issued a resolution firmly in opposition. While the committee paid lip service to the unfortunate “riotous and unlawful combinations” in the South, it more forcefully “denounce[d]... the ‘Ku-Klux bill,’ as enacted for no other purpose than to complete the work of centralization, and by establishing a military despotism to perpetuate the present administration without regard to the will of the people.” In branding these acts “revolutionary and dangerous in their tendency” California Democrats could implicitly dismiss Klan violence as a byproduct of unjust federal intervention, rather than as a manifestation of a continuing rebellion in the South.¹¹⁹

As California’s Democrats dismissed reports of racial violence in the South and railed against protections for freedpeople, one of the largest anti-Chinese massacres of the century erupted in the small town of Los Angeles. On the evening of October 24, 1871 a mixed crowd of some 500 frenzied Angelenos – whites and Hispanics, common laborers and local elites alike – pressed in around a small cluster of buildings where

¹¹⁸ San Francisco *Examiner*, January 19, 1869.

¹¹⁹ Davis, *Political Conventions*, 298-299. For more on the Democratic opposition to these acts, see Marysville *Daily Appeal*, April 15, 1871; April 16, 1871; July 22, 1871; July 28, 1871; *Alta California*, August 17, 1871. On the continuing rebellion in the South and the federal response, see Gregory P. Downs, *After Appomattox: Military Occupation and the Ends of War* (Cambridge, Mass.: Harvard University Press, 2015). Some California legislators were particularly concerned about the impact that policies geared toward freed slaves would have on anti-Chinese statutes. The KKK Act of 1870, for instance, extended equal protection to all noncitizens and prohibited the special taxation of select groups. On several occasions, Chinese immigrants attempted to make use of the KKK Act in California’s courtrooms; see *Marysville Daily Appeal*, May 11, 1871.

several dozen Chinese residents had taken refuge. The mob had gathered in response to a brief and disorganized shootout between suspected Chinese gang leaders and local law enforcement, which left two men dead – one Chinese and one white. Crying for blood, the crowd charged the main building, stabbing and shooting some of the Chinese, while dragging others to a makeshift gallows to be hanged and mutilated. In total, the mob left eighteen mangled bodies in its wake, including those of a respected doctor and a twelve-year old boy, a death-toll representing a full 10 percent of the city’s Chinese population. None of the victims had participated in the earlier shootout. Of the 500 rioters, only eight were convicted of manslaughter and none would serve a full sentence. They were released from San Quentin one year later on technicalities.¹²⁰ As in San Francisco in 1867 and as in countless cases across the South, the perpetrators of racial violence had once again walked free.

Rituals of racial violence at both the local and national level provided a template for the Los Angeles mob. Longtime residents of Los Angeles would likely remember previous episodes of mob action – the sacking of an Indian rancheria in 1847 or any one of the thirty-seven lynchings, mostly of Mexican men, that took place between 1854 and 1870.¹²¹ Angelenos were accustomed to seeking extra-legal redress, and when the local

¹²⁰ As one of the two defense attorneys, Democratic firebrand E.J.C. Kewen was instrumental in securing the perpetrators’ release. For a first-hand account of the massacre, see Harris Newmark, *Sixty Years in Southern California, 1853-1913*, 4th edn. (Los Angeles: Zeitlin & Ver Brugge, 1970), 432-435. For scholarly treatments, see Scott Zesch, *The Chinatown War: Chinese Los Angeles and the Massacre of 1871* (New York: Oxford University Press, 2012); Scott Zesch, “Chinese Los Angeles in 1870-71: The Makings of a Massacre,” *Southern California Quarterly* 90 (summer 2008), 137-144; David Samuel Torres-Rouff, *Before L.A.: Race Space, and Municipal Power in Los Angeles, 1781-1894* (New Haven: Yale University Press, 2013), 181-185; Faragher, *Eternity Street*, 459-480.

¹²¹ Richard Griswold del Castillo, *The Los Angeles Barrio, 1850-1890: A Social History* (Berkeley: University of California Press, 1982), 106. In his careful study, Paul Spitzzeri counts a total of 66 victims of vigilante violence in Los Angeles between 1850 and 1875, including those killed in the Chinese Massacre of 1871. Spitzzeria, however, downplays racism as a catalyst for these lynchings; Paul R.

courts appeared unable to extinguish small-scale criminal activity within the city's Chinese community, they probably saw an opening for mob action. As historian David Samuel Torres-Rouff argues, "The anti-Chinese massacre, rather than being an anomaly, more rightly stands as another episode in an embedded local social practice that found specific traction at a specific moment as it had many times in the past."¹²² The mob mentality was doubtlessly also fueled by a sensationalist, white supremacist press, headed by the *Los Angeles News* editor, Andrew J. King. A Georgia native and ardent Confederate supporter while undersheriff of Los Angeles during the war, King turned his pen against the growing Chinese population in the late 1860s.¹²³ He portrayed the Chinese as "an alien, an inferior and idolatrous race" pouring into California to squeeze white men out of work and leave "a foul blot upon our civilization."¹²⁴ That these editorials were followed by an uptick in assaults on Los Angeles's Chinese residents is hardly surprising.

This massacre should be placed in the context, not only of rising anti-Chinese sentiment within California, but also of an orgy of extra-legal violence sweeping the South. While not ignoring local peculiarities, we should recognize the Los Angeles Chinese massacre for what it was: part of a larger pattern of race riots and mob violence.

Spitzzeri, "Judge Lynch in Session: Popular Justice in Los Angeles, 1850-1875," *Southern California Quarterly* 87 (summer 2005), 85-86, 114-117. See also, Ken Gonzalez-Day, *Lynching in the West, 1850-1935* (Durham: Duke University Press, 2006)

¹²² Torres-Rouff, *Before L.A.*, 194.

¹²³ According to the U.S. Marshall in Los Angeles, King was a "notorious secessionist," who galvanized pro-Confederate sympathies in the city with a life-size portrait of the rebel General P.G.T. Beauregard; Henry D. Barrows to Col. J.H. Carleton, April 9, 1862, *Official Records*, Series I, Vol. L, Part I, 993-994. King employed Charles E. Beane, a former Confederate officer, as the editor of the *Daily News* while he assumed the role of publisher; for more on this tandem and on mob action in southern California, see Faragher, *Eternity Street*, 440-452.

¹²⁴ *Los Angeles News*, November 17, 1870 and December 24, 1870, quoted in Zesch, "Chinese Los Angeles in 1870-71," 126.

New Orleans, Memphis, Pulaski – all these southern cities witnessed the assault, murder and often mutilation of African Americans by white crowds in the immediate postwar years. Although the victims in Los Angeles had a different skin color than their southern counterparts, the features of mob violence in both the South and the West exhibit striking parallels – parallels that historians have yet to fully trace.¹²⁵ Whether in southern California or western Tennessee, race riots generally erupted over a perceived crime or offense committed by an ethnic minority, deemed threatening to local hegemonic prerogatives. What followed was the indiscriminate targeting of these minorities, which generally included lynching, looting and mutilation, with little or no legal action taken against the perpetrators. Collective killings generally featured a performative element as well – public hanging and torturing, for instance – serving as a ritualistic reassertion of white rule. With low regard for due process, western and southern vigilantes favored communal retribution as the surest means to preserve the hierarchical order. To be sure, racial violence in the West involved more than a bipolar struggle between white and black, as the joint efforts of Hispanic and white rioters in Los Angeles attests. Yet, such diversity should not obscure an important point: The unreconstructed South hardly had a monopoly on racial violence.¹²⁶

¹²⁵ As Michael Pfeifer writes in his illuminating study of postbellum lynching, few historians, aside from Richard Maxwell Brown, “have analyzed mob violence as more than a regional phenomenon. This has led to two oddly provincial literatures on American collective violence.” Michael J. Pfeifer, *Rough Justice: Lynching and American Society, 1874-1947* (Urbana: University of Illinois Press, 2006), 5.

¹²⁶ I have drawn on the seminal work of Richard Maxwell Brown, *Strain of Violence: Historical Studies of American Violence and Vigilantism* (New York: Oxford University Press, 1975) and Pfeifer, *Rough Justice*. Though strictly southern in scope, Christopher Waldrep, *Roots of Disorder: Race and Criminal Justice in the American South, 1817-80* (Urbana: University of Illinois Press, 1998) is also highly useful in understanding the anatomy of nineteenth-century racial violence.

Conclusion: Continental Reconstruction

Reconstruction, as westerners at the time recognized, was a political reordering that unfolded on a truly continental scale. The former Confederacy may have been the epicenter of the political struggle of this era, yet the South's road to Redemption accompanied corollary conflicts that stretched to every corner of the Union. To California's anxious white voters, Reconstruction came largely as a specter, as a series of politically potent fears – the fear that the federal juggernaut that purportedly invaded the South would find its way west; the fear that manhood suffrage would give the state's unassimilated underclasses a decisive say in local affairs; the fear that federal spending on programs for freedpeople would shatter an already weakened economy and perhaps deprive the West of needed resources. What made California unique – its racial diversity and specifically its large Chinese population – also made it particularly resistant to the racially-leveling policies of the national Republican Party.

Californians were hardly alone in their opposition to this growing nation-state, however. In neighboring Utah, polygamists were fighting a losing battle against Republican lawmakers who had targeted Mormonism's "peculiar institution" since the 1856 presidential campaign, when polygamy appeared alongside slavery as one of the "twin relics of barbarism." After a series of legal and legislative defeats, Mormon elders finally succumbed to federal pressure and renounced polygamy in 1890, thereby capping what legal historian Sarah Barringer Gordon has called a "second reconstruction in the West."¹²⁷ Meanwhile on the Central Plains, sovereign Indian tribes clashed with federal

¹²⁷ Gordon, *The Mormon Question*, 14.

armies, fresh from their victories against rebels in the South. Many of the commanders who carried out these campaigns in Indian country, like Philip Sheridan, O.O. Howard, E.O.C. Ord and John Pope, had previously overseen aspects of the military occupation of the former Confederacy under Congressional Reconstruction. As historian Steven Hahn has argued, the federal response to rebellions in the slave South, Mormon Utah, and Indian country should be seen as an integrated political process, a defining aspect of state-making in the Civil War era. This reconstruction – or rather, Greater Reconstruction, as Elliot West suggests – transformed a geographically diffuse nation of sovereign and semi-sovereign polities into an increasingly centralized nation-state.¹²⁸

This framing of a continental Reconstruction is not merely a historian's attempt to provide narrative coherence to a highly complex period. Even voters at the far western rim of the empire recognized that these centralizing forces would stretch well beyond the bounds of the former slave states. In fact, Democrats rebuilt their party on precisely this assumption. California's Democratic leaders rhetorically linked their state with the former Confederacy, in common cause against Congressional policy, and they rode back to power on a platform familiar to any unreconstructed rebel. Indeed, ex-Confederates and conservative Californians alike spoke a common language of federal opposition, white supremacy, and sectional reconciliation. Of course, the retreat from Reconstruction in the West took on a distinct character, given the racial diversity of the region. But Californians employed a combination of tactics, including noncompliance with federal

¹²⁸ Steven Hahn, *A Nation Without Borders: The United States and Its World, 1830-1910* (manuscript, 2015); Chapters 8 and 10; Hahn, "Slave Emancipation, Indian Peoples and the Projects of a New American Nation-State"; West, *The Last Indian War*, xvii-xxiii.

law, restrictive legislation, racial violence, and eventually outright exclusion, to ensure the subordination of ethnic minorities and to preserve a system of white rule that southern rebels would have envied. In the age of emancipation, California's voters successfully resurrected the political party that had ruled in an age of slavery.

The Democratic reign could not, of course, last forever. By the early 1870s, as the nation as a whole pulled back from the racially liberal measures of Congressional Reconstruction, California Democrats softened their rhetoric. Without a Radical bogeyman guiding national policy, Democrats on the Pacific coast had lost a key – perhaps *the* key – weapon in their political arsenal. Thus, state Republicans were able to begin a comeback that decade. In many ways, Democratic leaders were victims of their own success. In order to curry favor with the white electorate, California Republicans adopted some of the race-based policies that had propelled their rivals to high office. For instance, they dropped all appeals to what George Gorham called the “brotherhood of man” and instead endorsed a ban on Chinese immigration. No longer the party of slave abolition, they were now the party of Chinese exclusion.¹²⁹ Democrats' power may have waned but the ideology of white supremacy that they did so much to promote in the late 1860s would continue to hold sway in California through the next decade, and indeed beyond.

Epilogue

¹²⁹ Smith, *Freedom's Frontier*, 215-223.

THE REBELLION'S WESTERN RESTING PLACE

Dwarfed by the gaudy tombs of southern California's celebrities and socialites, a cluster of graves in Hollywood Forever Cemetery bears silent witness to a largely forgotten chapter in western history. There lie buried some thirty Confederate veterans from nearly every rebel state, along with a handful of prominent figures from the United Daughters of the Confederacy. Rising above these headstones stands a seven-foot granite monument with a bronze plaque commemorating the rebel soldiers who spent their final days in southern California. Erected in 1925, it was the first Confederate monument in the Far West.¹ Yet elsewhere in the state, and across the Southwest generally, there are very few physical reminders of the region's deep affiliations with slavery and slaveholders. No William Gwin Boulevard, for instance, runs through San Francisco, nor does a John R. Baylor Avenue grace any part of Tucson.² The western landscape, by and large, does not speak to this past. This is hardly surprising, however. It is, after all, a history many westerners may prefer to forget.

¹ For a romantic interpretation of rebel veterans in twentieth-century southern California, see Connie Walton Moretti, *Dixie Manor Days: The Confederate Veterans Who Lived There and the UDC Members Who Made It Possible* (Redondo Beach, CA.: Mulberry Bush Publishing, 2004). For a brief videotaped tour of the Confederate section of the Hollywood Forever Cemetery, see M. Keith Hariss's Cosmic America blog post, August 28, 2011 (<http://cosmicamerica1.blogspot.com/2011/08/confederate-veterans-at-hollywood.html>). Research into the rebel presence in the postbellum West quickly leads down the dark hole of the neo-Confederate blogosphere. For obvious reasons, those pages do not merit a citation here, although some directed my attention to more useful sources, free of racist conspiracy theories and misguided revisionist history.

² To find such markers, one has to know where to look. Few, if any, of us on the Polytechnic football team who did wind-sprints up Kewen Drive in the dog days of summer recognized that our running route had been named for one of southern California's staunchest proslavery partisans. Kewen, along with his southern-born brethren Benjamin Davis Wilson, John S. Griffin, and Joseph Lancaster Brent owned the land upon which the city of Pasadena was founded. After selling his land to Midwestern settlers for \$7.50 an acre, Wilson reportedly boasted, "This is once where I got the best of those damned Yankees," quoted in Albert Lucian Lewis, "Los Angeles in the Civil War Decades, 1850-1868" (PhD dissertation, University of Southern California, 1970), 293-294. For more on these Pasadena land sales, see Benjamin Davis Wilson to Joseph Lancaster Brent, September 21, 1865 and May 15, 1868, in Joseph Lancaster Brent Papers, HEHL.

This proslavery past is at odds with western myths of freedom, rugged individualism, and forward progress. Since the earliest days of the republic, the West has occupied a central place in the American imagination as a landscape of opportunity and social mobility. As Thomas Jefferson argued, the West belonged to white yeoman, whose economic independence and agrarian virtues would usher forth an “empire of liberty.” In 1893, Frederick Jackson Turner’s frontier thesis lent scholarly validation to the stories that Americans tell about the West. Free from the squabbles over slavery that convulsed the eastern half of the continent, Turner’s frontier was the nursery of republicanism and virtuous self-sufficiency.³ Various bonanzas and technological breakthroughs have only added luster to the glittering image of western promise – the land of gold became the land of the automobile, became the land of film, became the land of silicon. The busts are quickly forgotten, the next boom just around the corner. In order to have any validity whatsoever, this narrative must be scrubbed clean of slavery. Californians, and westerners in general, have whitewashed more than just their adobe.⁴

³ For a particularly useful assessment of Frederick Jackson Turner’s place in American historiography and a reprinting of his frontier thesis, see *Rereading Frederick Jackson Turner: “The Significance of the Frontier in American History” and Other Essays*, commentary by John Mack Faragher (New Haven: Yale University Press, 1998). A number of works have detailed the imperial thinking and western imagination of Thomas Jefferson. See, for instance, Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill: University of North Carolina Press, 1980); Peter S. Onuf, *Jefferson’s Empire: The Language of American Nationhood* (Charlottesville: University Press of Virginia, 2000); and the essays in James P. Ronda, ed., *Thomas Jefferson and the Changing West: From Conquest to Conservation* (Albuquerque: University of New Mexico Press, 1997).

⁴ As anyone who, as a child, visited the Disney-esque mining towns of California’s gold country can attest, these myths have staying power. The literature on western mythology is vast. Through his many works, Kevin Starr has been an elegiac chronicler of the California dream. A good place to start is Starr, *Americans and the California Dream, 1850-1915* (Oxford: Oxford University Press, 1973). On the history of forgetting in Los Angeles, see William F. Deverell, *Whitewashed Adobe: The Rise of Los Angeles and the Remaking of Its Mexican Past* (Berkeley: University of California Press, 2004). On the romantic repurposing of California’s Spanish era, see Phoebe S.K. Young (ne Kropp), *California Vieja: Culture and Memory in a Modern American Place* (Berkeley: University of California Press, 2006). I am particularly indebted to the insights and historiographical discussion in Stacey L. Smith, *Freedom’s Frontier: California and the Struggle over Unfree Labor, Emancipation, and Reconstruction* (Chapel Hill: University

The tombs of the Confederate dead in Hollywood Forever Cemetery provide a rare window into a very different western narrative. The modern metropolis that now surrounds this cemetery bears little resemblance to the nineteenth-century pueblo of several thousand denizens, where proslavery politics found such fertile soil. There, a curious alliance of *californio* landholders and southern emigres transformed the old Spanish pueblo into a Chivalry stronghold. During the Civil War, Los Angeles County hosted a vocal pro-secessionist element, prompting the establishment of several federal military encampments in the area in order to prevent open rebellion. Although slavery was dead by 1865, Los Angeles voters still nurtured its ghost, delivering strong Democratic majorities through the 1870s and electing as mayor a former Confederate officer in 1882. In subsequent decades, a number of Confederate veterans drifted west, naturally gravitating to a town that had for so long cherished its southern roots. True, the influx of emigrants from former free states had, by the turn of the century, supplanted this old southern bloc. But in the leafy suburb of Pasadena, where a particularly active Confederate veterans' chapter operated, these old rebels still could find a home. In 1929 the California Division of the United Daughters of the Confederacy even established a rest facility for their tired soldiers in nearby San Gabriel, one of only two such residences outside the former rebel states.⁵

of North Carolina Press, 2013), introduction. Smith argues that through numerous historical renderings, free labor has been naturalized in the Far West.

⁵ The other was located in Ardmore, Oklahoma, part of Indian Territory during the Civil War. For more on these Confederate soldiers homes, see Rusty Williams, *My Old Confederate Home: A Respectable Place for Civil War Veterans* (Lexington: University Press of Kentucky, 2010); and R.B. Rosenberg, *Living Monuments: Confederate Soldiers' Homes in the New South* (Chapel Hill: University of North Carolina Press, 1993). For a description of the California home, its residents, its celebrations, and countless deliveries of canned fruit, see again, Moretti, *Dixie Manor Days*.

In terms of its deep-rooted proslavery sympathies, Los Angeles was no anomaly, however. Rather, it represented merely the far western outpost of an antebellum political orbit that stretched to the Pacific. This network was built deliberately by imperial-minded southerners who saw in the West their best chance to extend their section's political power, if not its economic institutions. Indeed, the slave South and the Far West came together through the efforts of influential leaders in both regions – senators from California, cabinet ministers from Mississippi and Tennessee, territorial officers from New Mexico, foreign ministers from South Carolina, magazine editors from Louisiana, cartographers from Virginia, and the list goes on. If these expansionists argued over tactics – and they certainly did at times – they at least agreed on strategy: the westward extension of a southern commercial and political empire. Not all of their imperial fantasies materialized, but they exercised enough power to shape the political culture of the Far West prior to the Civil War. The old men who withered away in San Gabriel's Dixie Manor can perhaps be considered the last representatives of this once-mighty and continent-spanning slave power.

There is a political imperative to remembering. To lay the sin of slavery at the South's door is to ignore the western half of the continent and its role in nurturing the ideology upon which that institution drew strength. Slavery was indeed national. During the antebellum period, bondspeople – black, brown, and red alike – could be found in the gold fields of California, the Mormon households of Utah, the mines of Arizona, and the adobe towns of New Mexico. To be sure, black chattel slavery never flourished as an economic system in those places. Yet the fact that it was legally protected in most of the antebellum Southwest, despite the lack of economic incentives, speaks to the remarkably

broad appeal and durability of race-based systems of unfreedom.⁶ In framing the history of American slavery as regional, rather than national, we indulge a misguided brand of American exceptionalism and impose a moral quarantine on a system that recognized no natural limits.

This dissertation rests on a relatively straightforward premise: The road to disunion ran west, and unless we account for the Pacific ambitions of slaveholders, our understanding of America's bloodiest conflict will remain incomplete. Several studies have pointed to the existence of slavery in particular territories and states of the West. But no historian has yet to enlarge the geographic optic, and to explore the deep political affinities that ran from the coastal Carolinas to the shores of the Pacific. With regard to the vast scholarship on slaveholding imperialism, historians' geographic purview generally hits a western boundary at Kansas. These scholars have instead fixed their focus eastward, their attention drawn to bloody bids for territory in the Atlantic Basin – the invasions of Nicaragua and Cuba, for instance. But the horizons of proslavery imperialists also stretched far in the opposite direction, all the way to the ports of China. Slaveholders fought for the Far West and its commercial outlets, first through legislation and infrastructural projects, and then with rebel armies. This dissertation has attempted to reconstruct this grand imperial project – how it came to be, how it was destroyed, and why it ultimately mattered.

⁶ Indeed, the passage of Utah and New Mexico's slave codes and California's Archy Lee decision coincided with Britain's attempts to offset the economic fallout from emancipation by importing coolie bound labor across its global empire.

Yet in the end, such a study may raise more questions than it answers. And the geographic scope could be enlarged further still. Where, for instance, did Oregon fit into the imperial imagination of slaveholders? Henry Foote was hardly the only Confederate to expect that the Pacific Northwest would join California in forming an independent western republic.⁷ Like California, Oregon had been dominated by Democratic politicians through much of the antebellum period, and in 1860 it supplied the vice presidential candidate, Joseph Lane, on John C. Breckinridge's proslavery ticket. When discussing the promise of the Far West, slaveholders also eyed northern Mexico. Filibusters like William Walker and Henry Crabb launched invasions of Sonora with the blessing of many of California's proslavery leaders. For southerners like Postmaster-General A.V. Brown, western infrastructural development dovetailed nicely with territorial conquest. His unabashedly sectional report on the overland mail road celebrated the route's potential to unite south and west, and to provide a staging ground for potential invasions of northern Mexico.⁸ In short, slaveholding visions of empire encompassed an enormous swath of the American West and Mexican North, and future research will hopefully explore the dimensions of these grand ambitions and what they can tell us about the antebellum United States.

The ambitions of slaveholding expansionists only hastened their empire's collapse. A western proslavery project that had been cultivated for decades crumbled

⁷ See his 1862 resolution "recognizing the practical neutrality of the States of California and Oregon, and of the Territories of Washington and Nevada," in Frank Moore, ed., *The Rebellion Record: A Diary of American Events, with Documents, Narratives, Illustrative Incidents, Poetry, Etc.*, 11 volumes (New York: G.P. Putnam, 1863), 5:90. Recall that Foote also looked toward the Pacific Northwest as a field for slaveholding expansion in an 1859 speech, reprinted in "The Southern Convention at Vicksburg, Part 2," *De Bow's Review* 27 (August 1859), 216.

⁸ Report of the Postmaster General, *Congressional Globe*, 35th Congress, 1st session, appendix, 27-28.

decisively with the Confederate surrender at Appomattox in 1865. And yet in certain places, southerners' transcontinental political communities proved remarkably resilient. Well into the twentieth century, ancient Confederate veterans in southern California continued their rebellion in the only way they could: through memory. Clustered in the retirement home of Dixie Manor and aided by nearby Confederate memorial associations, these veterans celebrated a heroic past. They honored fallen comrades, wrote paeans to their lost cause, and accepted new medals for old service. That they now lived thousands of miles from the Confederate South and decades after the last guns fell silent mattered little to them. On the contrary, Los Angeles County seemed a perfectly fitting location for this minor Confederate renaissance. Indeed, what better place to seek their final rest than the city that had once exemplified the slave South's hold over the Far West?

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