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## **Conditional freedom : free soil and fugitive slaves from the US South to Mexico's Northeast, 1803-1861**

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#### IV

### **“Mexico was free! No slave clanked his chains under its government”: the Contested Nature of Free Soil and Settlement, 1836-1861.**

#### ***Introduction: the Texas Revolution and the political landscape of slavery and freedom in the US-Mexico borderlands***

Conflicts over fugitive slaves contributed to the growing divide between the Mexican federal state and the Euro-American slaveholders in Texas during the early 1830s. In July 1835, when the military vessel *Correo* sailed close to Galveston, asserting Mexican sovereignty against an incipient rebellion, planters in central Texas feared that the ship's presence might embolden their slaves. As a Texan settler recalled, “there was much uneasiness felt in regard to the threatened loss of slave property; and the owners of slaves were disposed to favor the peace policy”.<sup>1</sup> The following autumn, as Mexican troops were gradually dispatched to Texas, colonists in Matagorda grew concerned that the army would “give liberty to our slaves and make slaves of ourselves”. Enslaved people had by then “acquired some familiarity with the emancipationist leanings of Mexico”, making them ready “to embrace the invading force as an army of liberation”, as Paul D. Lack has argued.<sup>2</sup> Mier y Terán – who had already envisioned such an alliance as a buffer against the rising influence of Euro-American settlers while inspecting Texas in 1828 – argued that slaves were “becoming restless to throw off their yoke” as they grew aware of Mexico’s liberalism regarding slavery.<sup>3</sup> In October 1835, about 100 slaves near Brazoria, the heart of slavery in Mexican Texas, were accused of planning a rising against their masters in order to enslave them for the production of cotton bales for the Louisiana market. A local vigilance committee thwarted the suspected uprising; its leaders were hanged. Nonetheless, the Texas Revolution would have serious disruptive repercussions on local slavery over the following months.<sup>4</sup>

As the crisis intensified by early 1836, most Texan settlers did not fight against Santa Anna’s army, but instead fled back to Louisiana in an exodus termed the “runaway scrape”. The ensuing dislocation of the established social order gave way to expressions of long-held resentment among slaves: many of them defected to the

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<sup>1</sup> John J. Linn, *Reminiscences of Fifty Years in Texas* (New York, 1883), 114.

<sup>2</sup> Paul D. Lack, *Texas Revolutionary Experience: a Political and Social History, 1835-1836* (College Station: Texas A&M University Press, 1992), 243-244.

<sup>3</sup> *Telegraph and Texas Register*, 17 Oct. 1835; Graham Davis, *Land! Irish Pioneers in Mexican and Revolutionary Texas* (College Station: Texas A&M Press, 2002), 28, Paul D. Lack, “Slavery and the Texas Revolution”, *Southwestern Historical Quarterly*, 89 (Oct. 1985), 188-191.

<sup>4</sup> Eugene Barker (ed.), *The Austin Papers* (Austin: University of Texas Press, 1927), v.3, 190; Nichols, *The Limits of Liberty*, 67-70; Quintard Taylor Jr., *In Search of the Racial Frontier: African Americans in the American West, 1528-1990* (London: W.W. Norton & Co., 1999), 41-42; Sean M. Kelley, “Mexico in his Head: Slavery and the Texas-Mexican Border, 1810-1860”, *Journal of Social History*, 37:3 (2004), 716; Sean M. Kelley, *Los Brazos de Dios: a Plantation Society in the Texas Borderlands, 1821-1865* (Baton Rouge: Louisiana State University Press, 2010), 100; Lack, *Texas Revolutionary Experience*, 241; Wendell G. Addington, “Slave Insurrections in Texas”, *Journal of Negro History*, v.35, n°4 (Oct. 1950), 411-412.

Mexican troops. Ann Thomas, a resident of Caney Creek since 1832, claimed that she and her husband lost seven slaves (four of whom fled to Mexico's interior) while fleeing to New Orleans from their cotton plantation in February 1836.<sup>5</sup> The conflict remained limited to the vicinity of San Antonio until the fall of the Alamo on 6 March 1836. Thereafter, the Mexican army marched eastward to the Colorado and Brazos rivers, the location of most of the Euro-American settlements, before the battle of San Jacinto (on 21 April 1836) marked the final Texan victory. In the meantime, many slaves from central Texas plantations had deserted to the Mexicans, capitalizing on the panic among their masters. While reaching Ashworth's Ferry on Lake Sabine in late April 1836, William Fairfax Gray described his encounter with "three runaway Negroes, who fled and plunged through a bayou at [his] approach". William Parker likewise underscored the difficulty of preventing "the negroes from joining the enemy in small parties". The Mexican side echoed this observation. Officer Juan Nepomuceno Almonte described how, while waiting to ambush the *norteamericanos*, "a negro passed at short distance" from his troops. The man later served the Mexican army as a guide for river crossings (as did many other male fugitives, while women often became washerwomen).<sup>6</sup> After San Jacinto, many runaways who had taken advantage of the confusion were arrested. For example, in early May 1836, three escaped slaves were forcibly brought back from the old Fort Tenochtitlán to San Antonio.<sup>7</sup> The retreating Mexican army nonetheless continued to attract asylum-seekers. Returning home a few days after the defeat of the Mexican army, a resident of Matagorda noted that thirteen slaves had "left [his] neighborhood" and joined the returning troops.<sup>8</sup>

Escape attempts affected plantations in Texas so deeply that the armistice signed between defeated General Santa Anna and the Republic of Texas president David G. Burnet (the Treaty of Velasco, 14 May 1836) specifically provided for the restitution of all slaves that "may have been captured by any portion of the Mexican army, or may have taken refuge in the said army since the commencement of the late

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<sup>5</sup> UT(A), Briscoe, Ann Raney Thomas Coleman Papers, Box 2Q483 and Box 3D125. On the "Runaway Scrape": James D. Nichols, "The line of Liberty: Runaway Slaves and Fugitive Peons in the Texas-Mexico Borderlands", *Western Historical Quarterly*, v.44, n°4 (2013), 417; William D. Carrigan, "Slavery on the Frontier: the Peculiar Institution in Central Texas", *Slavery & Abolition*, 20:2 (Aug. 1999), 67; Kelley, "Mexico in his head", 715-716; Randolph Campbell, *An Empire for Slavery: the Peculiar Institution in Texas, 1821-1865* (Baton Rouge: Louisiana State University Press, 1989), 44.

<sup>6</sup> Vicente Filisola, Juan Nepomuceno Almonte, *Memorias para la historia de la Guerra de Tejas, por el General de División D. Vicente Filisola* (México: Cumplido, 1849), v.1, 25; Monroe Edwards (ed. Paul D. Lack), *The Diary of William Fairfax Gray: from Virginia to Texas, 1835-1837* (Dallas: Southern Methodist University Press, 1997), 160; John H. Jenkins (ed.), *The Papers of the Texas Revolution, 1835-1836* (Austin: Presidial Press, Brig. Gen. Jay A. Matthews Publisher, 1973), v.6, 119-123; Samuel E. Asbury (ed.), "The Private Journal of Juan Nepomuceno Almonte, Feb. 1-April 16, 1836", *Southern Historical Quarterly*, XLVIII (July 1944), 32; José Enrique de la Peña (ed. Jesús Sánchez Garza), *La Rebelión de Texas: Manuscrito Inédito* (México: A.F. de Sánchez, 1955), 128.

<sup>7</sup> Malcolm McLean, *Papers concerning Robertson's Colony* (Arlington: University of Texas at Arlington, 1988), v. XIV, 319.

<sup>8</sup> Chester Newell, *History of the Revolution in Texas: particularly of the war of 1835 and '36* (New York: Wiley and Putnam, 1838), 114; Lack, "Slavery and the Texas Revolution", 195; Lack, *Texas Revolutionary Experience*, 244-245.

invasion”.<sup>9</sup> The new Republic insisted that the Mexican troops be inspected for the retrieval of Texan prisoners and slaves.<sup>10</sup> Some runaways were recovered, along with about sixty-five soldiers. Meanwhile, other Mexicans were abducted simply because of their skin color or because they seemed to be runaway slaves, as brigadier-general José Manuel Micheltorena observed in June 1836.<sup>11</sup>

Some Mexican officers nonetheless actively sheltered escaped slaves, in an effort consistent with Santa Anna’s private preference for free soil.<sup>12</sup> For instance, General José Urrea freed fourteen enslaved men and their families, resettled them in Ciudad Victoria (Tamaulipas) and criticized his counterpart Vicente Filisola for restoring some slave refugees to the Texans.<sup>13</sup> Urrea’s actions were not exceptional, and soon the Republic of Texas complained about such non-compliance. In November 1836, members of the Texas House of Representatives, stressing that the negotiation of the Treaty of Velasco had partly stemmed from the concern “that in [Mexico’s] retreat our cattle and negroes might be driven off”, noted that half a year later, a similar fear (that Mexico would use escaped slaves as a bargaining chip) still persisted.<sup>14</sup> Groups of fugitives who had absconded during the Revolution were still at large, as “a number of African slaves” from Brazoria (a hotspot of slave resistance where African-born slaves composed half of the enslaved population) were reported to be wandering “since last winter” along the Colorado River. Warfare’s disruptive effects on slavery persisted well into the second half of the decade. In August 1837, a settler from Columbus (Texas) noted that another resident “had some negroes run away from him”, suggesting that “they had started for Mexico and would endeavor to get into that country as soon as possible”.<sup>15</sup> Bondspeople born in Africa who had been smuggled through Galveston Bay

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<sup>9</sup> MAE(C), General Woll, v.21, f.69-70, “Rusk to Filisola, 8 May 1836”; Genaro García, *Documentos inéditos ó muy raros para la historia de México* (México: Vda. de C. Bouret, 1905), v.29, 158-160; Jenkins, *The Papers of the Texas Revolution*, v.6, 273-275.

<sup>10</sup> SEDNA, L-1149, f.37, “Ejército de Operaciones to Ministro de Guerra y Marina, 22 July 1836”; Jenkins, *The Papers of the Texas Revolution, 1835-1836*, v.6, 508; Ramón Martínez Caro, *Verdadera Idea de la Primera Campaña de Tejas y Sucesos Ocurridos después de la Acción de San Jacinto* (México: Pérez, 1837), 46.

<sup>11</sup> Jenkins, *The Papers of the Texas Revolution, 1835-1836*, v.7, 67-69, 370-371; MAE(C), General Woll, v.22 (180 PA-AP/22), f.72, “Ministro de Guerra y Marina to General en Gefe del Ejército del Norte, 1 July 1843”.

<sup>12</sup> SEDNA, L-1150, f.26, “Comandancia militar de Laredo to Comandante General de estos Departamentos, 20 June 1836”; Jenkins, *The Papers of the Texas Revolution, 1835-1836*, v.6, 314-315.

<sup>13</sup> Kelley, “Mexico in his head”, 716; Campbell, *An Empire for Slavery*, 44; Rosalie Schwartz, *Across the Rio to Freedom: US Negroes in Mexico* (El Paso: Texas Western Press, 1975), 24-25. Confirmation of asylum being granted to escaped slaves reaching the Mexican army in Texas as early as March 1836 can be found in: Vicente Filisola, *Memorias para la Historia de la Guerra de Tejas* (México: R. Rafael, 1849), v.2, 375-376, “Tornel to Santa Anna, 18 March 1836”. On Santa Anna’s position and the Urrea-Filisola controversy: Carlos E. Castañeda (trans.), *The Mexican Side of the Texas Revolution, by the Chief Mexican Participants* (Dallas: Turner Company Pub., 1928), 65, 177-178, 238 and 269-270.

<sup>14</sup> *Journal of the House of Representatives of the Republic of Texas, First Congress* (Houston: Office of the Telegraph, 1838), 136-137.

<sup>15</sup> *Telegraph and Texas Register*, 9 Nov. 1836 (in Lack, “Slavery and the Texas Revolution”, 196); William B. Dewees, *Letters from an Early Settler of Texas* (Louisville: New Albany Tribune,

and the Sabine Lake regularly absconded during this period, such as “three African negro men” named Sanco, Doo and Lufa who, after being arrested near Victoria, managed to escape once more to the border.<sup>16</sup>

The Texas Revolution generated a markedly polarized boundary between slavery and freedom.<sup>17</sup> After 1836, Mexico increasingly asserted its abidance to abolition and free soil, while the Second Slavery thrived in the Republic of Texas and the US Southwest. The enslaved population of Texas quintupled between 1846 and 1860, reaching an all-time high of nearly 160,000 by the eve of the US Civil War.<sup>18</sup> However, after crossing the border, freedom seekers did not necessarily obtain the freedom they had envisaged in Mexico’s northeastern borderlands. On the one hand, *unconditional* free soil, independent Mexico’s official policy on foreign runaways, remained debated and contested, in its very principle as well as its concrete implementation, both among Mexican and US officials. On the other hand, slaving raids launched by US slaveholders, as well as larger geopolitical developments such as war threatened to abruptly end the liberty of black freedom-seekers in Mexico. This chapter will examine the settlement of self-emancipated slaves in Mexico, and its varied implications for the political landscape of slavery and freedom in the US-Mexico borderlands, between 1836 and 1861. How did free-soil policy develop in Mexico and what shortcomings and challenges did its enforcement face in practice? Where and how did escaped slaves settle in the Mexican borderlands? How did the Mexican federal and local states respond to their settlement as well as to threats posed to their formal freedom? To what extent did the question of slave flight intersect with separatist pressures in northeastern Mexico and rising sectionalism in the US over slavery?

### ***The disputed making of Mexico’s free soil after 1836***

The Revolution further strengthened Mexico’s staunch commitment to anti-slavery and to free-soil principles for foreign escaped slaves. Mexican governmental and parliamentary representatives, as well as the press and public opinion, took increasing national pride in slavery’s abolition and the existence of a sanctuary policy for runaway slaves. Yet, practical enforcement of this official asylum policy did not necessarily match its abstract provisions. Instead, Mexican civilian and military officials, US agents and even enslaved freedom-seekers themselves debated and interpreted free soil as a binding legal principle. Free soil’s practical boundaries were disputed, both domestically and internationally. Sometimes, the very principle’s legitimacy was even

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1858), 211; Alwyn Barr, “Freedom and Slavery in the Republic: African American Experiences in the Republic of Texas”, in Kenneth W. Howell, Charles Swanlund, *Single Star of the West, The Republic of Texas, 1836-1845* (Denton: University of North Texas Press, 2017), 424.

<sup>16</sup> *Telegraph and Texas Register*, 1 May 1839. Lack observed that in 1837, eight out of ten fugitive slaves were reported as African-born, compared to only one of the sixteen advertised runaways in the *Telegraph and Texas Register* for 1838 (Lack, “Slavery and the Texas Revolution”, 196-197).

<sup>17</sup> Kelley, “Mexico in his head”, 716.

<sup>18</sup> Campbell, *An Empire for Slavery*, 50-67; Barr, “Freedom and Slavery in the Republic”, 423-436.

fundamentally called into question. The making of Mexico's free soil after the Texas Revolution was thus by no means a linear process.

### *Antislavery and Asylum Policy*

On 5 April 1837, Mexico's government reiterated Guerrero's abolition of slavery, this time "without any exception", although it granted financial compensation to the few remaining (non-Texan) slaveholders affected by both the current and past abolitions. That same year, the *Cámara de Diputados* reasserted Mexico's commitment to free-soil policy in its correspondence with the federal Foreign Ministry.<sup>19</sup> During subsequent years, a couple of aborted constitutional projects reasserted the asylum policy, before the publication of the *Bases Orgánicas de la República Mexicana* in June 1843. Article 9 of this centralist Magna Carta, enforced until the fall of the Centralist Republic in August 1846 and the re-implementation of the 1824 federalist constitution, prohibited slavery and explicitly placed foreign slaves under the "protection of the laws".<sup>20</sup> Moreover, Mexico and Great Britain concluded a treaty for the suppression of the slave trade on 24 February 1841, an activity legally designated as piracy after 8 August 1851. Captains of suspected slave-ships were thereafter liable to the death penalty (and their crews to imprisonment) by order of the District Courts of Veracruz on the Atlantic coast, and Acapulco and San Blas on the Pacific coast. Investigations were often launched against vessels and individuals suspected of participating in the *Carrera de África*, such as the *negreros* Francisco Viñes and Francisco Martorell, two slave traders closely linked to La Havana's slave market. In 1859, Pablo de la Lastra, the captain of the *Laura*, was sentenced to death at Veracruz following his arrest off the Congo coast by the British warship *Archer*. After receiving a petition signed by more than 230 residents of Veracruz begging him to use his "supreme recourse of indult", liberal president Benito Juárez eventually commuted Lastra's sentence to a ten-year jail term in June 1860.<sup>21</sup>

Simultaneously, Mexican official and popular opinion on slavery became even more closely intertwined with anti-American sentiment, shifting the focus of the joint rejection of slavery and imperialism from Spain to the US. Abolition and free soil were increasingly viewed as evidence of Mexico's moral superiority over Texas and the northern Union.<sup>22</sup> Some weeks before the US-Mexican War, Veracruz's *El Indicador*

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<sup>19</sup> Manuel Ferrer Muñoz, *La Cuestión de la Esclavitud en el México Decimonónico: sus Repercusiones en las Etnias Indígenas* (Bogotá: Instituto de Estudios Constitucionales Carlos Restrepo Piedrahita, 1998), 24-25; The National Archives, Kew (England), FO, 84/225, f.11-14 and 24-32.

<sup>20</sup> Ferrer Muñoz, *La Cuestión de la Esclavitud*, 26-27.

<sup>21</sup> AHDF, Bandos, c.19, e.91 (11 Aug. 1851) and c.20, e.1 (20 Sep. 1851); The National Archives, Kew (England), FO 84/1092, f.5-14, 25, 84-85; AGN, Justicia y Negocios Eclesiásticos, v.614, e.27, f.206-209, "Juzgado del distrito de Veracruz to Ministro de Justicia, 11 Mar. 1858"; *ibid.*, v.616, e.8 and *ibid.* v.616, e.11.

<sup>22</sup> See for instance in: *El látigo de Tejas*, 19 Sep. 1844. An exception was made for the US anti-slavery movement. For example, by the eve of the US Civil War, an adaptation in Spanish of

contrasted the continuance of slavery north of the Rio Grande with its disappearance in Mexico “through a law that declares free anyone setting foot on Mexican beaches”.<sup>23</sup> In the autumn of 1846, the official *Diario del Gobierno de la República Mexicana* explicitly praised Mexico’s asylum policy and denounced the US for deriving most of its prosperity from “usurped lands” (a direct reference to Texas) and the oppression of the “unfortunate African race”.<sup>24</sup> Likewise, most of the Mexican press assiduously followed their northern neighbor’s controversies on slavery and condemned the passage of the Fugitive Slave Act in 1850.<sup>25</sup> Enforcing unconditional free soil did not elicit complete unanimity in Mexico, however. In February 1855, the conservative newspaper *El Universal* approved the principle of providing asylum to US escaped slaves, yet it also argued that those who had committed criminal acts outside of Mexico should be liable to restitution to US justice.<sup>26</sup>

Wars, interruptions of official diplomatic relations and Mexico’s chronic governmental instability hindered official negotiations on slave flight. Yet after the treaty of Guadalupe Hidalgo (February 1848), US representatives renewed their attempts to formalize the return of enslaved asylum-seekers. At the initiative of Tamaulipas (just as with Coahuila four years later), Luis de la Rosa, Mexican minister in the US, proposed during the summer of 1849 the conclusion of a treaty of

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“Uncle Tom’s Cabin” by Ramón Valladares Saavedra was performed in at least five theaters in Mexico City. See “La Cabaña del tío Tom, o la Esclavitud de los Negros” (Centro de Estudios de Historia de México, Digital Collection, LXI-3, 285, 290, 299, 320, 326, 370, 372, 409, 429 and 480); Nichols, *The Limits of Liberty*, 71-72.

<sup>23</sup> *El Indicador*, 23 Feb. 1846. Veracruz’s press was particularly vocal in denouncing US slavery. See for instance: *El Arco Iris*, 3 and 29 Oct. 1849. From a liberal and nationalist perspective, on contrasts in slavery and freedom between the US and Mexico: *El Siglo XIX*, 28 Dec. 1850.

<sup>24</sup> *Diario del Gobierno de la República Mexicana*, 12 Sep. 1846 and 5 Oct. 1846.

<sup>25</sup> With few exceptions, such as *El Universal*. The newspaper took a legalist approach, as it defended the Fugitive Slave Act of 1850, arguing that US federal law was to be respected and accusing abolitionists of fomenting unrest: *El Universal*, 20 Nov. 1850, 5 Dec. 1850 and 25 March 1851. By contrast, the stance taken by the liberal *El Siglo XIX* (21 Nov. 1850 and 1 Jan. 1851) reflects the dominant opposition to the Act in the Mexican press.

<sup>26</sup> *El Universal*, 23 Feb 1855. The newspaper also violently criticized the welcoming attitude of the Mexican authorities toward the Black Seminoles who settled in Coahuila in 1850. *El Universal*, 19 Nov. 1850 and 27 Jan. 1852 (reprinting columns from the *Correo de Chihuahua*). Not all Mexican newspapers embraced black immigration. Some conservative newspapers such as *El Monitor Republicano* and *El Observador Católico* expressed racist disgust and opposition to African American immigration to Mexico, one of the many signs of colonial racism’s persistence despite the official de-racialization of Mexico’s early independent society and administration. In the case of US escaped slaves, as anti-American sentiment coalesced with a rejection of blackness, these refugees bore the double stigma of race and nationality, making them even less desirable immigrants than white US citizens. *El Observador Católico*, 29 July 1848; Moisés González Navarro, *Los Extranjeros en México y los Mexicanos en el Extranjero, 1821-1970* (México: El Colegio de México, Centro de Estudios Históricos, 1993), 185-189; María Camila Díaz Casas, “¿De Esclavos a Ciudadanos? Matices sobre la “Integración” y “Asimilación” de la Población de Origen Africano en la Sociedad Nacional Mexicana, 1810-1850”, in Juan Manuel de la Serna (coord.), *Negros y morenos en Iberoamérica: Adaptación y conflicto* (México: UNAM, 2015), 282.



extradition for common criminal charges to US Secretary of State John M. Clayton.<sup>27</sup> After de la Rosa submitted a first draft in January 1850, Clayton attempted to take advantage of Mexico's new openness to extradition by including escaped slaves in a new version of the text composed on 15 February 1850. Unsurprisingly, the Mexican minister dissented: he contended that Mexico's Congress would never back such a provision. The treaty was signed in July 1850 regardless, although it was never mutually ratified.<sup>28</sup> During the 1850s, proslavery advocate and US minister in Mexico James Gadsden repeatedly voiced his resentment at this official intransigency on slavery, which to him "would seem to have emanated from Exeter Hall [home to the Anti-Slavery Society] in London", providing yet more evidence of what he perceived as Mexico's "bigoted detestation of every thing Protestant and American".<sup>29</sup> In 1857, his successor, the Georgian James Forsyth Jr., made a final attempt regarding extradition, including escaped peons. However, Mexican representatives again "resolutely refused".<sup>30</sup> Furthermore, Mexico's free-soil policy became explicitly enshrined in the new liberal constitution of 1857, especially thanks to radical *diputados* José María del Castillo Velasco and José María Mata's efforts. An article approved at the *Congreso Constituyente* on 18 July 1856 by a unanimity of eighty-two votes thus specified that foreign slaves "setting foot on national territory recover by this mere fact their freedom and are entitled to the protection of the laws" and formally outlawed any treaty of extradition between Mexico and another government regarding enslaved people.<sup>31</sup>

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<sup>27</sup> SRE, AEMEUA, 31/1, f.343-346, "Lacunza to Enviado Extraordinario, 8 June 1849". The *enviado* received clear instructions on free-soil policy for escaped slaves ("Guiado V[uestra] E[xcellencia] por este principio lograra esquivar la cuestión de esclavos fugados pues según nuestras leyes, ellos son libres en el momento que pisan el territorio nacional, y por el mismo hecho queda garantizada su libertad y protegida por las propias leyes, de manera que la fuga considerada como medio de adquirirla no podemos estimarla como crimen"); UT(A), Benson, Despatches from US Ministers in Mexico (microfilm), reel 19, "Díez de Bonilla to Gadsden, 21 Oct. 1853" and "Gadsden to Díez de Bonilla, 2 Nov. 1853".

<sup>28</sup> SRE, AEMEUA, 32/2, f.14, "De La Rosa to Ministro de Relaciones Exteriores, 21 Jan. 1850"; f.321-322, "De La Rosa to Ministro de Relaciones Exteriores, 18 Feb. 1850"; f.137, "De La Rosa to Ministro de Relaciones Exteriores, 22 May 1850"; f.201, "De La Rosa to Clayton, 6 June 1850"; John Bassett Moore, *A Treatise on Extradition and Interstate Rendition* (Boston: The Boston Book Company 1891), v.1, 95-97; Schwartz, *Across the Rio to Freedom*, 32; Don E. Fehrenbacher, *The Slaveholding Republic: an Account of the United States Government's Relations to Slavery* (New York: Oxford University Press, 2001), 101.

<sup>29</sup> William R. Manning, *Diplomatic Correspondence of the United States: Inter-American Affairs, 1831-1860*, v.9, Mexico, 1848-1860 (Washington: Carnegie Endowment for International Peace, 1937), 750-751, "Gadsden to Marcy, Mexico, 3 April 1855".

<sup>30</sup> Manning, *Diplomatic Correspondence of the United States*, v.9, Mexico, 1848-1860, 888-890, "Forsyth to Marcy, 2 Feb. 1857"; Schwartz, *Across the Rio to Freedom*, 50.

<sup>31</sup> *Diario Oficial del Supremo Gobierno de la República Mejicana*, 19 July 1856; *El Siglo XIX*, 19 July 1856; *Legislación Mexicana*, 12 Feb. 1857, 385-386; Francisco Zarco, *Historia del Congreso Constituyente de 1856 y 1857: Extracto de todas sus Sesiones y Documentos de la Época* (México: Imprenta de Ignacio Cumplido, 1857), v.2, 994-995 (articles 2 and 15); Ferrer Muñoz, *La Cuestión de la Esclavitud*, 29. Nonetheless, the discussion on these articles was not entirely consensual, as suggested by *diputado* Joaquín Ruíz's proposal that escaped slaves who had committed criminal acts outside of Mexico could be liable to extradition as an exception to free-soil policy.

Officially endorsed at a federal level, the responsibility for carrying out this free-soil policy mostly lay with local administrators, with varying outcomes. The first real challenge to free soil occurred in August 1838, as seven African American mechanics from New Orleans reached Tampico and sought to obtain *cartas de seguridad* (security papers). Starting in May 1828, obtaining these *cartas* within a month of arrival constituted a legal requirement for any male foreigner intending to reside permanently in Mexico. (Women were exempted under the assumption that they would be covered by male patronage). The *carta* had to be renewed annually for a small fee. Individuals not complying with this law were nominally liable to fines (20 pesos) or imprisonment (ten days) in case of insolvency.<sup>32</sup> However, local US consul John G. McCall refused to certify the mechanics as US subjects in filiation documents (*filiaciones*), a pre-requisite that was indispensable for being granted *cartas de seguridad*. Since they failed to present evidence of their freedom at the consulate, McCall contended that doubts existed over whether the men were originally free or enslaved in Louisiana. (It is indeed likely that they were self-liberated slaves, as suspected by the consul). As stressed by Sarah E. Cornell, McCall's treatment of the seven men as "citizens of nowhere" left them in a legal limbo and set a stark precedent for US policy toward escaped slaves in Mexico.<sup>33</sup> In response, the government of Tamaulipas consulted minister of foreign relations Juan de Dios Cañedo on the affair. US minister in Mexico Powhatan Ellis, backed by US secretary of state John Forsyth, argued that such cases – especially if Mexico were to take the side of US runaways – "may hereafter become a matter of serious discussion between the two Governments". Ellis supported McCall's stance, contending that by absconding from US territory and seeking refuge in Mexico, these men had rescinded their rights to receive protection from US diplomatic agents abroad. By November 1839, however, Cañedo eventually upheld the issuance of *cartas de seguridad* to the mechanics, provided that the refugees proved not to be "vagrant, turbulent or disrespectful" and that some Tampiqueño citizens would post bonds for their good behavior. By doing so, the

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<sup>32</sup> Mariano Galván Rivera, *Nueva Colección de Leyes y Decretos Mexicanos, en forma de Diccionario* (México: T.S. Gardida, 1854), v.2, 1111-1120; *Colección de las leyes y decretos expedidos por el Congreso General de los Estados-Unidos Mexicanos, en los años de 1829 y 1830* (México: Imprenta de Galván, 1831), 126; Basilio José Arrillaga, *Recopilación de Leyes, Decretos, Bandos, Reglamentos, Circulares y Providencias de los Supremos Poderes y Otras Autoridades de la República Mexicana* (México: J.M. Fernández de la Lara, 1837), 289-292; Sarah E. Cornell, "Citizens of Nowhere: Fugitive Slaves and Free African Americans in Mexico, 1833-1857", *Journal of American History*, 100:2 (2013), 361-362.

<sup>33</sup> From June 1854 onwards, under the aegis of US minister James Gadsden, US consuls in Mexico began declining applications for *cartas de seguridad* from all US-born African Americans, free or otherwise, a reaction to the alleged free issuance by Mexico of *cartas* to US deserters in general. The exclusion's practical application elicited internal discussion, as suggested by the correspondence of US consuls in Veracruz and Matamoros. UT(A), Benson, Despatches from US consuls in Veracruz, reel 6, "Gadsden to US consuls in Mexico, 28 June 1854"; "Pickett to Gadsden, 10 July 1854"; "Pickett to Cushing, 25 Jan. 1855", Pickett to Marcy, 21 Feb. 1855"; UT(A), Benson, Despatches from US consuls in Matamoros, reel 2, "Dirgan to Marcy, 25 Nov. 1854"; Manning, *Diplomatic Correspondence of the United States*, v.9, 720-721 "Gadsden to US consuls in Mexico, 28 June 1854" and 734 "Gadsden to Marcy, 16 Oct. 1854"; Cornell, "Citizens of Nowhere", 363-364.

minister prioritized enforcing free soil for escaped bondspeople over laws on *cartas de seguridad* and the entry of foreigners.<sup>34</sup>

Most subsequent decisions in Mexico's territorial and maritime borderlands were consistent with this precedent. In January 1842, for instance, Laredo's *alcalde constitucional* consulted his *partido* sub-prefect Policarpio Martínez at Mier, Tamaulipas, on how to deal with an enslaved couple just arrived from Texas. Martínez authorized their settlement under the protection of "an enlightened liberty [...] that our laws had guaranteed them", instructing the *alcalde* to ensure they would "live honestly and subsist from their work".<sup>35</sup> Often on the verge of demographic and economic collapse, due to a revival of attacks by Native Americans from the late 1830s onwards, smallpox and cholera epidemics, filibustering raids and military and political conflicts, the *villa* gladly welcomed these new settlers.<sup>36</sup> After 1848, the newly founded Nuevo Laredo (on the right bank of the Rio Grande) attracted black freedom-seekers such as a man jailed in Laredo who "contrived to break the fetters" and crossed the river. By the late 1850s, its municipal authorities seemed so keen to harbor escaped slaves that several press correspondents in South Texas warned their southwestern readership about "the hospitalities of the Alcalde of the little Mexican town" to enslaved asylum-seekers.<sup>37</sup>

#### *Debating Free Soil's Limits: Immigration Laws and Sojourning Slaves*

However, the story of "Emilia" and her son "Guillermo" (as written in Mexican sources) offers an example of the erratic enforcement of Mexico's free-soil policy before the US-Mexican War. Both left their enslaver from Canal Street in New Orleans. After a first attempt to present themselves as free to the captain of a ship had failed, they were secreted aboard the *Petrita* with the assistance of a fifty-three-year-old French hat-maker and Emilia's purported lover, François Michel. The vessel reached Veracruz on 22 July 1844. However, local port administrator Blas Godínez Brito soon arrested Emilia and Guillermo. They were not included in the ship's list of passengers and therefore could not present a *boleto de desembarco*, a requisite for legal entry into Mexico by way of sea. While trying to determine their legal status on US soil under pressure from US consul Francis M. Dimond, the administrator ordered the transfer of Emilia and

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<sup>34</sup> AGN, CDS, v.16, f.220-230 and 237-238; UT(A), Benson, Despatches from US Ministers in Mexico, 1823-1906, reel 10, "Mexican Minister of Foreign Relations to US Legation in Mexico, 21 Aug. 1839"; "US Legation in Mexico to McCall, 23 Aug. 1839"; "US Legation in Mexico to Mexican Minister of Foreign Relations, 23 Aug. 1839" and "*idem*, 11 Nov. 1839"; "McCall to US Legation in Mexico, 9 Sep. 1839"; "US Legation in Mexico to Secretary of State John Forsyth Sr., 12 Nov. 1839"; Nichols, *The Limits of Liberty*, 77.

<sup>35</sup> TSLAC, LA (microfilm), folder 149, doc19, 12:84, "Martínez to Alcalde Constitucional de Laredo, Mier, 7 Feb. 1842".

<sup>36</sup> Hinojosa, *A Borderlands Town in Transition*, 45-47 and 96; Leticia Martínez Cárdenas, César Morado Macías, J. Jesús Ávila Ávila, *La Guerra México-Estados Unidos: su Impacto en Nuevo León, 1835-1848* (México: Senado de la Republica, 2003), 91-100.

<sup>37</sup> *The San Antonio Herald*, 15 Dec. 1857; *Nueces Valley Weekly*, 13 Feb. 1858 and 20 March 1858.

Guillermo aboard the schooner *Ana Luisa*. Meanwhile, François Michel petitioned the *Comandancia General* of the department of Veracruz for Emilia's release on the ground that she was his servant ("*criada suya*"). Local officials investigated the affair. Emilia and Guillermo's case eventually reached the Mexican president in mid-August. He granted them freedom by virtue of "having introduced themselves into the waters of the Republic". The Ministry of War and Marine dispatched the presidential decision to Veracruz's *Comandancia General* on 16 August 1844. Godínez Brito received the order five days later, but it was too late, for the pair had already been sent back to New Orleans aboard another schooner named *Rosa Alvina*. The administrator had either ignored the existence of free soil for foreign escaped slaves altogether, or he was aware of it, and, caught between two conflicting pieces of legislation, he considered cracking down on the illegal introduction of foreigners as more important than enforcing free soil. Dimond's pressures – which included threatening the *Petrita's* captain and crew with legal suits and a ban from entering any US ports – for the delivery of the refugees might also have influenced Godínez Brito's conduct. Although Veracruz's governor Benito Quijano regretted the outcome, he stressed that Godínez's decision did not arise from "a sinister intention but rather a misinformed zeal to fulfill the functions of his office". Soon after, however, the affair was made public and sparked the ire of the liberal press. *El Siglo XIX* contended that a crowd had attempted to rescue Emilia and Guillermo at Veracruz, an account challenged by the official *Diario del Gobierno*.<sup>38</sup>

The port captain's reaction sharply contrasted with his successor's in 1857, when James and George Frisby, two slave sailors, absconded from the vessel *Metacomet* arriving from New Orleans. John T. Pickett, US consul at Veracruz, strove for the arrest of the brothers, eventually securing that of George. However, the port captain refused to detain James, now openly "walking about the streets of the city". According to him, "the deserter had declared himself a slave in New Orleans, and that by the laws of Mexico, he [was] a *free man*". This stance infuriated US minister in Mexico John Forsyth Jr., who deemed it an "impolicy, injustice and invalidity". He contended that if James were white and free, the port captain would not have hesitated in restoring him to the *Metacomet*. Despite acknowledging the legality of Mexico's free-soil policy, Forsyth Jr. suggested to Mexican foreign minister Lerdo de Tejada that it should be limited to slaves "untrammelled by special obligations", and thereby called for an exception concerning "articled seamen" from the US. According to the US minister, granting freedom to runaways like the Frisby brothers would endanger an "increasing and beneficent commerce" between Mexico and the US, considering that many enslaved African Americans were employed aboard ships as cooks, seamen and stewards. Forsyth threatened that such a precedent would inevitably undermine

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<sup>38</sup> *El Siglo XIX*, 11 Sep. 1844 and 1 Oct. 1844; *Diario del Gobierno de la República Mexicana*, 29 Sep. 1844; SRE, AEMEUA, 29/2, f.219 "Manuel Crescenci Rejón to Juan N. Almonte, 11 Nov. 1844"; AGN, Movimiento Marítimo, v.12, legajo 4, f.176-178. On Veracruz's US consulate: Ana Lilia Nieto Camacho, "La practica consular en el siglo XIX a través del consulado de Estados Unidos en Veracruz, 1822-1845", *Estudios de Historia Moderna y Contemporánea de México*, 31 (Jan.-June 2006), 5-30. By virtue of Mexican laws on *cartas de seguridad*, vessel captains were personally liable to 100 *pesos* for the falsification of their manifest, as well as 20 *pesos* for each undeclared passenger (Galván Rivera, *Nueva Colección de Leyes y Decretos Mexicanos*, 1111-1120).

commercial (and political) relations between the two countries. However, Mexico's foreign ministry did not give in to the minister's intimidations.<sup>39</sup>

Advocacy of exceptions to free soil did not stem only from US representatives in Mexico, but also from some Mexican officials themselves. In early March 1844, an enslaved man named "Felipe Molin" absconded from George W. Hockley, one of the two commissioners (along with Samuel M. Williams) sent by the Republic of Texas to negotiate an armistice with Mexico. On their way back, the self-emancipated slave sought refuge in the city of Matamoros but was soon detained by soldiers from the local *Cuartel de Zapadores*. While jailed, Felipe lodged a request for *amparo* with the *Prefectura del Norte de Tamaulipas* based on the slave trade ban of 1824 and article 9 of the *Bases Orgánicas*. Prefect Jorge López de Lara backed Felipe's petition and began lobbying for his liberation. Manuel Rodríguez de Cela, the General commanding the garrison of Matamoros, disagreed. In his opinion, the two commissioners were protected by diplomatic immunity. As such, their "right of transit" with slaves was to be protected. To Rodríguez de Cela, implementing free soil in Felipe's case would undermine "the dignity of the Supreme Government and the honor of the Republic", along with violating a certain military ethos and generating serious tensions between the US and Mexico. Local military officers and *vecinos*, among them Molin's lawyer and the town's *Juez de Hacienda* (both of them had rescued the man before his arrest), eventually raised \$800 to secure Felipe's freedom. Sailing back to Galveston, Hockley and Williams left Matamoros without Felipe, but with a fortune in their pockets.<sup>40</sup> Five years later, the sojourning slave Bock was granted formal freedom by the Federal District's government in Mexico City.

By contrast with pre-1848 ambiguities, Mexico's complete refusal to consider any purported "rights of travel" (or "sojourner laws") for slaveholders in its free-soil territory after the US-Mexican War, thus putting an end to the liminal condition of sojourning slaves, coincided with a very similar and simultaneous process in the US North.<sup>41</sup>

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<sup>39</sup> UT(A), Benson, Despatches from US Ministers in Mexico, 1823-1906, reel 21, "Forsyth Jr. to Cass, 27 July 1857" and "Forsyth Jr. to Lerdo de Tejada, 27 July 1857"; Schwartz, *Across the Rio to Freedom*, 51-54. Under Gadsden's exclusionary policy, sailors were the only class of African Americans protected by US consuls in Mexico for the sake of commercial interests.

<sup>40</sup> MAE(C), General Woll, v.22 (180 PA-AP/22), "Armistice du Texas, Juin 1843-Mars 1844", f.269-274; MAE(C), General Woll, v.8 (180 PA-AP/8), "Correspondance particulière, M. De Cela à Cortazar", f.17-18; *Northern Standard*, 22 May 1844; *The Weekly Despatch*, 5 Nov. 1844; Nichols, "The Limits of Liberty", 130. Felipe Molin's eventual freedom through popular subscription is reminiscent of Anthony Burns' experience in Boston.

<sup>41</sup> *El Arco Iris*, 24 July 1849; *Daily Crescent of New Orleans*, 20 Aug. 1849. See also the story of Pancho, a South-Carolina born "negro cook", soon after the US-Mexican War: "Narrative of the First Trip from San Antonio, Texas, to El Paso, Mexico, No.1", *Appletons' Journal: a Magazine of General Literature*, v.4, issue 89 (Dec. 1870), 703. On slavery and the legal principle of "right of transit": Judith Kelleher Schafer, *South of Freedom: Manumission and Enslavement in New Orleans, 1846-1862* (Baton Rouge: Louisiana State University Press, 2003), 15-33; William S. Kiser, *Borderlands of Slavery: the Struggle over Captivity and Peonage in the American Southwest* (Philadelphia: University of Pennsylvania Press, 2017), 27.

### *Mexico's Free Soil and Freedom Suits in the US*

The legitimacy and the boundaries of Mexico's free soil were debated not only in Mexican territory, but also occasionally north of the border, to the (potential) benefit of slaves themselves. After 1836, some slaves in US territory endeavored to secure freedom using Mexican free-soil policy, especially bondpeople and "sojourning slaves" who had set foot in Texas while under Mexican rule. From March 1843 to April 1847, an African-born enslaved woman named Isabella petitioned for her freedom in Louisiana's Fifth Judicial District Court (St Mary's Parish) as well as in the Supreme Court. Isabella stood among the many Africans who had been smuggled into Texas in 1835 by slave trader James Fannin. Following her arrival, Isabella was held in the Mexican department as a slave by New York-born Thomas Gates. In March 1836, however, Gates fled the advancing Mexican army to Louisiana with Isabella. In the US, a heavily indebted Gates sold the woman to a certain Milton Johnson. Upon Johnson's death in 1840, his estate administrator John Carson ceded Isabella to slaveholder William C. Dwight for \$700. The transaction seemed to go smoothly at first, but after learning about Isabella's past presence in Mexican Texas, Dwight refused to pay the second planned installment. Peter Pecot, another interested buyer, also showed some reluctance to acquire Isabella, although he eventually consented to the transaction after receiving Carson's assurances of indemnification if Isabella were to be freed from slavery. Soon after, Isabella filed a freedom suit on the grounds of having been "illegally, unjustly and willfully held as a slave" from the moment she had touched Mexican soil, as well as having been subsequently introduced as a bondswoman into the US, in contradiction with the 1807 federal ban on slave importation. After years of litigation, Louisiana's Supreme Court eventually rejected Isabella's arguments on appeal. It ruled that slavery was tolerated in Texas before 1836 and considered that the introduction of slaves into the US in the context of the "Runaway Scrape" did not violate the 1807 federal ban on the foreign slave trade, since refugees had been fleeing from a "hostile" army in a state of exception. Isabella's claim to be a free refugee from slavery by virtue of Mexico's free soil was thus flatly rejected.<sup>42</sup>

Other refugees were more successful. The same year that Isabella was smuggled into Texas, Cuggoe, an enslaved man (likely of Yoruba origin), absconded

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<sup>42</sup> RSPP, Petition n°20884339, "Isabella, a woman of color, to the Hon. The District Court of the Fifth Judicial District of the State of Louisiana, 20 March 1843-5 April 1847", also in Ernest Obadele-Starks, *Freebooters and Smugglers: The Foreign Slave Trade in the United States after 1808* (Fayetteville: University of Arkansas Press, 2007), 125; Merritt M. Robinson, *Reports of cases argued and determined in the Supreme Court of Louisiana, volume V, from 29 May to 30 September 1843* (New Orleans: The Reporter, 1845), 484-485, "Carson v. Dwight and another"; Sean M. Kelley, "Blackbirders and Bozales: African-born Slaves on the Lower Brazos River of Texas in the Nineteenth Century", *Civil War History*, v.54/4 (Dec. 2008), 418. Likewise, Thomas Scott, "a man of color", filed a suit for his freedom at the St-Louis Circuit Court in 1848. His enslaver James Harrison had hired him out in August 1847 to Cesar St Vrain, a trader active in Santa Fé (New Mexico), where he was kept for about five months. Arguing that slavery was illegal in New Mexico at the time of his stay, Scott contended (unsuccessfully) that he was entitled to freedom "according to the laws of the land" (RSPP, Petition n°21184808).

from his enslaver in Alabama, W.E. Price, and crossed the Sabine River to Mexican Texas. Twenty-one years later, now a resident of Walker County (Texas), Price came across the runaway and re-enslaved him. With the assistance of a white settler, James Davis, Cuggoe filed a petition for his freedom at the District Court of nearby Polk County, arguing that he had settled in Texas “under the Mexican government”, when free soil applied. In turn, Price turned to the State Legislature, deeming Cuggoe’s claim for freedom “wholly contrary to the Constitution of the Republic of Texas”, and requesting the passage of a law providing for the arrest and rendition of the “many other negroes” who had absconded to Texas before 1836. The Legislature’s Judiciary Committee turned down both his demands, arguing that legislation on the subject was unnecessary, since District County Courts were the “proper tribunals” for such questions. Cuggoe’s freedom was thereby confirmed, validating the retroactive and emancipatory effect of Mexico’s free soil.<sup>43</sup>

From the Texas Revolution to the US-Mexican War, then, the extent – if not the existence – of Mexico’s free soil and formal freedom for self-emancipated slaves continued to be debated *on paper*. This involved a wide range of actors, from Court judges in the US South to Mexican military and port officials. But even more importantly, the liberty of blacks seeking refuge from bondage in Mexico was also contested *in practice*, by threats of re-enslavement by filibusters from the US South as well as larger (geo)political conflicts (see below).

### ***Black Freedom-Seekers and their Contested Settlement in Mexico***

The experiences of escaped African Americans in Mexico gave rise to two conflicting myths, which render historical investigation problematic.<sup>44</sup> On the one hand, defenders of slavery usually portrayed the settlement of self-emancipated slaves south

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<sup>43</sup> *Journal of the Senate of Texas: Eighth Legislature* (Austin: John Marshall & Co., 1860), 159; RSPP, Petition n°11585903 (“W.E. Price to the Senate and House of Representatives of the State of Texas in session at Austin, Dec. 1859”, Records of the Legislature, Memorials and petitions, RG100, TSLAC); Harold Schoen, “The Free Negro in the Republic of Texas I”, *Southern Historical Quarterly*, v.39/4 (1936), 297. “Cudjoe” was a common Akan day name referring to Monday, see: Peter Charles Hoffer, *Cry Liberty: The Great Stono River Slave Rebellion of 1739*, (Oxford and New York: Oxford University Press, 2010), 45. Debates on the retroactivity of Mexico’s free soil did not only apply to fugitives from slavery like Cuggoe. Harriet, an enslaved woman’s daughter born in the summer of 1827 on the Brazos, successfully filed a request for her freedom at Bexar County’s District Court in 1852. The court ruled (much to the surprise of the northern press) that, like her, any children born of enslaved parents in Mexican Texas after the publication of the Constitution of Coahuila y Tejas (1827), which provided for the freedom of enslaved woman’s womb (*libertad de vientres*), and before the Texas Constitution of 1836 would be considered free. The southwestern press was concerned that the ruling, “if confirmed in the Supreme Court, will operate [...] to declare several thousands of blacks free”. *South-Western American*, 14 July 1852; *Texas State Gazette*, 17 July 1852; *The Anti-Slavery Bugle*, 28 Aug. 1852; *Christian Watchman and Reflector*, 2 Sep. 1852; *Friends’ Review; a Religious, Literary and Miscellaneous Journal*, 4 Sep. 1852.

<sup>44</sup> Jeffrey R. Kerr-Ritchie, *Freedom Seekers: Essays on Comparative Emancipation* (Baton Rouge: Louisiana State University Press, 2014), 35.

of the Rio Grande in a bleak light, as they sought to demonstrate the degradation of freed slaves in free-soil territories, the superiority of slave labor and Mexico's cultural inferiority. Indeed, to many Southerners, the Mexican borderlands were a testing ground for claims of southern civilizational superiority.<sup>45</sup> On the other hand, US abolitionists and anti-slavery proponents held a quite optimistic view of settlement across the border, stemming from Mexico's reified image as a beacon of freedom. For instance, the radical Republican and representative of the Ohio Western Reserve at the US Congress (1838-1858) Joshua Reed Giddings described the arrival of the *mascofos* in northern Coahuila as idyllic: "Mexico was free! No slave clanked his chains under its government. [...] In that beautiful climate, they found a rich, productive soil. Here they halted, examined the country, and finally determined to locate their new homes in this most romantic portion of Mexico".<sup>46</sup> Consequently, reconstituting the experiences of escaped slaves in nineteenth-century Mexico remains a difficult task, which historians have only recently begun to attempt.<sup>47</sup>

### *Reaching Black Communities along the Gulf and in Coahuila*

After the Texas Revolution, Matamoros became the main gateway to liberty for blacks seeking refuge from slavery. According to a contemporary observer in 1836, fugitive slaves numbered "between fifty and a hundred in the city", although many of them temporarily fled when the Texas commissioners sought to retrieve them after San Jacinto. Some white Southerners assumed that the port city would serve as a final destination for their runaway slaves, joining free blacks who had emigrated or been forced into exile, including manumitted slaves from Texas.<sup>48</sup> Many observers confirmed this suspicion. A settler from Nueces County, Texas, underlined that "you often meet your own property in Matamoros".<sup>49</sup> In 1842, about 300 Texans raided the borderlands of Mexico in retaliation for general Woll's northern *incursión* to San Antonio, before they were made prisoners at Mier (Tamaulipas) by general Ampudia's troops. The militiamen were later paraded along the way to Matamoros. Crowds of *vecinos* flocked to the patriotic celebration. William Preston Stapp, one of the arrested

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<sup>45</sup> Consult for instance: "Rambles about Monclova, part 1", *Southern Literary Messenger, devoted to every department of Literature and the Fine Arts*, v.21/6 (June 1855), 345-353; *The Standard*, 21 Oct. 1854. Occasionally though, slavery's apologists viewed US escaped slaves as an involuntary outgrowth of southern society that would contribute to "civilizing" Mexico: *De Bow's Review, Agricultural, Commercial, Industrial Progress and Resources*, v.29, issue 1 (Jul. 1860), 18 ("Amalgamation" by W.W. Wright).

<sup>46</sup> Joshua R. Giddings, *The Exiles of Florida: or the Crimes Committed by our Government against the Maroons, who fled from South Carolina, and other Slave States, Seeking Protection under Spanish Laws* (Columbus: Follett, Foster & Co., 1858), 325. See also: *The Methodist Quarterly Review*, v.12, Oct. 1860: 554 "The Florida Maroons".

<sup>47</sup> Nichols, *The Limits of Liberty*, ch.3, 6 and 7; Cornell, "Citizens of Nowhere".

<sup>48</sup> *Texas Sentinel*, 26 Feb. 1840; Adalberto J. Argüelles, *Reseña del Estado de Tamaulipas, 1810-1910* (Ciudad Victoria: Tip. del Gobierno del Estado, 1910), 128; R.M. Potter, "Escape of Karnes and Teal from Matamoros", *Texas Historical Association*, v.IV, n°2 (Oct. 1900), 73 and 78.

<sup>49</sup> Paul Schuster Taylor, *An American-Mexican Frontier, Nueces County, Texas* (Chapel Hill: The University of North Carolina Press, 1934), 33.



raiders, recalled seeing “the ebony visages of runaway slaves from Texas, who find refuge and protection from the philo-negrists of this place”.<sup>50</sup> Thomas Green saw “a number of negroes who had absconded from Texas”, arguing that they were doing “vastly worse” in Mexico.<sup>51</sup> When a survey of the population of Matamoros had been conducted a year earlier, local African American residents had been listed in a specific section. To be sure, not all of them were included: only men were mentioned (twenty “negros”), and the survey likely omitted the less socially and economically integrated black residents of the city’s outskirts, where black freedom-seekers often resided. The registered “negros” had been residing in Matamoros for about five years on average. Most of them were small artisans, including barbers, carpenters, masons, tailors or coachbuilders, while others worked as *labradores* and *jornaleros*.<sup>52</sup> Matamoros was an especially attractive location. First, the expanding port city’s economy required both skilled and unskilled labor. Foreign manufactured products were imported to Mexico through the Delta, while the latter provided an outlet to a flourishing commercial economy in the lower Rio Grande region (from Camargo to the Gulf), which exported cotton, leather, hides and meat, as well as lead and silver extracted from the mines of Vallecillo and Cerralvo (Nuevo León).<sup>53</sup> Second, as shown by parish records, integration into Mexican society (for instance through intermarriage) in Matamoros was accessible for people of African origin, while black freedom-seekers could count on effective social networks of support in case of necessity, as suggested by Felipe Molin’s aforementioned experience.<sup>54</sup> The residents of Matamoros “always have been deadly hostile to every American unless he is a negro or mulatto”, concluded a US consul just before the US Civil War. The black colony of Matamoros grew accordingly.

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<sup>50</sup> William Preston Stapp, *The prisoners of Perote: containing a journal kept by the author, who was captured by the Mexicans, at Mier, December 25, 1842, and released from Perote, May 16, 1844* (Philadelphia: Zieber and Company, 1845), 43; Gilberto Miguel Hinojosa, *A Borderlands Town in Transition, Laredo, 1755-1870* (College Station: Texas A&M University Press, 1983), 53-54.

<sup>51</sup> Thomas J. Green, *Journal of the Texian Expedition against Mier* (New York: Harper & Brothers, 1845), 122-124 and 431; Nichols, *The Limits of Liberty*, 73-75. Ironically, a newspaper editor from South Carolina had expressed his confidence that “if the invading army [the Somerville expedition] be promptly reinforced, much valuable property of this kind [runaway slaves] will be recovered” (*Farmers’ Gazette and Cheraw Advertiser*, 24 Jan. 1843).

<sup>52</sup> AGN, CDS, v.29, f.226, ““Negros” in Distrito del Norte, Secretaría del Gobierno de Tamaulipas, 23 Aug. 1841”; Nichols, *The Limits of Liberty*, 142-143. From the analysis of the collection of *cartas de seguridad*, many African Americans residing in Matamoros in 1841 were not registered in the census (see the Rivier family below).

<sup>53</sup> Miguel Ángel González-Quiroga, “Conflict and Cooperation in the Making of the Texas-Mexico Border, 1840-1880”, in Benjamin H. Johnson, Andrew R. Graybill, *Bridging National Borders in North America* (Durham and London: Duke University Press, 2010), 33-58; Milo Kearney, *More Studies in Brownsville History* (Brownsville: Pan American University at Brownsville, 1989), 46-47; Ernesto Garza Sáenz, *Crónicas de Camargo* (Ciudad Victoria: Universidad Autónoma de Tamaulipas, Instituto de Investigaciones Históricas, 1980), 14.

<sup>54</sup> Many African Americans intermarried with Mexicans in Matamoros and the Northeast. To name a few: Bartolo Pasement with Trinidad Farías in 1835 (Nuestra Señora del Refugio, Matamoros, Matrimonios, v 3, 66 [reel 4563845]); Melchor Valenzuela with Margarita Sierra in 1846 (Santiago Apóstol, Monclova, Matrimonios, v.4, 297 [reel 222422]); Drausin Rivier with Macedonia Bernal in 1852 (Sagrario Metropolitano, Monterrey, Matrimonios, v.6, 124 [reel 605181] [accessed: ancestry.com, 8 Oct. 2018].

The 1853 city census registered about 450 “negros” and “mulatos”, out of about 11,000 inhabitants.<sup>55</sup>

Further south along the Huasteca coastal borderlands, the port cities of Tampico and Veracruz became increasingly prominent gateways for runaways. Furthermore, after the US-Mexican War, occurrences of yellow fever declined, making them even more attractive for settlement. In addition to a colonial legacy of slavery and connection to the Black Atlantic, the maritime borderlands continued to receive black emigrants from the US South, Cuba and Caribbean islands such as the French Antilles, all of whom sought a refuge from racial exclusion throughout the nineteenth century.<sup>56</sup> From the spring of 1844 onwards, many of Cuba’s *negros expulsados* – who had been banished or emigrated voluntarily in the aftermath of a large slave revolt in Matanzas, the conspiracy of La Escalera and the ensuing crackdown on urban *libres de color* – settled at Tampico, Veracruz and Campeche, where they found employment as casual workers, artisans and shopkeepers.<sup>57</sup> Faced with a revival of racial discrimination and vigilante violence, free blacks in the Attakapas and Opelousas (Louisiana) equally contemplated removal to Mexico during the 1850s. Some formed colonies in the state of Veracruz. In 1857, African Americans from St. Landry Parish founded the Eureka colony, led by Louis Nelson Fouché. Further south, others established the Donato colony at Tlacotalpan, on the Río Papaloapan.<sup>58</sup>

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<sup>55</sup> UT(A), Benson, Despatches from US consuls in Matamoros, 1826-1906, reel 3, “Fitzpatrick to Cass, 6 Jan. 1860”; María Luisa Herrera Casasús, *Raíces Africanas en la Población de Tamaulipas* (Ciudad Victoria: Universidad Autónoma de Tamaulipas, 1998), 69-71.

<sup>56</sup> Carl C. Sartorius, *Mexico, Landscapes and Popular Sketches* (London: Trübner & Co., 1859.), 82; George F.A. Ruxton, *Adventures in Mexico, From Vera Cruz to Chihuahua in the days of the Mexican war* (Oyster Bay: N. Doubleday, 1915), 36; Alexandre Barde, *Histoire des comités de vigilance aux Attakapas* (Saint-Jean-Baptiste: Imprimerie du Meschacébé et de l'Avant-Coureur, 1861), 336-338; Waddy Thompson, *Recollections of Mexico* (New York and London: Wiley and Putnam, 1846), 5; José Enrique Covarrubias, *Visión Extranjera de México, 1840-1867* (México: UNAM/Instituto Mora, 1998), v.1, 72. On black people from the French Antilles in Mexico, see for instance: AGN, CDS, v.85, f.463, “23 Feb. 1850, Légation de France au Mexique, Certificat de nationalité française à Auguste Médéric, nègre” and f.520, “25 Feb. 1850, Légation de France au Mexique, Certificat de nationalité française à Pierre Moris, nègre”.

<sup>57</sup> AGN, Movimiento Marítimo, 12/4 (1844). See in particular the ship manifests of the schooners *Dos Hermanas*, *Adela* and *Carmen*. Albert Gilliam witnessed at Tampico “the arrival of some twenty to thirty free exiled negroes from Havana” which, in his opinion, “elicited much attention”. Albert M. Gilliam, *Travels Over the Table Lands and Cordilleras of Mexico, During the Years of 1843 and 1844* (Philadelphia: J.W. Moore, 1846), 355. Michele Reid-Vásquez, *The Year of the Lash: Free People of Color in Cuba and the Nineteenth-Century Atlantic World* (Athens: University of Georgia Press, 2011), 68-97. Many of the Cuban *negros expulsados* declared their professions to be “labrador”, “lavandera”, “carbonero”, “carpintero”, “acerrador”, “zapatero”, “sastre”, “falabastero”, “platero”, “albañil”, “calderatero”, “vendedor de ropas”.

<sup>58</sup> Cornell, “Citizens of Nowhere”, 372; Rachel Adams, *Continental Divides: Remapping the Cultures of North America* (Chicago and London: University of Chicago Press, 2009), 71; Mary Niall Mitchell, *Raising Freedom’s Child: Black Children and Visions of the Future after Slavery* (New York and London: New York University Press, 2010), 29; Schwartz, *Across the Rio to Freedom*, 40-43; Sidney J. Lemelle, “The “Circum-Caribbean” and the Continuity of Cultures: the Donato Colony in Mexico, 1830-1860”, *The Journal of Pan African Studies*, v.6, n°1 (July 2013), 65.

Refugees from slavery settling on the Caribbean coast were almost undistinguishable from other countless black residents, and were sheltered – geographically and demographically – from Texan filibusters.<sup>59</sup> For instance, on Veracruz’s coast at the close of the eighteenth century, the vast majority of Tamiahua’s population was composed by free *pardos* dedicated to fishing, soldiering and subsistence cultivation. Some of them were descendants of fugitive slaves who had been illicitly smuggled through the Panuco and Tuxpan rivers or had survived from shipwrecks. Given this fact, it is unsurprising that when a slave ship ran aground near Cabo Rojo (Veracruz) in 1858, at the extremity of Tamiahua’s lagoon, local officials rushed to support the smuggled bondspeople. *Licenciado* Ramón María Nuñez and Ozuluama’s *Jefe Político* endeavored to rescue them from their enslavers (the outcome of which remains unknown) by emphasizing the free-soil provision of the 1857 federal Constitution.<sup>60</sup> Mexican civilian and military administrations along the Gulf coast became staunchly attached to the defense of free soil, especially after the treaty of Guadalupe Hidalgo. In August 1855, John T. Pickett, US consul at Veracruz, underlined that “there [were] here a number of refugiated negro slaves from the States of Louisiana, Texas [...] banished from the United States”, but considered by the local authorities as “worthy and peaceful Mexican citizens”.<sup>61</sup> Some years later, in a letter to Jefferson Davis, he recalled that “during [his] long residence as US consul at Veracruz, [he] never succeeded in reclaiming by intervention of local authority a single negro deserter”, while he “scarcely ever failed to have the white sailor returned promptly”, thus providing proof that “Mexico [was] thoroughly abolitionized”.<sup>62</sup>

Besides an almost complete protection from re-enslavement, black refugeeseekers along the Gulf seemingly did not face significant objections to their social integration. Between Huamantla and Orizaba, a North American traveler met a black driver named Sam, previously from Texas, who asserted that escaped slaves from the Lone Star State and Louisiana often intermarried with local Mexicans and European immigrants.<sup>63</sup> Furthermore, in continuity with the colonial era – when militias of *pardos* represented an essential component of New Spain’s coastal defense –

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<sup>59</sup> For instance, a US army lieutenant, Daniel Harvey Hill, argued that “a large portion of the Vera Cruz population is made up of negroes, presenting all the distinctive features, habits and manners of the negroes in the United States”. Nathaniel Cheairs Hugues Jr., Timothy D. Johnson (ed.), *A fighter from way back: the Mexican War Diary of Lt. Daniel Harvey Hill, 4th artillery, USA* (Kent, Ohio: The Kent State University Press, 2002), 95.

<sup>60</sup> Filiberta Gómez Cruz, “La Población Afrodescendiente de la región de Tamiahua: la Pesca y la Resistencia a tributar a finales del Siglo XVIII”, *Ulua*, 19 (2012), 147-164; María Herrera Casasús, *Presencia y Esclavitud del Negro en la Huasteca* (México: Porrúa, 1989), 25-26 and 70; Raymond A. Hall, *An Ethnographic Study of Afro-Mexicans in Mexico’s Gulf Coast: Fishing, Festivals and Foodways* (Lewiston: Edwin Mellen Press, 2008), 28-31.

<sup>61</sup> UT(A), Benson, Despatches from US Consuls in Veracruz, 1822-1906 (microfilm), reel 6, “Pickett to Arzamendi, 12 Aug. 1855”.

<sup>62</sup> LOC, Confederate States of America Records (online), reel 5 (microfilm edition), [https://www.loc.gov/item/mss16550005/, accessed 30 April 2018], f.177-193, “Pickett to Davis, 11 Jan. 1864” (quotes: f.189).

<sup>63</sup> Edward Taylor, *Anahuac: or Mexico and the Mexicans, Ancient and Modern* (London: Longman, Green, Longman and Roberts, 1861), 36 and 307-308.

professional and volunteer soldiering became such a common occupation for self-emancipated men that rumors spread throughout the US that the latter were “immediately seized and enrolled in the Mexican army”.<sup>64</sup> Foreign travelers underscored the presence of black people in the Mexican armies and militias, such as Robert A. Wilson, who met “one of them [who] held the post of captain”.<sup>65</sup> While Mexican natives generally met military recruitment with reluctance, for black asylum-seekers, a military career could represent a shortcut to social integration and formal freedom, as Sarah Cornell has convincingly argued.<sup>66</sup> With the support of high-ranking officials, about fifty black people from New Orleans – locally known as “*los Orleaneses*” – requested their naturalization following the US-Mexican War, “as a compensation for the sacrifices that [they] had made” for Mexico during the conflict.<sup>67</sup>

Escaped slaves also settled in another significant African American community in Coahuila established by *mascosos* originally from the US in the wake of the US-Mexican War.<sup>68</sup> Migrating from the Indian Territory to Mexico alongside Seminoles and Kickapoos in 1850, the exiled *mascosos* formally negotiated their settlement with Mexican borderland officials in exchange for military service, a policy of refuge resembling Spanish Florida’s approach to runaways from the British colonies.<sup>69</sup> El Moral, between Piedras Negras and the *colonia* of Monclova Viejo, became their first

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<sup>64</sup> Stapp, *The Prisoners of Perote*, 43; *New Orleans Daily Crescent*, 1 Nov. 1854; Ben Vinson III, *Bearing Arms for His Majesty: Free-Colored Militia in Colonial Mexico* (Stanford: Stanford University Press, 2002).

<sup>65</sup> Robert A. Wilson, *Mexico and its religion: with incidents of travel in that country during parts of the years 1851-52-53-54, and historical notices of events, connected with places visited* (New York: Harper & Brothers, 1855), 311.

<sup>66</sup> *Periódico Oficial del Estado de Durango. El Registro Oficial*, 27 Sep. 1846; Cornell, “Citizens of Nowhere”, 368; Timo Schaefer, “Citizen-Breadwinners and Vagabond-Soldiers: Military Recruitment in Early Republican Southern Mexico”, *Journal of Social History*, v.46, n°4 (2013), 953-970.

<sup>67</sup> AGN, CDS, v.130, f.174-175, “Díez de Bonilla to Gobernador de Querétaro, 1 Aug. 1853”; f.178-81, “Dupuis to Prefecto de San Juan del Río, 22 July 1853”; *ibid.*, v.145, f.298-300, “Oficio del Gobierno de Querétaro a Manuel Díez de Bonilla” and “Carta de seguridad y filiación de Francisco Dupnis [sic], español, 1 Aug. 1853”; *ibid.*, v.29, f.212-226, “Gobierno de Tamaulipas to Sebastián Camacho, Ministro de Relaciones Exteriores, 23 Aug. 1841”; Nichols, *The Limits of Liberty*, 77-78.

<sup>68</sup> The *mascosos* were descended from enslaved people who had escaped from the British colonies and joined Seminole Natives in Spanish Florida during the eighteenth century. Following Florida’s annexation by the US in 1821, the Seminoles were first forced to decline accepting new runaways (1823), before the federal government ordered their removal to the Indian Territory (Indian Removal Act of 1830, Treaty of Payne’s Landing in 1832). Resistance to these injunctions sparked the Second Seminole War (1835-1842). After being defeated, the Seminoles were forced to cohabit with Creek Natives in the Indian Territory, who often enslaved them. Aware that they were seeking refuge outside of the US, the Mexican authorities had made official contact with the Seminoles and their black allies as early as 1843.

<sup>69</sup> In the wake of the US-Mexican War, the Mexican federal state launched overarching reforms, especially concerning its northeastern border. A Department of Colonization was established (1848), which emphasized the settlement of *terrenos baldíos* (empty lands) in the northern borderlands. Border defence underwent substantial reforms as well. Abandoning the old presidial system, a new plan of military colonies for northern Mexico was laid out, which included the formation of seven *colonias* on its eastern front.

settlement in Coahuila. By the end of 1851, the Seminoles and *mascofos* had received four *sitios de ganado mayor* formerly pertaining to the Sánchez Navarro family (although abandoned for a long time due to Native American incursions) as a reward for their military service against Comanches and Apaches. The Black Seminoles settled at Nacimiento de los Negros, near Múzquiz (or Santa Rosa), where they soon began planting maize and sugarcane, partially converted to Roman Catholicism and hispanicized their names.<sup>70</sup> From the outset, the *mascofo* community constituted a source of annoyance for Texas slaveholders. As lieutenant Duff C. Green put it, the settlement was “very injurious to the slave interests of Texas, as runaways will always find a safe home”.<sup>71</sup> Some self-emancipated slaves already in Mexico as well as new runaways joined the Black Seminoles, benefitting from some of the rights they had negotiated with the Mexican authorities for their settlement, such as land, instruments for cultivation and religious and school instruction. However, white southerners routinely exaggerated the community’s magnetic effect on fugitive slaves. In October 1851, a Texan returning from the Mexican borderlands falsely assessed the number of escaped slaves from Texas among the *mascofos* as being 500, an inaccuracy given that the black colony itself did not amount to such a population.<sup>72</sup>

As the closure of official channels for the rendition of escaped slaves in Mexico became each year more evident, especially after 1848, Southwestern slaveholders often launched armed expeditions across the Mexican border to retrieve runaways with the explicit support of Texas government officials and southern public opinion. In 1859, an editor in western Texas openly encouraged “bold and enterprising men in our State” to violate Mexican sovereignty by organizing a large party aimed at crossing the border to “bring away the large number of fine likely runaways known to be not far over the line, forming a pretty respectable African colony”.<sup>73</sup> Many slaveholders felt empowered by such discourses. When the final report of a “Committee of Investigation” regarding border incidents since the US-Mexican War commissioned by the Mexican government was released in 1873, it documented only three cases of abduction of

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<sup>70</sup> UT(A), Briscoe, SA, XLV, 1-194. For more on the *mascofo* migration to Mexico: Kenneth W. Porter, *The Black Seminoles: History of a Freedom-Seeking People* (Gainesville: University Press of Florida, 1996), 124-162; Kevin Mulroy, *Freedom on the Border: the Seminole Maroons in Florida, the Indian Territory, Coahuila and Texas* (Lubbock: Texas Tech University Press, 1993), 52-107; Martha Rodríguez, *Historias de Resistencia y Exterminio: los Indios de Coahuila durante el Siglo XIX*, (México: CIESAS-INI, 1995), 97-111; Gabriel Izard Martínez, “De Florida a Coahuila: el grupo Mascogo y la presencia de una Cultura Afrocriolla en el Norte de México”, *Humana del Sur*, n°3 (2007), 13-24; Eduardo Enríquez Terrazas, José Luis García Valero, *Coahuila: Textos de su Historia* (Saltillo: Gobierno del Estado de Coahuila, 1989), 137-143.

<sup>71</sup> Duff C. Green (ed. Ronnie C. Tyler), “Exploring the Rio Grande: Lt Duff C. Green’s Report of 1852”, *Arizona and the West*, v.10, n°1 (Spring 1968), 60.

<sup>72</sup> *The Baltimore Sun*, 6 Oct. 1851; Shirley Boteler Mock, *Dreaming with the Ancestors: Black Seminole Women in Texas and Mexico* (Norman: University of Oklahoma Press, 2010), 72; Mulroy, *Freedom on the Border*, 61; Obadele-Starks, *Freebooters and Smugglers*, 104; Kerrigan, “Race, Expansion, and Slavery”, 283; Porter, *The Black Seminoles*, 150-151. By May 1852, the total population of Nacimiento included 272 individuals, according to the alcalde of Múzquiz: *El Universal*, 9 May 1852.

<sup>73</sup> *New Orleans Daily Crescent*, 14 Feb. 1859, “How to get them back” (original article: *San Antonio Herald*).

African Americans, but countless others were omitted.<sup>74</sup> Slaving raids usually involved small and mobile groups of white slaveholders or mercenaries, although sometimes Native Americans roamed the Mexican borderlands looking for runaways as well, such as two Choctaws who chased a fugitive black man into Mexico during the summer of 1858 before returning empty-handed.<sup>75</sup> These expeditions preyed indiscriminately upon all African Americans regardless of their legal status or nationality. In 1855, a Mexican citizen named Enrique Sánchez was abducted as an escaped slave near Brownsville and transferred to Galveston for sale at public auction, before the Mexican consul at Brownsville managed to free him after seventeen days of detention.<sup>76</sup>

After the US-Mexican War, the magnitude, organization and audacity of slaving raids against black communities in Mexico's Northeast significantly increased. In early November 1851, with the support of Texas governor Peter H. Bell and US Indian agent Marcellus Duval, filibuster Warren Adams gathered troops to attack Monclova Viejo, as well as Morelos and San Fernando de Rosas (two other significant black settlements), "for the purpose of recapturing runaway slaves". Seventeen mercenaries were already camping near Leona, ready to cross the river at any moment. Mexican troops assembled to repel the assailants, after Mexican border soldiers led by Danish-born sub-inspector Edvard Emil Langberg received intelligence from Fort Duncan's colonel Morris. A force of about 150 men was raised, composed by volunteers from the nearby towns of Rosas, Morelos, Allende, Gigedo, Guerrero and Nava. Although they defeated the filibustering company's foray into Coahuila, Adams and his men still managed to abduct an entire family of runaways near Múzquiz, despite the armed assistance of about thirty-five residents to the refugees.<sup>77</sup> Rumors of an invasion by 400 men agitated northern Mexico in 1854, but proved to be a false alarm, unlike the expedition led by James H. Callahan in October 1855.<sup>78</sup> Prior to the Callahan Raid, attempts to negotiate the recovery of escaped slaves between a party of western Texas residents and Langberg had failed, as governor Vidaurri was unwilling to discuss

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<sup>74</sup> *Reports of the Committee of Investigation sent in 1873 by the Mexican Government to the Frontier of Texas* (New York: Baker & Godwin, 1875), 178; Gastón García Cantú, *Las Invasiones Norteamericanas en México* (México: Serie Popular Era, 1980). For an exhaustive analysis of these raids: Nichols, *The Limits of Liberty*, 147-169. However, following Kyle Ainsworth's recent quantitative research on instances of capture, self-emancipated slaves still enjoyed a relatively larger chance of avoiding arrest once in Mexico compared to those remaining in Texas. Ainsworth "Advertising Maranda", in Pargas (ed.), *Fugitive Slaves and Spaces of Freedom in North America*, 220-223.

<sup>75</sup> *The Weekly Telegraph*, 11 Aug. 1858.

<sup>76</sup> SRE, AEMEUA, 46/11, f.45-46, "Erdozain to Ministro Plenipotenciario, 31 Dec. 1855".

<sup>77</sup> SEDNA, L-3254, f.2-13, 16 and 19-25; SRE, LE 1593, "Invasiones de los Indios Bárbaros de los Estados Unidos de América a México, Estudio de las Reclamaciones por la Comisión Pesquisidora de la Frontera del Norte"; Emilio Langberg, *Itinerario de la expedición San Carlos a Monclova el viejo hecha por el coronel d. Emilio Langberg* (Chihuahua: 1852), Días 2-3 and 10 (Noviembre 1851); *El Siglo XIX*, 15 Aug. 1851 and *El Universal*, 17 Aug. 1851 (original article from *Eco de Veracruz*, 10 Aug. 1851); *National Era*, 4 Sep. 1851; *La Patria*, 22 Nov. 1851; *El Constitucional*, 6 Dec. 1851; Porter, *The Black Seminoles*, 141-142; Mulroy, *Freedom on the border*, 69-70.

<sup>78</sup> SEDNA, L-4562; AGE, FSXIX, c.8 f.7 e.9 "Gobierno de Coahuila to Ministro de Gobernación, 5 Oct. 1854".

extradition with private citizens. Callahan, commissioned by Texas governor Elisha M. Pease to police the borderlands, was more receptive to their claims. On 1 October, 111 Texas Rangers crossed the border near Eagle Pass claiming to be pursuing Lipan Apaches. Mexican militiamen – seeing the column as an invading force violating Mexican sovereignty – repelled Callahan’s crew at Río Escondido two days later. In their retreat to Texas on 6-7 October, the Rangers looted and burned Piedras Negras.<sup>79</sup> Historians continue to debate whether the raid’s goal was to crack down on Lipans or rather to recover escaped slaves. An enigmatic letter from Callahan to Edward Burleson suggests that some members of the expedition were attracted by the promise of spoils in the form of slaves, and that private arrangements to this effect may have been agreed prior to the raid, although the sources provide no definitive evidence.<sup>80</sup> What seems clearer, however, is that contemporaries on both sides of the river perceived enslaving black freedom-seekers as a key factor for the expedition. Lawyer George S. Denison from San Antonio recounted how some of his acquaintances, “confident of having great spoils to divide”, decided to take part in the expedition.<sup>81</sup> Across the river, the interpretation was no different, as several testimonies of *vecinos* of Guerrero suggest. Militiaman Evaristo Madero claimed that he had found a diary lost by a Ranger during the battle of Río Escondido stating his intention to abduct “as many negroes he could”, which Madero judged to be “what they really wanted”. Pablo Hernández, a *lavrador*, likewise recalled asking a shopkeeper the object of the invasion, who without hesitation replied: “to catch the negroes of Santa Rosa”.<sup>82</sup>

### *Forming New Beacons of Freedom*

While many self-liberated slaves reached areas which already hosted significant black communities, others formed new beacons of freedom for themselves from scratch, especially in the northeastern borderlands. By contrast with the Gulf, nascent black communities emerged almost *ex nihilo* in the borderlands as a result of the settlement of enslaved refuge-seekers from the US South. In June 1855, the *Southern Literary Messenger* published the “Rambles about Monclova” of a former participant in the US-Mexican War. The town’s large African American population, most of them “probably runaways from Texas”, caught the attention of the observer, being an “element not common to Mexican towns”, in his opinion.<sup>83</sup> Likewise, the looted town of Piedras

<sup>79</sup> SEDNA, L-5538; *Boletín Oficial*, 8 and 19 Oct. 1855; LOC, Frederick Law Olmsted Papers, General Correspondence, 1838-1928, “Douai to Olmsted, 23 Oct. 1855”; Ronnie C. Tyler, “The Callahan Expedition of 1855: Indians or Negroes?”, *The Southwestern Historical Quarterly*, v.70/4 (April 1967), 574-585; Schwartz, *Across the Rio to Freedom*, 34-36; Michael L. Collins, *Texas Devils: Rangers and Regulars on the lower Rio Grande, 1846-1861* (Norman: University of Oklahoma Press, 2008), 73-76 and 79-88; Nichols, *The Limits of Liberty*, 196-203.

<sup>80</sup> UT(A), Briscoe, Edward Jr. Burleson Papers, Box 2B158, “Callahan to Burleson, 31 Aug. 1855”.

<sup>81</sup> LOC, George S. Denison Papers, “Denison to his mother, 1 July 1855”.

<sup>82</sup> UT(A), Briscoe, SA, XLVI, 128-156.

<sup>83</sup> *Southern Literary Messenger*, devoted to every department of literature and the fine arts, v.21/6 (June 1855), 345-353, “Rambles about Monclova, part 1”. In Monterrey (Nuevo León), an escaped slave cook from South Texas became known as “don Dionisio de Echevarría” (likely the name of his protector), according to Eagle Pass resident and Young America’s advocate Jane

Negras, founded after the US-Mexican War just across Eagle Pass, had by the time of the Callahan Raid become a haven for refugees from slavery, alongside numerous other fugitives who “could not drink water on the other side”, as a contemporary resident of San Antonio put it.<sup>84</sup> But the presence of escaped slaves in northern Coahuila was not new. During the early 1840s, for instance, an informal settlement of fugitive slaves existed seven miles away from San Fernando (Zaragoza, Coahuila), adjacent to nearby Cherokee communities who had migrated from the Indian Territory to Mexico.<sup>85</sup> Piedras Negras was mainly inhabited by casual laborers, herders, carriers and *carreteros* engaged in the transit trade for cotton, corn, wool, lead, hides and manufactured goods between Texas and northern Mexico, living mostly in precarious *jacales*, *chamacueros* and *soterraneos*. Before the raid, Frederick L. Olmsted encountered many escaped slaves on the streets of Piedras Negras. In April 1854, he conversed with a Virginia-born self-emancipated slave, a mechanic once forcibly brought to Texas by a trader. The refugee stressed that at least forty fugitive slaves had reached Piedras Negras over the previous three months. Having been in Mexico for at least four years, he was employed alternatively as a muleteer and servant, “could speak Spanish fluently” and had converted to Roman Catholicism, therefore seeming “very well satisfied with the country”, notwithstanding his nostalgic desire “to see old Virginia again”. His testimony, along with discussions with Mexican witnesses and foreign travelers, convinced Olmsted that most enslaved asylum-seekers in Mexico “could live very comfortably”. They prospered through trade, intermarried with the local Mexican population and saw “their rights as fully protected as if they were Mexicans born”. According to Olmsted, however, other escaped slaves, being less fortunate, hard-working or skilled, soon found themselves with “nothing to live upon”.<sup>86</sup>

Most self-emancipated slaves who settled in the borderlands worked as craftsmen or domestic servants (*criado/a*). African Americans often performed domestic service in the borderlands, such as Melchor Valenzuela, the servant of a certain Bernardo Baker at Mier, Tamaulipas. The eminent *vecinos* Evaristo Madero and Bruno García, in Guerrero, were known to employ self-emancipated enslaved people such as Juan Pérez and Manuel Wones as domestic servants (“*sirvientes a sueldo y ración*”) during the late 1850s. In rural areas, fugitives often sought refuge in *ranchos*

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McManus Cazneau. Cora Montgomery (Jane McManus Cazneau), *Eagle Pass: or Life on the Border* (New York: Putnam, 1852), 138-140; William T. Kerrigan, “Race, Expansion and Slavery in Eagle Pass, Texas, 1852”, *The Southwestern Historical Quarterly*, v.101 (July 1997-April 1998), 292.

<sup>84</sup> SRE, AEMEUA, 204/6, American and Mexican Joint Commission, n°679, Pedro Tauns vs. The United States: Arguments for the United States, Depositions of Adelaida Van, James B. Ricketts, Amos O. Strickland, Edmund W. Wallace and George W. Brackenridge.

<sup>85</sup> Nichols, “The Limits of Liberty”, 192.

<sup>86</sup> Frederick Law Olmsted, *A Journey through Texas: or a Saddle-Trip on the Southwestern Frontier* (New York: Edwards & Co., 1857), 323-329; Nichols, *The Limits of Liberty*, 125-127; Kelley, “Mexico in his head”, 717. Catholicism continued to facilitate integration into local Mexican societies. See for instance the request for *amparo* by “José” in China (Nuevo León): TBL, AMC, reel 579, “Juzgado de Paz de China to Prefecto del Distrito de Cadereyta Jiménez, 31 Aug. 1844”.



dedicated to husbandry and *haciendas* that produced wheat, maize, cotton, beans, agave and sugarcane, working as low-skilled *jornaleros* and *labradores*, such as Antonio, a slave refugee employed in the *rancho* “La Sanguijuela”, located three *leguas* away from Guerrero. Entire families of escaped slaves were sometimes found, such as the Henderson family (comprised of a couple and their four children) in a *rancho* belonging to Juan Longoria Tijerina near Reynosa, Tamaulipas.<sup>87</sup>

African Americans scattered through the northeastern borderlands seemed more exposed to re-enslavement than black freedom-seekers in larger black communities (including the Black Seminole settlement). In November 1852, two foreigners (named in Mexican sources as “Yoche Gitim” and “Hebrain Morrell”) tricked Julián Sombra, a black man living in Saltillo, into following them to the military colony of Río Grande under the false promise of a contract as soldier. Instead, the two men forcibly removed Sombra across the Río Grande through the Pachuache Pass, a well-known crossing point for both runaways and slave-hunters about six miles northeast from Guerrero, as landholder José Rodríguez witnessed. Fortunately, Julián managed to escape from his kidnappers back to the Mexican side.<sup>88</sup> Throughout the borderlands, in places where black communities were either inexistent or emerging, slave refugees were relatively more isolated, and forging local networks of support and *compadres* seemed therefore more essential to securing freedom than along the Gulf coast, as a closer look at El Paso del Norte suggests.<sup>89</sup> An increasing number of black asylum-seekers settled in the border town from the mid-1840s onwards. Two slave refugees who had fled from the Cherokees enlisted in the municipal volunteers units, who defended the town against Apache attacks during the autumn of 1846, while others reportedly fought alongside James Kirker, a scalp-hunter commissioned by the state of Chihuahua.<sup>90</sup> In the *villa*, those who did not escape with relatives or had

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<sup>87</sup> SRE, CPN, c.3, e.13, f.1-13 “Justo Treviño, Juzgado de 1a instancia del distrito del norte de Tamaulipas to Comisión Pesquisidora del Norte, 13 Jan. 1873”. Through focused on abductions, the aforementioned files of the Commission provide less visible and spectacular information on the economic and social networks developed by escaped slaves in the *villas del norte*. SRE, AEMEU, 32/3, f.15-19; SRE, LE 1596, f.112-114, “Alcalde Primero de Guerrero to Prefectura de Río Grande, 28 March 1859 and 15 April 1859”; AGEC, FSXIX, c.2 f.10 e.2, “Espinoza to Alcalde Primero de Guerrero, 18 April 1859” and c.4 f.1 e.13 “idem, 12 Sep. 1859”; Nichols, “The Limits of Liberty”, 188.

<sup>88</sup> SRE, LE 1595, f.95, “Presidencia del Ayuntamiento de Guerrero to Gobierno de Coahuila, 21 June 1851” and f.123 (“idem, 12 Nov. 1852”); LOC, AMG (microfilm), c.5, e.138, “Serapio Frago to Presidente de Guerrero, 11 Dec. 1852”.

<sup>89</sup> Many African Americans hispanicized their names in Northern Mexico, such as “Miguel Cooper” or “Miguel Copano” in Cadereyta Jiménez (Nuevo León): TBL, AMC, reel 579, “Gobierno de Nuevo León to Alcalde primero de Cadereyta Jiménez, Monterrey, 21 Jan. 1850”; AGN, CDS, v.85, f.99, “Gobierno de Nuevo León, 27 Jan. 1850, on Juan Anderson and Miguel Cooper”. On local networks of support and “membership from below” to Mexican society: Cornell, “Citizens of Nowhere”, 366-373; Omar Valerio-Jiménez, *River of Hope: Forging Identity and Nation in the Río Grande Borderlands* (Durham: Duke University Press, 2013), 228.

<sup>90</sup> George F. A. Ruxton, *Ruxton of the Rockies* (Norman: University of Oklahoma Press, 1950), 162; Ralph A. Smith, “The Scalp Hunter in the Borderlands, 1835-1850”, *Arizona and the West*, v.6, n°1 (1964), 7. In 1853, Green, “a tall black” also escaped to El Paso from a party of Cherokees travelling to California after “he quarrelled with some of the company”, before he was re-enslaved back to San Antonio and then Bastrop (*Tri-Weekly State Times*, 6 Dec. 1853).

previously lost all family ties through forced migrations sometimes created new families with Mexican *fronterizos*. In 1850, with the complicity of some officers at Fort Duncan, a slaveholder from Brenham retrieved one of his slaves who had absconded to the city and married a Mexican woman, confronting the man's new family-in-law in the process. A year later, the abducted refugee escaped again from Brenham with other bondsppeople and returned to the town.<sup>91</sup> Thus, even as far as El Paso del Norte, self-liberated bondsppeople always lived on the verge of re-enslavement and relied on their local community's support. Traveler Albert D. Richardson recalled witnessing a fierce conflict during the autumn of 1859 between locals and some Texans who were attempting "to carry back an alleged fugitive after the alcalde had tried the case and declared the negro free". As escaped slaves generally "found sympathy and refuge" in El Paso del Norte, local residents and filibusters exchanged "a good deal of random shooting". This time though, the slaving expedition was defeated, and its members arrested and fined.<sup>92</sup>

The often welcoming attitude of Mexicans towards African Americans in the borderlands frequently provoked astonishment and reprobation among white southerners.<sup>93</sup> However, several developments threatened to undermine the relationship between local Mexicans and self-liberated African Americans. In 1855, commandant Langberg contended that Mexican borderlanders had begun to resent the presence of escaped slaves due to the perpetual insecurity generated by raids.<sup>94</sup> Additionally, as stressed by Nichols, Mexican residents and authorities began to resent the involvement of some black freedom-seekers in smuggling activities along the border, such as the band of horse and cattle rustlers (*abigeos*) led by the "negro Francisco" and "others of the same color", active between Piedras Negras and Guerrero during the early 1850s. Escaped slaves who had settled among *mascofos* had a notorious reputation as *abigeos*. By the end of the decade, governor Santiago Vidaurri recommended that the Black Seminoles should distance themselves from them.<sup>95</sup> Some African Americans around Múzquiz seemed so poorly integrated into formal socioeconomic structures that local officials described them as "drawn to vagrancy and vice" ("*entregados a la vagancia y a los vicios*"), suspecting them of petty

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<sup>91</sup> SRE, AEMEUA, 32/2, f.235-240, "De la Rosa to Ministro de Relaciones Exteriores, 21 July 1850"; *LaGrange Monument*, 8 Jan. 1851; Obadele-Starks, *Freebooters and Smugglers*, 124; Nichols, *The Limits of Liberty*, 138.

<sup>92</sup> Albert D. Richardson, *Beyond the Mississippi: from the Great River to the Great Ocean, Life and Adventures on the Prairies, Mountains and Pacific Coast* (Hartford: American Publishing, 1867), 244.

<sup>93</sup> See for instance: Josiah Gregg, *Commerce of the Prairies: or, the Journal of a Santa Fé trader, during Eight Expeditions across the Great Western Prairies, and a Residence of Nearly Nine Years in Northern Mexico* (Philadelphia: J.W. Moore, 1851 [1844]), v.2, 91. Teresa Viele also wrote that "this admiration for negroes somewhat disgusted [her] with the Mexicans". Teresa Viele, (ed.) Sandra L. Myres, *Following the Drum, a Glimpse of Frontier Life* (Lincoln: University of Nebraska Press, 1984), 158.

<sup>94</sup> *El Ómnibus*, 7 Nov. 1855.

<sup>95</sup> AGECE, FSXIX, c.8 f.1 e.1, "Jesús Castillo to Secretario de Gobierno, 1 Aug. 1851"; LOC, AMG, c.5, e.54, "Fragoso to Presidente Municipal de Guerrero, 15 Aug. 1851"; Porter, *The Black Seminoles*, 156; Nichols, *The Limits of Liberty*, 135-136.

theft. The state government recommended that the municipal authorities strive to set them on the “path of morality” (that is, to subsist from their own work), or to otherwise take “energetic measures” (“*enérgicas providencias*”) against them. At the same time, rumors spread that black colonists living in central Coahuila were to be removed to Mazatlán on the Pacific coast, under the joint pressure of both Seminoles and local Mexicans.<sup>96</sup>

Considering the increasing boldness of slaving raids in the immediate borderlands combined with the defiance they sometimes inspired among local authorities and residents, it is unsurprising that many escaped slaves “[began] to feel insecure near the borders of the United States” and opted instead to settle far away from the border.<sup>97</sup> In September 1846, traveler George F.A. Ruxton “was accosted by a negro, a runaway slave from the United States”, who was now employed as a cook in Aguascalientes.<sup>98</sup> Like him, other escaped slaves “who have got far into the interior are said to be almost invariably passably well”.<sup>99</sup> After 1836, the changing nature of land and maritime transportation also served to expand the scale of settlement of escaped slaves. Self-emancipated slaves ventured as far as the Pacific coast of Mexico, as suggested by James Williams’s experience. Born a slave in Maryland, James was thirteen when he absconded to Pennsylvania in 1838. Following the passage of the Fugitive Slave Act of 1850, he left for California, attracted both by the Gold Rush and prospects of racial tolerance, just like many other African Americans who sought better fortune in the west.<sup>100</sup> Sailing via Panama, James arrived in San Francisco in May 1851. He settled for some time in Sacramento before mining at Kelsey’s Diggins. Back in Sacramento, he “bought out the goodwill and fixtures of a large restaurant”. Nonetheless, James got into trouble after enticing an enslaved woman away from her enslaver. For this reason, he was forced to leave for San Francisco, where “a party of Missourians” attacked him. In 1852 (incidentally the very year that California passed its own Fugitive Slave Law, despite formally constituting a free state), James sailed from California to Guaymas (Sonora) on the Mexican Pacific coast. In the port city, he “was robbed by a woman” while resting in bed and spent “some three or four weeks without any means at all to depend upon”. He managed to get a passage to Mazatlán (Sinaloa), further south, where “all [he] had to live on was a sixpence a day”, which he obtained

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<sup>96</sup> YU, Beinecke, LAGP, Box 5, Cuarta Época de Apuntes y Noticias para la historia de Coahuila 1850-1873, 2/2, “Gobierno [...] de Nuevo León y Coahuila to Primera Autoridad Política de Múzquiz, s.f. 1856”. On *abigeato*: Octavio Herrera Pérez, *Breve Historia de Tamaulipas* (México: Colegio de México, 1999), 161-163.

<sup>97</sup> *The South-Western*, 7 Nov. 1855.

<sup>98</sup> Ruxton, *Adventures in Mexico*, 143. After the Texas Revolution, the presence of black freedom-seekers in central Mexico became more common. In the village of Lagos (Guanajuato), traveller Albert Gilliam, in 1843-1844, “found an American negro at the Casa de la Diligencia”, a former servant named Simon, a native from Louisiana, whose “English was very broken, like that of a Frenchman”. Now in Mexico, Simon was grinding the organ to make a living, after an Italian had taught him, “travelling through Mexico with that instrument”. Gilliam, *Travels Over the Table Lands and Cordilleras of Mexico*, 43.

<sup>99</sup> Olmsted, *A Journey through Texas*, 323-324.

<sup>100</sup> Asa Bement Clarke, *Travels in Mexico and California* (Boston: Wright & Hasty, 1852), 36; Bayard Taylor, *Eldorado, or Adventures in the Path of Empire* (New York: Putnam, 1860), 38.

by begging from sailors. Continuously under the threat of arrest by local police on charges of vagrancy, James left for Talcahuano (Chile) before returning to San Francisco during the fall of 1853, subsequently working between California and Nevada as a wage laborer in mines, as the owner of a restaurant and a junk shop, and even as an express wagon driver.<sup>101</sup>

### *Defending fugitive slaves in Mexico's Northeast*

Beyond a mere nominal commitment to free-soil policy, Mexican state and borderlands officials after 1848 usually sought to protect slave refugees in three ways: by tolerating their settlement despite their lack of requisites for legal residency; by defending them from raiders seeking to re-enslave them; and by relocating them for, ostensibly, better living conditions and personal safety.

As it became evident that US officials in Mexico would not consent to deliver nationality certificates to self-emancipated slaves, many Mexican officials turned a blind eye to the fact that most US slave refugees did not carry (and even did not seek to obtain) *cartas de seguridad* – just like many other foreigners – although some were exceptionally fined or jailed for this reason.<sup>102</sup> They thus forged a state of legal exception for many self-emancipated slaves. This informal freedom enabled many of the latter to evade the duties associated with Mexican citizenship, such as taxation and militia service.<sup>103</sup> Most municipal authorities *de facto* exempted former slaves from applying for *cartas de seguridad*, such as the *alcalde* of Nadadores (Coahuila) did for three fugitives in 1853.<sup>104</sup> Other officials sometimes automatically sent *cartas* to enslaved asylum-seekers in exchange for (military) services. Eight slave refugees who had reached Matamoros in September 1843 were *ipso facto* granted *cartas* (without any fees) the following year at the initiative of the *Prefectura del Norte de Tamaulipas*, as a recompense for their service in the National Guard, and in view of the fact that “they [were] of low color”, did “not recognize any consul”, and that “most of them [were]

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<sup>101</sup> James Williams (intro. Malcolm J. Rohrbough), *Fugitive Slave in the Gold Rush: Life and Adventures of James Williams* (Lincoln and London: University of Nebraska Press, 2002), vii-xiii and 24-25.

<sup>102</sup> Cornell, “Citizens of Nowhere”, 367.

<sup>103</sup> This point is made more largely for hacienda tenants by: Timo H. Schaefer, *Liberalism as Utopia: the Rise and Fall of Legal Rule in Post-Colonial Mexico, 1820-1900* (Cambridge: Cambridge University Press, 2017), 97-128.

<sup>104</sup> AGECE, FSXIX, c.1, f.2, e.6, “Presidencia Municipal de Nadadores to Supremo Gobierno de Coahuila, 12 Jan. 1853”; Nichols, *The Limits of Liberty*, 131. Initially limited to the month of January, the legal period for annual renewal was extended in 1854 until the end of March, in order to reduce the consistently high number of foreigners evading the law despite multiple reminders from the federal government. The liberal Constitution of 1857 eventually abolished the requirement for a *carta de seguridad*. Galván Rivera, *Nueva Colección de Leyes y Decretos Mexicanos*, 1111-1120; Macrina Rabadán Figueroa, *Propios y Extraños: la Presencia de los Extranjeros en la Vida de la Ciudad de México, 1821-1900* (México: Porrúa, 2006), 27-28.

insolvent”.<sup>105</sup> Some of the free and formerly enslaved African Americans living in Mexico who did apply for a *carta de seguridad* reacted to the gradual closure of US consulates to all black people by attempting to circumvent US non-recognition. Some introduced themselves as “Africans” throughout the country, such as Tomás Murphy at El Paso, Alejandro Jardi, a thirty-two-year-old *lavrador* who settled at San Buenaventura (Coahuila) with his family, and Juan Cifre, an old man residing at Veracruz. All registered as being “*color Moreno*”, declaring their fatherland to be “*África*”.<sup>106</sup> More generally, African Americans anxious to secure legal protection resorted to a wide range of tactics. For instance, some natives from Louisiana claimed or were reported to be Haitian or French nationals. Born in 1809 at New Orleans, the mason Henry Powell first (unsuccessfully) requested his naturalization as a Mexican citizen in Matamoros in 1837. (By contrast, foreigners in Mexico usually chose not to become Mexican citizens in order to conserve access to diplomatic protection from their native nation).<sup>107</sup> The “*trigueño*” man later applied for *cartas* as a “*Haytiano*”, despite the fact that local officials had at least twice registered him as from the US.<sup>108</sup>

The extended Rivier family, settled from 1835 onwards at Matamoros and later across Mexico’s Northeast, best illustrates this dynamic. In 1852, the twenty-one-year-old coachbuilder Amaci first applied for a *carta* as an “*Americano*”, before presenting himself as a “*súbdito de Haití*” in subsequent demands.<sup>109</sup> Born in 1813 in New Orleans, the carpenter Drausin was initially registered by municipal authorities at Matamoros as “*francés*”, when aged twenty-five. In 1841, he successfully requested a *carta de seguridad* directly from the local First Court on the ground of “not having a representative of his nation” in town, thus circumventing the obstacle that his “*color negro*” represented. Yet in subsequent annual renewals of his *carta*, Drausin was referred to alternatively as an “*Americano*” and a “*Norteamericano*”.<sup>110</sup> When aged seventeen, the carpenter Cesario was registered as “*francés*” in Matamoros. After the US-Mexican War, now residing between San Buenaventura and Ciénagas (Coahuila),

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<sup>105</sup> AGN, CDS, v.37, f.74-77; Nichols, “The Limits of Liberty”, 123. Insolvency was a common motive for the occasional free issuance of *cartas de seguridad* to some applicants.

<sup>106</sup> AGN, CDS, v.101, f.197, “Gobierno del Estado de Chihuahua to Ministro de Relaciones, 3 July 1852”; *ibid.*, v.143, f.186-188, “Gobierno de Coahuila to Ministro de Relaciones Exteriores, 30 Oct. 1854”; *ibid.*, v.85, f.342, “Filiación del extranjero Juan Cifre, Jefatura del Departamento de Veracruz, 4 Feb. 1850”.

<sup>107</sup> Jürgen Buchenau, “Small Numbers, Great Impact: Mexico and its Immigrants, 1821-1873”, *Journal of American Ethnic History*, I/1 (2001), 28.

<sup>108</sup> UT(A), Briscoe, MA, XXIV, 41 (1837); *ibid.*, MA, XXIX, 24-32 (1838); AGN, CDS, v.29 f.226; *ibid.*, v.146, f.197-198, “Secretaría del Gobierno de Tamaulipas, 13 Jan. 1854”.

<sup>109</sup> AGN, CDS, v.109, f.270-272, “Gobierno de Nuevo León to Ministro de Relaciones Exteriores, 1 Feb 1852”; UT(A), Briscoe, MA, LXVI, 192-193, “Filiaciones de los extranjeros que solicitan sus cartas de seguridad para el presente año de 1854”; AGN, CDS, v.146, f.285-286, “Gobierno de Tamaulipas to Ministro de Relaciones Exteriores, 24 Feb. 1854”.

<sup>110</sup> UT(A), Briscoe, MA, XXIX, 24-32 (1838); AGN, CDS, v.25, f.32-34, “Gobierno de Tamaulipas to Ministro de Relaciones Exteriores, filiación del extranjero Drausin Rivier, 22 April 1841”; AGN, CDS, v.33, f.45, “Gobierno de Tamaulipas to Ministro de Relaciones Exteriores, 20 Jan. 1843”; AGN, CDS, v.45, f.184, “Prefectura del Norte de Tamaulipas, 22 Jan. 1845”; AGN, CDS, v.74, f.157-158; AGN, CDS, v.109, f.270-272; Cornell, “Citizens of Nowhere”, 367.

the man applied for a *carta* as a US subject (in 1850) and later as a “*natural de la República de Haití*”.<sup>111</sup>

Besides tolerating (illegal) settlement, Mexican federal and local authorities usually combatted, prosecuted and sometimes jailed foreigners or Mexican nationals assisting or conducting slaving raids, along with providing support to slave refugees when danger loomed, as Nichols has forcefully argued.<sup>112</sup> Authorities at the federal level frequently addressed the issue. In January 1850, four soldiers from Fort Duncan abducted the aforementioned slave refugee Antonio in the *villa* of Guerrero, with the complicity of three Mexican peasants and despite the opposition of some local citizens led by the Gonzales family. When foreign minister De la Rosa requested an explanation from Clayton, US officers on the Texas-Mexico border denied the charges and blamed private citizens for the raid.<sup>113</sup> Officials at a local level also sought to assist slave refugees, such as sub-inspector Juan Manuel Maldonado, who once petitioned the government of Texas for the liberation of two African Americans abducted near Piedras Negras.<sup>114</sup> Municipal authorities were the most proactive in providing support to self-emancipated slaves, with some particularly zealous officials such as Manuel Flores, head of the *presidencia municipal* (municipality) of Guerrero. On a spring day of 1851, a young *labrador* named Jesús Rodríguez came rushing into Flores’ office. He had spotted some miles away from the village an “*Americano*” (whose name turned out to be James Bartlett) riding a horse and dragging on the ground a former slave, Manuel Bonis (or “Wones”), who had absconded from Bartlett’s brother in Matagorda County. Manuel did not speak Spanish well but could count on other African Americans like Vivian, a man who served as his interpreter. With the complicity of a Mexican (who would later “flee upon the hills”), Bartlett captured Manuel and retreated back to Texas, eastward from Guerrero. Meanwhile, Flores quickly enlisted three local residents, Vicente Garza, Felix Cano and Pedro Guerrero, to track the footprints left by the kidnapper and the abductee. They found the slave refugee’s hat before coming across Bartlett and shooting him through his left lung after he refused to surrender. (Bartlett later died from his wounds).<sup>115</sup> Over the following months,

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<sup>111</sup> UT(A), Briscoe, MA, XXIX, 24-32; AGN, CDS, v.125, f.15-33; AGN, CDS v.95, f.250-251, “Gobierno Supremo de Coahuila to Ministro de Relaciones Exteriores, 30 Jan 1851”; AGN, CDS, v.101, f.203-204, “Gobierno Supremo del Estado de Coahuila to Ministro de Relaciones Exteriores e Exteriores, 20 April 1852”; AGN, CDS, v.143, f.134, “Cesario Rivier to Comisario Municipal de San Buenaventura, 1 Jan. 1854”.

<sup>112</sup> Nichols, *The Limits of Liberty*, 147-169.

<sup>113</sup> AGECE, FCMO, c.5 f.2 e.16, “Francisco Maldonado to comandante Falcón, colonia militar de Rio Grande, 15 Jan.1850”; *ibid.*, c.5 f.2, e.20 “Juan Manuel Maldonado (subinspector) to Varela, 24 Jan. 1850”; SRE, AEMEUA, 32/2, f.42, “De la Rosa to Ministro de Relaciones Exteriores, 20 March 1850”; f.43, “De la Rosa to Clayton, 18 March 1850”; f.74, “De la Rosa to Ministro de Relaciones Exteriores, 23 March 1850”; f.235-240, “De la Rosa to Ministro de Relaciones Exteriores, 21 July 1850”; *ibid.*, 32/3, f.15-9; SRE, LE 1096, f.14, “Cuartel de Ringgold Rio Grande to Cuartel del Departamento General, San Antonio, 18 May 1850”.

<sup>114</sup> AGECE, FCMO, c.14 f.9 e.131, “Juan M. Maldonado to Ayuntamiento de Guerrero, 23 Sep. 1851”.

<sup>115</sup> AGECE, FSXIX, c.3 f.8 e.8, “Flores to Secretario de Gobierno, Guerrero, 20 March 1851”. The incident was reported quite differently between the US South and the northern states: *The Texas Monument*, 23 April 1851; *Galveston Weekly News*, 6 May 1851; *The Southern Press*, 23 May

Flores kept an eye on filibusters roaming along the river with enslaving and vengeful intentions, a daunting prospect that prompted the official to suggest that black residents should relocate further away from the border.<sup>116</sup>

The Mexican authorities retaliated not only against foreigners, but also against the Mexican citizens who collaborated with the *norteamericanos* raiders. As the *San Antonio Ledger* argued, “with very little difficulty a concert is effected with Mexicans on the Rio Grande, who, for small compensation, are ready to aid in captivating our colored runaways”.<sup>117</sup> In Guerrero, two *vecinos*, Luis Arredondo and Cruz Hernández, were prosecuted in January 1855 after unsuccessfully attempting to forcibly carry two refugees from slavery back across the river.<sup>118</sup> Sentences were not only nominal: in Matamoros, the brothers Luis and Timoteo Cobos, commissioned by a resident of Cameron County to abduct an African American man named Anastasio Aguado from Juan Cos’ *rancho*, both received four-year jail sentences in 1859.<sup>119</sup> Such convictions served as proxies for asserting the federation’s authority over Mexican borderlanders, punishing collaborators as the antithesis of the ideal of the professional or volunteer *citizen-in-arms* – a core component of postcolonial Mexican republican citizenship – and defending national honor and escaped slaves against foreign filibusters.

State authorities also backed efforts led at a municipal level to tackle the involvement of Mexican nationals in slaving raids. In October 1860, Nuevo León y Coahuila’s government officially targeted residents of the *partidos* of Monclova and Río Grande who might contribute – in any form – to the abduction of US former slaves in Mexican territory. The state government reminded *alcaldes* to effectively enforce the free-soil provision of the 1857 Constitution and recommended severe punishments for accomplices, such as embargoes on properties. Funds thereby amassed would be employed to “rescue at whatever price the very negroes that are extracted from the national territory”.<sup>120</sup> Moreover, state authorities in the northern frontier actively defended free-soil principles by ensuring that African Americans introduced into Mexico (as contract laborers or otherwise) by foreign immigrants would be considered as free. In 1859, when a US citizen sought to settle across the Rio Grande with a family of eight African Americans under service contracts, the government of Nuevo León y

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1851; *Anti-Slavery Bugle*, 31 May 1851; *New Orleans Daily Crescent*, 20 Aug. 1851; Nichols, *The Limits of Liberty*, 158. On *alcaldes*: Schaefer, “Citizen-Breadwinners”, 956.

<sup>116</sup> SRE, LE 1595, f.94, “Presidencia del Ayuntamiento de Guerrero [Flores] to Gobierno de Coahuila, 14 June 1851”; AGECE, FSXIX, c.6 f.6 e.3, “Flores to Secretario de Gobierno, Guerrero, 27 June 1851”.

<sup>117</sup> *The San Antonio Ledger*, 15 Sep. 1853.

<sup>118</sup> AGECE, FSXIX, c.1, f.1, e.13, “Maldonado to Comisario Municipal de Guerrero, 2 Jan. 1855” and *idem.*, c.1, f.4, e.8, “Maldonado to Comisario Municipal de Guerrero, 13 Jan. 1855”.

<sup>119</sup> SRE, CPN, c.3, e.13, f.3-5; Nichols, *The Limits of Liberty*, 160-161. As with Enrique Sánchez (aforementioned), the Mexican consul at Brownsville secured Aguado’s release from Cameron County’s jail.

<sup>120</sup> AMMVA, Decretos y circulares, c.9, f.4., e.1, “Secretaría del Gobierno del Estado Libre y Soberano de Nuevo León y Coahuila to Señor Alcalde 1° de Monclova, 28 Oct. 1860”.

Coahuila instructed *partido* authorities to remind the prospective settler of the legal freedom of his indentured workers on Mexican soil.<sup>121</sup>

Finally, as carried out by Spanish officials in the Louisiana-Texas borderlands during the 1800s, individual and collective resettlement represented another form of protection provided by Mexican frontier authorities to self-emancipated slaves, although not necessarily out of exclusively humanitarian motives.<sup>122</sup> The relocation of escaped slaves from north and central Coahuila alongside the *mascofos* living at Nacimiento de los Negros to southern Coahuila in 1859 provides an interesting case in point. On 5 March, the *alcalde* of Piedras Negras learned from military officers at Fort Duncan (near Eagle Pass) that filibusters were planning to gather at San Antonio under the aegis of William R. Henry to abduct runaways in Coahuila. Information soon reached the *Prefectura de Partido* of Río Grande at Morelos. Three days later, four companies of about eighty volunteers each (at Múzquiz, San Buenaventura, Nadadores and Abasolo) had been mustered under colonel Miguel Blanco. Increasingly concerned that the affair might escalate into open warfare between both countries, Nuevo León y Coahuila's government ordered on 23 March the removal of *all* African Americans "residing in pueblos, haciendas and ranchos" in the *partidos* of Monclova and Río Grande to the *hacienda* of Hornos, at Parras (southern Coahuila). Local officials complied: Ramón Musquiz – now prefect of Monclova's *partido* – saw in the relocation a way to protect the villages of his jurisdiction from filibusters and argued that it promoted "everyone's interest", since, in his opinion, "the country had not benefited" from the black refugees.<sup>123</sup> In fact, Múzquiz's *ayuntamiento* had already formulated a request for the displacement of black settlers in September 1857, deeming the *mascofos* detrimental to frontier communities as presumed thieves, cattle-stealers and magnets for slaving expeditions. While the *mascofos* left travelling with four carts, two more were provided by affluent *vecinos* from Múzquiz for the remaining African Americans, such as the black settlers of the *rancho del Rincón* in the northern part of the state. A self-emancipated slave, originally from Arkansas, who had absconded from San Antonio, presented himself to Múzquiz's *ayuntamiento* during the first days of May, just in time to join the displaced African Americans on their journey to Parras on 12 May. More than 170 of them arrived at Parras, three weeks later. Some refugees arrived later at Hornos, especially those arriving from Guerrero and Morelos. For

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<sup>121</sup> SRE, LE 1595, f.136, "Secretaría de Gobierno de Nuevo León y Coahuila to Prefectura del Partido de Río Grande, 15 March 1859".

<sup>122</sup> Porter, *The Black Seminoles*, 143. Some fugitives were relocated on an individual *ad hoc* basis to places where they would likely be more protected from filibusters and get better opportunities to make a living. In April 1846, a runaway from Texas thus reached Laredo and was sent to the *partido* capital of Mier to live "under the safeguard and protection of the laws". TSLAC, LA, folder 179, doc. 16, 14:968, "Policarpo Martínez to Alcalde constitucional de Laredo, Mier, 30 April 1846".

<sup>123</sup> By 1859, the main bones of contention consisted in the rising tension between Seminoles and *mascofos* over land and water (intensified by a recent smallpox outbreak), an increasing political neutrality and reluctance by the latter to engage in military campaigns at a time when governor Vidaurri was attempting to control and coopt them into his regional revolution, as well as frequent complaints (both grounded and ungrounded) by local *vecinos* about theft and smuggling committed by black settlers.



instance, Rio Grande's *partido* authorities transferred a man named "Alberto" to Múzquiz, which he reached on 6 June. From there, Alberto was displaced to the nearby village of San Buenaventura, where he was supposed to join other black settlers assembling for their future transfer to the southern *hacienda*. However, some other black people in Coahuila simply evaded the removal order.<sup>124</sup>

Just like the 1808 transfer to Trinidad de Salcedo, the 1859 relocation was intended as a pragmatic response to an escalation of tensions over slave flight and illegal raids. Rising discord between borderland communities on these issues meant that risks of open warfare loomed large by the late 1850s. However, by contrast with the Mexican authorities, US representatives in Mexico and the US government expressed few qualms about slaving raids, even when committed by federal soldiers. The abduction of African Americans and the violation of Mexican sovereignty mattered little, an exception being made when economic interests or white US citizens in Mexico were at stake. S.D. Mallowny and Joseph Walsh (respectively from Texas and Louisiana), both US consuls at Monterrey during the second half of the 1850s, reported concerns related to these expeditions only to the extent that they risked jeopardizing the very maintenance of US-Mexico commerce. Due to "this continual threat of invasion", Walsh feared rising animosity between local Mexicans and "Americans [that is, white US citizens] residing and travelling through the country", such as migrants to California, who, due to these raids, came to be "very naturally [...] looked upon with great suspicion".<sup>125</sup> Raids did indeed strain relations between different national communities on the Mexican side of the borderlands. During the spring of 1859, a close scrutiny was maintained over three foreigners at Múzquiz suspected of plotting with Texan filibusters to abduct local African Americans. One of them, "Santiago Van Bieber", a Kentucky-born resident, was even expelled from the town on this charge.<sup>126</sup> In Matamoros, the *vecino* Manuel Luís del Fierro suspected the

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<sup>124</sup> UT (A), Briscoe, Ramón Múzquiz Documents, "Múzquiz to De la Garza, Monclova, 11 March 1859"; YU, Beinecke, LAGP, box 5, Cuarta Época de Apuntes y Noticia para la historia de Coahuila, 1850-1873, 2/2, "Marzo 31 de 1859", "Sept. 6 de 1857", "Marzo 6 de 1859", "Marzo 9 de 1859" and "Abril 14 de 1859"; MR, box 10, folder 117, "Comisario Municipal de Múzquiz to Prefecto de Monclova, 22 May 1859", "idem, 24 May 1859", "idem, 13 June 1859" and "idem, 6 July 1859"; "Comisario Municipal de Múzquiz to Alcalde de San Buenaventura, 18 June 1859"; MR, box 10, folder 116, "R. Múzquiz to Alcalde Primero de Múzquiz, 9 March 1859" and "Galindo to Prefectura de Monclova, 18 March 1859"; MR, box 11, folder 132, "R. Múzquiz to Primera Autoridad de Múzquiz, 31 March 1859", "Galindo to Alcalde Primero de Múzquiz, 6 March 1859", "idem, 8 March 1859"; "R. Múzquiz a Alcalde Primero de Múzquiz, 15 March 1859"; SRE, LE 1595, f.147, "Polanco to Galindo, 7 Feb. 1859" and f.149 "Secretaría del Gobierno [...] de Nuevo León y Coahuila to Prefectura del Partido de Rio Grande, 10 March 1859"; AGECE, FSXIX, c.3 f.4 e.7, "Espinoza to Alcalde Primero de Guerrero, 27 May 1859" and c.3 f.4 e.9 "idem, 29 May 1859"; *The Texas Baptist*, 25 Aug. 1859; Porter, *The Black Seminoles*, 158; Boteler Mock, *Dreaming with the Ancestors*, 81-82.

<sup>125</sup> UT(A), Benson, Despatches from US consuls in Monterrey, reel 1, "Mallowny to Marcy, 23 Oct. 1855" and "Walsh to Cass, 30 June 1859".

<sup>126</sup> SRE, LE 1595, f.135 "Secretario del Gobierno del Estado Libre y Soberano de Nuevo León y Coahuila to Prefectura del partido de Rio Grande (Morelos), 12 March 1859"; YU, Beinecke, LAGP, Box 5 Cuarta Época de Apuntes y noticias para la historia de Coahuila 1850-1873 2/2,

“foreigners who live[d] below” of complicity in the attempted abduction of his servant Mathilda Hennes and her child, two self-emancipated slaves from the US.<sup>127</sup> Tensions at a local level echoed larger conflicts on the question of black freedom-seekers and free soil in Mexico after the Texas Revolution. For self-emancipated slaves south of the Rio Grande, freedom seemed never fully secured, as larger geopolitical developments between Mexico and the US (alongside Texas) threatened their liberty across the border.<sup>128</sup> Following the Texas Revolution, the relationship between the two republics became extraordinarily contentious, a tension reaching its pinnacle in the US invasion and occupation of Mexico (1846-1848) and the heyday of Southern southward expansionism during the 1850s. Consequently, many self-emancipated slaves who found themselves in the midst of states competing for sovereignty, either as residents or Mexican soldiers, saw their fates as tied to the disputed future of the rebellious Republic of Texas, as well as to the ever-present prospect of US annexation and Southern filibustering.

### ***Free Soil and Escaped Slaves in-between Conflicting States and Allegiances***

*“A Second Canada only a River’s Width Away?” Self-Emancipated Slaves and the Divisive Future of the Republic of Texas (1836-1848)*

After 1836, many self-liberated bondspeople in the borderlands sought to secure *informal freedom* – especially alongside Córdoba rebels and Native Americans – in the disputed area between Mexico and Texas from the Rio Grande to the Nueces River. In April 1840, negotiations between Comanches and Texans over a mutual exchange of prisoners included runaway slaves who had taken refuge among the former.<sup>129</sup> Mexico’s non-recognition of Texas as an independent state implied that no official diplomatic channels existed between Mexico and the Republic of Texas for the reclamation of escaped slaves between 1836 and 1845. Mexico’s officials on the frontier occasionally used fugitives as casual informants against Texan and Mexican revolutionaries and filibusters, thus replicating a feature of Spain’s anti-insurgency policy in the 1810s. For instance, Eduardo Ros, a twenty-five-year-old enslaved baker from San Antonio – heading to San Fernando where a friend of his, “Guadalupe”, would welcome him – was interrogated at Laredo in 1840 regarding the conduct of revolutionary leader

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“Abril 25 de 1859”; YU, Beinecke, MR, Box 11 folder 132, “R. Múzquiz to P.A. de Múzquiz, 28 April 1859”.

<sup>127</sup> SRE, CPN, c.3, e.13, f.1-3.

<sup>128</sup> Kerr-Ritchie, *Freedom Seekers*, 24.

<sup>129</sup> Nathan Boone Burkett, “Early Days in Texas” [unpublished manuscript, accessed 24 April 2018: <http://www.sonsofdewittcolony.org/nathanmenframe.html>]; Paul D. Lack, “Los Tejanos Leales a México del Este de Texas, 1838-1839”, *Historia Mexicana*, XLII:4 (1993), 900; Stephen L. Moore, *Savage Frontier: Rangers, Riflemen, and Indian Wars in Texas, 1838-1839*, v.2 (Denton: University of North Texas Press, 2006) 51-52; Stephen L. Moore, *Savage Frontier: Rangers, Riflemen, and Indian Wars in Texas, 1840-1841*, v.3 (Denton: University of North Texas Press, 2007), 40.

Antonio Canales.<sup>130</sup> Many Mexican officials viewed enslaved people in Texas as allies for the re-conquest of the rebellious Republic.<sup>131</sup> In this context, rumors often spread throughout the Republic of Texas that Mexico would invite US free blacks and runaways, along with Native Americans displaced from the US South (Cherokees, Creeks, Choctaws and Seminoles), to settle in Texas in order to “form a barrier between the northern confederacy and Mexico”, as representative for Brazoria County William H. Jack put it.<sup>132</sup>

Such concerns dovetailed with fears over alleged plans by Great Britain from the late 1830s onwards to abolish slavery in the Republic and establish African American colonies in exchange for diplomatic recognition, with the hope of thereby undermining prospects of US annexation. Ashbel Smith, representing the Republic of Texas in London and Paris, privately thought that the British government’s “ultimate purpose [was] to make Texas a refuge for runaway negroes from the United States”, following Irish abolitionist and member of parliament Daniel O’Connell’s proposal to establish black colonies in Texas (August 1839) and the presumed lobbying of the British and Foreign Anti-Slavery Society for this purpose.<sup>133</sup> Duff Green, acting as US consul at Galveston, and Jules E. de Cramayel (representing France’s interests in Texas), resented the British abolitionist influence over the Republic of Texas, considering the potential creation of a free-soil state at the US South’s fringes as an encouragement to the formation of colonies of runaway slaves; a Trojan horse serving London’s grand continental designs against the Union.<sup>134</sup> Officially, Great Britain opposed the expansion of slavery in the US southwestern frontier on abolitionist grounds, and in order to maintain peaceful US-Mexican relations. According to Charles Elliot, British representative at Galveston (and former “Protector of slaves” in 1830s British Guiana), the western line of slaveholding territories in the region was to be kept away from the Mexican border, as the contiguity of slave and free territories

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<sup>130</sup> SEDNA, L-1544, f.51-52, “Comandante de Mier to Ampudia, declaración tomada al negro Eduardo Ros, 14 April 1840”; and f.130, “Arista to Ministro de Guerra, 7 May 1840”; Nichols, *The Limits of Liberty*, 70.

<sup>131</sup> TBL, Bolton, 47:11, “S. Vidaurri to M. Arista, 5 May 1841”.

<sup>132</sup> Harriet Smither (ed.), *Journals of the Fourth Congress of the Republic of Texas, 1839-1840*, v.2, *The House Journal* (Austin: Texas Library and Historical Commission State Library, von Boeckmann-Jones & Co., 1931), 97-106.

<sup>133</sup> John H. Barrow (ed.), *The Mirror of Parliament for the Second Session of the Fourteenth Parliament of Great Britain and Ireland [...] appointed to meet February 5, and from thence continued till August 27, 1839* (London: Longman, Ore, Brown, Green & Longman, 1839), v.6, 5242; Clyde Wilson (ed.), *The Papers of John C. Calhoun* (Columbia: University of South Carolina Press, 1987), v.17, 252-253 (“Smith to Calhoun, 19 June 1843”); Ashbel Smith, *Reminiscences of the Texas Republic, Annual Address Delivered before the Historical Society of Galveston* (Galveston: Historical Society, 1876), 50-53; Marjorie D. Brown, “Diplomatic Ties: Slavery and Diplomacy in the Gulf Coast Region, 1836-45”, PhD Diss. (Nashville: Vanderbilt University, 2017), 46-82 and 116-178.

<sup>134</sup> *The Cincinnati Weekly Herald and Philanthropist*, 5 Feb. 1845, “Late from Texas – Duff Green”; TBL, Bolton, 47:7, “Almonte to Ministro de Relaciones Exteriores, 17 Feb. 1844”; MAE(C), CP, Texas v.6 (127 CP/6), f.224-232, “Cramayel to Guizot, 11 Oct. 1843”; *Diario del Gobierno de la Republica Mexicana*, 30 April 1844 (original article: *Le Commerce*, Paris); Edward B. Rugemer, “Robert Monroe Harrison, British Abolition, Southern Anglophobia and Texas Annexation”, *Slavery & Abolition*, 28:2 (2007), 179.

would spark “constant frontier dispute and raid arising out of the escape of slaves”.<sup>135</sup> Thus, during the months leading up to the annexation of Texas by the US (formally ratified on 29 December 1845), rumors circulated in Texas that Mexico was contemplating granting actual, if not nominal, sovereignty over the Nueces Strip to Great Britain, “for the purpose of establishing there a colony of free blacks and runaway negroes”, in an attempt to secure its northern border along the Nueces River. Such a prospect, combined with Great Britain’s lobbying for an entirely non-slaveholding Texas, “a *second Canada* only a river’s width away”, prompted many proslavery Texans to support US annexation, viewing the US federal government as a potentially useful ally in reclaiming their escaped slaves from Mexico.<sup>136</sup> Equally, some Northern abolitionists contended that the desire to avoid the formation of a non-slaveholding state (another future haven for escaped slaves) at the US South’s margins inspired democrat US president James K. Polk’s pro-annexation policy and the US government’s final move towards incorporating the Republic, this being the *casus belli* that triggered war between Mexico and the US.<sup>137</sup>

As war between Mexico and the US over Texas was looming, proslavery forces grew concerned about the involvement of self-emancipated slaves as a fifth column seeking to capitalize on the geopolitical situation.<sup>138</sup> During the autumn of 1845, settlers along the Colorado River observed an increase in insubordination and escape attempts among their enslaved workforce, such as two arrested men from LaGrange who had attempted to reach the border. Planters suspected that Mexico had sent emissaries to Texas “to excite an insurrection among the slaves” and to encourage bondpeople “to act in concert with the Mexican troops” in case of war. Likewise, rumors spread in the Union that a “battalion of six hundred runaway negroes from Texas, well drilled in flying artillery tactics”, had joined General Mariano Arista’s *Ejército del Norte* at Monterrey.<sup>139</sup>

From August 1845 onwards, the US army was stationed near Corpus Christi, and later opposite Matamoros, until just before the conflict’s outbreak (April-May

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<sup>135</sup> Ephraim Douglass Adams, *British Diplomatic Correspondence Concerning the Republic of Texas, 1838-1846* (Austin: The Texas State Historical Association, 1918), 518-519. US abolitionists advocated similar arguments during the US-Mexican War, opposing the extension of slavery to the Mexican Cession lands. See for instance: Daniel Rose Tilden, *Speech of Hon. Daniel R. Tilden, of Ohio, on the Mexican War and slavery: Delivered in the House of Representatives, February 4, 1847* (Washington DC: Blair and River, 1847), 11.

<sup>136</sup> *El Siglo XIX*, 6 Jan. 1844. The original article is from the *New Orleans Tropic*, 6 Dec. 1843. *Texas National Register*, 4 Jan. 1845; *The New York Herald*, 27 Jan. 1846. The expression “second Canada” is from: Nathaniel W. Stephenson, *Texas and the Mexican War: a Chronicle of the Winning of the Southwest* (New Haven: Yale University Press, 1921), 142.

<sup>137</sup> Edwin E. Hall, *Ahab and Naboth: or, The United States and Mexico. A discourse, delivered in the First Church of Christ in Guilford, on the annual Thanksgiving of 1846* (New Haven: A.H. Maltby, 1847).

<sup>138</sup> Peter Guardino, *The Dead March: A History of the Mexican-American War* (Cambridge and London: Harvard University Press, 2017).

<sup>139</sup> MAE(C), CP, Texas, v.9 (127 CP/9), f.181-182, “Dubois de Saligny to Direction Politique, Bureau D’Amérique et des Indes, Oct. 1845”; *Telegraph and Texas Register*, 1 Oct. 1845 and 25 June 1845.

1846). On the Rio Grande, General Taylor's 4,000 officers and soldiers brought slaves as servants, cooks and mechanics. (To pay for this, they were given an extra allowance of about \$10 per month). Contemporaries underlined the "great difficulty in keeping the slaves upon this river", given that many slaves had been "enticed away by the inhabitants of Matamoros, and, for effect, treated with marked consideration". Captain Phil Barbour recalled that "several slaves belonging to officers have left their masters and gone over to Matamoros" (such as six bondspeople who deserted with more than forty US soldiers, most of them Irish Catholics, during one single day in April 1846) and became so infuriated by such incidents that he contemplated exchanging black bondspeople for white servants.<sup>140</sup> On the Mexican side, self-liberated African Americans were mobilized for war. In Tampico, "los Orleaneses" were mustered alongside black people from La Havana for the port's defense just before the US invasion of Mexico, but they proved unable to counter it.<sup>141</sup> Following the three-week-long siege of Veracruz in March 1847, about six thousand Mexican soldiers were taken prisoner, "nearly all what we called black men", including "real negroes" (some of them presumably escaped slaves), according to a US official.<sup>142</sup>

To a lesser extent, escape attempts by self-liberated bondspeople continued after the early stage of occupation. In 1847, a Mexican resident of Cadereyta (Nuevo León) found a mule that an escaped slave had abandoned on the town's outskirts while absconding.<sup>143</sup> However, the presence of a US army of occupation in Mexico also endangered the existence of all fugitive slaves south of the border. Many faced the threat of re-enslavement and deportation back to the US, especially those serving on the frontline as Mexican soldiers. Black freedom-seekers stood among the defenders of Monterrey during the siege led by General Zachary Taylor's army.<sup>144</sup> In September 1846, after Monterrey's evacuation and capitulation, a soldier from Texas recognized one of his former slaves, "Big Jim", now a captain in the Mexican army, "grasped the poorly man by the collar and shook him fiercely", before removing him from the ranks. A US officer intervened and the man was released, although "the Texan sought

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<sup>140</sup> Raphael Semmes, *Service Afloat and Ashore during the Mexican War* (Cincinnati: William H. Moore & Co., 1861), 316; Thomas B. Thorpe, *Our army on the Rio Grande* (Philadelphia: Carey and Hart, 1846), 25; Philip N. Barbour, Martha Isabella Hopkins Barbour (ed.), *Journals of the late Brevet Major Philip Norbourne Barbour* (New York and London: G.P. Putnam's sons, 1936), 25-50, quoted in Robert E. May, "Invisible Men: Blacks and the U.S. Army in the Mexican War", *The Historian*, v.49/4 (Aug. 1987), 473; Nichols, "The Limits of Liberty", 35; Paul Foos, *A Short, Offhand, Killing Affair: Soldiers and Social Conflict During the Mexican-American Conflict* (Chapel Hill and London: University of North Carolina Press, 2002), 98; Karl Jack Bauer, *The Mexican War, 1846-1848* (Lincoln and London: University of Nebraska Press, 1974), 42; José Paul Canseco Botello, *Historia de Matamoros* (Matamoros: Litográfica Jardín, 1981), 119-122.

<sup>141</sup> *Christian Secretary*, 3 July 1846; *Democratic Telegraph and Texas Register*, 8 July 1846. All together they formed a force of about 80 to 100 individuals.

<sup>142</sup> Jacob Oswandel, *Notes of the Mexican war 1846-47-48* (Philadelphia: 1885), 98-99.

<sup>143</sup> AHM, Fondo Monterrey en el Gobierno Interino, Sección Guerra México-Estados Unidos, Serie Correspondencia, Colección Guerra México-Estados Unidos, v.2, e.2, f.14, "Reporte acerca del individuo apellidado Gutiérrez" (1847).

<sup>144</sup> Samuel Chester Reid, *The Scouting Expeditions of McCulloch's Texas Rangers, or, the Summer and Fall Campaign of the Army of the United States in Mexico, 1846* (Philadelphia: John E. Potter and Company, 1859), 223; Foos, *A Short, Offhand, Killing Affair*, 98.

anxiously for Big Jim for several days, determined to inflict condign punishment on him".<sup>145</sup> Another bondsman who escaped from the army and "took shelter among the Mexicans at Presidio [Guerrero, Coahuila]" was less fortunate. His enslaver, along with US captain Lyman Mower, reached the town and abducted him. "Several Mexicans attempted to rescue the slave" and gunfire broke out. Two Mexicans were shot, leaving the kidnappers' retreat unopposed.<sup>146</sup> In this regard, the best illustration of warfare as a combination of opportunities and threats for US runaways in Mexico is provided by Dan's misfortune. A fugitive slave passing as white after enlisting in the US army at New Orleans, Dan's real identity was discovered while he was stationed at Veracruz, after which he was "dishonorably discharged from the service of the United States without pay or allowances".<sup>147</sup>

### *Separatism(s), Manifest Destiny and the Fugitive Slave Issue (1848-1861)*

With the number of escaped slaves such as Dan heading to the Mexican border constantly on the rise during the last quarter century of US slavery, proslavery activism steadily soared in the US southwestern borderlands. Slaveholders, influential editors, political representatives and other private citizens began pressing the governments and legislatures of Texas as well the US federal authorities to curb the flow of fugitives. Most specifically, they demanded extradition, but also other measures including stricter punishments for fugitives and their accomplices, absolute cooperation by federal troops patrolling the Mexican border and outright military invasion of northeastern Mexico. However, while intersecting with separatist movements in northeastern Mexico, growing tensions over fugitive slaves in the US-Mexico borderlands further strained US-Mexican relations, widened the divide between proslavery Southwesterners and the federation and further fueled South-North sectionalism.

In Texas, bottom-up pressure exerted by residents on political officials for the return of runaways (similar to that of planters in late 1800s Louisiana) can be traced back to the beginnings of the Republic. Exasperated by years-long attempts to retrieve one of his slaves who had absconded during the Texas Revolution with the Mexican army, a settler residing along the lower Lavaca River wrote directly to Texas president Mirabeau B. Lamar during the spring of 1840. Urging him to intercede in his favor with Mexican president Cardenas and General Canales, the petitioner argued that he was "sufficiently acquainted with the Mexican character to know that a demand from any but the highest authority of the Government would have no effect on them whatever". But at a time of serious difficulties between the newly formed Republic and Mexico, it

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<sup>145</sup> *Nashville Patriot*, 23 Feb. 1859.

<sup>146</sup> *The Ottawa Free Trader*, 5 March 1847.

<sup>147</sup> George Winston Smith, *Chronicles of the Gringos: the US Army in the Mexican war, 1846-1848; Accounts of Eyewitnesses & Combatants* (Albuquerque: University of New Mexico Press, 1968), 465.

is very unlikely that Lamar even began negotiating with his Mexican counterparts on the issue.<sup>148</sup>

Simultaneous to Mexico's hardening stance on free soil for foreign escaped slaves after 1836, popular proslavery mobilization against runaways north of the Rio Grande gradually took on a more organized form, particularly through petitions and conventions. Inhabitants of central and western Texas felt especially concerned (with the exception of a large part of its German population), including the elite *Tejano* community.<sup>149</sup> As early as 1841, in an address to the Texas Senate, citizens of San Antonio expressed their concerns about "the numerous runaway slaves of the Eastern counties" passing on their way to Mexico. Ten years later, close to fifty residents called upon their representatives at the State Legislature to actively address the issue.<sup>150</sup> Throughout the 1850s, popular and commercial conventions increasingly underscored the urgent need to address the "insecurity" of "slave property" on the Texas frontier. In 1855, the attendees of a convention held at Caldwell County formed a committee of vigilance and advised the State Legislature to pass a law convicting individuals who had sought to "persuade negroes to abscond".<sup>151</sup> To most southerners, slave flight to Mexico risked undermining the South's economic prosperity. Slaveholders in San Antonio, incidentally, formed an insurance company against the losses incurred by slave flight to Mexico. Brownsville's representative at the Southern Commercial Convention (an organization born in 1852 for the defense of Southern slavery against the North's rising industrial prominence) held at New Orleans in January 1855 likewise put forward a resolution calling for the rendition of self-emancipated slaves now residing in Mexico.<sup>152</sup>

The US Southwest press actively lobbied for the reclamation of escaped slaves in Mexico: the "action of the general government" in securing slavery meant securing the "freedom" of local planters.<sup>153</sup> The *Texas State Times* was especially vocal in complaining about a net loss of capital (represented by runaways to Mexico) which it estimated by 1851 as about \$2.4 million (for 3,000 runaways worth on average \$800), and four years later as \$3.2 million.<sup>154</sup> As early as 1843, newspapers such as the *Galveston Independent Chronicle* often suggested the mutual restitution of fugitives

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<sup>148</sup> Winnie Allen, Katherine Elliott, Charles Adams Gulick Jr., Harriet Smither, *The Papers of Mirabeau Buonaparte Lamar* (Austin and New York: The Pemberton Press, 1968), v.5, 426 ("Silvanus Hatch to Lamar, 5 May 1840").

<sup>149</sup> *El Bejareño*, 9 June 1855.

<sup>150</sup> Joseph Milton Nance, *After San Jacinto: the Texas-Mexican Frontier, 1836-1841* (Austin: University of Texas Press, 1963), 472-473; John Hope Franklin, Loren Schweningen, *Runaway Slaves: Rebels on the Plantation* (Oxford and New York: Oxford University Press, 1999), 115-116.

<sup>151</sup> *Texas State Times*, 8 Sep. 1855.

<sup>152</sup> LOC, Frederick Law Olmsted Papers, General Correspondence, 1838-1928, "Douai to Olmsted, 31 Oct. 1854"; *Proceedings of the Southern Commercial Convention held in the city of New Orleans, on the 8th, 9th, 10th, 11th, 12th, 13th and 15th of January 1855* (New Orleans: Office of the Crescent, 1855), 21.

<sup>153</sup> *The Weekly Telegraph*, 26 Oct. 1859.

<sup>154</sup> *Texas State Times*, 2 June 1855.

and criminals with Mexico, including runaway peons in exchange for runaway slaves.<sup>155</sup> An alternative proposal consisted in unilaterally passing a fugitive peon law in the hope that it would encourage reciprocity from Mexican officials.<sup>156</sup> Between the annexation of Texas and the Civil War, borderlanders and their representatives continued to call federal attention to the issue. During the 1850s, the Texas State Legislature (especially its House Committee on Federal Relations) passed annual resolutions urging its representatives and senators in Washington to exert their influence for the conclusion of a US-Mexican extradition treaty on runaways.<sup>157</sup> US consuls and ministers in Mexico exerted a similar pressure, recognizing that the issue “had become one so exciting among the planters in Texas”, in Gadsden’s words.<sup>158</sup>

The Mexican federal government’s staunch refusal to contemplate extradition increasingly radicalized proslavery Southwesterners. From the early 1850s onwards, the belief that a “perfect safety [for slave “property”] may require dismemberment of a Mexican State or two, located to the west of us” became increasingly prevalent in the US Southwest.<sup>159</sup> The particularly contested nature of the Mexican nation-state and the evolving character of national allegiances in the northeastern borderlands of Mexico further added to the contingency of freedom for former enslaved African Americans under Mexican rule.<sup>160</sup> Many Southerners lent support to separatist projects in northeastern Mexico, hoping that a new political entity located between them and Mexico’s free soil might prove more amenable to their interests. South of the border, the close connection between slavery and separatism had become evident by the time of the Texas Revolution. Concerns regarding the formation of a grand “slaveholding confederacy” in northern Mexico, encompassing “San Luís Potosí, Chihuahua, Coahuila y Texas, Zacatecas, Durango, Sonora, [and] Tamaulipas”, dated back to at least the late 1830s – when Pizarro Martínez, now Mexico’s minister in Washington, had expressed such worry to Mexican foreign minister Gorostiza – a grounded fear, given the strong federalist and separatist traditions of most of northern Mexico’s states and the increasing proslavery pressure exerted from the north.<sup>161</sup> In August 1851, an “ex-

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<sup>155</sup> *Independent Chronicle*, 15 Oct. 1843.

<sup>156</sup> *Nueces Valley Weekly*, 10 Jan. 1858.

<sup>157</sup> *Journal of the House of Representatives of the State of Texas: Fourth Legislature, Extra Session* (Austin: J.W. Hampton, 1853), 227; *Journal of the Senate of the State of Texas, Sixth Legislature* (Austin: Marshall & Oldham, 1855), 58; *Official Journal of the House of Representatives of the State of Texas at the Adjourned Session, Sixth Legislature* (Austin: Marshall & Oldham, 1856), 17; *Journal of the Senate of Texas: Seventh Biennial Session* (Austin: John Marshall & Co., 1857), 438 and 590; *The Galveston News Tri-Weekly*, 24 Dec. 1857; *State Gazette*, 23 April 1859; Schwartz, “Across the Rio to Freedom”, 32.

<sup>158</sup> UT(A), Benson, Despatches from US Ministers in Mexico, 1823-1906, reel 19, “Gadsden to Marcy, 5 Nov. 1854”.

<sup>159</sup> *The Texian Advocate*, 27 Nov. 1852.

<sup>160</sup> On the interplay between regional and national allegiances in the Mexican *noreste*: Andrés Reséndez, *Changing National Identities at the Frontier: Texas and New Mexico, 1800-1850* (Cambridge: Cambridge University Press, 2005); Valerio-Jiménez, *River of Hope*. Local separatism often contested federal sovereignty over the northern frontier. For instance, between 1838 and 1840, a secessionist *República de Rio Grande* was formed with Laredo as its capital.

<sup>161</sup> SRE, LE 1065, f.85, “Pizarro Martínez to Gorostiza, 4 May 1839”.



senator of the US” anonymously informed both De la Rosa and Percy Doyle (British minister in Mexico) of his suspicions that southern slaveholders were acting “gradually and secretly to get African slavery introduced into the Mexican states bordering in the Rio Grande del Norte”, with the collusion of northeastern Mexican *hacendados*. In this context, De la Rosa expressed uneasiness about the very presence of African Americans in the northern frontier, which he viewed as a further incentive to such plots.<sup>162</sup>

As scholars have emphasized, the proclamation of the *Plan de la Loba* (September 1851) by José María Carvajal, standing for the formation of a *República de Sierra Madre* south of the border, therefore came as a golden opportunity for Texas slaveholders.<sup>163</sup> First, Carvajal’s raids created an ideal smokescreen for slave-hunters – it is no coincidence that at this time Warren Adams chose to raid central Coahuila – so much so that both threats seemed unmistakably intertwined for Mexican borderlanders.<sup>164</sup> Second (and more importantly in the long-run), the potential separation of the Sierra Madre from Mexico provided Texans with promises of new lands for slave-produced cotton and tobacco, and maybe even access to Sonora’s mines. It would also conveniently bypass Mexico’s free-soil policy through a new proslavery buffer state. Carvajal, who was endorsed by Texan officials and editors attracted by his promise to reduce tariffs on border trade, had pledged to pass a law convicting absconders from involuntary servitude as felons, including runaways from the US Southwest.<sup>165</sup> However, he never secured hegemony over the coveted Sierra Madre region, despite a fierce attack on Matamoros during the fall of 1851. Nonetheless, his threatening presence persisted for some years, as did the aspirations of slaveholders, who were convinced that the return of US escaped slaves “on the part of the government west of the Rio Grande would place slavery on a secure basis in Texas”.<sup>166</sup>

The interference of proslavery Southwesterners in Mexico’s factionalist politics continued well into the 1850s, as evidenced by their courting of regional *caudillo* Santiago Vidaurri. The liberal governor of Nuevo León (and Coahuila after 1856), Vidaurri seemed well disposed to Texan interests, as long as they coincided with his own. In the summer of 1855, rumors spread that Vidaurri, anxious to secure the northern border and to centralize custom revenues to his own advantage, was close to reaching an agreement with a delegation of Texan slaveowners on the principle of compensated restitution. (Planters around San Antonio were thought to be ready to

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<sup>162</sup> SRE, AEMEUA, 33/1, f.228-231, “An ex-senator of the US’ to De la Rosa, Boston, 15 Aug. 1851” and “De la Rosa to Ministro de Relaciones, 27 Aug. 1851”.

<sup>163</sup> Ronnie C. Tyler, “Fugitive Slaves in Mexico”, *The Journal of Negro History*, 57/1 (Jan. 1972), 5; Schwartz, *Across the Rio to Freedom*, 34; Joseph E. Chance, *José María de Jesús Carvajal: the Life and Times of a Mexican Revolutionary* (San Antonio: Trinity University Press, 2006), 161; Nichols, *The Limits of Liberty*, 133-134.

<sup>164</sup> *National Era*, 5 Feb. 1852. In fact, many Texans volunteered alongside Carvajal’s own men.

<sup>165</sup> UT(A), Briscoe, John S. Ford Papers, “Memoirs of John S. Ford”, v.4, 628 and 655-656; Mike Dunning, “Manifest Destiny and the Trans-Mississippi South: Natural Laws and the Extension of Slavery into Mexico”, *The Journal of Popular Culture*, v.35, issue 2 (2001), 119.

<sup>166</sup> *South-Western American*, 17 Nov. 1852.

contribute about \$200,000 and place 1,000 armed men at Vidaurri's disposal.) Yet such an agreement never materialized on account of Vidaurri's unwillingness to negotiate with private citizens.<sup>167</sup> Such lobbying by Texans nonetheless came close to bearing fruit by the end of the decade. During the winter of 1858-1859, Vidaurri commissioned Juan N. Seguín (a native *Tejano* and former volunteer army leader during the Texas Revolution) to ascertain whether Texas state authorities would be disposed (and if so, for how much) to negotiate the return of US escaped slaves with Nuevo León y Coahuila. However, by the end of March 1859, Seguín informed Vidaurri that the Texas government did not feel able to forge such a deal without the approval of the Union, and that concerns had arisen that self-liberated slaves in the Mexican borderlands would escape into the country's interior after learning of such an accord, thus rendering any compensation a waste of money.<sup>168</sup>

A thin boundary divided supporting regionalism or separatism in Mexico from endorsing US expansion as an alleged solution to slave flight. By the late 1850s (the height of the fugitive slave scare in Texas), Southern faith in the creation of an independent state in northern Mexico was fading away and calls to remove "the line between Mexico and the United States to the Sierra Madre" became increasingly frequent.<sup>169</sup> Despite the "All-Mexico" movement's political defeat after 1848, its expansionist ideology proved resilient in the US-Mexico borderlands and dovetailed with the issue of slave flight. Territories conquered from Mexico would act as buffers for existing slave states against runaways, besides providing a prime outlet (especially the coastal *Tierra Caliente*) for the southward progress of slavery-based plantation economy into equatorial lands, considered by many southerners to be the "natural law of slavery".<sup>170</sup> Proponents of an aggressive pursuance of Manifest Destiny in the Gulf turned Mexico's free-soil policy – a sign of supposed national inferiority – into a motive

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<sup>167</sup> *Maine Farmer*, 30 Aug. 1855; *Texas State Times*, 8 Sep. 1855; *Wilmington Journal*, 7 Sep. 1855; *The Athens Post*, 7 Sep. 1855.

<sup>168</sup> *San Antonio Daily Herald*, 12 Oct. 1858; *New York Times*, 7 Dec. 1858; *The Weekly Telegraph*, 29 Dec. 1858; *The Washington Union*, 31 Dec. 1858; *La Sociedad, Periódico Político y Literario*, 1 Jan. 1859; *Dallas Herald*, 5 Jan. 1859; TSLAC, Texas Governor Hardin Richard Runnels, Box 301-28, folder 14, "J. N. Seguín to Runnels, 8 Jan. 1859"; Tyler, "Fugitive Slaves in Mexico", 10-11; Santiago Roel (ed.), *Correspondencia particular de d. Santiago Vidaurri, Gobernador de Nuevo León, 1855-1864* (Monterrey: Universidad Autónoma de Nuevo León, 1946), v.1, 184; Mario Anteo, *Texas y Nuevo León, 1821-1911* (Monterrey: Universidad Autónoma de Nuevo León, 2008), 49; Reséndez, *Changing National Identities*, 169. On Vidaurri and the War of *La Reforma*: Luis Alberto García, *Guerra y Frontera: el Ejército del Norte entre 1855 y 1858* (Monterrey: Fondo Editorial de Nuevo León, 2007); Santiago Roel, *Apuntes Históricos: Primera Edición Corregida y Aumentada* (Monterrey: Castillo, 1985), 168-191.

<sup>169</sup> *Nueces Valley Weekly*, 3 April 1858 and 17 April 1858. On southern expansionism in the US-Mexico borderlands: Robert E. May, *The Southern Dream of a Caribbean Empire, 1854-1861* (Gainesville: University Press of Florida, 2002), 136-162.

<sup>170</sup> On the "natural law of slavery": Robert E. May, *Slavery, Race and the Conquest: Lincoln, Douglas, and the Future of Latin America* (Indiana: Purdue University, 2013). See for instance: Marvin T. Wheat, *Progress and Intelligence of Americans [...]* (Louisville: M.T. Wheat, 1862), 450-457 ("the onward advance of Americans to the South West with the institution of slavery to serve as a pioneer labor, to reclaim the forests and swamps of Mexico, Central America, the West Indies, and South American, notwithstanding the popular rage of *abolitionism* against it, is, and will be the inevitable result of *reason* and *common sense*"). Italics from original source.

for conquest. Jane McManus Cazneau, an All-Mexico proponent and active Young America member, viewed the fact that US escaped slaves had – according to her – “all the social rights and honors of the most esteemed citizens” across the border as a racial heresy, which she cited as evidence of the degradation of “unprepared, undisciplined races, when left to themselves”.<sup>171</sup> In October 1857, filibuster William Walker (who four years earlier had briefly invaded Baja California and Sonora) authored an article in *DeBow's Review* in which he heaped scorn on Latin American abolitionism. He especially attacked Mexico's endorsement of free soil in its 1857 Constitution, regretting that its “border territories furnish[ed] a place of refuge for the runaways” escaping from the US South, while exhorting southerners not to “remain quiet and idle while impassable barriers [we]re being built on the only side left open for [their] superabundant energy and enterprise”.<sup>172</sup> At the heyday of expansionism and adventurism, some walked the talk, such as the Knights of the Golden Circle (KGC). A secret society founded in July 1854 at Lexington (Kentucky), the KGC aimed to establish a large slaveholding empire encompassing the US South, the Caribbean, Central America and Mexico, and Texas quickly became its main stronghold. In the spring of 1860, small companies of KGC paramilitaries assembled near the Rio Grande, threatening to invade Mexico. Some months later, a US army officer on the border observed that “the runaway negroes living on the Rio Grande had all gone back into the interior, fearing a raid upon Mexico by the K.G.C.'s”.<sup>173</sup> Yet, as James D. Nichols has pointed out, escaped slaves did not experience real or presumed expansionist threats solely in a passive manner. For instance, in September 1848, “*los Orleaneses*” of Tampico cracked down on a revolutionary movement originating from the nearby Huasteca region and recovered the town, fighting out of fear that the insurgents sought to unite Tamaulipas to the US. A year later, the “natural enemies of the Americans” would again take up arms for the port's defense, after rumors that a filibustering expedition led by Colonel White from New Orleans was about to cross the Gulf of Mexico.<sup>174</sup>

Filibusters and militiamen like the KGC were not the only advocates for conquest, as some local political representatives in the US Southwest began to advocate for the occupation of the northeastern part of Mexico in retaliation for its asylum policy. During the May 1859 Texas State Democratic convention held at Houston, John D. Stell, representative for Leon County, stressed the urgent need to formalize rendition with Mexico. His co-representative Henry J. Jewett even proposed a resolution considering that “in case the Authorities of Mexico shall refuse to enter into treaty stipulations for the extradition of runaways slaves, it will then be politic and necessary for our members of Congress to urge in that body the adoption of such

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<sup>171</sup> Montgomery, *Eagle Pass*, 138-140.

<sup>172</sup> *DeBow's Review and Industrial Resources, Statistics, etc.*, Oct. 1857, 441, “Slavery in Central and South America and Mexico. William Walker”.

<sup>173</sup> *The Evansville Daily Journal*, 18 April 1861; May, *The Southern Dream of a Caribbean Empire*, 149-155.

<sup>174</sup> SRE, LE 1094, f.127-128, “Jesús Cárdenas to Ministro de Relaciones Exteriores, 25 Nov. 1848”; UT(A), Benson, Despatches of US Consuls in Tampico, 1824-1906, reel 2, “Chase to Buchanan, 4 Oct. 1848”; SEDNA, L-3072, f.43-45, f.76-77, and 813; Nichols, *The Limits of Liberty*, 77-78.

measures for the occupation and holding of the Mexican states adjacent to the Rio Grande frontier". On similar grounds, another representative amended Jewett's proposal to make it applicable to the Canadian borderlands, Nova Scotia and New Brunswick, as well.<sup>175</sup>

Through the "Texas question" and the US-Mexican War, the question of slave flight combined with the policy and practice of free soil in Mexico had entered into the Union's domestic controversies on slavery.<sup>176</sup> After the failure of the Wilmot Proviso (1846), which had proposed a ban on introducing slavery into conquered territories, opponents of the southward and westward expansion of African slavery in the Mexican Cession lands (California and the territories of New Mexico and Utah) stressed that such an extension of slavery would clash with Mexico's contiguous free soil. Sanctuary policy south of the border impeded plans for the expansion of slavery into the soon-to-be conquered lands, as many newspapers in the North argued. The New York *Daily Tribune* for instance underlined that "the moment a slave crosses the Rio Grande his shackles fall off: he becomes a free man, by force of Law, unless our bayonets have subverted that law".<sup>177</sup> The antislavery press was adamant in pointing out that the institution's recognition in the Cession lands, especially New Mexico, would only generate more escape attempts to Mexico. In April 1848, the New Haven *New Englander* underscored that, with black slavery introduced in New Mexico, slaves would be "constantly escaping to freedom upon Mexican soil [...] and whom the masters will therefore pursue in array or arms, shooting them down if they resist, and bringing them back in chains".<sup>178</sup>

As William S. Kiser has argued, Mexico's free soil came to represent an essential feature of public and congressional discussions on whether or not to extend slavery in the Cession lands, before the option of "popular sovereignty" (except for California that became a "free state") emerged through the Compromise of September 1850. In May 1850, in a letter addressed to Truman Smith, senator for Connecticut, William C. Skinner, James L. Collins and Henry Connelly, three residents of Santa Fe (New Mexico), identified several factors that undermined the practicality of introducing slavery into New Mexico. The proximity of numerous Native American

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<sup>175</sup> *The Daily Delta*, 10 May 1859; *The Weekly Telegraph*, 18 May 1859; *The Standard*, 28 May 1859; *Democratic Platform: for the Campaign*, 2 June 1859.

<sup>176</sup> Taking as an example the expenses incurred by slave-catching parties in Florida, Congressman Joshua R. Giddings opposed the annexation of Texas in January 1845 in connection with slave flight: "I object to placing ourselves in a situation to be called upon to catch the runaway slaves of Texas. If this be economy, may Heaven save us from its extension". Joshua R. Giddings, *Speeches in Congress*, by Joshua R. Giddings (Boston: John P. Jewett & Co., 1853), 134.

<sup>177</sup> *New York Daily Tribune*, 16 July 1846.

<sup>178</sup> *New Englander*, v.6/22, 292 (April 1848). By the end of the US-Mexican War, newspapers in the North were especially adamant in reminding their audiences of Mexico's anti-slavery laws. See for instance: *Christian Register*, 21 Oct. 1848, "Mexican Laws and Decrees Concerning Slavery". Some proslavery advocates, by contrast, argued that military conquest had erased any prior prohibition of slavery (*De Bow's Review, Agricultural, Commercial, Industrial Progress and Resources*, v.7 (1849), 62-72 "Slavery in the New Territories").

groups (in particular the Navajos) along with the hostility expressed by most *Nuevomexicanos* towards African slavery – albeit tolerating alternative forms of slavery and unfree labor – would unmistakably favor a runaway slave. According to the three citizens, New Mexicans would express “every sympathy for his condition as a bondman” to the point of “offering every facility to his escape from servitude”. Furthermore, the introduction of slavery into New Mexico would also have to overcome an environment favorable to escape attempts and the existence of antislavery laws south of the border. In their words, “the southern portion- and this is the part, if any, where slave labor ever could be profitable- of our territory borders upon that of the Republic of Mexico: a narrow stream, fordable at almost every point, presenting no obstacle to the escape of a slave to a country where he would be free as in the land of his forefathers, and far more secure from recapture”.<sup>179</sup> Like many other Northerners, such as Horace Mann, who fiercely opposed the introduction of African slavery into the Cession lands, Truman Smith would later use these arguments in heated debates on the subject with proslavery southerners and senators Jefferson Davis (Mississippi) and John C. Calhoun (South Carolina). Through these congressional debates, Mexico’s free soil and escaped slaves had become to some extent embedded in North-South controversies on slavery and free labor.<sup>180</sup>

Debates over Mexico’s asylum policy continued to fuel sectionalism well after the Compromise of 1850. Some months later, the *Southern Quarterly Review*, a staunchly proslavery journal, denounced the Compromise, judging it unfavorable to Southern interests, especially in New Mexico. Because the popular sovereignty option applied with regard to slavery in the new US territories, leaving the principle of Mexico’s free soil for now legally unchallenged, the journal expressed its displeasure at the fact that “the moment the negro touches the sacred soil of New Mexico – soil purchased, it may be, by drops of his master’s blood – he becomes not only free, but, under the Mexican law, the equal of his master”.<sup>181</sup> By contrast, in a context of rising polarization over slavery (internationally and *within* the US), northern abolitionists criticized the lobbying for extradition and the expansion of slavery into Mexico conducted by US officials. In April 1847, for instance, the *National Era* expressed concern that the Union would attempt to force Mexico into signing an accord on fugitive bondspeople’s return in exchange for peace.<sup>182</sup> Abolitionists praised Mexico’s

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<sup>179</sup> John C. Rives, *The Congressional Globe, volume 22, part 2: Thirty-First Congress, First Session, Appendix* (United States, Congress, 1850), 1180, “Connelly et al. to Smith, 18 May 1850” and “Address of Truman Smith, 8 July 1850”; Kiser, *Borderlands of Slavery*, 15-56. Congressional discussions further questioned whether slavery had effectively been abolished in 1829 and 1837 in New Mexico (as in the rest of the Cession lands), since by status it constituted a province of Mexico (equated as US territory) instead of a proper state. although no consensus existed about the subject, black slavery was indeed opposed by a majority of Spanish speaking residents of New Mexico. *The Santa Fe Weekly Gazette*, 16 April 1853.

<sup>180</sup> Horace Mann, *Horace Mann’s letters on the Extension of Slavery into California and New Mexico* (Washington DC: Buell & Blanchard, 1850); Eric Foner, *Free Soil, Free Labor, Free Men: the Ideology of the Republican Party before the Civil War* (New York: Oxford University Press, 1995); Kiser, *Borderlands of Slavery*, 15-56.

<sup>181</sup> *The Southern Quarterly Review*, v.3/5 (Jan 1851), 206-207.

<sup>182</sup> *National Era*, 29 April 1847.

staunch refusal to deliver runaways. Anti-slavery journalist James Redpath stressed the strength of Mexico's "national animosity" towards slavery, given that "there are numbers of fugitives from American slavery among them", and argued that the institution could "never be extended into Northern Mexico".<sup>183</sup> Some editors, however, voiced their concern that Mexico's asylum policy would be used as a convenient excuse for a new US military invasion. For example, as early as 1852, the *Vermont Watchman and State Journal* argued that "the protection given in Mexico to runaway slaves" had led some people to suggest "the idea of annexing two or three of the Mexican border States to our own".<sup>184</sup>

Such sectionalism at a national level also took on very local expressions. For instance, the conflict that raged between slave-hunter William R. Henry (a former participant in Callahan's expedition) and brevet major general David E. Twiggs personified the discrepancy of interests between local borderland residents and the US federal authorities. In February 1859, Henry called for the organization of a large armed force named the "San Antonio and Brazoria Emigration Company". Drawing the ire of northern editors who denounced the enterprise as "piratical", its aim was to abduct enslaved refuge-seekers settled at San Fernando and Múzquiz in order to sell them at the slave market of New Orleans. Twiggs, the US army's commander in Texas (a veteran of the Seminole and the US-Mexican wars and future major general under the Confederacy), at first seemingly tolerated the planned border-crossing expedition. However, he soon withdrew his backing, as noted by Ronnie Tyler. Instead, anxious to maintain a fragile peace with Mexico, Twiggs ordered the arrest of any US citizen attempting to retrieve escaped slaves beyond the river, which quickly infuriated Henry. In a public letter published in a Galveston newspaper, the filibuster violently accused Twiggs of the infamous act of providing escaped slaves with "the protection of the United States army".<sup>185</sup>

Henry's discourse constituted only the tip of an iceberg of grievances expressed by Southwesterners against the federal government regarding the question of escaped slaves in Mexico after 1848. Criticism was directed at the treaty of Guadalupe Hidalgo itself, which did not include any provision on fugitive slaves, "a great omission or oversight" that the New Orleans *Daily Crescent* (among other newspapers) soon

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<sup>183</sup> James Redpath, *The Roving Editor, or, Talks with Slaves in the Southern States* (New York: A.A. Burdick, 1859), 303. Interestingly, Southerners opposed to the southward extension of slavery also used this argument. For example, John H. Reagan from the House of Representatives of Texas (*National Era*, 30 Dec. 1858, "The South Becoming Conservative") considered calls for the introduction of slavery into Mexico as a first step towards territorial acquisition, as "by the law of that country the slaves would be free as soon as there".

<sup>184</sup> *Vermont Watchman and State Journal*, 16 Dec. 1852. See also *National Era*, 21 Aug. 1851 (original from *Albany Evening Journal's*). Equally, the Mexican press usually viewed rising sectionalism in the US on slavery as inciting Southerners to conquer Cuba as a first step toward acquiring the tropics, including Mexico (*El Siglo XIX*, 28 Dec. 1850).

<sup>185</sup> TSLAC, Texas Governor Hardin Richard Runnels, Box 301-28, folder 15, "Henry to Gov. Runnels, 3 Feb. 1859"; *The Southern Intelligencer*, 23 March 1859; *Dallas County*, 13 April 1859; *Meigs County Telegraph*, 26 April 1859; *National Era*, 5 May 1859; *Boletín Oficial*, 29 July 1859; Tyler, "Fugitive Slaves in Mexico", 10.

forecasted as, potentially, “the cause of another war with Mexico in less than ten years”.<sup>186</sup> In a similar vein, the San Antonio *Western Texan* stressed that the federal government should have annexed the territory east and north of the Sierra Madre to the US, for it afforded “a safe refuge for runaway negroes and renegades from justice”.<sup>187</sup> Texas Ranger and journalist John S. Ford’s violent diatribes in his *Texas State Times* against the federal government were symptomatic of the rising resentment felt by proslavery Texans towards Washington. The “General government [was] bound to protect its citizens”, according to Ford. Infuriated by its presumed inaction, he encouraged slaving raids in Mexico on the ground that “if the government fails to protect us, we must protect ourselves”. Ford’s radicalism became commonplace during the years leading up to the US Secession War.<sup>188</sup> For example, the *State Gazette*, the organ of the local Democratic Party, suggested that slaveholders send descriptions of their slaves to its office in preparation for such raids, being justified in doing so by the federal government’s failure to perform the “paramount duty” of protecting slave property in the borderlands.<sup>189</sup> Sectional discord grew accordingly.

On 22 March 1858, planter and colonel Henderson McBride Pridgen gave a public address at Clinton (Texas) on the issue of slave flight to Mexico, which he fiercely condemned as “striving to break down [Texas] slave institutions by holding *the false banner of liberty to our slaves*”. Pridgen urged the federal government to conclude a restitution accord modeled on the Fugitive Slave Act of 1850 with Mexico, implicitly blaming Washington for the occasional deaths of slave-hunters in Mexico, such as three residents of De Witt County “murdered and robbed in cold blood, while in pursuit of runaway slaves” near Laredo. In a discourse connecting individual freedom and slave property, Pridgen emphasized what he perceived as a slaveholder’s constitutional right to receive guarantees regarding possession of his enslaved workforce. He suggested that Texan slaveholders would never have backed annexation in 1845 if they had been aware of US presidents Franklin Pierce and James Buchanan’s insensitivity to the “grievances” of Texas. Moreover, Pridgen also threatened that slaveholders would soon either invade Mexico or withdraw from the federation in order to satisfy the “great law of self-preservation”. His threats voiced an ever-

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<sup>186</sup> *New Orleans Daily Crescent*, 6 May 1851. Concerns of military conflicts fueled by slavery-related disputes between the US and Mexico became commonplace in the press: *Houston Telegraph*, 18 July 1851; *National Era*, 4 Sep. 1851; Martha Menchaca, *Naturalizing Mexican Immigrants: a Texas History* (Austin: University of Texas Press, 2011), 18.

<sup>187</sup> *The Western Texan*, 3 June 1852.

<sup>188</sup> *Texas State Times*, 2 June 1855; *Texas State Gazette*, 2 June 1855; Nichols, *The Limits of Liberty*, 150-151. Ford contemplated commissioning John A. Quitman to lead an expedition into Mexico for the retrieval of enslaved asylum-seekers, arguing that they “[were] running off daily”: May, *The Southern Dream of a Caribbean Empire*, 137.

<sup>189</sup> *Texas State Gazette*, 14 Oct. 1854. Such opinion extended well beyond the southwestern borderlands. During the winter of 1853-1854, Olmsted met a “well-dressed man” on the route between Natchez (Mississippi) and Tuscaloosa (Alabama). With him he conversed on Mexico’s sanctuary policy, which his interlocutor considered outright “stealing”, rhetorically asking: “what good is the government to us if it don’t preserve the rights of property, sir?”. Frederick L. Olmsted, *A Journey in the Back Country in the Winter of 1853-4* (New York: Putnam, 1907 [1860]), v.1, 188-192.

increasing sense of exasperation among southern slaveholders. When Pridgen summed up his arguments in a memorial sent to US senator for Texas James Pickney Henderson, five hundred residents signed it.<sup>190</sup> The presumed ineffectiveness (if not complicity, as in William R. Henry's view) of the federal government regarding fugitive slaves in the US-Mexico borderlands represented one of the many bones of contention between Southwesterners and the federation, and fueled both the growth of sectionalism and the overwhelming support of Texans for Secession.<sup>191</sup>

## **Conclusion**

Following the Texas Revolution, in a North American political environment more and more clearly divided between pro- and anti-slavery proponents, Mexico's official commitment to protecting fugitive slaves from the US South grew firmer. These self-emancipated bondspeople settled in the Rio Grande's border towns, in northeastern Mexico's *haciendas*, in the Black Seminole colony in Coahuila and in the Gulf of Mexico's port cities (such as Veracruz), finding employment as casual laborers, domestic servants or craftsmen. Local administrators, such as municipal *alcaldes*, usually welcomed the arrival of these new residents as an opportunity for their communities (economically, demographically and militarily), only occasionally challenging their deservingness and their contribution to local societies. Immersed in rising antislavery sentiment, officials at the federal, state and local levels usually sought to guarantee self-emancipated bondspeople's freedom both on paper (by rejecting demands for restitution and explicitly inscribing free soil in constitutional texts) as well as in practice against multiple legal and extra-legal threats. However, controversies regarding the enforcement of free soil in Mexico persisted at least until the US-Mexican War. These involved Mexican military and administrative officials and US agents in Mexico, all of whom debated to what extent this sanctuary policy should apply in the face of conflicting legal principles and provisions.<sup>192</sup> Furthermore, the intensification of slaving raids in the Texas-Mexico borderlands, military conflicts between Texas, the US and Mexico and the heyday of Southern expansionism during the 1850s all jeopardized the effective maintenance of Mexico's free soil and the preservation of self-liberated bondspeople's freedom. As such, the escape of US bondspeople to Mexico became a sensitive issue for Mexican borderlanders and

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<sup>190</sup> Henderson McBride Pridgen, *Address to the People of Texas, on the Protection of Slave Property* (Austin: 1859). The murder alluded to by the author was reported not long before in: *San Antonio Herald*, 15 Dec. 1857 and 30 Dec. 1857; *The Civilian and Gazette*, 22 Dec. 1857.

<sup>191</sup> Ernest Winkler (ed.), *Journal of Secession Convention of Texas* (Austin: Austin Printing Company, 1912), 61-65.

<sup>192</sup> One could argue here that debates on the extent to which to apply free-soil principles and provisions in nineteenth-century Mexico mirrored contemporary discussions about the applicability and limits of the legal doctrine of *non-refoulement* (literally, no forcing back) applying to modern-day refugees: Jari Pirjola, "Shadows in Paradise: Exploring Non-Refoulement as an Open Concept", *International Journal of Refugee Law*, v.19, issue 4 (2007), 639-660; Seline Trevisanut, "The Principle of Non-Refoulement and the De-Territorialization of Border Control at Sea", *Leiden Journal of International Law*, v.27, issue 3 (2014), 661-675.



residents of the US South alike, with the latter increasingly resorting to transnational violence to recover enslaved asylum-seekers. While an unprecedented number of slaving expeditions into Mexico further divided national communities along the border, the related issues of free soil and slave flight to Mexico planted another seed of discord between Southerners and Northerners during the years leading up to the US Civil War, partly accounting for the support for Secession by a majority of Southwesterners in 1861.

