

# California was a free state. But there was still slavery. Now reparations are on the table.

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By Gillian Brockell, The Washington Post, adapted by Newsela staff

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*California Governor Gavin Newsom signs into law a bill that establishes a task force to come up with recommendations on how to give reparations to Black Americans on September 30, 2020, in Sacramento, California. The law establishes a nine-member task force to come up with a plan for how the state could give reparations to Black Americans, what form those reparations might take and who would be eligible to receive them. Photo: Office of the Governor via AP*

Alvin Coffey took a wagon train to the California Gold Rush, hoping to mine enough gold to buy his and his family's freedom. But his enslaver double-crossed him.

Archy Lee lost his freedom when the California Supreme Court ruled Lee's former enslaver could reclaim his "property," even in a free state.

Robert Perkins built a successful mining supply business near Sacramento, California, after his enslaver returned to Mississippi without him. Then he was arrested.

Bridget "Biddy" Mason was enslaved in San Bernadino, California. When her enslavers wanted to take her with them to Texas, she knew she had to make a move.

These are just some of the hidden stories of slavery in California that may soon be delved into after California Governor Gavin Newsom signed a law September 30 that will establish a task force to study the state's role in slavery. The task force will make recommendations for reparations, a formal

apology and how to educate the public about this history.

"This is an extremely important time for all of us, because California tries to lead the way in terms of civil rights," said California Assemblywoman Shirley Weber -- who wrote and sponsored the bill -- in a signing ceremony on Zoom.

"California's rich diversity is our greatest asset, and we won't turn away from this moment to make right the discrimination and disadvantages that Black Californians and people of color still face," Newsom said.

The law is the first of its kind for a state and had bipartisan support. In February, the State Assembly passed a resolution apologizing for the state's role in sending Japanese immigrants and Japanese Americans to internment camps during World War II.

"California has come to terms with many of its issues, but it has yet to come to terms with its role in slavery," Weber said.

Though bipartisan, the law has its critics. William Darity Jr., a Duke economics professor and reparations expert, told the website Cal Matters that no single state could launch an action large enough to be called "reparations."

"I have a sense of proprietariness about the use of the term reparations, because I think people should not be given the impression that the kinds of steps that are taken at the state or local level actually constitute a comprehensive or true reparations plan," Darity said in Cal Matters. "Whatever California does perhaps could be called atonement, or it could be called a correction for past actions."

The law specifies that any state actions should not be considered a replacement for federal measures. Weber said she hoped the California law might inspire action nationally. There have been bills to study reparations before Congress for decades. The first hearing on reparations was in 2019.

Many white Southerners who moved to the California territory during the Gold Rush (1848 to the mid-1850s) brought the people they enslaved with them, according to Susan D. Anderson, the history curator of the California African American Museum.

"In the beginning, they were forced to work in the mines like everybody else," Anderson told The Washington Post in a phone interview. "But once they got here, they were hired out, as cooks, as farmers, they were servants."

California was admitted as a state as part of a deal between lawmakers representing slave and free states known as the Compromise of 1850. In exchange for passing legislation making California a free state - tipping the balance of power toward free states - lawmakers also passed a strict fugitive slave law that effectively "turned the criminal justice system and legal system in the United States into bounty hunters for slave owners," Anderson said.

Though it was technically a "free" state, white settlers were not abolitionists; it was more that they didn't want any Black people there at all. Before Peter Burnett became the first American governor of California, he penned a law in Oregon Country banning Black people.

Slavery persisted in California until it was abolished nationally, Anderson said. There were no slave schedules and the 1850 census was famously faulty, so it is probably impossible to know how many people were enslaved in the Golden State. There were at least several hundred and possibly many more, Anderson said. There were ads for slave sales in California newspapers.

“Because California was the frontier and the wild, there were people that ran away when they could,” she said.

About 2,000 free Black people, largely from New York and Massachusetts, chose to move to California during the Gold Rush, according to Anderson, and they often helped the enslaved escape.

That’s what happened to Biddy Mason in 1856. Over the years she had been forced to move with her enslavers from Georgia to Utah to California - where she met and befriended free Black people. When she learned her enslavers planned to take her to Texas, she asked them for help. Her friends alerted the sheriff, who rescued her. Mason wasn’t allowed to testify at the hearing about her own freedom, but a judge still declared her and her children “forever free.” Mason became a midwife and eventually became one of the richest women in California, buying a homestead in what is now downtown Los Angeles.

Archy Lee got help from the free Black community in San Francisco, California, in 1857. When he found out his enslaver planned to take him back to Mississippi, he ran away and hid in a hotel owned by Black abolitionists. He was arrested, freed by a judge and then arrested again when the California Supreme Court reversed the decision. (Burnett, the racist former governor, was one of the justices.) Eventually, a federal court freed him permanently, and he moved to Canada.

Charles Perkins, his brother Carter and another man were forced to work in California’s mines. When their enslaver decided to return to Mississippi, he could only afford passage for himself. The men earned their freedom from the white man who had been put in charge of them and started their own business.

But then California passed its own fugitive slave law, and within weeks, they were arrested and sent back to Mississippi to be re-enslaved. It was rumored at the time that the men escaped when their ship neared Panama, Anderson wrote in the California Historical Society.

Then there was Alvin Coffey. He made the trip from Missouri to California three times total. The first time, he gathered more than \$6,000 in gold dust to buy his and his family’s freedom. His enslaver, a doctor, had agreed to the deal, but when the time came, the doctor took the gold and sent him back to Missouri.

“That was actually pretty common,” Anderson said.

Coffey was able to make his way back to California, and this time successfully bought his freedom, and then the freedom of his wife and children. He became a leader in his community and helped build schools for Black children, who at the time were banned from public schools. Family legend has it the kids were taught by John Brown’s daughters.

Michele Thompson, a retired civil servant in Walnut Creek, California, is Coffey's great-great-granddaughter. His freedom papers passed down to her from her father, who was pioneering in his own way - he was the first Black police officer in Oakland, California.

"I think of first-Black-this, first-Black-that with my father, and I think, 'Hey, we're not that far from slavery,'" Thompson told The Post in a phone interview.

So with the new reparations law, would Thompson accept possible compensation the \$6,000 stolen from her great-great-grandfather? It would be \$200,000 today.

She wouldn't mind a check, but she isn't seeking one, Thompson said. First of all, Coffey had nine kids, and some of them had a dozen kids each. There are a lot of relatives to split it with today, she said.

"To me, if you want to do something to compensate for slavery, put that money where it's going to do some good," she said. Use it to improve failing schools.

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