

“A Proper Attitude of Resistance”

The Oregon Letters of A.H. Francis to Frederick Douglass, 1851–1860

PRIMARY DOCUMENT

by Kenneth Hawkins

I: “A PROPER ATTITUDE OF RESISTANCE” 1831–1851

In September 1851, when A.H. Francis and his brother I.B. Francis had just immigrated from New York to Oregon and set up a business on Front Street in Portland, a judge ordered them to leave the territory. He found them in violation of Oregon’s Black exclusion law, which barred free and mixed-race Black people from residence and most civil rights. A.H. had been an active abolitionist in New York for two decades, working most recently with Frederick Douglass to simultaneously attack slavery and elevate Black people through education and economic improvement. In Oregon, the Francis brothers used the same arguments when they petitioned the territorial legislature in the fall of 1851 to exempt them from exclusion or to overturn the law, identifying themselves as “honest and industrious” men pursuing business.¹ The legislature took no action, and the brothers stayed in Oregon, where their business largely

flourished. The debate over whether to extend slavery to Oregon continued through the decade, eventually entangling A.H. in a political feud between Portland’s Whig newspaper, the *Oregonian*, edited by Thomas Dryer, and Oregon’s Democratic party organ in Salem, the *Oregon Statesman*, edited by Asahel Bush.² Francis also continued his collaboration with Douglass through a series of letters that Douglass published between 1851 and 1861. Those letters document how Francis and his family, partners, friends, and enemies worked out life as free Blacks in the territory built around White supremacy.

A free man, Francis had experienced various degrees of servitude and liberty in the 1830s and 1840s, combining individual initiative and mobility with social activism in New York’s mercantile and abolitionist circles. In the minutes of numerous abolition meetings where he was secretary and



BETWEEN 1851 AND 1860, A.H. Francis wrote over a dozen letters to his friend Frederick Douglass, documenting systemic racism and supporting Black rights. Douglass published those letters in his newspapers, *The North Star* and *Frederick Douglass' Paper*. The November 20, 1851, issue of *Frederick Douglass' Paper* is shown here.

in letters to Black newspapers, Francis explored the American Revolution’s legacy of rights for Blacks, opposed schemes to colonize Africa with free American Black people, and extolled the opportunities available through economic uplift and immigration to the American West. These ideas comprised forceful and genuine resistance to slavery and racism, and were central to the free-Black abolitionist movement that Francis helped lead.³ These ideas therefore informed Francis’s responses to the legal and business challenges he encountered after immigrating to the Pacific Coast in 1851.

In August 1851, A.H. and I.B. established what would become one of Portland, Oregon’s, leading mercantile stores throughout the city’s founding decade. With the support of over

200 White Oregonians (who signed a petition to the territorial legislature on their behalf), the brothers successfully resisted the chief Supreme Court justice’s expulsion order and negotiated accommodations to succeed on the far periphery of what Thomas Jefferson and others conceived of as America’s “empire for liberty.”⁴ A.H. wrote over a dozen letters to his friend Douglass, documenting and critiquing the region’s systemic racism and supporting Black rights. Douglass published Francis’s letters in each of the three abolition newspapers (*The North Star*, *Frederick Douglass' Paper*, and *Douglass' Monthly*) that he wielded against the nation’s racism (and used to help forge a national reputation).

Francis’s letters — only one of which has been re-published since it

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FRONT STREET in Portland, Oregon, is pictured in this view north from Washington Street in June following the flood of 1862. In August 1851, A.H. Francis and his brother I.B. Francis established what would become one of Portland's leading mercantile stores. The block where they conducted business is shown here on the left.

first appeared — show how systemic racism in the Oregon Territory reflected slavery politics in the United States, how White supremacists worked to thwart Black leaders such as Francis, and how a network of lesser-known abolitionists joined Francis and Douglass for years to resist White supremacy across the nation.⁵

The Francis letters are also significant for their first-hand view of life in the United States for an educated and ambitious free Black man, and the risks of his publicly calling for abolition and justice.

Francis had feared for his safety in 1838 after defending “respectable” Blacks in Buffalo from attacks just weeks after the murder of abolitionist Elijah Lovejoy by a pro-slavery mob in Alton, Illinois.⁶ This may explain why he kept his profile low in Oregon, where he endorsed, but did not join, the halting work of its few White abolitionists in 1855.⁷

Francis's letters show his persistent faith in what historians Patrick Rael and Manisha Sinha describe as an “ideology of elevation and uplift,” embraced by Black abolitionists to make the

American Republic honor its ideals, centered on the concept of “respectability.”⁸ Francis defined “a proper attitude of resistance” as earning middle-class respect for achievement and character in order to win the rights for which his father (a free man who served in the Revolutionary War) and the founding generation had fought. Francis succeeded in Oregon due in part to the currency this worldview held for an influential group of White politicians, businessmen, and editors in and around Portland. An ideology based on supposed worth and a hierarchy of success had limits, however, and demanded an “other” to subordinate. Whites in Oregon built a “frontier of exclusion” in which several groups, including Black and Indigenous people, were less than welcome. Francis indulged such prejudice in one of his first letters to Douglass from Oregon.⁹ In adopting the respectability and mercantilism of the dominant culture, Francis voiced some of its racist views, including that all Indigenous people and free Black people in “degrading” occupations were of lower moral worth than others.¹⁰ Francis, who signed letters in *The North Star* as “yours for the oppressed,” nonetheless accepted exploitation of people and resources as common. Like others, he saw the West as a storehouse of resources to exploit and supported the related dispossession of Indigenous peoples.¹¹ Francis repeated assurances that Oregon's Black exclusion act would be repealed just after his arrival in 1851, but power wielded in favor of Whites quickly targeted him.

ABNER HUNT FRANCIS was born about 1812 to Mary Francis and Jacob Francis in Hunterdon County, New Jersey. His father had been indentured to service from age thirteen until he turned twenty-one in 1775. As a free man, Jacob then ranged across several states, serving in the Continental Army and New Jersey militia during the Revolutionary War. In 1789, he bought Mary's freedom from her enslaver Nathaniel Hunt. After marrying, the Francises acquired a farm and beer shop in Flemington, New Jersey, and sent their seven sons and two daughters to common schools. Free Black people were allowed to vote in New Jersey until 1807, when the state legislature curtailed Black rights. That Jacob's offspring knew of his fight for freedom is certain. The Francises' son, also named Nathaniel, attested to Jacob's Revolutionary War service when Mary applied for a widow's pension, and during his long career as an abolitionist, A.H. often credited Jacob and other Black people for the rights they helped America win in battle but were made to wait for ever since.¹²

A.H. Francis immigrated in late 1835 to western New York's booming export depot, Buffalo, where he began an activist career for the abolition of slavery and a clothing business with fellow abolitionist Robert Banks.¹³ In 1836, Francis, his future father-in-law John Dandridge, and others were elected trustees of the Second Baptist Church organized by the Colored Society of Buffalo. When White citizens in Buffalo attacked their Black neighbors' loyalty in early 1838, Fran-

cis wrote and signed a petition for greater rights that invoked the service of his father and others to “defend the institutions of the country.” During the early 1840s, he led meetings in this and other Buffalo churches to expand the franchise to free Blacks (laws restricted voting to males with more than \$250.00 in property), and to oppose schemes to colonize Africa with American free Blacks.¹⁴ By late 1837, he also had married Sydna Edmonia Robella Dandridge, daughter of Charlotte Dandridge and John Dandridge, an active free Black abolitionist in Buffalo.¹⁵

When Francis served on a Buffalo jury with Whites in 1843, a newspaper correspondent observed that the well-dressed and propertied Black man had cut his hair short and wore in its place “a wig of straight black hair,” a practice others would remember him continuing in Oregon. Francis, who was almost certainly mixed-race, may have attempted to “pass” as White in order to garner respect from the White establishment. Oregonians who knew him in the 1850s said as much.¹⁶ William Wells Brown, a mixed-race Black abolitionist active in Buffalo at the same time as Francis, wrote the novel *Clotel*, in which several characters pass into White society to gain respect and rights.¹⁷ Shortly before he served on the jury, Francis and Brown organized a “National Convention of Colored Citizens” in Buffalo. Douglass spoke over several days, including at Second Baptist, and this was likely where he and Francis first met. Among the topics was a debate about whether Black elevation and

reasoned argument or physical confrontation could end slavery.¹⁸ Douglass, like Francis, Brown, and other free Black leaders, favored uplift, activism, and immediate abolition.¹⁹

Within a few years, Douglass began publishing letters from Francis in his abolition newspaper, *The North Star*. In 1848, they worked together often, building a friendship that would last for years. Francis opened the year with his first long letter to *The North Star*'s editors, Douglass and Martin R. Delany, in which he argued that the Constitution did not support slavery. In his view, it enshrined the republican principles “which our forefathers waded in blood to achieve, but in part experienced.”²⁰ In mid August, Douglass attended and spoke briefly at the National Free Soil Party's convention in Buffalo. Afterwards, Douglass thanked his “many fine friends, among who are our much esteemed Abner H. Francis and lady, at whose house and table, we always find a hearty welcome. Such persons make the path-way of the weary laborer in the cause of humanity, however dreary, a delightful way — a way of pleasantness.”²¹ Francis and his wife Sydna were guests at the Douglass house in Rochester in December, during an anti-slavery fair that passed resolutions calling for immediate abolition and “No Union with Slaveholders.” In September, Francis and Douglass had supported Black uplift at the National Convention of Colored Freeman in Cleveland, Ohio. Returning to western New York on the steamer *Oregon*, Douglass was so pleased with their work that he exulted, “Another

A.H. FRANCIS'S signature is pictured here from a letter sent to Gerrit Smith dated February 27, 1849. Smith was an abolitionist and in June 1851, his newspaper, the *Liberty Party Paper*, merged with *North Star* to become *Frederick Douglass' Paper*.

‘Oregon’ free soil victory. Oh! The cause is rolling on.”²²

Francis had long supported immigration of Blacks to free territories within the United States. He raised the prospect of such a place, reserved exclusively for Blacks and granting them the vote, as early as 1831, and he had flourished since his move west to Buffalo from New Jersey in 1835. He had expanded his business in the early 1840s (“Clothing made to order, in the most Fashionable Style”) with partner and fellow abolitionist James Garrett. Both Francis and his older brother Isaac owned property.²³ But by 1850, a number of events may have made emigration attractive to Francis again. Two Kentuckians attempted to kidnap a free Black man from Buffalo in 1847, prompting Francis and others to take steps to organize a vigilance

committee. Earlier that year, Dandridge and William Qualls (1800–1863) of the Second Baptist Church had helped formerly enslaved Blacks escape through the city. More immediately, Francis and Garrett's business failed in 1849, and creditors foreclosed on the property where Francis resided. Francis took a sales-agent job that summer as Garrett left town for Detroit. Francis's former partner, Robert Banks, immigrated in 1850 to California, which joined the Union as a free state that September. Francis still agitated against slavery, even after the Fugitive Slave Act increased the risk to free Blacks across the North. An economic downturn prompted many to immigrate to places they believed could provide a better life in communities with equal rights and prosperity. In June 1851, A.H. Francis prepared to join them.²⁴

Letter No. 1*

Letter from Abner H. Francis — on the eve of leaving for California.

Buffalo, June 9, 1851.

Mr. F. Douglass: —

I purposed for some time past, to give you a lengthy letter upon the various topics now interesting, and upon which the weal or woe of this country's destiny depends. But my dear sir, that midnight prowler who is ever ready to stealthily arrogate to itself so many of our precious hours, (Procrastination,) has brought me so near the very eve of my departure, that I must reluctantly forego the intention, for the present at least, and make it up from that far off region to which I purpose in a day or two to embark.²⁵

There is no pleasure in the thought, or desire to the performance of such a journey, so far from the land of my nativity, and relinquishment of family and friends. Amid all the trying scenes of life to which Colored Americans are subject by the heartless doings of our law givers, home is still dear; here and there a kind friend or relation is near to us, and fastens our affections to the hallowed spot — home. I feel that I go away for wise and important purposes; not only as regards my own welfare, but the welfare of our people. We are weak and defenceless. Weak, because we lack that stability of character, soundness of mind and general experience, from the want of education. Defenceless, because we are poor, and remain so, for the want of sufficient ambition and go-aheaditiveness to place ourselves in a proper attitude of resistance. The idea is this, the colored people must come out of the strongholds of oppression, and iniquity of cities; and like white men, go out into the country, and remotest corners of the Globe, if need be, and improve their condition by obtaining the necessary perquisites referred to above, if they expect to see the desires of their hearts realized. It is vain and futile to suppose it can be brought about in any other way. We must have one intelligent and wealthy foothold. When equal in this respect we can, by right and with confidence, demand all things equal.

* Published in *North Star*, June 12, 1851, p. 2. This letter appeared in one of the last issues of *North Star* before Frederick Douglass merged it with Gerrit Smith's *Liberty Party Paper* to become *Frederick Douglass' Paper*. The first issue of the eponymous newspaper appeared on June 26, 1851.

** A.H. Francis to F. Douglass, "Sketches from California," Number III, after July 1851, published in *Frederick Douglass' Paper*, October 30, 1851, p. 4. Francis apparently began this letter in San Francisco but mailed it on his first stop in Oregon. It is edited from a longer letter that describes his Isthmus crossing. Numbers I and II were printed in *Frederick Douglass' Paper*, October 16, 1851, p. 4, and October 23, 1851, p. 4.

I am happy to find this great truth gaining friends. The enterprise of the colored people the past year, is truly gratifying. Every day brings some intelligence of some of them removing to the west, or Canada, yea and to California, to better their condition.²⁶ It is so far from being seldom, that we hear of many returning from the far off regions of the Pacific, and by their enterprise, come laden with the rich treasures of that country. But I must close. God grant you may keep your foothold already so firmly established, and continue to wage war upon our enemies. And since the Constitution has appeared to you in a new light, you will be able to wield a more powerful influence.²⁷ My prayer is that you may live to witness the consummation of this great struggle, to behold all men free.

Ever yours,
A.H. Francis.

Letter No. 2**

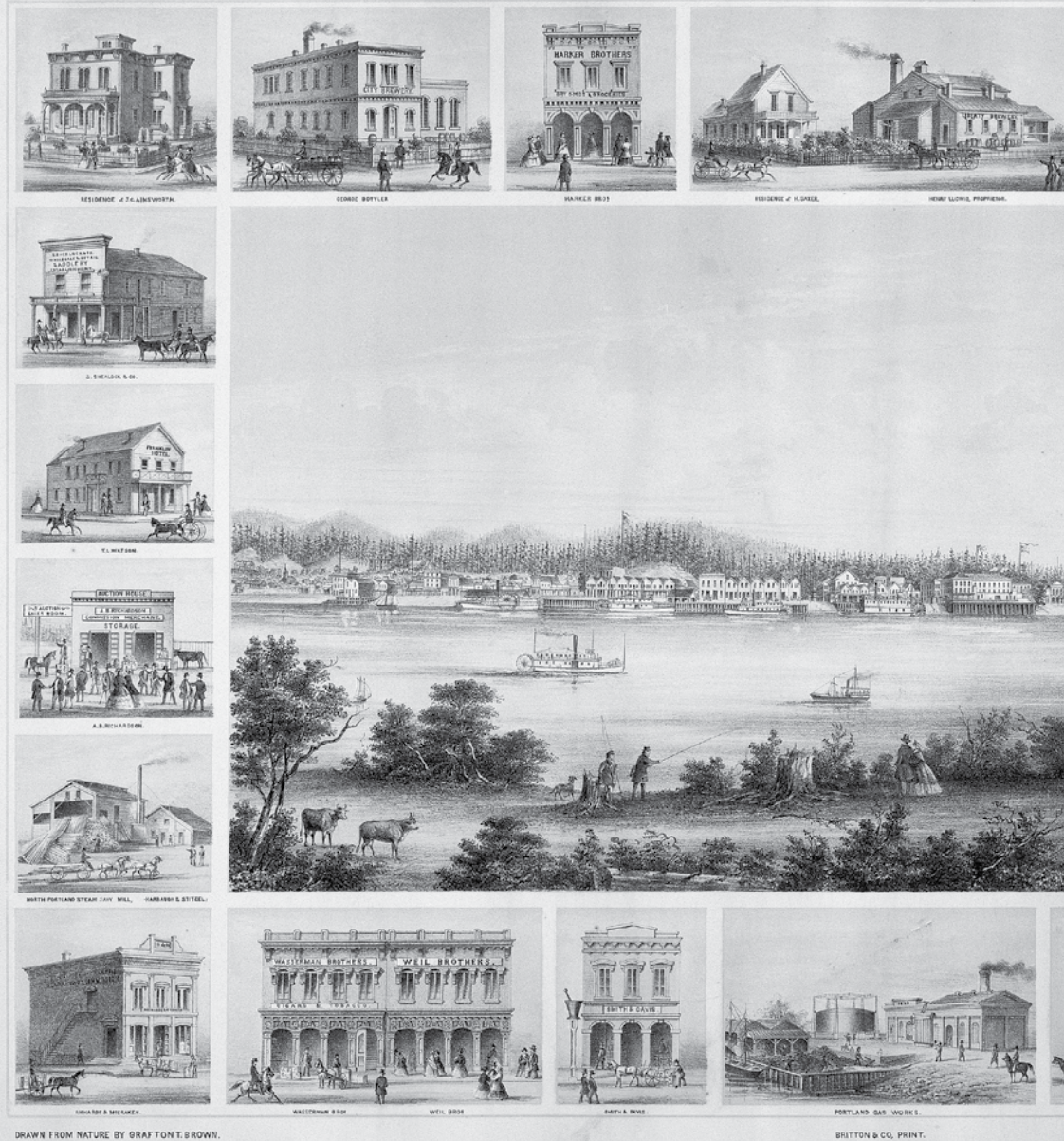
Sketches from California. Number III.

San Francisco, July, 1851.

Truly, San Francisco is one of the great wonders of the world.²⁸ Although it must be expected, in a mixed community like this, that crime walks abroad, it is far from holding that universal sway, that strangers abroad would anticipate. Those who frequent the haunts of vice and infamy must, of course reap the rewards of their doings. There are thousands of other channels where the well disposed can congregate with profit. Honest industry is well rewarded. The voice of prayer and praise cheering the heart of true believers, can be heard at the corners of the street, on the sabbath, and in the churches dedicated to the service of Almighty God. I attended the Presbyterian church on the sabbath, and was much gratified by meeting with none of that spirit of caste too often practiced at home.²⁹ The two great fires which within the last six months have destroyed some thousands of houses, and millions of dollars worth of property, have crippled, for a time, the business of the city. Yet San Francisco must ever be to the Pacific, what New York is to the Atlantic.³⁰

August the fifth, in company with my brother, I took passage on the spacious steamer *Columbia* for Oregon city.³¹ It certainly is a feature worthy of remark in American enterprise, that so many first class steamers and such magnificent accommodations (competing with our Atlantic steamers), should so soon be found traversing the water of this newly settled and far off country, on the shores of the Pacific and along the banks of the Columbia river. I changed steamers at Astoria and therefore close in order to send this by return of mail. You shall hear from me again.

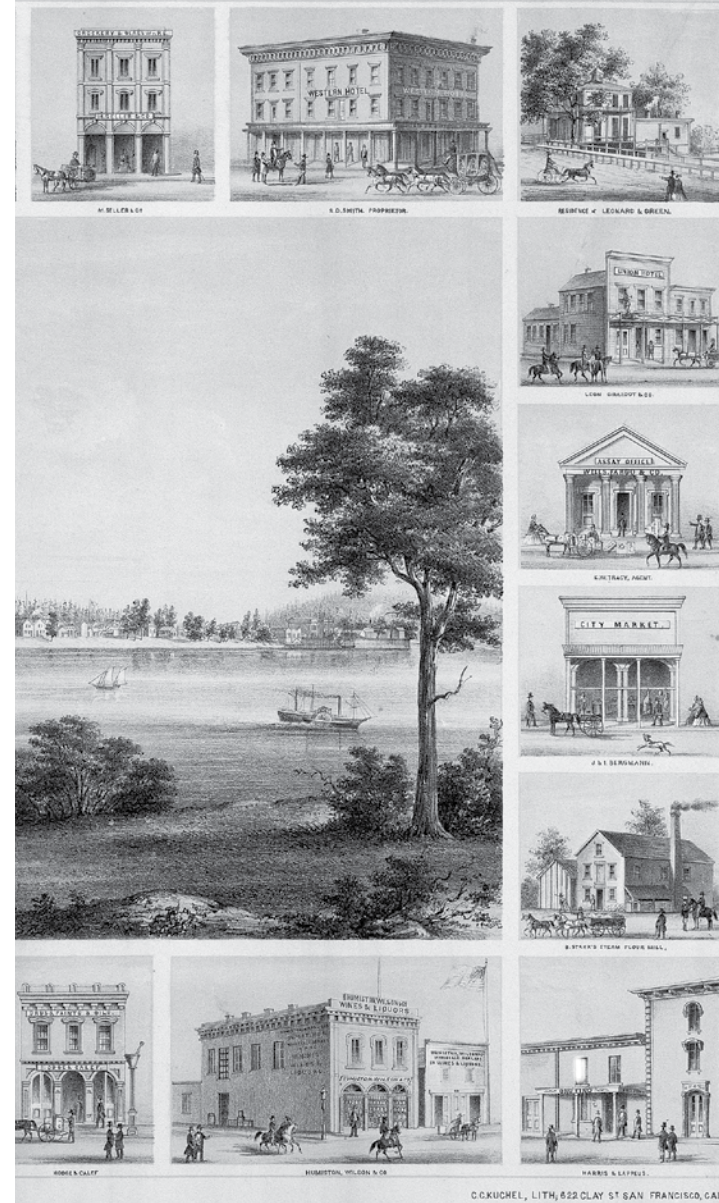
Yours as ever,
A.H. Francis.



DRAWN FROM NATURE BY GRAFTON T. BROWN.

BRITTON & CO. PRINT.

CITY OF PORTLAND,
OREGON.



C. C. KUICHEL, LITH, 822 CLAY ST SAN FRANCISCO, CAL.

THIS 1863 LITHOGRAPH titled "City of Portland, Oregon," was created by Grafton T. Brown (1841-1918). Brown was an African American artist who created works depicting the Pacific Northwest and California during the nineteenth century. In 1863, A.H. Francis, although residing in Victoria, British Columbia, still owned his store property on Front Street. He sold it to W.S. Ladd the following year.

Letter No. 3*

Letter from A.H. Francis

Portland, Oregon Territory, after August 10, 1851

Dear Douglass: —

I think I promised, in my last, which I mailed to you at Astoria, on my outward trip to this place, that you should hear from me again.³² Our first port of entrance, after four and a half days out from San Francisco, on the Steamer Columbia, was Pacific City. So far as the appearance of the city was concerned, I was sadly disappointed, seeing only some half dozen houses and a hotel, placed in the forest, near the side of a mountain ravine, and a number of Indian tents at a distance therefrom. Aside from this, the romantic traveler, at least, would be delighted with the jaunt. Pacific City is near the mouth of the Columbia. The entrance into the harbor is quite difficult, and not safe without an experienced pilot. Once inside, you glide along on the beautiful waters of the harbor, (which is as smooth as glass,) until mountain fastnesses, on either side, hide all other objects from view, save the city in front, and the great sandbar in the rear, around which we had just been piloted. The land is well timbered with pine, cedar, and oak, showing already some proof, that American enterprise will yet mould this portion of the continent to rank, among her richest and certainly most pleasant (in regard to climate) of all her domain. After a short stay, to land some passengers, the steamer rounded to, and passed safely out. Rounding a point, we came suddenly in view of the mouth of the Columbia river. No doubt, in many respects, one of the finest rivers in the world. I think her length is thirteen hundred miles, and breadth varying from some three to four miles at its mouth, down to one-half mile, and were it not for some difficult falls to pass, would be navigable to its terminus. The climate of Oregon, is best adapted for wheat, producing sixty bushels to the acre, and readily brings from ten to twelve shillings per bushel. The air must be very pure. I noticed fresh meat that had been hanging the sixth day in the open air, and the weather varying from seventy-five to ninety degrees, without its being the least affected. Fifteen miles from the mouth of the Columbia, lies Astoria. From what I had heard of this place, I again was sadly, disappointed.³³ It contains about thirty houses, (a tavern and post-office, of course.) It lies at the foot of the hill, near the water's edge, with not sufficient timber cleared away to give them a garden-spot. Here I was compelled to stop for twenty-four hours, waiting

* Published in *Frederick Douglass' Paper*, November 20, 1851, p. 3

for the smaller class steamer, which here meets the Columbia, to convey her load to Portland.³⁴ Astoria is named after Jacob Astor. It is the place, or was the depot, where his five or six hundred trappers brought their effects, and through which he paved the way for his princely fortune. I was showed the house he occupied.³⁵ It looks almost incredible, in view of the unsettled state of the country at the present time, that the enterprise of a man should bring him into a wilderness like this some twenty thousand miles from home, at a time when nothing was heard from human lips, but the savage yell of the Indian, along the distant shores of the Pacific and Columbia. It looks even now, as a great adventure, although the shrill whistle of the escape pipe, and the noise of the paddle-wheel of the steamer is heard along her shores. The savage is yet here to be seen floating on these waters, in his bark canoe. — Some of them are the most perfect models I ever beheld. But poor, oppressed, and down-trodden Indian! They seem to have sunk so low that the light of Heaven cannot reach them, like the poor slave in the South. Here, they are made to fill their place. The only difference, one is voluntary, while the other is compulsion, by doing the drudgery, and depending upon the generosity of the whites for daily sustenance. The trip from the mouth of the river up to Portland was truly pleasant. The fir tree grows in abundance along the shore, and up the side of the mountain for some two thousand feet.

It was on a pleasant Sabbath, the 10th of August, I came in sight of St. Hellens, Mount Hood, and Mount Jefferson, the peaks of which, and for some distance down their sides, were covered with snow. As the rays of the sun sent back the reflection (although some eighty to a hundred miles distant,) the eyesight was dazzled. The former named of these mountains, stands elevated thirteen thousand feet above the level of the sea.³⁶

I omitted to say that I stopped a short time at Fort Van Couver, which was built by the British, some fifty years ago. By treaty stipulations, it was given to the Americans, and is now, occupied by American troops.³⁷ The place is quite a pleasant one. The only sad picture, was to see the Indians, (who congregate in large numbers at this place,) the most degraded, distressed looking objects, I ever saw, many of the females, almost clotheless, perfect pictures of misery, while the men, in a similar condition, fighting, gambling, running horses, &c. I arrived in Portland on Sunday evening.³⁸ It lies on the Whillhamet River, one of the branches of the Columbia, about one hundred miles from the mouth of the Columbia. The situation is a desirable one for a city, and must eventually become a city of considerable size. It is now the largest in Oregon. Oregon City lies twelve miles higher up on the same river. — Boats of a very small size are compelled to convey passengers from Portland to Oregon City, and therefore the former must continue to outstrip the latter. I like this place much, and the people also. I avow the fact, although the greater portion of the citizens are Southerners. From the desire to make money, or in consequence of no colored

people living among them, they do not show out their principles as is their usual custom, God grant they never may. I am informed that some Judas had introduced, and succeeded in getting it passed in the Territorial Legislature, a resolution that no colored person should settle in the Territory.³⁹ I have conversed with some of the leading officials of this city, in relation thereto. They say it was passed by stratagem. Although in operation, it will be repealed. Portland is less than two years old, contains three to four thousand inhabitants, (whites,) beside a large number of Indians.⁴⁰ It is the great trading depot for the Territory, and many of the mining districts trade at this place. Government lands are rapidly being taken up, and settled by industrious farmers, who are running the products of the soil into market, and receiving enormous prices. Butter, seventy-five cents per pound; eggs, one dollar dozen; milk, one dollar gallon; potatoes, from two to two and-a-half per bushel, &c. — In this opportunity, the colored man, too, is repulsed, and has not been able to obtain any of these lands to settle, considering him not a citizen of the U.S.⁴¹ Wages for mechanics, at the present time, are seven and eight dollars per day. Day laborers, from three to five dollars. On steamers, and labors of that nature, from seventy-five to one hundred dollars per month. Washing, three and four dollars per dozen. I have more than filled up my sheet, and therefore bid you adieu, for the present, and subscribe myself,

Yours as ever,
A.H. Francis.

Letter No. 4*

Tyranny and Oppression in Oregon—Great Excitement

Portland, Oregon Territory, about October 1851

Frederick Douglass — My Dear Friend:

Since my last letter to you, mailed at San Francisco, I had in part written out two communications intended for publication.⁴² Before their completion, I was brought to the knowledge of the fact, and experienced the result of an existing law in this “free territory” of Oregon, so unjust and devilish in all its features, that I waive other matter[s] that you may immediately give publicity to the facts

* Published in *Frederick Douglass' Paper*, November 13, 1851, p. 2. While this letter was published one week before letter no. 3, it is placed here to follow events as they occurred.

relating to it. After a two months' tour from Buffalo via New York to Chagres, through New Granada, Mexico, California and Oregon, I concluded in connection with my brother, to locate for a time in Oregon. In accordance therewith, we went to a store and commenced business at a very heavy expense.⁴³ After the expiration of ten days, I was called away for three weeks.⁴⁴ Shortly after my departure, my brother was arrested through the complaint of an Englishman (said, by some, not to be naturalized), on charge of violating one of the laws of the territory. And what do you suppose was the crime? That he was a negro, and that one of the laws of the “free” territory forbid any colored person who had a preponderance of African blood from settling in the territory. He was tried before a Justice of the Peace, and, I must say, very generously given six months to leave the territory. The law says thirty days.⁴⁵

The second day after my return, Sept. 15th, the complainant, not being satisfied with the past decision, carried the case up to the Supreme Court, Judge Pratt presiding.⁴⁶ Before his Judgeship we were summoned. After a formal hearing, establishing the fact of negro identity, the court adjourned, to meet the next morning at 9 o'clock. At the hour appointed, the room was crowded, showing much feeling of indignation and wrath against the complainant. Judge Tilford, late of San Francisco (a Kentuckian), appeared as counsel for the defense.⁴⁷ To be brief, he conducted the case with the ability and skill rarely seen by the legal profession, showing, by the constitution of the United States, the right of citizens of one state to enjoy the rights of citizens in another. To be understood on this point, his argument rested that citizens of one state had a right to enjoy the same privileges that the same class of citizens enjoy in the state which they visit. This he contended was the understanding or meaning of that article in the constitution.⁴⁸ He demanded for us, under this clause, all the rights which colored people enjoyed in the territory prior to the passage of this law. (Those in the territory at the time of the passage of this law are not affected by it). He then took the position, and clearly proved it, that the law was unconstitutional, on the ground that [it] made no provision for jury trial in these arrests, showing that any person, no matter how debased, had the power to enter complaint against any colored persons and have them brought before any petty Justice of the Peace and commanded to leave the territory. Did space permit, I should gladly follow the Judge further in this branch of his interesting argument.

At the close of it, the whole house appeared to feel that the triumph was complete on the part of the defendants, that unconstitutionality of the law must be conceded by Judge Pratt. But alas! self-interest or selfishness led him to attempt to override the whole argument, and prove the constitutionality of the law; and it is none the less true that we now stand condemned under his decision, which is to close up business and leave the territory within four months.

This decision produced considerable excitement. Some said the scoundrel (the complainant) ought to have a coat of tar, while the mass have agreed to withhold their patronage from him. . . . The people declare we shall not leave at the expiration of the time, whether the Legislature repeal the law or not. Petitions are now being circulated for its repeal. The member from this district, Col. King, one of the most influential men in the house, declares, as far as his influence can go, it *shall* be repealed at the commencement of the session, which takes place on the first of December next.⁴⁹ Thus you see, my dear sir, that even in the so-called *free* territory of Oregon, the colored American citizen, though he may possess all of the qualities and qualifications which make a man a good citizen, is driven out like a beast in the forest, made to sacrifice every interest dear to him, and forbidden the privilege to take the portion of the soil which the government says every citizen shall enjoy. Ah! when I see and experience such treatment, the words of that departed patriot come before me. “*I tremble for my country when I remember that God is just, and that his justice will not always sleep.*”⁵⁰

I find, upon examination, that more than half of the citizens of Portland were ignorant of any such law. The universal sentiment is, *that it shall be repealed*. God grant that this may be the case. If I have been one who, through suffering severely, has had the least agency in bringing about this repeal, I shall freely surrender, and be well pleased with the result. Yours for equal rights, equal laws and equal justice to all men.

A.H. Francis

II: “THIS NEW, YET ROTTEN LIMB OF ‘REPUBLICAN AMERICA’” 1851–1854

Francis and his brother remained under Pratt’s expulsion order as they waited for the Territorial Legislature to meet in late 1851. In September, Chief Justice Thomas Nelson had enforced an expulsion order under the same law against a Black man named Vanderpool, ordering him to leave the territory within thirty days.⁵¹ On December 8, Ralph Wilcox of Portland presented to the House a petition supporting the brothers and signed by over 200 White Oregonians (including


numerous leading merchants and proprietors of Portland). Members debated a bill to amend the exclusion law but “indefinitely postponed” the matter on a nine-to-eight vote.⁵² I.B. Francis apparently found these outcomes concerning enough that, beginning on December 13 and continuing into the following month, he published notices in Portland’s weeklies “to close the concern.” The store they had used behind the Columbian Hotel on Washington Street was sold

in April, but events soon turned for the better.⁵³ In late May 1852, I.B. announced the opening of a new store *in* the hotel, whose owner, Orlando McKnight, was the second person to sign their petition. I.B. was listed in the black on the county’s tax assessment that year, which he closed with an advertisement that cleverly used the abolitionist call to action, “Still They Come!”⁵⁴

During this time, A.H. traveled regularly to San Francisco by steamship, his name appearing on the published lists of those who could afford cabin passage. Presumably, he attended to business on these journeys, three of which saw him narrowly escape shipwrecks or their rescues while crossing the Columbia Bar. But he also openly resisted racism in California, as seen in the April 1852 letter below, in which he followed up on an earlier report about the state’s strong pro-Southern elements. A contemporary noted Francis signed petitions to the legislature to rescind its bans on court testimony from Blacks. Sydna supported her husband’s endeavors, highlighting his interwoven activist, business, and family connections. The family’s ties deepened in California in the spring of 1853, when Sydna

STILL THEY COME!!
ATTENTION ALL!
Now is the time to go to the wholesale and retail store
Of I. B. Francis,
Front st., under the Columbian Hotel,
PORTLAND, OREGON.

JUST received in addition to former stock, the best assortment of Dry Goods, Clothing, Fancy Articles, Perfumery, Toys, &c., ever offered in this city, and will sell at prices fully corresponding with the times, to wit: Small profits in dull times.



NOTICE.

THIS stock of goods are of the latest importations, and of the best fabrics, consisting in part of superfine black, blue, brown, green and drab Frock, Dress, Sack, and Kossuth Coats, black Doeskin Pants, fancy ditto, Black Silk, Satin, Embroidered, Boded and White Marsailles Vests, Shirts and under clothing of every description, French Calf, Patent Leather, Kip, Hungarian and Cowhide Boots and Shoes.

Also, a large assortment of Cutlery, Colt's Revolvers, Clocks, Gold and Silver Watches, Gold Pens, Pencils, Rings, Breast Pins, &c., &c.

Also—Tea, Coffee, Sugar, Bottled Ale, Pie Fruit, Candies, Candles, superior Regalia Havana, and other choice brands of Segars, &c., &c.

TO THE LADIES

I would say that I have just opened a splendid assortment of Brocade, Black and Rept Silks for Dresses. . . A beautiful article of Valparaiso Dress Goods, silk warp Alpacaes, Marimoes, English and American Prints, Black Silk Mantillas, Canton Crape, Marino, Cashmere and Rob Roy Shawls, superior Grass and Linen H'ks., Bonnets, Gater, Walking and India Rubber Shoes, Thread lace, Lace Collars, Underbraces, Under Clothing, &c.

Don't forget the name and place.
Nov. 20, '52. I:tf I. B. FRANCIS.

I.B. FRANCIS placed newspaper advertisements for his Portland wholesale and retail store in the Columbian Hotel at Front and Washington streets between December 1851 and December 1854. This advertisement, published in the *Oregon Weekly Times* on August 6, 1853, included the abolitionist rallying cry, “Still They Come!!!” In 1854, he relocated to a two-story brick store on the southwest corner of Front and Stark streets. After his death in the spring of 1856, his brother A.H. Francis operated a store there until his departure from Portland in 1861.

and her father, both “of San Francisco,” purchased residential property in the city from merchant David B. Rising. It appears she maintained a residence in the city during this period, while I.B. and

A.H. managed the business in Portland. To date, there is no contemporaneous documentation to indicate that Sydna resided in Portland during the early 1850s.⁵⁵

Letter No. 5*

San Francisco, April 17, 1852.

Dear Frederick: —

I mailed a letter to you in Portland.⁵⁶ I am now in this city for a fortnight. I find they have acted on the Fugitive Slave Law in the Legislature of this State, passing it by an overwhelming majority.⁵⁷ Soon I look for trouble in this new, yet rotten limb of “*Republican America*.” — Forty or more slaves, (which no doubt you have heard of, as being brought to this country by their owners,) arrived yesterday.⁵⁸ It created some sensation, and the general opinion, is, that the miners will not suffer them to labor. The law of California is no law with the miners.

Yours as ever,
A.H.F.

III: “THE SLAVERY PARTY NOW HAS THE ASCENDENCY IN OREGON” 1854–1855

The trouble Francis predicted would visit his new home arrived, from quarters close and far, even as day-to-day sales in Portland and consignments and trips to San Francisco continued for him and his family through 1854.⁵⁹ After the California legislature literally threw out petitions in 1852 calling for the testimony of Black people to be allowed in courts, Francis and others met, planned, and responded. They

stayed apprised of national news about extending slavery into the territories, the related splintering Democratic party, and opposition parties and factions. They replied through meetings, resolutions, and letters of support or indignation. In May 1854, Francis sent Douglass a long report on a meeting of Black Californians he chaired and its resolutions to increase circulation of Douglass’s newspaper and support

* A.H. Francis to Frederick Douglass, April 17, 1852, published in *Frederick Douglass’ Paper*, May 27, 1852, p. 1

his national council to help Blacks enter “any field of honorable labor with all other citizens.”⁶⁰ By then, the Kansas-Nebraska Act had prompted national ire. Francis sent his fiery response, printed here, in June 1854 (before news of the law’s passage reached Portland). Oregon as a territory was henceforth vulnerable to the introduction of slavery. A year later, the Democratic sweep of Oregon elections deepened the cynicism that overtook Francis as he wrote first to his friend Philip A. Bell in New York City, about “the day for celebrating mock republicanism” — July 4 — in Portland,

and then, to Douglass a few days later (Letter No. 7 below). Francis poured his faith in liberty for all into a song he wrote, sung by Sunday school children in Portland that Independence Day:

*Onward! travelling as a band,
On Freedom’s chariot through the land,
Echoing loud our great command,
We must and will be free.
On to victory pure and bright,
We plant our motto on the right,
Pleading with our Fathers’ might,
Freedom and the Right.*⁶¹

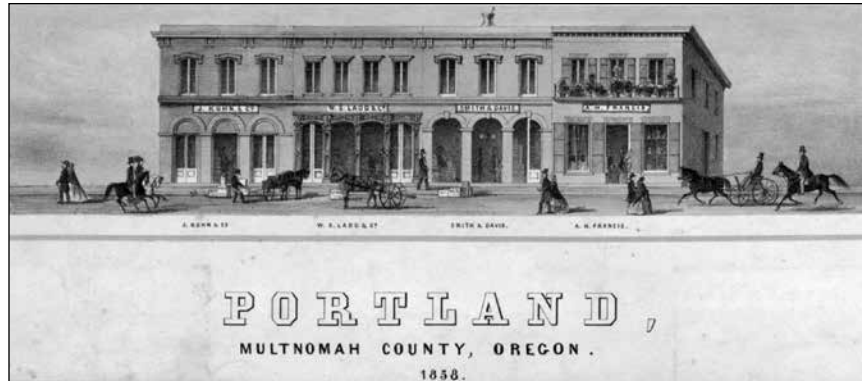
Letter No. 6**

Letter from A.H. Francis

Portland, Oregon, June 1, 1854

Frederick Douglass, Esq : Esteemed Friend: — Although I have not written to you for more than a year past, think not that I have forgotten you, or the cause you espouse. Your valuable paper has generally come to hand, each number eliciting still deeper interest for the cause of the slave, and your own ultimate success. The changes that have taken place, in relation to your views in carrying on the Anti Slavery movement, the violent attacks within which those views have been met by those who heretofore were *professedly* your dearest friends and coadjutors in the branch of reformatory movement, has been a source of great grief to my mind.⁶² It has established in my mind for you (if possible) an increased amount of confidence in your honest and untiring efforts to rid the American Government of that system of abominations that already places her on the brink of ruin, betraying in some degree the confidence I heretofore held in some of the most able defenders of human rights. Permit me to say that you have sustained your position against fearful odds. Draw not back. Onward be

** A.H. Francis to Frederick Douglass, June 1, 1854, Portland, published in *Frederick Douglass’ Paper*, September 22, 1854, p. 3



IN THIS DETAIL of Kuchel & Dresel's lithograph, "Portland, Multnomah County, Oregon, 1858," A.H. Francis's store is depicted on the far right on Portland's principal commercial block at Front and Stark streets, where he and his brother I.B. operated it from 1854 to 1861.

your motto. — No attacks from your opponents in a righteous cause can avail anything when *professedly anti-slavery men* stoop (falsely) so low, in order to give a semblance of truth to their vile calumny, as to enter the family relation by base insinuations to crush their brother who dares to differ from them in the mode of action he conceives the most conclusive to affect the object of his benevolent and commendable intentions.⁶³ Stand firm to your position, my esteemed friend. The crisis imperiously demands that political anti slavery should be brought to bear upon the *rotten, false hearted demagogues* that now fill the State and National councils of the American Government. The drama that politicians are now playing is hastening to the last act.⁶⁴ In the name of God and humanity, I call upon Abolitionists, and all honest men, to come to the rescue. *Displace, and forever lay low the heartless, dishonest and ungrateful political wretches* who have betrayed their trust, and sold themselves to a power through which naught is to be seen but blight and deace throughout the land. It is a mystery to me how anti-slavery men can look through moral suasion alone to the overthrow of such infamous time servers as those who supported the repeal of the Missouri Compromise.⁶⁵

You, doubtless, will expect to hear something about men and things on the Pacific side of the great American possessions. I am sorry to say but little can be communicated worthy of interest. The severity of the past winter in this region has surpassed that of any other known to the oldest white settlers, causing some of the Aborigines to exclaim, Verily, what evils do not follow in the wake of the Boston man (white man) — Farmers have suffered exceedingly.⁶⁶ An ocean steamer seldom leaves this port without bearing away some emigrants who express themselves fully satisfied in relation to beauties and advantages

of Oregon, willing to return to the Western States and close up the remainder of their days. Business has come to a complete stand. Produce of all kinds is lower here than in the Atlantic States. Potatoes have been offered at 30 cts. per bushel, without buyers. Butter, 25 cts. per lb. Eggs, 25 cts. per doz. Onions, \$1.50 to \$2.00 per bushel — from \$9 to \$10 per barrel. Provisions shipped from the States are selling for lower than home cost. — Labor down from \$1 to \$3 per day; board held up at exorbitant prices of \$7 to \$10 per week. Rents, also, are kept up at the former high rates. Picture in your mind this mixed state of things, and you must become convinced of the awkward and unprofitable state of affairs in Oregon. Persons in any comfortable business with you, would make a losing business to exchange for this country. Still, onward they come; the emigration fever is incurable; *they must come to be healed*. Those who reason upon the causes for this state of things (and many very correctly,) viz., that the increase of population is greater than the wants of the territory will justify, consequently leaving the mass who reach here across the plains (already impoverished) to settle down in the wilderness, without means, disappointed, disheartened — no benefit to themselves, to the merchant or to the mechanic. The future growth and prosperity of this territory must necessarily be very slow — dependent, as it now is, upon the farming and lumber interests, and stock raising, for support. All the mining sections, claimed by the territory, that pay to work, skirt the boundary lines of California, and has entirely withdrawn from us that trade once so beneficial.⁶⁷ While that trade lasted, the merchants disposed of all the goods they could bring into the market at heavy advances. The farmers disposed of their stock (which cost but a nominal sum) at extravagant prices. It worked well. Let us view the change. I have already spoken of the mining interests leaving us. Take the territory of Oregon, as a whole, and it falls far short of an equal comparison, with the Western and South Western States. Hundreds in this territory are ready to testify. Those who came here in the early settlement of the territory, and for the causes above stated, paid but little attention to the improvement of their claims, giving themselves up to idleness and profligacy. The moment California made her draws upon our trade, and left us, as she has, far in arrears in her agricultural recourses, the dread reality was before them. To give you a faint idea; within the past eighteen months, several hundred thousand dollars have been expended in California for flour and provisions to supply the wants of the people in the territory.⁶⁸ Farmers, through necessity, came out last fall with fine crops. The people here have no means to purchase; and San Francisco, the only market for Oregon, has sufficient of its own producing, of a better quality, at rates that will not pay the Oregonians to transport. I have prolonged this too far.

The first Legislative Council of Washington Territory (that portion that was taken in the division of Oregon) convened in February at Olympia. By the acts I notice they have drawn the line of distinction between the races. The colored man, and half-breeds of African descent, are disfranchised, while half-breeds of

whites and Indians are not. The President of the Council, [Francis A.] Chenowith, representative from the Cascades, a man with whom I have some acquaintance, and who held the most liberal views three years ago in relation to my ejection from the territory on account of complexion, was the first to offer an amendment to the resolution which produced this result, at a time, too, when there was a prospect of its going through without this odious clause. Truly, the time has come when we know not what politicians to trust. He was one of the candidates for Congress. That hope buried all his amazing philanthropy. When will men learn true wisdom, and act for the right.⁶⁹

Before I close, I must congratulate you, and the projectors and supporters of the National Council.⁷⁰ I consider it the great movement of the age among colored Americans. Let the objects in view of that body be carried out, and our increasing strength and influence will be *permanently* felt throughout the Union. I certainly deplore the unwise and unjustifiable position taken by some friends of Freedom in this Colonization Conventional movement, soon to take place in Cleveland, Ohio.⁷¹ Personally acquainted, and friendly as I feel towards the projectors of that scheme, I can but feel that the spirit of opposition and self-aggrandizement are higher motives with some, than real sympathy for the good they expect to accomplish. I want no better evidence than the fact that the most tenacious supporters of that movement are the last to leave the country, and the first to deny those to meet with them who disagree with their views. A subject what will not bear thorough investigation by friends and foes, is a dangerous subject to meddle with. Condemnation is written on every move. Please accept these hasty thoughts not only from a friend personal, but a friend of the oppressed throughout the world.

A.H. FRANCIS

Letter No. 7*

Letter from Oregon Territory

Portland, July 9, 1855

Dear Douglass: — I feel the need to rebuke myself for the long intervals between my communicating. Much has transpired in the past year, that you should have been made acquainted, that would be unimportant now to relate.⁷² I promise, for the future, more attention.

I find much in this new country to admire, and much to deplore. The state of society, agriculture, and the mechanical arts, are working out, in their varied departments, all that can be desired to make a community prosperous and

* A.H. Francis to Frederick Douglass, July 9, 1855, *Frederick Douglass' Paper*, August 24, 1855, p. 1.

happy. I must also admit the climate more preferable to that of the cold regions of Western New York. Although we are passing thro' the ordeal of reversion in trade, depression in the money market, and the like, yet, from what I can learn of the money market, state of trade, and the high prices for the commodities of life, in the Atlantic States, we are to have the advantage. While labor has fallen to one and two dollars per day, thousands of tons of flour are passing through our hands at \$2.25 and \$2.50 per 100 lbs. These are some of the things to admire. On the other hand, it is sickening to see and know that the great battle for freedom has just commenced in this territory.

The elections recently passed were the most exciting since her admission. The *so-called Democracy* and the Know Nothings joined, are here. The latter were shamefully defeated (I have no cause to regret this unless we can look to them in a different light to what they represent themselves in various portions of the Union.) General Joseph Lane has been returned to Congress by a large majority over ex-Governor Gains [Gaines], formerly of Kentucky.⁷³

The slavery party now has the ascendancy in Oregon. They have, for their apostle, Delazon Smith, who at one time figured largely in the States as a Methodist preacher, under Polk's Administration.⁷⁴ To get rid of him, [he] was given secret documents and sent on an errand, he knew not what, to Central America. Nothing more under that Administration was heard of him.⁷⁵ He finally appeared in this territory as "*envoy extraordinary*," to make laws for this people. Last winter, in the Legislature, he distinguished himself as one of the servile tools of the slave oligarchy, boldly taking the ground to make this a slave territory, succeeded in passing a new law that colored people should not settle in the territory.⁷⁶

The result of these proceedings has stressed the friends of freedom. A grand Convention will be held in October, at the Capitol (Corvalles,) preparatory to spreading the doctrine throughout the territory.⁷⁷ It will be a hard contest. More than one half of the population are the lower order of Missourians.

The Fourth passed off quite *patriotic*. *More lies* were told about the freedom of this great Republic than can be repented of by the return of the next grand jubilee. The U.S. War Steamer Massachusetts was laying at anchor in our river early on the morning of the Fourth. The flags of all nations were run up. The reverberatory sound of her heavy guns echoed through the mountains, made it look warlike. Would to God it had been in defence of liberty. I am pleased to see through your paper, that the Anniversaries of the National Industrial Movements, and others, show visible signs of progress in the right direction.⁷⁸ God speed you on to victory. Permit me to join heart and hand with

A.H. FRANCIS

Letter No. 8*

Letter from A.H. Francis

Portland, O.T. July 22, 1855

Dear Frederick: In my last, two weeks ago, I stated what I had sent. In the hurry of business I omitted inclosing the ten dollars — I now inclose you twelve and one half dollars; \$2.50 for the Paper — ten dollars for a donation for the benefit of the Paper.⁷⁹

I have nothing important to relate since my last, except a flare up this morning with the County Assessor.⁸⁰

The law of the Territory levys a tax on stock in trade, money, &c. of ½ per cent., which makes it very heavy on large mercantile houses. The Assessor newly appointed demands on oath the value of your effects.

The law of the Territory forbids my oath on account of complexion. In compliance with this outrageous law I refused to swear to my amount of capital. The Assessor has taken issue, and no doubt it will end in a law suit; the fine for refusing to swear is \$20. I have concluded not to tamely submit to witnessing this outrage on my rights without testing the legality thereof.

Look for a moment to the detestable principle here involved. Outrages, insults, or abuse, may be practiced upon me, and I have no oath to defend myself. When taxation, *without representation is levied* upon me, then my oath is good in order that a heavier tax may not be collected from me.

Never, no never will I open my lips in solemn vows to such injustice, short of investigation before a higher tribunal than petty officers.

I remain yours as ever,
A.H. FRANCIS

IV: “THINK NOT THAT I HAVE FORGOTTEN YOU” 1856–1860

The prejudice of Multnomah County’s new assessor in 1855 was clearly an affront to Francis, while Chenoweth’s exclusion of Blacks from the franchise added a sting of personal betrayal to the ongoing toll of systemic oppression underway in the Northwest. Both highlighted the distance between Francis’s desire to enlarge the liberty of free Black Americans by expanding their commercial reach and the

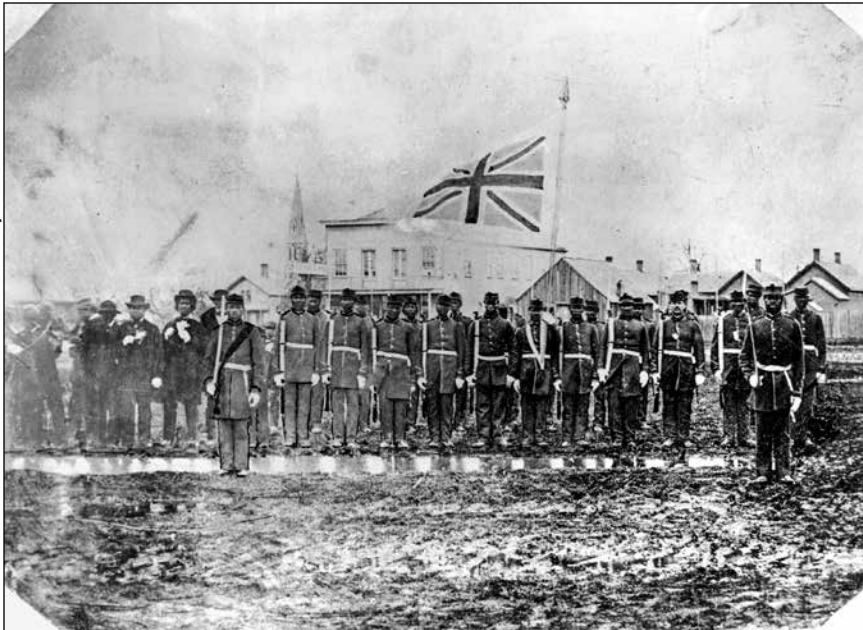
Democratic Party’s determination to thwart such progress. During the next five years, Francis faced a series of personal and family setbacks against a succession of political developments that were alternately intolerant of and encouraging toward the Pacific Coast’s free Black residents. Living in Oregon remained a challenge. Martin R. Delany reported in 1855 that many “who may now reside there, do so by the merest

sufferance,” and Douglass explained in 1859 that, due to Oregon’s hostility to Blacks, Francis had to maintain a residence in California while operating his store in Portland.⁸¹ The territorial legislature repealed the exclusion act in 1854, but the Oregon House debated a new one in 1857. Thomas J. Dryer, editor of Portland’s Whig party organ the *Weekly Oregonian*, opposed the act as a House member and pointed out that “Mr. Francis, living in the city of Portland, is a black man, and a good citizen.” He “should not be oppressed or driven out.”⁸² Asahel Bush, editor of the Democratic organ the *Oregon Statesman* and head of the party’s “Salem Clique,” criticized Dryer for taking advertisements and backing from “a certain free negro” in Portland said to be interested in the firm.⁸³ Three of Portland’s “soft” Democratic organs also sold Francis advertisements, but Bush saw an advantage in making sure readers saw Dryer, as part of the Democratic opposition, as an abolitionist out to cause trouble.⁸⁴ Bush linked Dryer with “Nigger Francis” at least twice, and reported that Francis “thinks he ought to be invested with the rights of citizenship, in addition to being permitted to come and remain here.”⁸⁵ Although Dryer had signed the 1851 petition in favor of a law to help “moral, industrious and civil” free Blacks in the territory and the Francis brothers specifically, six years later, he called for Oregon’s White, male

citizens to decide the question by vote. They did just that in November 1857, excluding free Blacks and slavery by large majorities when adopting the state’s constitution.⁸⁶ In May 1858, Smith led a Democratic political rally in front of Francis’s store, attended by hundreds, who hurled racist slurs at so-called Black Guard Republicans (Dryer) and “soft” Democrats (King) and demanded to be let alone “from all negro or negro-mannered disturbance.”⁸⁷ Meanwhile, California considered a severe exclusion act that winter, raising alarm in the Black community, while White Republicans worried that the Dred Scott decision would embolden the overturn of state bans on slavery.⁸⁸

I.B. Francis had died in April 1856, while mining in Yuba County, California. The following year, A.H.’s name appeared in the Portland store’s advertisements for the first time, and in the spring of 1857, he enlisted his former New York partner, James Garrett (who had visited him in Portland) to help run the store, while he worked “a greater part of the time in San Francisco.”⁸⁹ With this new start, A.H. hoped that “a reciprocal feeling” among merchants would benefit the nation: “Deal justly with all men — always feeling that the interest of one is the interest of the whole!”⁹⁰ Garrett died just a year later in the rooms above the Francis store in Portland and willed his share of the business to Sydna, who had

* A.H. Francis to Frederick Douglass, July 22, 1855, published in *Frederick Douglass’ Paper*, August 31, 1855, p. 3



A.H. FRANCIS was a supporter and member of the Victoria Rifle Company, a company of Black volunteers active during the early 1860s.

periodically traveled to Portland with A.H. and their daughter Theodosia.⁹¹ In November 1858, Francis was able to purchase the lot and store building, and in 1859, he expanded his trade

to Victoria, British Columbia, where Sydna's parents lived, John Dandridge having declared his oath of allegiance to the Queen.⁹² A.H. and Sydna visited Victoria in 1860.

Letter No. 9*

Letter from A.H. Francis

Portland, Oregon, November 5, 1860.⁹³

Mr. Frederick Douglass: Esteemed Friend: — It has been some time, my friend, since I have taken my pen to say a few words to you. Think not that I have forgotten you. I have followed you through the varied scenes of importance among which you have been the actor. I have felt most deeply for your welfare, never

doubting for a moment that God and the right was with you. Your important trip to Europe, the attack made upon you from those you ought to have expected better things, and your return to your native, slave-cursed land, I have been with you throughout the whole journey.⁹⁴ I welcome you to your post. Never was there a time that you were more needed than the present. Those dark days of twenty years ago, when first we met and were giving battle to the dark spirit of slavery, now begin to shadow forth a prospective future, the dawn of that brighter era then predicted. The battle thus far has been desperate; yet right must triumph.

Yesterday was election. The battle was strongly contested. For the first time, the city of Portland, the stronghold of Democracy, was fairly routed. The general opinion is that Lincoln will carry the State. It is also thought that California will go for Lincoln. My private opinion is to the contrary. I shall be glad to see Lincoln elected. If there is not in the Republican party all that we might wish, still it would be a great achievement.⁹⁵

I have recently arrived from Victoria, where I have, together with Mrs. F., been passing a few weeks.⁹⁶ Victoria, Vancouver's Island, and British Columbia, must, aside from San Francisco, become the most important point on the Pacific coast. Already in the past two years her importance has been felt to an extent outstripping all other points between San Francisco and the intermediate ports north, including Crescent City, California, Portland, Oregon, Olympia, and other cities on Pengent [sic] Sound, Washington Territory.

Already busy strife and dissatisfaction has arisen between the two nations. It is no use for *Uncle Sam to worry*, for John Bull has already a force in the beautiful bay of Esquimau, three miles from Victoria. Some of his best men-of-war and gun boats are there, that would blow satisfaction into Uncle Sam in double quick time.⁹⁷ The great difficulty seems to be: the English are holding out the hand of kindness and protection to the colored people. The Yankee and the Americanized foreigner are taking it in high dudgeon, to think they are for once compelled to yield to their prejudices, or leave the country. The last election in Victoria was most beautifully controlled by the colored people putting in and throwing out at pleasure — our old friends Lester and Gibbs taking the lead.⁹⁸ I have almost become a British subject, and if I live long enough, think I will.⁹⁹ Victoria contains about three thousand inhabitants. Two and a half years ago there were only fifty. Beautiful buildings are now being erected in large numbers, and all is thrift. This state of things must continue. The mines are growing richer and richer as their resources become more and more developed. Large quantities of fine farming lands have been found, and the country is fast filling up. To be brief, I have never seen a more beautiful place for a city than Victoria. The harbor is rock bound, standing at an

* A.H. Francis to Frederick Douglass, November 5, 1860, published in *Douglass' Monthly* (Rochester), January 1861, p. 389

elevation of about fifty feet on the street fronting the water, and gradually running back on the first half mile of about two hundred feet, overlooking the whole bay as far as Esquimalt. Large vessels cannot enter the harbor at the city, on account of some large boulders obstructing the passage. An appropriation has already been made of some \$40,000 to free the channel.¹⁰⁰

In relation to colorphobia, I must close by saying that there is a grand future for the colored man in the British possessions on the north Pacific.

Yours, &c,
A.H. FRANCIS.

V: “EQUALITY BEFORE THE LAW, UPON THE GROUND OF IMMUTABLE JUSTICE” 1861–1872

As news of the Union’s breaking apart reached Oregon and California in early 1861, a California Congressman called for these two states to also secede and form “a Republic on the Pacific slope” friendly to slavery.¹⁰¹ One of Portland’s proprietors, Benjamin Stark, was heard to openly praise secession and the Confederacy.¹⁰² A short time later the *Weekly Oregonian* reported that Francis had “failed” — given that no bankruptcy proceedings ensued in Oregon, it is more likely someone holding notes on him called them in without notice. He began selling stock on hand to satisfy creditors, and Sydna sold her property in San Francisco. The “Pioneer Merchant of Oregon!” continued advertising for a few weeks, then decided to emigrate — this time out of the country.¹⁰³ On the evening of August 8, 1861, A.H. and Sydna stepped off the steamer *Sierra Nevada* in Victoria, B.C., and began their next chapter of commercial activities, social activism, and life with family and community. He was able to

advocate for Black rights much more openly in Victoria than in Portland, supported the city’s all-Black Victoria Rifle Guards company, and joined Gibbs, Lester, and others to lead public celebrations of Lincoln’s emancipation proclamation, and, in 1865, the fall of Richmond. Their personal ties to the place deepened as well. During his and Sydna’s 1860 visit they baptized their daughter, Theodosia Gertrude Francis, at the city’s Anglican church. In late 1863, A.H. took a more radical step. He became a naturalized British citizen, permitted to vote and even run for elected office in British Columbia (which he promptly did).¹⁰⁴

Until his death in March 1872, Francis responded to setbacks with an amalgam of respectability politics and resistance, conditioned by his and his family’s experiences with servitude and liberty. His efforts in Oregon to present himself to the White establishment as respectable guided his 1851 petition to its legislators. The 211 White Oregon leaders who signed

the petition — and its apparent success — accommodated the overture. In this case White supremacy and Black resistance in Oregon were not binary, but complex. Other powerful, White Oregonians slurred him and his supporters in public. But the 1851 expulsion order was not carried out, the Francis business flourished in Portland for ten years, and A.H. even bought property thanks to a seemingly bespoke provision in the state constitution that allowed those few free Blacks already in Oregon to do so.¹⁰⁵ The A.H. Francis story tells of a middle ground between free Blacks and Whites in the Oregon territory, albeit ground that Whites tilted to favor themselves.¹⁰⁶

After the battlefield defeat of the Slave Power in 1865, Francis remained firm in his faith that “respectable” life held for free Blacks, not doubting that

it would bless his fellows and society with rightful prosperity, liberty, and rights. But he also recognized that justice for American Blacks remained incomplete. As he and Mifflin W. Gibbs pressed U.S. Speaker of the House Schulyer Colfax on his visit to Victoria in late July 1865, the Reconstruction underway in the United States must make it safe for all Blacks to enjoy “equality before the law, upon the ground of immutable justice.” When Colfax demurred and said he thought the vote should be reserved only for “intelligent” Blacks, the meeting became “desultory,” and Francis and Gibbs broke it off. They were done with half-measures. After Colfax’s return to Washington, D.C., later that year, he confirmed their view of him in a speech on Reconstruction that was lauded by Republicans but ignored Black suffrage.¹⁰⁷

NOTES

To the Piscataway elders and generations who walked the lands in Maryland where I wrote this article, and also those of the Kalapuya in Oregon where I researched it and much of it took place, I offer my respect and thanks. I also thank the archivists, librarians, and editors of the Oregon Historical Society, the San Francisco Public Library, University of Rochester, and the Royal BC Museum. For discussions about Francis and early Portland with Randall Trowbridge, Bill Hawkins, and Larry Kidder, and long-ago coursework with David A. Johnson, E. Kimbark MacColl, and Christopher Lasch, I am grateful. My wife Maggie, children Ellie and Jack, and my sister

Libbi also helped immensely as I followed the lives of A.H. Francis and his circle of resisters.

1. Petition to allow Portland merchant A.H. Francis and his brother I.B. Francis to reside in Oregon, ca. December 1851, Territorial Document 621, Oregon State Archives, Salem, Oregon [hereafter Oregon State Archives]; Frederick Douglass, A.H. Francis, et al, “An Address to the Colored People of the United States,” *North Star* (Rochester, N.Y.), September 22, 1848, p. 2.

2. Eugene H. Berwanger, *The Frontier Against Slavery: Western Anti-Negro Prejudice and the Slavery Extension Controversy* (Urbana: University of Illinois

Press, 1967), 78–96; James E. Hendrickson, *Joe Lane of Oregon: Machine Politics and the Sectional Crisis, 1849–1861* (New Haven, Conn., and London: Yale University Press, 1967), 134–41.

3. Manisha Sinha, *The Slave's Cause: A History of Abolition* (New Haven, Conn., and London: Yale University Press, 2016), introduction and chapter 10.

4. Wai-chee Dimock, *Empire for Liberty: Melville and the Poetics of Individualism* (Princeton, N.J., Princeton University Press, 1989), p. 9.

5. "Abner H. Francis to Frederick Douglass," October 1851, in *The Black Abolitionist Papers Volume IV The United States, 1847–1858*, C. Peter Ripley, ed. (Chapel Hill and London: The University of North Carolina Press, 1991), 102–104. This edition repeated the misspelled names of Sydna and I.B. Francis present in earlier secondary sources.

6. "Persecution of the Colored People," Abner H. Francis to editor, *The Friend of Man* (Utica, New York), February 28, 1838, p. 2. See also Sinha, *The Slave's Cause*, 237–38; and Leonard L. Richards, "Gentlemen of Property and Standing": *Anti-Abolition Mobs in Jacksonian America* (New York: Oxford University Press, 1970).

7. Jim M. Labbe, "The Colored Brother's Few Defenders: Oregon Abolitionists and their Followers," *Oregon Historical Quarterly*, 120:4 (Winter 2019): 440–65; "Letter to editor," *Oregon Historical Quarterly* 121:1 (Spring 2020): 109. See letter no. 7, A.H. Francis to Frederick Douglass, July 9, 1855, reprinted in this article. The only time Francis appeared in Oregon's anti-slavery newspaper was on a list of mail not picked up from the post office in Oregon City. *Oregon Argus* (Oregon City), April 5, 1856, p. 3.

8. Sinha, *The Slave's Cause*, 2; Patrick Rael, *Black Identity and Black Protest in the Antebellum North* (Chapel Hill: University of North Carolina Press, 2002), 124–25, 130–35. See also James Brewer Stewart, "Modernizing 'Difference': The Political Meanings of Color in the Free States, 1776–1840," in *Abolitionist Politics and the Coming of the Civil War*

(Amherst: University of Massachusetts Press, 2008), 35–57.

9. Letter No. 3, A.H. Francis to Frederick Douglass, after Aug. 10, 1851, reprinted in this article. For frontiers of exclusion and inclusion, see Tiya Miles, *The Dawn of Detroit: A Chronicle of Slavery and Freedom in the City of the Straits* (New York and London: The Free Press, 2017), 257–59.

10. Francis gave his views about free Blacks and "degrading" occupations at the 1848 colored convention in Cleveland. Rael, *Black Identity*, 36. Two additional letters Francis wrote to Douglass from Oregon in 1855 and 1856, not printed here, include further remarks on Indigenous people. A.H. Francis to Frederick Douglass, November 10, 1855, *Frederick Douglass' Paper*, January 25, 1856; A.H. Francis to Dear Douglass, March 12, 1856, *Frederick Douglass' Paper*, May 2, 1856, both cited in *The Frederick Douglass Papers*, series 3 correspondence vol. 2: 1853–1865, ed. John R. McKivigan (New Haven and London: Yale University Press, 2018), 556, 560.

11. A.H. Francis to Messrs. Douglass and [Martin R.] Delany, Buffalo, January 29, 1848, *North Star*, February 4, 1848, p. 3; *Power and Place in the North American West* (Seattle and London, University of Washington Press, 1999), ed. Richard White and John M. Findlay; Dimock, *Empire for Liberty*, 3–41; Gray H. Whaley, *Oregon and the Collapse of Illahee: U.S. Empire and the Transformation of an Indigenous World, 1792–1859* (Chapel Hill: University of North Carolina Press, 2010); and Jacki Hedlund Tyler, "The Power of Political Chatter: Settler Colonialism and the Construction of Race, Gender, and Citizenship in Oregon," (Ph.D. diss., Washington State University, May 2015).

12. Revolutionary War Pension Application File W459, Jacob Francis, New Jersey, Pension and Bounty-Land Warrant Applications Based on Revolutionary War Service, National Archives and Records Administration, Washington, D.C.; Larry Kidder, "The American Revolution of Private Jacob Francis," <https://allthingsliberty.com/2018/03/american-revolution-private-jacob-francis/> (accessed August 2020); James

J. Gigantino II, *The Ragged Road to Abolition: Slavery and Freedom in New Jersey, 1775–1865* (Philadelphia: University of Pennsylvania Press, 2015), 143–48; Philip A. Bell, "Colored Men of California," *Pacific Appeal* (San Francisco), July 4, 1863, p. 2–3; Last will and testament of Jacob Francis, March 19, 1836, Hunterdon County, New Jersey, wills, vol. 6, p. 423–24; *Flemington Gazette* (New Jersey), quoted in *Cleveland Whig*, August 16, 1836, p. 1. It appears that Nathaniel Francis (1799–1881), like Abner, shared a name with his mother's former enslaver, Nathaniel Hunt, Esq., (1733–1811), of Maidenhead Township, Hunterdon County, New Jersey. Hunt, a local judge, was the third son of "London" Ralph Hunt, who helped lead the first white colonists into west New Jersey in the late 1600s.

13. Elijah A. Bigelow to Robert Banks and Abner H. Francis of Erie County, New York, October 24, 1835, deed vol. 31, p. 327, Erie County Clerk's Office, Buffalo, New York. Banks (1807–1890) was a clothier of West Indian descent and an agent in Buffalo for the *Colored American* newspaper of New York (edited by Philip A. Bell) in 1837 and 1838. He moved to Detroit in 1839 and was active in the Michigan State Anti-Slavery Society. In 1843, he participated in the National Colored Convention in Buffalo. *Colored American* (New York), August 19, 1837, p. 3; "Sixth Anniversary of the Michigan State Anti-slavery Society," *Signal of Liberty* (Ann Arbor, Mich.), April 28, 1841, p. 1. On the westward shift of abolitionists in the 1830s and 1840s, which included Francis, Douglass, and others, see "Introduction," *The Black Abolitionist Papers*, vol. III, *United States, 1839–1846*, C. Peter Ripley, ed. (Chapel Hill and London: The University of North Carolina Press, 1991), p. 27–28.

14. Bell, "Colored Men of California"; Certificate of Incorporation, The Second Baptist Society of the City of Buffalo, Mar. 28, 1836, Erie County, NY, Clerk, Misc. records, v. 1, 283–84; "An Appeal to the Citizens of Buffalo," January 4, 1838, *Friend of Man* (Utica, New York), January 17, 1838, p. 3, petition signed first by Abner H. Francis, his father-in-law John Dandridge, Robert Banks, James Garrett,

William Qualls, and forty-one others; *Colored American*, January 9, 1841, p. 3; *Colored American*, July 31, 1841, p. 1; Monroe Fordham, "Origins of the Michigan Street Baptist Church Buffalo, New York," *Afro-Americans in New York Life and History* vol. 21 (1997), 10–14; Gigantino, *Ragged Road to Abolition*, 174–93; Sinha, *The Slave's Cause*, 161–71, 239–46.

15. Sydna Edmonia Robella Francis (1815–1889) was born in Virginia to Charlotte Dandridge and John Dandridge, who immigrated to Buffalo, New York, in the mid 1830s. She was listed as mixed race on both the 1850 and 1860 U.S. censuses. She served as secretary for the Female Dorcas Society, which raised money and subscriptions for the abolitionist *Colored American* newspaper of New York City. She died in Victoria, British Columbia, on May 11, 1889. See *Colored American*, November 4, 1837, p. 2; *North Star*, December 7, 1849, p. 3; Sydna E.R. Francis to Dear Friend [Frederick Douglass], Buffalo, New York, January 1, 1850, *North Star*; February 22, 1850, p. 3; Cosmopolite [Philip A. Bell], "Notes of a Trip to Victoria" *Pacific Appeal*, November 21, 1863, p. 3; *Daily Colonist*, May 12, 1889, 4; Surrogate's Court probate case no. 7321, October 19, 1872, Erie County, New York, accessed at FamilySearch.org, October 2019; Mrs. S.E.R. Francis, estate file no. 1079, May 22, 1889, p. 4; and Victoria Supreme Court probate/estate files, GR-1304, Royal BC Museum, Victoria, British Columbia.

16. "Correspondence of the *Courier and Enquirer* [New York]," quoted in the *Alexandria Gazette and Advertiser* (Virginia), September 16, 1843, p. 2. Francis and his older brother Asa were listed as "mulatto" on the 1850 and 1860 censuses. U.S. Census, Free Inhabitants in 4th Ward of Buffalo in County of Erie State of New York enumerated September 21, 1850, p. 439; Free Inhabitants in the 8th District, San Francisco, enumerated June 5, 1860, p. 16; Free Inhabitants in 1st District 16th Ward New York City, enumerated August 11, 1860, p. 182. On Oregonians identifying Francis as mulatto, see *Oregon Statesman*, December 2, 1861, p. 2; Joseph Gaston, *Portland Oregon: Its History and Builders* vol. 1 (Chicago: S.J. Clarke Pub.

Co., 1911), 408; James O'Meara, "Growth of Portland . . . Reminiscences of Old Timer and the People Who Helped to Build the Portland of Today," *Sunday Oregonian*, October 19, 1890, p. 16. See also his friend Philip A. Bell's 1863 description of Francis in Bell, "Colored Men of California."

17. Stephanie S. Rambo, "'A Very Different Looking Class of People': Racial Passing, Tragedy, and the Mulatto Citizen in American Literature" (Honors Thesis, University of Southern Mississippi, 2013). For William Wells Brown (c. 1814–1884), see *The Black Abolitionist Papers, vol. II. Canada, 1830–1865*.

18. *Buffalo Daily Gazette*, September 12, 1843, p. 2. On Francis's business partner and jury service, see Martin Robison Delany, *The Condition, Elevation, Emigration, and Destiny of the Colored People of the United States: Politically Considered* (Philadelphia: published by the author, 1852), 139.

19. *Minutes of the National Convention of Colored Citizens; Held at Buffalo . . . 1843* (New York, 1843); David W. Blight, *Frederick Douglass: Prophet of Freedom* (New York: Simon & Schuster, 2018), 130–33; Rael, *Black Identity*, 124–26, 136–37, 204–206.

20. *North Star*, February 4, 1848, p. 3; A.H. Francis's eulogy for John Quincy Adams, *North Star*, March 24, 1848, p. 1.

21. *North Star*, August 18, 1848, p. 2

22. Frederick Douglass, "Steamboat Oregon, Lake Erie, 9th. Sept. 1848," *North Star*, September 15, 1848, p. 2.

23. James W. Garrett (1812–1858) arrived in Buffalo in 1837 and partnered with Francis three years later. Francis's older brother, Isaac B. Francis (1798–1856), and his now father-in-law, John Dandridge, formerly of Virginia, also worked in his tailoring shop, having previously worked as barbers and waiters. In 1847, I.B. also purchased, for \$2,200, a lot in downtown Buffalo. See Fletcher Harper to Isaac B. Francis, October 25, 1847, deed vol. 94, p. 38, Erie County, New York, Clerk's Office. Francis as secretary recorded an 1831 meeting's support for a Black place of refuge, *Liberator* (Boston), December 17, 1831, p. 2. For the occupations and residences of the Francis circle, see *Buffalo City Directory* (1842), p. 199, 205; *A Directory of*

the City of Buffalo (1837), p. 41, 68, 70; *Buffalo City Directory* (1840), p. 63, 76, 78; *Walker's Buffalo City Directory* (1842), p. 123–24, 199, 205; *Buffalo Daily Courier*, May 18, 1843, p. 2; Delany, *Destiny of the Colored People*, p. 139; *Oregon Weekly Times*, May 22, 1858, p. 2.

24. William Qualls (1800–1863), an early member of the Second Baptist Church, donated supplies for the construction of its Michigan Street church in 1845 (which still stands in 2020), worked as a barber, and later immigrated to California, where he boarded with Francis. He died there in 1863. *Red Bluff Independent* (California), September 22, 1863, p. 2. For the kidnapping attempt and response of Buffalo's Black abolitionists, see *The Buffalo Commercial*, October 5, 1847, p. 3; A.H. Francis to Messrs. [Frederick] Douglass and [Martin] Delany, February 18, 1848, *North Star*, March 3, 1848, p. 3; Fordham, "Michigan Street Baptist Church," p. 10–14; and Cynthia M. Van Ness, "'Still They Come': Some Eyewitness Accounts of the Underground Railroad in Buffalo," *Afro-Americans in New York Life and History*, 36:1 (January 2012): 95–97. For A.H. Francis's financial setback, his movements and those of Banks and Garrett, see *Buffalo Morning Express*, July 14, 1849, p. 4; Delany, *Destiny of the Colored People of the United States*, 139–40; *The Elevator* (San Francisco), June 30, 1865, p. 3; *North Star*, July 20, 1849, p. 2; *North Star*, October 24, 1850, p. 2; and *Buffalo Daily Republic*, October 4, 1850, p. 2. For economic conditions in western New York at the time of Francis's anti-slavery activism, see Jean Richardson, "Buffalo's Antebellum African American Community and the Fugitive Slave Law of 1850," *Afro-Americans in New York Life and History*, 27:2 (July 2003): 29–46; Monique Patenaude, "Bound by Pride and Prejudice: Black Life in Frederick Douglass's New York" (Ph.D. dissertation, University of Rochester, 2012), 87–105.

25. Francis departed New York City on June 13, 1851, aboard the steamer *Prometheus*. *Frederick Douglass' Paper*, October 16, 1851, p. 4; *Buffalo Daily Republic*, June 14, 1851, p. 3; and *Evening Post* (New York), July 3, 1851, p. 2.

26. See, for example, "A Southerner's View of Gold Digging. The New Orleans

Bulletin," *North Star*, November 30, 1849, p. 2.

27. Francis refers to Douglass's recent change of position, after long debate with Gerrit Smith and others (including Francis), that the Constitution could be used to argue for the abolition of slavery. See Frederick Douglass to Gerrit Smith, January 21, 1851, *Frederick Douglass Papers*, series 3 correspondence vol.1, 1842–1852, p. 438–40; and Blight, *Frederick Douglass*, 213–15.

28. Francis arrived in San Francisco on the steamship *Sea Bird*, July 31, 1851, which had departed Panama City on July 1, 1851, and landed at San Diego on July 22, 1851, after originally departing New York City on November 30, 1850, and coming around Cape Horn. *Daily Alta California*, January 21, 1851, p. 2; *Frederick Douglass' Paper*, October 23, 1851, p. 4, and October 30, 1851, p. 4.

29. Francis likely attended the First Presbyterian Church at Stockton Street, near Broadway, or the Howard Street Presbyterian Church, on Howard Street at Mission. See *Daily Alta California*, March 2, 1851, p. 2; and March 4, 1851, p. 2.

30. San Francisco's fires of May 4, 1851, and June 22, 1851, destroyed its main business district and many of its oldest buildings. See Frank Soulé, et al, *The Annals of San Francisco* (New York: D. Appleton & Company, 1855), 329–33, 344–47.

31. Francis refers here to his older brother Isaac B. "I.B." Francis. It is unclear if I.B. had accompanied A.H. from New York or was already in California. The U.S. Pacific Mail Steamship Company's *Columbia* was launched in New York in October 1850, and reached San Francisco early the following year; it carried U.S. mail, passengers, and freight from there to Oregon until 1862. See *Daily Alta California*, August 6, 1851, p. 2; and E.W. Wright, ed., *Lewis & Dryden's Marine History of the Pacific Northwest* (Portland: Lewis & Dryden Printing Co., 1895), 35–36.

32. See Letter No. 2, reprinted in this article.

33. Washington Irving's *Astoria* (1836) was popular enough that Thomas Hart Benton quoted it in an 1846 Senate speech about Oregon, but Francis may have heard

of Astoria before then. Wilson Price Hunt, leader of Astor's land expedition, was from a well-known family in Hunterdon County, New Jersey. See *Buffalo Commercial Advertiser*, June 1, 1846, p. 3; Eli Field Cooley, *Genealogy of Early Settlers in Trenton and Ewing, "Old Hunterdon County," New Jersey* (Trenton, N.J.: The W.S. Sharp Printing Co., 1883), 142–44; and T.C. Elliott, "Wilson Price Hunt, 1783–1842," *Oregon Historical Quarterly* 32:2 (June 1931): 131.

34. Francis and others transferred to the steamer *Willamette*, which had gone into service in March 1851. See *Oregon Weekly Times* (Portland), August 14, 1851, p. 2; and Wright, ed., *Lewis & Dryden*, 35, 39.

35. Francis or his guides were mistaken; Astor never visited Oregon.

36. Francis, although mistaken on the height of Mt. St. Helens (its elevation at the time was around 9,677 feet), referred to the three principal mountains, from north to south, in the Cascade Range of mountains visible from the Columbia River. See Samuel N. Dicken, "Oregon Geography Before White Settlement," in *The Western Shore: Oregon Country Essays Honoring the American Revolution*, ed. Thomas Vaughan (Portland: Oregon Historical Society, 1975), 14–15.

37. The Hudson's Bay Company established Fort Vancouver in 1825 on the north bank of the Columbia River, opposite the mouth of the Willamette River; in 1846 Great Britain ceded Oregon to the United States by treaty. The U.S. Army had maintained a presence at Fort Vancouver since 1849 and it was known between 1851 and 1853 as Columbia Barracks. See <https://www.nps.gov/fova/learn/historyculture/vb.htm> (accessed October 21, 2020); Whaley, *Oregon and the Collapse of Illahee*, 73, 169, 191; and Ronald C. White, *American Ulysses: A Life of Ulysses S. Grant* (New York: Random House, 2016), 112–19.

38. The *Willamette* arrived in Portland on August 10, 1851, and the passengers included H.W. Corbett and Hon. Franklin Tilford, late recorder of San Francisco. See *Oregon Weekly Times*, August 14, 1851, p. 2.

39. The act passed in 1849 by a wide margin at the territorial legislature's first

session. See Berwanger, *Frontier Against Slavery*, 83; and Quintard Taylor, "Slaves and Free Men: Blacks in the Oregon Country, 1840–1860," *Oregon Historical Quarterly* 83:2 (Summer 1982): 155–58.

40. Oregon colonists recalled that at this time upwards of a thousand Indigenous people gathered near an old camp on Portland's riverbank south of town, and were later felled by smallpox and buried nearby. See *Daily Oregonian*, May 9, 1864, p. 3; and *Morning Oregonian*, December 24, 1906, p. 12; and October 5, 1905, p. 14.

41. The "Act to create the Office of Surveyor-General of the Public Lands in Oregon, and to provide for the Survey, and to make Donations to Settlers of the said Public Lands," passed by Congress on September 27, 1850, provided free land to Whites and "American half-breed Indians" who were (or had declared the intention to become) U.S. citizens. See Thomas Donaldson, *The Public Domain: Its History, with Statistics* (Washington, DC: Government Printing Office, 1884), 286.

42. Francis refers to the third of his "Sketches from California" letters, reproduced in this article as Letter No. 2.

43. The brothers apparently rented a store on Washington Street just west of Front Street from town proprietor W.W. Chapman. See note 53 for details on the store.

44. Francis returned to San Francisco on the *Columbia*, arriving on August 27, 1851. *Daily Alta California*, August 28, 1851, p. 2.

45. The plaintiff, court, and justice in this initial hearing remain, after extensive research, unidentified in contemporaneous records.

46. In the Oregon Territory at this time, two U.S. District Court judges in session could sit as the territorial Supreme Court; however, no court or newspaper record for the Francis hearing has yet been found after extensive searches. See Sidney Teiser, "First Associate Justice of Oregon Territory: O. C. Pratt," *Oregon Historical Quarterly* 49:3 (September 1948): 171–91; and Ronald B. Lansing, *Juggernaut: the Whitman Massacre Trial, 1850* (Portland: Ninth Judicial Circuit Historical Society, 1993).

47. Frank Tilford was admitted to the U.S.

District Court at Oregon City several days before the hearing described here. *Weekly Oregonian*, August 16, 1851, p. 2; and *Weekly Oregonian*, September 13, 1851, p. 2.

48. Tilford argued that Article IV, section 2, of the U.S. Constitution protected the rights of citizens from one state to another and may also have cited the due process protections of the Fifth Amendment. Democrat Asahel Bush mocked this position in May 1856 and identified Francis as its beneficiary. *Oregon Statesman*, May 6, 1856, p. 2.

49. Colonel William M. King (1800–1869) was then a Portland merchant, president of the Portland and Valley Plank Road Company, and Democratic member of the Territorial legislature. *Oregon Weekly Times*, October 2, 1851, p. 2; Collection overview, William M. King Papers, Mss 1142, Oregon Historical Society Research Library, Portland, Oregon [hereafter OHS Research Library].

50. Francis paraphrased from the eighteenth query in Thomas Jefferson, *Notes on the State of Virginia* (Philadelphia: Prichard and Hall, 1788), 173.

51. *Oregon Statesman*, September 2, 1851, p. 2; *Daily Alta California*, September 16, 1851, p. 2; Sidney Teiser, "The Second Chief Justice of Oregon Territory: Thomas Nelson," *Oregon Historical Quarterly* 48:3 (September 1947): 223.

52. Among the petition's signatories were settlers, merchants, ship captains, future mayors and U.S. senators, lawyers (including the Francis brothers' counsel, Franklin Tilford), and two of Portland's then four town proprietors. Democrat Col. W.W. Chapman noted his support "for [the] Special Act" only, to exempt I.B. and A.H. from the exclusion law, but not to amend or rescind it. Territorial Document 621, Oregon State Archives; Oregon, Legislative Assembly, House of Representatives, *Journal of the House of Representatives of the Territory of Oregon* (Salem, Oregon, 1852), 15–20; *Oregon Weekly Times*, December 20, 1851, p. 2. Chapman later introduced petitions to protect slave "property" in Oregon; Berwanger, *The Frontier Against Slavery*, 95–96.

53. *Oregon Weekly Times*, December

13, 1851, p. 2; *Weekly Oregonian*, January 10, 1852, p. 3; William W. Chapman to John Feahan and Patrick O'Neil, deed for east end of lots 5 and 6, block 39, "being the house lately occupied by I.B. Francis, and now occupied by said Feahan & O'Neil fronting Washington street extending back one hundred feet," Washington County deeds, April 26, 1852, vol. 1, p. 376, accessed at FamilySearch.org, October 2020.

54. *Weekly Oregonian*, May 29, 1852, p. 3; Washington County tax roll, 1852, in Early Oregon census and tax records, 1842–1880, Mss 1, box 1, folder 1, OHS Research Library, <https://digitalcollections.ohs.org/washington-county-tax-roll-1852> (accessed October 22, 2020); *Weekly Oregonian*, November 20, 1852, p. 3; *Oregon Weekly Times*, July 16, 1853, p. 3.

55. On the steamship voyages and near misses Francis witnessed, see *Daily Alta California*, February 16, 1852, p. 2; *Oregon Weekly Times*, February 7, 1852, p. 2, September 24, 1853, p. 2; and Nancy Lloyd, "This Nest of Dangers," *Chinook Observer* (Long Beach, Wash.), June 20, 2017, https://www.chinookobserver.com/life/this-nest-of-dangers-the-shipwrecks-of-weather-beach-1880-1910-part-1/article_954833de-3ed1-11ea-8822-2f8922eb146b.html (accessed August 3, 2020). For his activities in San Francisco, see A.H. Francis to Frederick Douglass, October 22, 1851, published in *Frederick Douglass' Paper*, December 11, 1851, p. 3; *Pacific Appeal*, April 12, 1862, p. 2; and David B. Rising to Sydna E.R. Francis, John Dandridge "of the City of San Francisco," San Francisco County Deeds, April 8, 1853, vol. 16, pp. 337–39, accessed at FamilySearch.org, February 2019. On Sydna's role in supporting Francis's endeavors, see Frederick Douglass to Sydna E.R. Francis, March 13, 1852, Frederick Douglass Papers, Library of Congress, Washington, DC.

56. This letter has apparently not survived.

57. On April 15, 1852, California's assembly and senate passed a law wherein any formerly enslaved person that evaded removal from the state was legally deemed a fugitive. *Daily Alta California*, April 17, 1852, p. 1. See also, *Daily Alta California*, February 20, 1852, p. 2; and Delilah Beasley, *The Negro Trail Blazers*

of California (Los Angeles: Times Mirror Printing and Binding House, 1919), 72–73.

58. The San Francisco *Herald* of April 16, 1852, reported on the arrival of the steamer *Isthmus* with numerous enslaved "servants," as quoted in: "Extension of the 'Area of Freedom,'" *The Pacific* (San Francisco), April 23, 1852, p. 2. For the ongoing importation of enslaved Blacks into California in early 1852, see Richards, *The California Gold Rush and the Coming of the Civil War*, 127.

59. Francis and his brother I.B. made no fewer than five trips to and from San Francisco and Portland by steamship in 1854.

60. "The Assembly and the Petition of Colored Men," *Daily Alta California*, March 13, 1853, p. 2; A.H. Francis [sic] to Frederick Douglass, May 30, 1854, in *Frederick Douglass' Paper*, July 6, 1854, p. 4; *Weekly Oregonian*, March 1, 1854, p. 2.

61. Song quoted in "Letter from 'Cosmopolite'" [A.H. Francis to Philip A. Bell, New York] Portland, July 6, 1855, in *Frederick Douglass' Paper*, August 31, 1855, p. 1. For the perception in Oregon that it could see slavery after the Kansas-Nebraska Act, see Charles Henry Carey, ed., *The Oregon Constitution and Proceedings and Debates of the Constitutional Convention of 1857* (Salem: Oregon Historical Society, 1926), 22–23.

62. Douglass had a prolonged falling out with his former mentor and ally William Lloyd Garrison and other abolitionists over policy and personal matters, beginning in 1851 and continuing for several years. See Blight, *Frederick Douglass*, 213–23.

63. Francis refers to Garrison's criticism of Douglass's relationship with Julia Griffiths (1811–1895), a British abolitionist who lived with the Douglass family in Rochester, New York, beginning in May 1849. See Blight, *Frederick Douglass*, 202–204, 217, 265–67; and A.H.F. to Frederick Douglass, *North Star*, January 16, 1851, p.3.

64. Francis refers to Democrat Stephen A. Douglas of Illinois's introduction to Congress of the Kansas-Nebraska act, which proposed to repeal the Missouri Compromise and open the western territories to slavery. See Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology*

of the Republican Party before the Civil War (Oxford and New York: Oxford University Press, 1970, 1995), 93–95; and David Alan Johnson, *Founding the Far West: California, Oregon, and Nevada, 1840–1890* (Berkeley: University of California Press, 1992), 63–64.

65. Garrison's and others' position was that slavery would yield to moral arguments, which Douglass supported but had then recently abandoned in favor of political action. See Foner, *Free Soil, Free Labor, Free Men*, 155–68.

66. The *Weekly Oregonian* reported that “unprecedented cold weather” and snow in January 1854 had checked business in Portland but led to an increase in sleighing parties, ice houses, and crossing the frozen Willamette River on foot. *Weekly Oregonian*, January 21 and 28, 1854, p. 2. “Boston” was used by Indigenous people and others to refer to Euro-Americans. See Whaley, *Oregon and the Collapse of Illahee*, 206–208; and James R. Gibson, *Otter Skins, Boston Ships, and China Goods: The Maritime Fur Trade of the Northwest Coast, 1785–1841* (Seattle: University of Washington Press, 1992), 11, 38, 62, 116.

67. Francis refers to mining in and around Jackson and Josephine counties in southern Oregon, which began to boom in the early 1850s. See Hubert Howe Bancroft, *History of Oregon volume II, 1848–1888* (San Francisco, 1888), 738–44.

68. The apparent indifference of Oregon farmers, and staple imports from California, was remarked on by other observers at the time. Arthur L. Throckmorton, *Oregon Argonauts: Merchant Adventurers on the Western Frontier* (Portland: Oregon Historical Society, 1961), 160, 210–11; Johnson, *Founding the Far West*, 46–47.

69. Francis A. Chenowith (1826–1898) signed the petition for I.B. and A.H. Francis in December 1851 and debated in Oregon's legislative assembly in favor of repealing the exclusion act on December 15, 1852. When the Washington Territory's first assembly convened on February 27, 1854, Chenowith was elected speaker of the House. That body debated on March 15 and approved

on March 16, 1854, an amendment requiring “half-breeds” to have declared their intention to become naturalized U.S. citizens in order to vote. See *Oregon Statesman*, December 25, 1852, p. 2; *Pioneer and Democrat* (Olympia), March 4, 1854, p. 2 and March 18, 1854, 2–3; and *Sunday Oregonian*, March 20, 1898, 11.

70. Francis refers here to the planning undertaken by Douglass and others to establish an industrial school for young Black men. See Howard H. Bell, “The Negro Emigration Movement, 1849–1854: A Phase of Negro Nationalism,” in *Freedom's Odyssey: African American History Essays from Phylon*, ed. Alexa Benson Henderson and Janice Sumler-Edmond (Atlanta, Ga.: Clark Atlanta University Press, 1999), 135; and *Frederick Douglass' Paper*, July 6, 1854, p. 3.

71. Martin Delany and others planned to hold a convention at Cleveland in 1854 to promote Black colonization outside the United States. Bell, “Negro Emigration Movement,” 135; A.H. Frances [sic] to Frederick Douglass, May 30, 1854, *Frederick Douglass' Paper*, July 6, 1854, p. 4.

72. In December 1854, the Francis store moved to a new two-story brick building that Patrick Raleigh had erected on the southwest corner of Front and Stark Streets, shortly after I.B. and his family arrived in Portland from San Francisco on the *Columbia*. See *Democratic Standard*, August 30, 1854, p. 2; *Weekly Oregonian*, December 16, 1854, p. 3; *Weekly Oregonian*, October 21, 1854, p. 3; and *Weekly Oregonian*, October 14, 1854, p. 2.

73. Elections were held in Oregon on June 4, 1855. Francis alluded to the well-known association of the Know Nothings with nativism and intolerance, while forming part of the broad political opposition to the Democratic Party, and the factions within the latter. See *Weekly Oregonian*, June 2, 1855, p. 2; *Weekly Oregonian*, June 16, 1855, p. 2; *Weekly Oregonian*, June 23, 1855, p. 2; Hendrickson, *Joe Lane of Oregon*, 114–15; E. Kimbark MacColl with Harry H. Stein, *Merchants, Money, and Power: The Portland Establishment, 1843–1913* (Portland, Ore.: The Georgian Press, 1988), 90–91; and Daniel Walker Howe, *The Political Culture of the*

American Whigs (Chicago, Ill., and London: The University of Chicago Press, 1979), 248–49, 276–78.

74. Delazon Smith (1816–1860), was a Democratic Party politician from New York. See Malcolm Clark, Jr., *Eden Seekers: The Settlement of Oregon, 1818–1862* (Boston, Mass.: Houghton Mifflin Company, 1981), 272–73; Johnson, *Founding the Far West*, 157–62, 177–87; and “Address of Hon. John R. McBride, ‘The Oregon Constitutional Convention, 1857,’” in *Oregon Constitution*, ed. Carey, 488–91.

75. During his assignment, Smith neglected to communicate with Washington for months, earning the nickname “Tyler's Lost Commission.” Delazon Smith family papers, Coll 26, collection overview, OHS Research Library.

76. Smith served between December 1854 and February 1855. He pushed resolutions favoring repeal of the Missouri Compromise and supported slavery, but no specific law as Francis describes was passed during this session. See *Weekly Oregonian*, September 29, 1855, p. 2; *Weekly Oregonian*, September 20, 1856, p. 2; Henderson, *Joe Lane of Oregon*, 134–35; Carey, “Creation of Oregon as a State,” *Oregon Constitution*, 23; and Walter Carleton Woodward, “The Rise and Early History of Political Parties in Oregon — III,” *Oregon Historical Quarterly* 12:2 (June 1911): 128–34.

77. This was one in a series of meetings that led to the formation of Oregon's Republican Party between 1855 and 1857. See *Weekly Oregonian*, July 7, 1855, p. 2; Hendrickson, *Joe Lane of Oregon*, 135; Carey, “Creation of Oregon,” *Oregon Constitution*, 22–23; and Labbe, “The Colored Brother's Few Defenders,” 440–65.

78. Francis may be referring to Douglass's plan, undertaken in early 1853 with James McCune Smith, to raise money toward establishing a national industrial college for Black students. See *Frederick Douglass' Paper*, July 6, 1854, p. 3; and *The Frederick Douglass Papers*, series 3 correspondence vol. 2: 1853–1865, 10–20, 162–63.

79. In the same issue, on page 2, Douglass thanked Abner H. Francis “of Portland, Oregon,” and Alexander Dorsey of Yankee Hill,

California, for “their very timely and generous donations” to the newspaper.

80. W. Van Schuyver was Multnomah County assessor. See *Weekly Oregonian*, June 16, 1855, p. 2.

81. M.R. Delany, August 24, 1855, letter in *Provincial Freeman* (Ontario, Canada), October 13, 1855, courtesy Black Abolitionist Archives, University of Detroit Mercy; Frederick Douglass, “Causity of the New Era,” *Frederick Douglass' Paper*, March 4, 1859, 2. San Francisco's city directories include entries for A.H. Francis in 1859 and, with boarder William Qualls, in 1860. *Henry Langley's San Francisco Directory* (1859), 123; *ibid.*, (1860), p. 134, 258.

82. Tyler, “Power of Political Chatter,” 272–73; Dryer quoted in the *Oregon Statesman*, January 13, 1857, p. 2.

83. *Oregon Statesman*, November 16, 1858, p. 2.

84. The *Portland Daily Advertiser*, *Oregon Weekly Times*, and *Democratic Standard* took ads from Francis; the *Times* printed one on September 26, 1857, on the same page with an editorial that downplayed the Dred Scott decision. See also *Portland Daily Advertiser*, August 5, 1859, p. 3; and *Democratic Standard*, February 16, 1859, p. 3.

85. Bush characterized Francis's views on rights and residence in the *Oregon Statesman*, May 6, 1856, p. 2. He referred to Francis by epithet in the *Oregon Statesman* on July 12, 1859, p. 2, and December 2, 1861, p. 2. For the political feuds around Bush, see Barbara S. Mahoney, *The Salem Clique: Oregon's Founding Brothers* (Corvallis: Oregon State University Press, 2017), 98–99.

86. *Oregon Weekly Times*, November 21, 1857, p. 2; Carey, “Creation of Oregon,” *Oregon Constitution*, 27; Berwanger, *The Frontier Against Slavery*, 86–93; Johnson, *Founding the Far West*, 278.

87. *Oregon Weekly Times*, May 22, 1858, p. 2.

88. See Beasley, *The Negro Trail Blazers of California*, 78; Foner, *Free Soil, Free Labor, Free Men*, 87–102; and Stacey L. Smith, “Dred Scott on the Pacific: African Americans, Citizenship, and Subjecthood in the North American West,” *Southern*

California Quarterly, 100:1 (Spring 2018): 49–53.

89. Francis ran his new partnership notice in the *Weekly Oregonian*, August 15, 1857, p. 2. Garrett had visited him in Portland in 1854. *Daily Alta California*, May 17, 1854, p. 2. The administration of I.B. Francis's estate is documented in Probate court, Yuba County, California, case no. 177, filed May 13, 1856, Yuba County Clerk-Recorder, Marysville, California.

90. *Oregon Weekly Times*, May 8, 1858, p. 3.

91. *Democratic Standard*, May 20, 1858, p. 2. The administration of Garrett's estate is documented in Last will and testament of James Garrett, May 9, 1858, and administration papers, September 15, 1858, Probate court, Multnomah County, Oregon, Benjamin Stark Papers, Mss 1155, OHS Research Library. For the arrival of "A.H. Francis, lady and daughter" on the steamer *Commodore*, see *Daily Alta California*, October 12, 1857, p. 2. Theodosia was a given name commonly used by the Hunt family and others in Hunterdon County, New Jersey.

92. Patrick Raleigh & wife of Yamhill County to Abner H. Francis of Portland, November 1, 1858, the north half of lot 1, block 39, in Portland, for \$16,000, Multnomah County deeds, vol. B, p. 260, accessed at FamilySearch.org, 2017. For John Dandridge's immigration to Victoria, see *Daily Colonist*, March 13, 1861, p. 3, and his oath of allegiance, November 18, 1859, Victoria, British Columbia. Naturalization applications and oaths of allegiance, 1859–1917, GR-1544, box 1, file 1, Victoria County Court, British Columbia. For Francis expanding trade to Victoria, see *Daily Alta California*, January 11, 1859, p. 1; and *Morning Oregonian*, February 1, 1867, p. 1. For the emigration of California Blacks to British Columbia, see James William Pilton, "Negro Settlement in British Columbia, 1858–1871," (M.A. thesis, University of British Columbia, 1951), 30–37; and Smith, "Dred Scott on the Pacific," 50–53.

93. The presidential election was held in Oregon on Tuesday, November 6, 1860, so it appears that Francis composed the first part of this letter the day before the election

and finished it after the election but before national results had returned. See Walter Carleton Woodward, "The Rise and Early History of Political Parties in Oregon — V," *Oregon Historical Quarterly* 12:4 (December 1911): 323–24.

94. It is unclear to whom Francis refers here regarding attacks on Douglass, but it is likely to have pertained to the possibility, which he denied, of involvement with John Brown's raid on the U.S. arsenal at Harpers Ferry, Virginia. See Blight, *Frederick Douglass*, 310–12, 319–20; and *The Frederick Douglass Papers*, series 3 correspondence vol. 2 1853–1865, 288–99.

95. Although Oregon's constitution (Article II, sections 2 and 6) prohibited Francis from voting in the election, he correctly predicted Lincoln's win in Multnomah County and both Oregon and California. For details on elections in the Oregon constitution, see Carey, *Oregon Constitution*, p. 404–405. For details on these results, see the *Weekly Oregonian*, November 17, 1860, p. 3; *Evening Bulletin* (San Francisco), November 22, 1860, p. 3; and *Douglass' Monthly*, December 1860, p. 371; Johnson, *Founding the Far West*, 250, 282–83.

96. On the travels of "A.H. Francis and lady" to Victoria, see *Daily Colonist*, October 9, 1860, p. 3; and *Evening Bulletin* (San Francisco), November 22, 1860, p. 3.

97. Francis refers here to United States troops occupying part of San Juan Island and Gov. James Douglas ordering British naval vessels and Royal Marines to monitor them. See *Lady Franklin Visits the Pacific Northwest: Being Extracts from the Letters of Miss Sophia Cracroft, Sir John Franklin's Niece, February to April 1861 . . .*, ed. Dorothy Blakey Smith (Victoria: Provincial Archives of British Columbia, 1974), 26–27, 121–22; *Daily Alta California*, May 21, 1860, p. 1; and *Daily Alta California*, July 14, 1860, p. 1.

98. Francis refers to Mifflin Wistar Gibbs (1823–1915) and Peter Lester, who had helped swing the Black vote to reform candidates who had won the January 1860 Victoria town council election. Gibbs had worked with Douglass as an abolitionist, established California's first

Black newspaper (in which Francis advertised), and helped lead the Black immigration to British Columbia beginning in 1858. *Mirror of the Times* (San Francisco), December 12, 1857, p. 4; *Daily Colonist*, January 10, 1860, p. 2; *Daily Colonist*, January 14, 1860, p. 3; Smith, "Dred Scott on the Pacific," 53, 59–62; and Crawford Killian, *Go Do Something Great Thing: The Black Pioneers of British Columbia* (Vancouver, B.C.: Douglas & McIntyre, 1978), 64–65.

99. Francis alludes here to circumstances in which American Blacks were allowed to vote in British Columbia. Those who swore an oath of allegiance had had their votes counted in the January 1860 city election. *Daily Colonist*, January 10, 1860, p. 2; *Daily Colonist*, May 21, 1861, p. 3.

100. See *Daily Alta California*, October 22, 1860, p. 1; and *Daily Colonist*, November 2, 1860, p. 3.

101. House member John C. Burch (D-CA) made this call. *Daily Alta California*, January 8, 1861, p. 2; *Weekly Oregonian*, January 26, 1861, p. 2; *Daily Oregonian*, February 13, 1861, p. 2. Francis had told Douglass about similar sentiments among San Francisco's Southern Democrats in a letter dated October 22, 1851, published in *Frederick Douglass' Paper*, December 11, 1851, p. 3.

102. Report. "The select committee to whom were referred the papers relating to the loyalty of Benjamin Stark, a senator from Oregon," April 22, 1862, Senate Committee Report No. 38, 37th Congress, 2d Session, 5–11; Thomas Edwards, "Benjamin Stark, the U.S. Senate, and 1862 Membership Issues," *Oregon Historical Quarterly* 72:4 (December 1972): 315–38.

103. S.E.R. Francis to B.S. Brooks, February 22, 1861, San Francisco County deeds, vol. 2, 589 (cited in: General Index, vol. 17, 1861), accessed at FamilySearch.org, July 2020; *Weekly Oregonian*, February 16, 1861, p. 3; *Daily Oregonian*, March 1, 1861, p. 3. Francis held onto his lot in Portland for an additional three years before selling it at a loss to W.S. Ladd (friend and business partner with Asahel Bush). Abner H. Francis and Sydna E.R. Francis, of Victoria, BC, to W.S. Ladd, Portland,

June 7, 1864, for \$5000, the north half of lot 1, block 39, Multnomah County deeds, vol. E, p. 332.

104. For the arrival of A.H. and Sydna in Victoria, see the *Daily Colonist*, August 8, 1861, p. 3. For his political activities there, see the *Pacific Appeal*, October 25, 1863, p. 3; *Pacific Appeal*, January 30, 1864, p. 3; *Daily Colonist*, April 13, 1865, p. 3; and *Daily Alta California*, April 18, 1865, p. 1. The baptism record for Theodosia Gertrude Francis, October 24, 1860, is in Register of Baptisms, Parish of Victoria, p. 50, Christ Church Cathedral records, MS-0520.3.2, BC Archives, Victoria, British Columbia. The naturalization record for A.H. Francis, November 17, 1863, is in Naturalization records, 1859–1914, BC Archives record group GR-1865 vol 2., British Columbia, County Court (Victoria) Naturalization Records, Originals 1859–1963, witnessed by Peter Lester and M.W. Gibbs. Both accessed at FamilySearch.org, July 2020. For his election to Victoria's town council, see [P.A. Bell/Cosmopolite.] "Notes of a Trip to Victoria," *Pacific Appeal*, February 6, 1864, p. 2–3; *The Elevator*, December 1, 1865, p. 2; and *San Francisco Examiner*, December 5, 1865, p. 3.

105. Article I, section 35, of Oregon's 1857 Constitution exempted any "free negro, or mulatto" in Oregon at the time of its adoption from prohibitions against residency and holding real estate. Carey, *Oregon Constitution*, 405, 430.

106. Richard White, *The Middle Ground: Indians, empires, and republics in the Great Lakes region, 1650–1815* (Cambridge and New York: Cambridge University Press, 1991), ix–xv.

107. On the meeting of Francis, Gibbs, and Colfax, see Philip A. Bell's *The Elevator*, September 1, 1865, p. 1, which reprinted the July 29, 1865, report ("Colored Deputation to Mr. Colfax") of the *Daily Colonist*; and Killian, *Black Pioneers of British Columbia*, 139–40. On Colfax's speech, see Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York, 1988, rev. ed. 2014), 226.