

# Gold and sunshine, reminiscences of early California.

## By James J. Ayers

COL. JAMES J. AYERS

GOLD AND SUNSHINE

REMINISCENCES OF EARLY CALIFORNIA

COLONEL JAMES J. AYERS

ILLUSTRATIONS FROM THE COLLECTION OF CHARLES B. TURRILL

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*Oh, happy days, when youth's wild ways  
Knew every phase of harmless folly!  
Oh, blissful nights,  
whose fierce delights Defied gaunt-featured Melancholy!  
Gone are they all beyond recall,  
And I--a shade, a mere reflection--  
Am forced to feed my spirit's greed  
Upon the husks of retrospection!*

--EUGENE FIELD.

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## PREFACE

For some time past I have had in contemplation to write a book, taking as the subject my experiences in California. A continuous residence of forty-seven years would furnish interesting material for such a book in almost any life. But as mine was cast in channels which threw me in contact with nearly all of the conspicuous figures who have given character and celebrity to our State, and placed me in the whirl of the many events which have given historical interest to California, much of which I saw and a part of which I was, I felt that to present those men and events to the present generation in the way that they appeared to me at the time and in the order of their occurrence, would be a work from which the general reader would derive instruction, the old Californian reminiscent pleasures, and the "tenderfoot" of to-day realize how difficult and beset with obstructions was the pathway of the "tenderfoot" of the argonautic period. I also felt that if I could convey in an attractive form a panoramic picture of my experiences in this State from the beginning, while it would not be a dry and formal history of the State, yet it would be a book of historical value to all who might consult it. Each life helps to make up the sum of all history, and there is none so obscure or isolated but that it would, if properly written, throw a ray of light upon some latent event of value to the historian.

I have carefully avoided in this book the meretricious custom, which has too largely prevailed among those who have written about pioneer times, of degrading their publications to the level of a commercial medium by praising the successful survivors of the pioneers beyond their merit and exalting the names of some who were entitled to but scant recognition. Indeed, my general plan has been to let the living round out their career to the end unemblazoned, but to carefully rescue, as far as I could, from oblivion many who have gone over in undeserved obscurity to the majority.

I have endeavored to recommend the volume to every intelligent reader, by making it sketchy, anecdotal, humorous, picturesque, descriptive and historical. If I have succeeded in this, I shall have accomplished the task I set for myself.

The history of California, before the influx of gold-seekers brought it prominently before the eyes of the world, may be told in a few words.

Until April, 1769, Upper California was to the white man a *terra incognita*. It was known to exist, vii for its coast had been navigated at intervals by hardy explorers for over two hundred years. Cabrillo had skirted it some forty odd years after the discovery of the continent by Columbus. Francis Drake had brought his ships to anchor in a bay a few miles north of San Francisco in the reign of Queen Elizabeth, and the Spanish galleons, making their yearly voyages to the Philippine Islands, had, on their return trips, regularly, for nearly two hundred years, raised the headlands at Cape Mendocino, and then, taking advantage of the northwest trade winds, had pursued their voyage to Acapulco; and it raises a grave doubt in the minds of geographers whether the Golden Gate could have existed at that time and escaped the accident of discovery by the explorer Drake, who anchored for weeks within fifteen miles of it, and eluded the research of the annual arrival within a few leagues of it of the Spanish galleons making the coast at Cape Mendocino for a long series of years. But during all this time absolutely nothing was known about the matchless country we now occupy.

In April, 1769, the *San Antonio* sailed into the splendid harbor of San Diego. She had been sent out from Mexico and had a few friars on board, a detachment of soldiers and a handful of colonists. Juan Crespi, an intrepid friar, marched overland until in October he reached San Francisco Bay, viii which had before been unknown to civilized man. Then followed the expedition of Father Junipero Serra, who founded Missions from San Diego to Monterey. The domination of the Missions, of which there were twenty-one, lasted till 1822, when Mexico declared her independence from Spain. The Missions were in their most flourishing condition in 1814, when they had 24,611 Indians attached to them as neophytes; possessed 215,000 head of horned cattle, 135,000 sheep and 16,000 horses. They harvested that year 75,000 bushels of grain. After the Mexican flag had taken the place of the broad ensign of Spain in California, the Missions entered upon a career of rapid decadence. The rancheros and pobladores envied their wealth and coveted their lands, and in 1835 the Missions were secularized.

From that time down to the 7th of July, 1846, the political power of California was in the hands of the leading families of the province, and although Mexico exercised the right of sovereignty by sending out Governors to rule over her, yet the turbulence of her people resulted in a number of bloodless revolutions, pulling down unpopular Governors and exacting changes in that office from Mexico. There was a constant struggle going on between Monterey and Los Angeles to be recognized as the seat of government. When Commodore Sloat took possession of Monterey the power of the native Californians ix was virtually at an end, and the era of American authority over Upper California commenced.

The discovery of gold by Marshall, on the 24th of January, 1848, opened to California a new era. One of the most wonderful migrations ever known set in from all parts of the Atlantic states when the news of the discovery slowly reached the populations east of the Mississippi. By sea and land they flocked in untold numbers to the new El Dorado, and all parts of the civilized world sent contributions of their people to California to seek for gold.

At this point my story commences, and I hope it will prove as interesting to my readers as it has been a source of pleasurable employment to me, in my retreat among the orange groves of Azusa, to write it.

JAMES J. AYERS. Azusa, Los Angeles County, Cal., 1896.

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**GOLD AND SUNSHINE CHAPTER I**

HO! FOR CALIFORNIA--THE BEGINNING OF A VOYAGE FILLED WITH ADVENTURE--  
A BLOW-UP AT SEA--GATHERING OF THE SHARKS --CHANGE OF ROUTE--CROSSING  
THE CONTINENT ON FOOT--BUILDING A SHIP UNDER DIFFICULTIES--ARRIVAL AT  
REALEJO

I started from St. Louis for California on the second of February, 1849. My design was to go  
to New Orleans, and from there reach the Isthmus of Panama, where I believed I could readily  
make the rest of my way to San Francisco. I took passage from New Orleans on the old steamer  
*Galveston* , bound for Chagres. Everything went well with us until the seventh day out, when we  
were suddenly startled by an explosion. The confusion that followed among the seven or eight  
hundred passengers was great, but we were soon assured that there was no immediate danger, as it  
was only the cap of the steam chest that had blown out. The machinery 12 of the steamer, however,  
had been so seriously injured by the explosion that it was rendered altogether useless. The captain  
announced to the passengers that it would be impossible to reach Chagres in our disabled condition,



and that the best he could do would be to set such sails as we had and head the vessel for Balize, British Honduras.

A remarkable incident of this mishap in the Carribean Sea was that as soon as the steamer had ceased to make headway, thousands of hideous sharks came up from the depths and surrounded the vessel. They were so numerous that they crowded over each other in their efforts to get near the ship. These voracious monsters seemed to instinctively know that an accident had occurred and feel that a great feast of human flesh was in store for them. But happily for us, they were disappointed, and the boys took their revenge out of them for their presumption by firing bullets at them from their rifles and pistols. They were so thick that many of them were hit as they rolled over each other and exposed themselves out of the water.

Sails, such as they were, were set, and we slowly drifted along, reaching Balize in ten days.

Balize was a quaint-looking tropical town, principally inhabited by negroes and domesticated Yucatan Indians. Considerable commerce was carried on there in exporting mahogany and dye wood brought from the interior of Yucatan and Honduras. 13 As this is the only port held by Great Britain in Central America, the English merchants carry on an extensive traffic with Spanish Honduras and portions of Guatemala.

Several vessels in port were chartered and nearly all of the *Galveston's* passengers proceeded to Chagres. But a party of seventeen, of which I was one, decided upon a short cut across the continent, and took passage on a small schooner to the old Spanish town of Omoa, at the head of the Gulf of Honduras. After a delightful sail of two hundred miles up the Gulf, which was studded with beautiful islands, green with luxuriant foliage, above which loomed groves of stately cocoanut trees, we reached the ancient town of Omoa, which was guarded by an immense fortress, black with age and bristling with seventeenth-century cannon. The sleepy town was occasionally enlivened by the arrival from the interior of mule trains laden with sugar, cocoa, coffee, indigo, etc.

After the usual haggling with the muleteers, we chartered a train to carry our provisions and effects to Puerto la Union, on the Pacific Coast. Some of our party hired or bought saddle horses, but most

of us resolved, out of deference to the state of our finances, or for other reasons, to keep up with the procession on foot. If my memory serves me, it took us seventeen days to cross the Cordilleras and reach the point on the Pacific for which we started. We 14 passed through several considerable towns, and were the objects of the most intense curiosity to the inland natives, the great mass of whom had never fore seen a North American. At Comayagua, the capital of Spanish Honduras, we rested a day. Here I found a cafe kept by an old Frenchman who had served under Napoleon. The vieux moustache was so pleased to see people from abroad that he opened the hospitalities of his house to us, and when the time came to depart, the veteran of a hundred battles shed tears like a woman.

A custom prevailed in this city which has not its parallel in any country I ever visited. In exchange for a silver dollar, any merchant would give you twelve dollars in quicksilvered copper coins of the various denominations, and these would be received for ordinary purchases the same as if they were silver. In this way one could get twelve dollars' worth of common supplies for one dollar in silver. Indeed, the copper coin was preferred by the market hucksters to the silver, and if one laid down two quarters, one being copper, in payment for a two-bit article purchased, the vender would generally select the quicksilvered quarter in preference to the genuine coin. One naturally wonders how this peculiar *coup de finesse* , or rather finance, came about. We were told that the Indians washed out a great deal of placer gold in the river Layape (I think that was the name) and the gulches tributary to it, and 15 that they brought it all to Comayagua, where they exchanged it for the copper coin at the rate of \$16 per ounce in that currency. There can be no question about the commercial honesty which underlies such a custom; but it goes to show that American Indian traders are not the only ones who take advantage of the ignorance of the aborigines.

Upon reaching Puerto la Union, on the Gulf of Fonseca, in San Salvador, we found a barkentine there that had come down from San Francisco. Her crew verified the story of the wonderful gold discoveries in California, and showed us specimens that fully satisfied us of the truth of the glowing accounts that had reached us at home from the new El Dorado. It is only mild to say that anxiety to reach our golden Mecca was intensified by the accounts now given ins of the extent and richness of

the new gold fields by men who had actually mined in them themselves; and the desire to reach our destination in the shortest possible time became a ruling passion.

We endeavored to make some arrangement with the captain of the barkentine to take us up with him. His vessel was well capable of accommodating us, and we could easily have provisioned her for the voyage in La Union; but whether he was engaged in some clandestine traffic which he wished to veil from outsiders, or was naturally selfish and misanthropic, preferring his own ease and comfort to performing an act not only of courtesy but humanity<sup>16</sup> toward his fellow-countrymen stranded on a foreign shore, the fact remained that he would not listen to our overtures, and gave strict orders to his officers to prevent any of us from coming on board his vessel.

Word was brought to La Union that a Scotch bark, the *Caledonia*, was at Realejo and would sail the next day for San Francisco. Two of our party at once chartered a canoe and put to sea to intercept the bark. They reached her and were taken on board, arriving in California several months before the rest of us. Captain Hammond, of our party, proposed to build a small vessel, and thus solve the problem of transportation. He learned that there were thousands of people at Panama waiting for vessels to take them to California. All the old hulks on the Coast were steering for that port, and were chartered at fabulous prices and turned into passenger ships when they arrived there. The prospect that any available vessel would make its appearance at Puerto la Union was very slight. The outlook was indeed discouraging, and Captain Hammond's proposition was eagerly embraced by most of our party. I could not make myself feel that it was practical to successfully build a vessel in a port where there was no material to be had for the construction of a hull, no iron for fastenings, no rope for the necessary tackle and no canvass of which to make sails. But I will here say that the energy and genius of those who understood this<sup>17</sup> arduous task overcame all obstacles, and that my first trip to Stockton on my way to the mines was made on board the *José Castro*, named in honor of the Commandante of Puerto la Union, who took so deep an interest in the building of the little ship at his port that he sent native runners all over the country to gather up everything that could be procured to help along the interesting work. Several of us thought that the best thing we could do would be to go over to Nicaragua, and wait for a vessel at Realejo, at that time one of the most frequented ports in Central America. The town of Realejo

has since been supplanted by Corinto, built up in the magnificent harbor of Realejo, which at that time accommodated the ships trading with Nicaragua on the Pacific. Old Realejo is situated some nine miles inland from the harbor, and at the head of navigation of a narrow and crooked river, completely shut in with tangled trees, their branches interlacing overhead. In pursuance of our plan, we sailed across the Gulf of Fonseca in a bongo, and, entering a narrow and tortuous waterway, paddled to its head, where we disembarked at a landing called Tampisqui. Here we had an adventure with monkeys which threatened serious consequences. An army of these creatures were marching, as is their custom, from tree to tree, swinging themselves from branch to branch by their long prehensile tails, and making wonderful progress. 18 One of our party excited their hostility by firing at them. The fire was returned with interest, for they gathered nuts and stormed us out of our camp, compelling us to seek shelter in an old hut near by. Here they held us prisoners for several hours, when they resumed their aerial march, and we were enabled to proceed on our journey, whipped and crestfallen.

On reaching Chinandego, a considerable city, well laid out, with extensive buildings and having an imposing cathedral, we learned that the *Caledonia* had sailed, but that other vessels bound for California were momentarily expected at the harbor of Realejo. We lost no time in gratifying our sight-seeing curiosity at Chinandego, but pushed on at once for the old embarcadero town. Here we learned that a number of California-bound vessels, crowded with passengers, had stopped at Realejo for water, but that none were there at that time. As it was uncertain when other vessels would arrive, we rented a vacant house, determined to bide our time at that port until we could get transportation for San Francisco.

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## CHAPTER II

A LONG AND TEDIOUS WAIT--OFF FOR CALIFORNIA AT LAST--A VOYAGE OF  
HARDSHIPS, SUFFERING, ELEMENTAL STORMS, THIRST, FAMINE AND OTHER  
THRILLING INCIDENTS

How slowly the time dragged along in that old, sleepy town of Realejo! It was about the 20th of March when I arrived there. I had been over a month and a half on the road, and had come to a dead standstill at a point where I might have to wait for months before I could get a chance to continue my voyage. There was nothing for it, however, but to resign myself to the situation and to wait patiently until some vessel bound for San Francisco should call in for water and supplies; and then she would, in all probability, be so crowded as to make it impossible for me to secure passage. I soon experienced a sample of this kind of disappointment. A little old brigantine, the *Feliz*, put into the harbor from Panama, and was so densely crowded with passengers that there was absolutely no room in her for any more. She reported that Panama was literally jammed with people, and that anything in the shape of a craft was eagerly chartered for the voyage to San Francisco.

In proof of this several small boats put into Realejo for water. One of these was an iron boat, about fifteen feet long, that had been carried across the isthmus. She was rigged with a mast and sails, and a party of six were thus, by short stages, making for San Francisco. When I arrived in that city some months afterward, I learned of the sad fate of this party. They coasted successfully as far as Mazatlan, where they agreed with the captain of a French bark bound for California to give him their boat if he would take them aboard as passengers. That night there arose a great storm and the vessel was driven upon a reef, and all on board perished. This calamity seemed like the very irony of fate. The unfortunate voyagers had safely sailed in their frail shallop more than half way to their port of destination, and they had no sooner set their feet on a comfortable and seaworthy vessel than they went down to their death.

So eager were the crowds of Americans who had reached the Pacific coast of Central America to get to California that they hesitated at no risks to accomplish their object, and they would gladly put to sea to make a voyage of three thousand miles in a boat which, under normal circumstances, they would consider unsafe to cross a lake in. An open 21 whaleboat came in from Panama while we were at Realejo. She was purchased by some of our party, a deck was placed on her, she was outfitted and victualled as well as possible, and with five adventurous spirits she started on the long voyage to San Francisco, where she arrived safely, after those on board had undergone hardships

and sufferings from thirst and hunger and the almost constant fear of being swamped by the fury of the waves or the violence of the oft-recurring storms at that time of the year. These small boats could only carry a limited quantity of water, and they were therefore compelled to hug the coast as closely as possible so as to put into every harbor or roadstead with the least possible delay.

After we had been in Realejo about two months rumors reached us that a large party of Americans en route to California had arrived at the city of Nicaragua, and to our great delight one morning a number of them rode into town. They proved to be the advance guard of the George Gordon association, consisting of some hundred and twenty members who had started from Philadelphia for California by way of the Nicaragua route. They told wonderful tales of the hardships they had encountered on the San Juan river, which they navigated in small boats they had brought with them. George Gordon had organized two associations in 22 Philadelphia, one to go to California by the Nicaragua route,-- the other on ships by the way of Cape Horn.

Of course we were very glad to greet our fellowcountrymen, and now felt that our chances for reaching San Francisco were greatly enhanced. Gordon had dispatched an agent to Panama to charter vessels if they could be had, and word was sent to the ports of South America to ship-owners and skippers that ships were wanted at Realejo. At length we were made happy by the arrival of the old brig *Laura Anne*, which Gordon lost no time in chartering. The *Laura Anne* was an old-fashioned tub of a vessel, almost as broad at the bow as at the stern, and slower than justice. Water became the absorbing question, and how to safely stow away enough to supply over one hundred souls for a voyage of many weeks was the difficult problem to be solved. Casks were not to be had, so it was decided to make a number of tanks out of Spanish cedar, tow them up the river to fresh water, fill them, tow them down again to the bay and hoist them on board.

It was about the 20th of July when we sailed. The brig was overcrowded. Every vacant space in her was occupied. Tiers of bunks had been put up in the hold, and her cramped cabin could only afford accommodation for the captain, his mate and a poor fellow who was enduring great agony from a wound 23 inflicted by a stingaree, and from which he died as soon as we reached San Francisco. Here we were, about one hundred passengers on a hundred and twenty ton vessel, packed as close

together almost as sardines in a box. Everything went along well enough until we reached the Gulf of Tehuantepec. Here we encountered most tempestuous weather for several days. We were almost constantly in sight of great waterspouts which threatened to overwhelm us, and it required the utmost skill and constant watchfulness of the man at the wheel to steer us clear of them. When the weather moderated, we found to our consternation that the rolling of the brig during the storm had caused nearly all of our water tanks to burst, and we were at once placed on short allowance. Our progress was excruciatingly slow. When we were not beset with head winds, we were lying motionless in dead calms under a tropical sun. The heat was intense, and our sufferings were aggravated by the compulsory reduction of our already meagre water allowance. The brig had been provisioned for forty days, and we were now confronted with the alarming prospect that our voyage might last for twice forty, perhaps more. This was the signal for placing us on short allowance of food, and further reductions were made in quick succession until we were brought down to a pint of water, some rice and a biscuit a day for each man. Our store of supplies had been greatly lessened by throwing overboard provisions that were found on inspection to have been spoiled and unfit for use; so that here we were, under a burning sun, making little or no headway, suffering from hunger and thirst and the overcrowded condition of our vessel. The captain thought we would reach Cape St. Lucas, and that we could come to anchor at point near there and get in a fresh supply of water and provisions. When we reached the roadstead, of Todos Los Santos we found that it was utterly impracticable to replenish our water or even to get ashore to purchase much-needed food.

We put to sea, and made several long tacks so as to work our way up the coast against the northwest trade winds. To our great mortification we would usually return from these long tacks and see abreast of us a big flat mountain which we had left as conspicuous landmark a few days before. We had made some progress, but very little.

At length, on nearing the coast, after one of these long and ineffectual tacks, we found that nearly all our water was gone, and thought that it would be madness to make another great stretch seaward with the possibility of encountering a storm or dead calm that would prevent our return to the coast, and all perish from thirst and starvation. The captain called a general conference of the passengers, and we determined to put into an open roadstead designated on our old Spanish charts as the

## SAN FRANCISCO IN 1849 Copy of rare old print

25 Bay of San Francisco. As we approached the shore we were gladdened by the sight of a brigantine lying at anchor.

Our small boat was lowered and sent ashore. While it was gone some of us rigged out fish-lines baited with white rags, and to our delight and astonishment hauled in fine large mackerel as fast as we threw our tackle out. In a very short time the deck was covered with these sleek burghers of the deep, and a great number of them were cleaned, salted and packed away for future use. It goes without saying that we soon had the cook busy frying a large mess of the fresh captives, and for the first time in many days were gratified with something like a satisfying and civilized meal.

Heretofore our misfortune had come not in single spies, but in battalions. The tide had turned and in verification of the adage, "that it never rains ill or good luck but it pours," our boat returned and reported that a fine lake of fresh water had been found near the shore, and a demijohn of the blessed fluid was passed up to us. The boat returned to the beach at once loaded down to the gunnels with thirsty passengers. Sure enough, there it was--a small lake of fine fresh water. I shall never forget the eagerness with which we lined the rim of that lake, lay prone upon its bank and sucked in the delicious and refreshing element. It seemed as if one could actually see the lake lowering as our boys drank, and as each fresh batch of arrivals came, so eager were some of their number to assuage their consuming thirst that they rushed pell-mell up to their waists into the lake and drank like feverish cattle that had just come out of an arid desert. Each one seemed equal to the task of Drinkall, the famous servant of Fortunatus, who in search of the fiery dragon at the bottom of a deep pond, brought forward his bibulous henchman to drink it dry.

But our good luck did not end here. On visiting the brigantine at anchor in the bay, we found that she was laden with a cargo of assorted provisions and groceries from Chile. The owner of the cargo was on board, and sold us a liberal supply of Sour, sugar, coffee and preserved meats; and two or three days afterwards our supercargo came to the beach from the Mission of San Rosario with several fine beeves. What a change in a few short hours! But yesterday, so to speak, we were



without water, without food, without hope--death stared us in the face, when, lo, presto, now all is different, and we are placed in possession of a great abundance of everything requisite in our situation to make life pleasant and worth living. And I shame to say it. The argonauts of '49 were a different breed of argonauts from their predecessors, the Spanish conquistadors, who would have seen in a miraculous deliverance like ours the intervention of Divine Providence, and fallen on their knees to render up fervent thanks to that 27 Benign Being who had taken pity on them and brought them, as it were, out of the wilderness into a land teeming with milk and honey. Some of us, as individuals, may have recognized the hand of Providence in this wonderful deliverance, and sent up sincere and grateful thanks to the throne of mercy, but collectively we gave no sign such as the followers of Almagro or Velasquez would have spontaneously given under similar circumstances.

We were soon ready to continue our voyage, and in due course of time we reached the Heads outside the Bay of San Francisco. Our skipper, who was an old Pacific-coaster, was as familiar with the harbor as any pilot of today, and steered our brig with confidence through the Golden Gate. As we were abreast of Lime Point my attention was called to a small craft that was beating her way into the harbor. With the aid of a telescope I discovered that she was the little vessel our party had started to build at Puerto la Union, for I recognized on her deck Captain Hammond and others of the determined spirits who had solved the problem of reaching California by building a ship themselves.

The harbor of San Francisco presented a picture of nautical life and energy which is vividly impressed on my memory. Beyond Clark's Point could be descried a great forest of masts, and from the Heads a crowd of vessels of all classes were working their way in. Their decks were black with human beings, 28 and I call to mind one large ship that gallantly sailed alongside of us with men clinging to her rigging, leaning over her bulwarks and covering every foot of her ample decks. She was a noble-looking ship, and sailed past us like a thing of life. "What ship is that?" one of our officers shouted through his trumpet.

"The *Richmond* from Virginia," came back the answer.

“How long are you out?”

“One hundred and twenty days, and all well.” Then, as we came closer together, we could exchange conversation by word of mouth. The first question put to us was whether the gold stories were true. We told them they were, and that half had not been told. Then there went up a great cheer from the four hundred throats of the men who crowded her decks. She passed along towards Alcatraz island, and other vessels came up alongside of us, all alive with adventurers.

On rounding Black Point the harbor opened upon us in all its glory. Hundreds of ships from all Parts of the world were lying at anchor. The flags of all nations fluttered from their masts. Lighters loaded with merchandise were making their way to the shore, and all sorts of craft, from the Chinese junk to the American man-of-war, were within view. Our skipper brought the brig to anchor off North Beach, and I went ashore in the first boat.

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### **CHAPTER III**

#### A GLIMPSE OF SAN FRANCISCO IN '49

We landed at a point somewhere near where Powell street strikes the bay, and started over the north decline of Telegraph hill towards the city. We passed more than one sportsman with gun hunting small game on the hill before we emerged at the Briones ranch, now Filbert and Powell streets, where we saw some native Californians, in an adobe shed weaving riatas. When we reached the heart of the town, it presented a scene of wild and picturesque activity. The centre of attraction was Portsmouth Square, fronted on Washington, Kearney and part of Clay streets by great canvas houses principally devoted to gambling. The Parker House was the only building constructed of wood and of architectural regularity. On the southwest corner of Kearney and Clay streets was a large adobe that had been turned into a hotel. Gambling seemed to be the principal business in this part of the town. Tables, covered with stacks of Mexican dollars and doubloons, forming a coin rampart around a lacquered box into which the gold dust of the losers 30 was dumped, were

crowded with men eager to place their money on the turn of a card. Monte was the favorite game, and although there was a goodly sprinkling of Americans wooing the fickle goddess, the most numerous and persistent gamblers at the tables were Mexicans of the Sonoranian variety. Many of them had evidently just come down from the mines, and hauled out of their bosoms plethoric bags of gold dust to back them in playing their favorite game. Arms were carried openly by nearly every one you met. In every gambling hall, a band of music enlivened the play, and in one great saloon called the Bella Union a complete band of negro minstrels delighted the crowds that flocked there.

The streets, or rather roadways, were alive with all sorts of people. The canvas stores were filled with goods and crowded with purchasers. Everybody seemed in a rush, and those who had not just returned from the mines were getting ready to go to them. The business centre was for a few blocks on Washington and Montgomery streets, to which latter street the bay came, and formed a hail moon from Clark's Point to Rincon Hill. Tents of all sizes and all shapes were planted everywhere, and the population was composed of all races. The best restaurants--at least that was my experience--were kept by Chinese, and the poorest and dearest by Americans.

The day of my arrival was the 5th of October, 31 1849. I had just been eight months and three days in making the trip from St. Louis. This seems strange in view of the rapid transit of the present day, when one can step on a train in San Francisco and land in Chicago three days afterwards.

When one looks back and recalls the topographical features of San Francisco at that time, he is amazed at its selection as a site for a great city. It had, indeed, nothing to recommend it for that purpose except its magnificent harbor. There was absolutely no level ground beyond the narrow rim that formed the crescent beach against which the tides rose and fell. Where it was not shut in by almost precipitous and rugged acclivities it was obstructed by formidable sand hills. There was here and there a little sheltered valley, but immense sand dunes covered what is now the fairest part of the city. At the intersection of Bush and Kearney streets was a sand hill that rose to a height of forty or fifty feet. There was another on the block where the Lick House now stands. On Market street near Third, and reaching half way to Fourth, was another great sand mountain. The southwest corner of Geary and Stockton streets was crowned with a great sand hill, one side of which reached

to Market and Fourth. Saint Anne's valley, beginning at Dupont street (now Grant Avenue), was buttressed by a chain of these hills leading to Leavenworth street and beyond on the north side, flanked on 32 the south side by a range of low hills which separated it from Hayes Valley.) Indeed sand hills large and small covered all the site of San Francisco from the rim of the bay to the chain of mountains that forms a hail circle from the Presidio to the Mission and from Rincon Point to Russian Hill. Fronting the city, from Rincon Hill to Clark's Point, was a mud flat upon which the tide rose and fell. The ships anchored well out in the stream, and all the goods landed had to be brought over this marsh in lighters. The tide came up to Clay and Montgomery streets, and that point seemed to be the general dumping place for the business part of the city.

Whilst I was standing at this point musing upon my situation and wondering what part I should take in the activities now opening before me, I heard my named called out, and was warmly greeted by a couple of sailors I had befriended in Realejo. They had shipped on the *Feliz* and been several months in San Francisco. I asked them what they were doing, and they told me they were working for Captain Noyes, who had taken the contract to float the old whaling bark *Niantic* over the mud flat and place her on a corner water lot.

“There she is,” said one of my new-found friends, “at the end of this foot-bridge. We are going on board, and you had better come with us.”

I accepted the invitation. A temporary foot-bridge 33 had been laid from Montgomery street to the vessel, and passing over it, we climbed on board the *Niantic*. The hulk was snugly in place, at the northeast corner of Clay and Sansome streets. My friends told me all about how they had floated the *Niantic* over the shallow flat. They lashed the empty oil casks, with which she was abundantly supplied, to her bottom, and thus floated her by slow stages when the tide was high into the berth she was destined to occupy. The “boys” told me their job was finished, and that they intended to go to the mines. We agreed to form a company and go together. That day I ran across Captain Hammond, and he said he had bought the interests of the others in the *José Castro* and would take a load of passengers in her to Stockton in a few days. Our company agreed to take passage in her, and at once entered upon the task of purchasing the necessary outfit. Our “Sailor boys” made a strong

capacious tent out of some of the *Niantic's* sails, and we started for Stockton in fine shape to pass the winter in the mines.

Whilst waiting for the *José Castro* to sail, I had ample time to inspect the new city. Vessels crowded with passengers were constantly arriving, and it was interesting to see the numbers of mutual recognitions of old acquaintances, who had last met in some Eastern city. I ran across many New York friends whom I knew before I left that city for St. 34 Louis. One day I strolled into the Bella Union, and whilst enjoying the antics and funnyisms of the minstrels perched upon a platform, I noticed that a particular one of these knights of the burnt cork eyed me intently. During an interlude I was astonished to see this blackened minstrel jump down from the stage and make his way to me. He called me by name and greeted me effusively. He was the son of an old acquaintance of my family.

“Why,” said I, “Charley, I never knew that you were a professional in this line.”

“No, I never was. But you know I always was fond of music and considerable of a musician. On arriving here a few of us organized a troupe and accepted an engagement to play in this saloon for an ounce a day each. I found it paid, and here we are. I landed here dead broke, and now I am several hundred dollars ahead.”

In the course of my walks around town I found men digging cellars or leveling lots at the rate of ten dollars a day who had enjoyed fine positions at home. There were professors of Harvard, men who had distinguished themselves at the bar, and noted politicians, all doing days' work of the hardest kind to earn a stake to take them to the mines. One old philosopher, who had never swung a pick before, told me that the work was hardening him so that when he reached the diggings he would be as good a miner as anybody.

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“Besides, you see, in this way I will earn enough to get me a good outfit.”

The custom house at that time was located in an old adobe in Portsmouth square, and the only court house was another adobe in the same square. The justice presiding was the famous Ned McGowan, and although his jurisdiction extended only over misdemeanors and contentions about limited money matters, he sat upon any and all cases that were brought before him. He was strong in admiralty litigation, and thought nothing of entertaining proceedings of libel against a ship and ordering her sale under the judgment of a mere court of primary jurisdiction.

The dressiest people in San Francisco at that time were the gamblers. Indeed they were the capitalist bankers of the town. Their saloons were all provided with large cafés, and when a merchant required an immediate accommodation, the boss gamblers were the men applied to. Ready money flowed in upon them in great quantities, and through them the wheels of commerce were liberally greased.

The hurry and skurry in the streets was a source of never-ending interest. But few persons wore coats, and the general costume consisted of a heavy woolen shirt, trousers held up by a sash or belt around the waist, and the legs inserted in a pair of high-legged boots. A slouch hat covered the head, and the handle of a pistol or a knife generally protruded 36 from the sash or belt. If occasionally an individual who had been lucky enough to arrive with a complete wardrobe appeared with a white shirt and a silk hat, he soon found that he had made a mistake, and with battered “stovepipe” hurried off to his tent to don a less esthetic costume. Ladies were almost an unknown quantity in that heterogeneous population. Now and then one would meet a Mexican or a South American woman, dressed from head to foot in loud colors with face “painted an inch thick.” Her outfit and tournure both proclaimed her calling. Native Californians rode into town on fine, high-spirited horses, some of them superbly equipped with costly saddles and silvermounted headstalls and bridles. The riders presented a picturesque appearance with their embroidered jackets, broad-brimmed and high-crowned sombreros, calconeros slashed down the legs and a line of gold buttons placed close together the whole length. Some of them wore leggings and carried dangerous-looking knives stuck into the place below the knee where the leggings were fastened. When they dismounted the jingle of their enormous spurs sounded like the rattling of chains. These gentry

came in from the ranches with plenty of money to sport with, for at that time cattle were selling at the mines for five ounces a head. The gambling tables formed an irresistible attraction to them, and many a gay don came in from his ranch with a 37 well-filled purse and went home penniless, even having parted with his horse and its costly trappings for money to try his luck with to the end.

At night the gambling saloons were a blaze of light and filled with a dense mass of people. They were the centre of attraction for all classes, and miners, merchants, lawyers, laborers, rancheros and mariners mingled together at these places on a common plane. The tables were going full blast, and occasionally a misunderstanding would arise between a dealer and a bettor. A few loud words would be followed by a pistol shot. The saloon would be cleared in a minute, and the only sign of life visible in that vast hall would be the shooter coolly placing his smoking pistol in its holster and a couple of attendants bearing away the dead body of his victim. Yet these episodes were not of such frequent occurrence as one would suppose. The fact is that, as everybody carried arms, men were slow to quarrel because they realized that it would end with a duel to the death. The effect was to keep men cool, and the desperadoes seldom went out of their own class to seek a fight, as the public temper was such that if they did they might expect a short shrift and a quick rope.

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#### CHAPTER IV

HO, FOR THE MINES--FIGHTING MOSQUITOES--STOCKTON AS IT WAS--GENEROUS CUSTOM OF THE MERCHANTS--A DISAPPOINTED CROWD--FIRST EXPERIENCE IN MINING--HOW WE MISSED A FORTUNE

We had spent three or four days in getting our supplies together and stowing them away in the hold of the *José Castro*. I had “done” San Francisco quite thoroughly, and even then noticed that the energy of her citizens was rapidly bringing order out of her terrible chaos by substituting new and more substantial structures for the unsightly canvas houses which defaced her in all directions.

Our voyage to Stockton was a trying one. In crossing Suisun bay we had a stiff breeze which sent us along quite swiftly. Suisun bay is deceptive to one who is not familiar with its channels, and

Captain Hammond was ignorant of the fact that it was quite shallow excepting in those channels that have been cut through it by the strong currents of the Sacramento and San Joaquin rivers. We suddenly ran aground and upset in three feet of 39 water. We soon righted the little vessel, but everything in the hold, including our provisions, got soaking wet. At night we would tie up in the tules and do our cooking. I never suffered so from mosquitoes in my life as I suffered from these pests going up the San Joaquin river. They were there in clouds, and assailed us with a persistency that was truly discouraging. As it took us six days to make Stockton, I may say that these pests bled us straight along for five days.

We found Stockton quite a busy place. It was the commercial entrepôt for all the southern mines, reaching from the Mariposa to the Mokelumne rivers. Like San Francisco, it was a canvas town, but had not like that city the relief here and there of a red-tiled adobe building. After considerable trouble we chartered an ox-team and large wagon to take us and our belongings to the mines.

We required more supplies than we had bought in San Francisco to carry us through the winter. We therefore drove to the store of Douglass & Thorne, which we were told had the largest assortment of any place in town. We selected a bill of goods and as we were about to drive away Mr. Thorne came out and took a careful look at the stuff we had in our wagon.

“Why,” said he, “you haven't got half enough supplies there to carry you through the winter.”

We admitted the truth of his observation, but 40 told him that we had got to the end of our purse, and must do with what we had. I shall never forget his rejoinder.

“You boys just fill up your wagon. Take what you want, and as soon as you are able to send me the money do so.”

We were perfect strangers to him, and you may well imagine that the hearty and off-hand manner in which he offered us unlimited credit was as surprising as it was agreeable. We filled the wagon with such supplies as we thought we should need, and on casting up accounts we found that we had incurred an indebtedness to his house of several hundred dollars. I had no doubt from the way



he had dealt with us that it was a business custom, and I venture to say that the percentage of loss made in this way was far less than is incurred now by merchants who do a credit business with customers they know all about. A credit of that kind became a debt of honor, and unless the parties who assumed it were absolute rogues, it would be scrupulously paid. David F. Douglass, who was the senior partner of the concern, spent most of his time at the Douglass & Rainer ranch, some twenty miles from Stockton on the road to Mokelumne Hill. He red resented San Joaquin district in the State Senate in 1850-51; in the Assembly in 1855, and was Secretary of State in 1856-57. He died in 1872. He was a man of the strictest integrity, and when he 41 passed away the whole State paid the highest encomiums to his worth as a public man and private citizen.

When we reached a place called Double Spring we were within three miles of Calaveras river where a great number of miners were working with more or less success. We were undecided whether we should make our *début* as miners on the banks of that river or proceed to Mokelumne Hill where the diggings were deep and the gold coarse. That evening there came to the Springs a large party of discouraged miners from the hill. They were making their way to Stockton, and begged us not to go to the Hill, for, they said, the mines there had been worked out, and the suffering would be great among those who would be compelled to pass the winter there. Their gloomy report had its effect, and we determined to cast our lot with the men mining on the banks of the Calaveras river.

I will pause here to make a few reflections upon the fact that human nature is so variously constituted that there are always some men who, in the midst of the most favorable opportunities, are controlled by a spirit of pessimism which makes them look at everything in the darkest light. This party from Mokelumne Hill were doubtless of that class. Millions of dollars were taken out of the deep diggings of the Hill and its tributary gulches that winter. Indeed, no other camp in the whole state was 42 more successfully worked for gold in the winter of '49 than Mokelumne Hill. The “ne'er-do-weels” are always with us, and I remember that in the winter of 1850-51, when labor of all kinds in San Francisco was in demand and wages high, I was as frequently accosted in the streets by burly mendicants for money enough to get a meal with as I am in these days of the ubiquitous and irrepressible hobo. The Bellamy system is very fine to read about, but where would be the place of our Mokelumne Hill pessimists or the healthy San Francisco beggars of

1850-51 in such a system? Or, suppose we should put the Fourier system of equal division of property into practice, how long would it be until this same class would call vociferously for a new division? The divine mandate, that man shall live by the sweat of his face, is an insuperable bar to success- fully placing in operation any of these attractive but impractical theories. They are the mere vagaries of men who have permitted their minds to go to seed in the contemplation of a false idea of philanthropy.

As we approached Calaveras river, and saw its banks here and there alive with men delving for gold, we were seized with a feeling something akin to that which must have animated the wanderers of old when they looked upon the land of promise from the heights of Pisgah. We could see the stream winding like a silver ribbon far beneath us, and we had before

A RARE OLD CUT OF A "RIVER MINING" SCENE IN 1849. THE MOKELUMNE RIVER  
Much sickness and many deaths resulted from thus working in the cold rivers with the upper portions of the body exposed to the intense heat of the summer sun

43 us the ocular demonstration of the truth of the golden stories we had feasted upon for, 10, these many months. No wonder we made the hills resound with hearty cheers and the air vocal with the then popular refrain, that we had come to California with our washbowls on our knees, and that there was no sense in Susannah, or anybody else, crying for us.

Our first experience in mining was not as encouraging as we had anticipated. The paying claims were on the bars, and as far as we could learn, they had all been located. However, we took the best we could find and worked the best we knew how. All mining at that time was done in the simplest way. A rocker, consisting of three smooth boards, four or five feet long, nailed closely together at the lower edges, with a square hopper at the upper end, into which a screen, made of sheet iron with holes in it, fitted. The frame was set upon rockers, such as are used for babies' cradles. The rocker was provided with two or three riffles to catch the gold as it was separated from the dirt by the action of the water which the operator poured constantly from a dipper upon the auriferous earth placed in the screen. One man was engaged in stripping the top dirt from the claim, whilst another filled a bucket with the gold-carrying material found near the bed rock, and carried it to the rocker

which was kept in constant motion. After running through 43 a certain number of buckets, the black sand and gold which, on account of their greater gravity, remained behind the riffles, were placed in a pan, or "wash-bowl," taken to the river, and carefully manipulated in the water until the sand was washed out and only the gold remained in the pan. We could make all the way from five to eight dollars a day to the hand, but that seemed so small compared with the wages the claims on the bars were yielding to our neighbors, that we were not at all satisfied. But as the rainy season was rapidly approaching, and the river was beginning to rise, we determined to send two of our party into the gulches to prospect for winter diggings, and in the meantime to work our river claim as long as we could.

To show the elude ideas which then obtained about mining I will mention one notable circumstance. In prospecting for winter diggings we opened a claim in a gulch some four or five miles from our camp. It paid moderately well until we came to a stratum of blue clay. We reasoned that the gold could not sink below this formation, and that there would be no more use in working below it than there would be to go deeper than the bed rock in a river claim. Therefore we only washed the earth above the blue clay, but as the pay was not inviting we soon abandoned the place, and located our camp near the Iowa Cabins, in a locality where there were a number of unworked gulches. The value 45 of our conclusion, that it was impossible for the gold to sink below the blue-clay stratum, was exemplified two years afterwards. At that very point the Marlette series of mines were opened. They were immensely rich, and the flourishing town of San Andreas owes its origin and prosperity to them. Had we gone through the blue-clay stratum we would have struck a vein of rotten quartz, which carried gold with it to great depths and in wonderful profusion.

We moved into our new camp just before the rains set in. There were other camps within easy distance of us, so that we formed altogether a populous neighborhood. The gulches in our vicinity were numerous and some of them paid well.

My narrative now brings me to one of the most tragical episodes that ever occurred in the mines, and as it has so far escaped a place in written California history, I will give a faithful account of the lamentable event.

**CHAPTER V****THE CHILEAN WAR IN CALAVERAS COUNTY--A THRILLING CHAPTER OF UNWRITTEN HISTORY**

Situated on an elevated flat, about two miles from our camp, was a settlement of Chilean miners. One Dr. Concha was the chief and moving spirit in this settlement, supported by some eight or ten lieutenants. The rest of the people consisted of peons whom they had brought from Chile, and who stood in relation to the headmen as dependents, in fact as slaves.

Small parties of Americans complained that whenever they discovered a new gulch and attempted to mine in it, they were driven off by a superior body of these Chileans who laid claim to the gulch. At last the action of the Chileans became unendurable, and unless steps were taken to counteract their pretensions they might result in actual hostility and bloodshed. A mass meeting was called of the miners of the district. This meeting decided to adopt a code of laws, under which the size, location and possession of claims would be regularly determined. In other mining districts where Americans from the 47 South had brought their slaves with them, a law was adopted which prohibited the masters from taking up claims for their slaves. The same principle applied to the Chileans would prohibit them from the right to take up claims for their peons. The district was organized at this meeting, its boundaries set forth, and a code of mining laws, in which the above principles were included, was adopted.

It was not long after this meeting had been held when some of our miners were driven by force, and under peculiarly aggravating circumstances, out of a gulch they had been working in. When news of this exasperating aggression reached the various camps in the district, the excitement was intense. We had, as was usual at that time in the mines, elected an alcalde, before whom all classes of disputes were settled, and whose decisions were invariably acquiesced in and enforced. Judge Collier, of Virginia, a venerable gentleman of distinguished presence, of large intelligence and of positive character backed by unflinching nerve, had been selected. Complaint was made before

him of this last aggression, and he advised that a mass meeting of the miners of the district should be called. This meeting came together in a temper of great exasperation against the Chileans, and adopted a resolution to rid the district of these unpleasant neighbors by fixing a time at which they should leave, and if they refused, then to forcibly expel them. The meeting marched in a body to Chilean Camp, and served the notice upon the headmen present.

The Chilean imbroglio had almost passed out of our mind, when, one evening about eight o'clock, our attention was attracted by a sound as of marching men. Suddenly our tent flaps were thrown aside and a dozen guns were pointed at us. We were ordered to come outside, and each one as he reached the door was seized and his arms bound together behind with cords. Four of us were fastened to a tree, and a strong guard placed over us. There was such flourishing of pistols and knives that I feared some of us would be killed by accident if not design, if these fellows were not compelled to keep quiet I spoke to the man in command in Spanish, and told him there was no need of these tumultuous demonstrations; we were their prisoners, and would not attempt to escape. My speech had the desired effect, and I found my captor rather communicative. The rest of the band, in the meantime, had seized and bound the Americans in the Iowa Cabins and in several tents near by. Shortly afterwards a messenger told my captor to come to the camp on the hill, and bring me with him, as I might be wanted as an interpreter. This camp was located on a hill about half a mile from ours. On arriving at the foot of the hill we were instructed to wait for further orders. We had not been long waiting before we heard several shots fired in quick succession. I turned to my guard and told him this was a very bad business, and that if any of our people were killed they would be held to a severe account for it. About this time we were called to come to the camp.

On reaching it I found an old man named Endicott in the last agony from gunshot wounds, and near him was another old man named Start who had been severely wounded in the right arm and shoulder. These were the only white men they found in the camp; for the others had gone off on a visit to other camps. The leader of the Chileans was called "Tirante," and he was not misnamed. He seemed to gloat over the body of poor Endicott, and calling me to him, asked me if that was not Judge Collier. When I assured him it was not he seemed greatly disappointed. Judge Collier was looked upon by the Chileans as the instigator and inciter of the American miners against them, and

they wanted to wreak vengeance upon him above all others. A short consultation ensued between Tirante and his chief men as to the next move they should make. They feared that information about their movements might reach the camp where Judge Collier lived. As it was a considerable camp, it was probable, if the alarm were given that an armed force would soon 50 confront them, so they determined to return to the Iowa Cabins, and with their prisoners move forward. Although Starr was in great pain, he was ordered to march with us. With the assistance I rendered him he succeeded in reaching the Iowa Cabins, where our captors held a consultation, and determined to proceed to the south fork of the Calaveras. Starr was to be left behind, and I placed him in a bunk, wrapping him up as comfortably as I could. He was afterwards found dead in the bunk, and as I did not think that the wounds he had received on the hill were mortal, I have always believed that the Chileans dispatched him before they left. They would have reasoned that he might manage to crawl to the lower camp, give the alarm and cause an armed force to be sent against them, and that therefore the best way would be to finish him at once.

As we marched along I was enabled to see that the Chileans numbered about sixty, whilst we were thirteen captives. They were very careful to see that our arms were securely bound behind us. They marched us to the south fork of the Calaveras, near a trading store kept by Scollan, Alburger & Co. John Scollan was a regularly appointed alcalde. He had come to California with Stevenson's regiment and the firm had stores at various points in the southern mines. Several of the Chilean leaders 51 proceeded to the store, and I learned afterwards that they tried hard to get Judge Scollan to give a tone of legality to their murderous proceedings by certifying to our arrest by the authority of & warrant that had been issued by Judge Reynolds, of Stockton, Judge of the Fifth Instance. It seems that Dr. Concha had gone to Stockton and secured such a writ from Judge Reynolds, and then prevailed upon the latter and his Sheriff, whose name I have forgotten, to authorize his people to serve it. Alcade Scollan refused to have anything to do with the affair. He advised them to release their prisoners at once, and told them they would be held criminally responsible for their acts. Some of these facts I learned long afterwards. John Scollan died in Santa Barbara in 1892. He had been for many years a much respected citizen of that county, and he and I have often recalled the incidents of that eventful night in December, 1949, at the South Fork of the Calaveras.

Tirante and the rest came back to where they had left us, and in a manifestly dissatisfied mood countermarched us until we struck the trail up Chile Gulch in the direction of their own camp, which we reached about daylight. Here was another long wait. When the leaders returned from their camp some of them were mounted.

We pushed forward until we struck the main road to Stockton. When we got to Frank Lemons' tent 52 at the lower crossing of the Calaveras we were allowed to get some coffee and food. Mr. Rainer happened to be there, and we gave him an account of the whole affair. He was greatly wrought up about it, and said he would ride into Stockton and bring out a rescuing party. Rainer was a brave, but rash, impetuous man, and we warned him to act prudently, for we feared that our captors might, if they thought they were to be attacked by a superior force, end the matter by killing their prisoners and scattering.

The warning was timely, but unfortunately was not heeded, for soon afterwards, as we passed Douglass & Rainer's ranch, we could see Rainer and several others loading their guns in full sight of our wary captors, who lost no time in taking us away from the main road, and marching us across the plains, which were densely covered with wild oats and tar weed. We could see, by the movements of the Chileans and the earnest whisperings of their chiefs, that they were not at all at their ease. They acted like men who felt that they might at any moment be confronted with most serious difficulties. I also noticed that they had diminished in numbers considerably. Some of the peons had dropped out from sheer exhaustion; others had furtively deserted. Whenever we would come within sight of the main road, there were signs of a commotion. Either a horseman, fully equipped with arms, would ride 53 furiously in the direction of Stockton; or men would be seen in covert places as if reconnoitering.

It was late in the afternoon; the rain had been coming down in intermittent showers; Tirante and his lieutenants had had earnest and animated interviews as they grouped together on the march; we had come to a spot near the Mokelumne river where a grove of large, wide-spreading oaks afforded shelter from the weather, and here we were halted and lined up against a fallen tree. We had not been long here before a couple of mounted Chileans, who had been sent out as scouts,

rode up. I was near enough to catch scattered words of their report, which was to the effect that there was an aimed party on the road in quest of us. A most intensely dramatic scene followed their report. Tirante proposed that the prisoners be dispatched, after which they would disperse. He was supported in this terrible proposition by several voices; but a large, fine-looking Chilean called Maturano, who on several occasions had protested against the violent methods of Tirante, opposed the proposition not only as cruel and inhuman, but as one that would surely bring upon them the vengeance of the whole American people. The question was debated between the chiefs for some time, when it was put to vote, and Tirante's blood-thirsty proposal was lost.

The reader can well imagine that I felt greatly relieved at the result, and I made up my mind that 54 if it ever lay in my power I would repay Maturano for the manly and humane stand he took in this terrible crisis of our fate. The upshot of the whole business was that we resumed our weary march across the plains, avoiding the high ground as much as possible. It rained heavily, and as darkness set in the storm increased in fury. At last our captors, as well as ourselves, began to show signs of exhaustion, and looked around for the most inviting place they could find to camp for the night.

I was impressed with the fact that the numbers of the Chileans had decreased measurably since the dramatic council held in the afternoon, and I judged that less than half the force with which they started was now present.

The camp was selected in the most sheltered place our captors could find, and a great fire was started, before which we stretched ourselves. The storm moderated during the night, and towards morning the guards who had been set over us yielded to the demands of over-taxed nature and fell asleep at their posts. Not so with our men, however; we were watchful and wary. By each other's help we had so loosened our cords that we could rid ourselves of them at any moment. Instinctively we felt that the time had come when we might recover our liberty, and the whispered word was passed along to stand ready for the attempt. Gun after gun was quietly moved from the sleeping guards and their 55 comrades, until every prisoner had one within easy reach, and at a given signal we rushed to where the leaders were bivouacked and covered them with our weapons. It was the work of a moment to secure their arms, and they were taken in detail and bound firmly with cords.



The peons gave us no trouble when they saw that their patrones were in our power. Tirante was the one most dreaded, and we were careful not only to make him secure, but gave him in special charge of two of our most reliable men.

It was now nearing day. We only had a general idea of where we were. We knew that in our last march the evening before we had crossed the main Stockton road and gone for miles in the direction of the Stanislaus river. As daylight broadened, the brightness of the eastern sky gave token of the coming of a clear and stormless day. The weather as well as our own condition had changed within a few short hours. To the fury of the elements had succeeded a grateful calm, and from being prisoners in the power of a ruthless enemy, we had become the captors and they the captives.

We lost no time in starting with *our* prisoners in the direction of the Stockton road, which we reached at a point called O'Neill's ranch. As we approached the well-known capacious tent, we saw one of its inmates astir. On discovering us he hurried over the ravine which lay between us, and informed us that a party from Stockton, who had been on the road 56 looking for us nearly all night, were sleeping in the tent. He ran back with the news, and by the time we arrived at the station the rescuing party had come out and formed a line in front of the tent to receive us. They were completely armed, and I reflected upon what would have happened had this party found us during the night. There would have been a conflict, in which many on both sides would undoubtedly have been killed. In the heat and confusion of the encounter it is probable that we would have suffered from both friends and enemies, and it is likely that with the triumph of the Americans their exasperation would have been so aroused that they would have dispatched the entire band of Chileans.

The Stockton Rangers--that was what we called them--greeted us effusively as we turned our prisoners over to them, and the people of the station hastened to prepare for us a much-needed breakfast. In the meantime I was not forgetful of Maturano and the great service he had rendered us the day before. I knew that if he was taken back to the mines it would fare hard with him, and I concluded that I must act at once or the chance would pass away, perhaps forever. I sought him out and told him that as he had been kind to us I intended to aid him to escape. I walked with him

past the tent, and when we reached the open plain where the wild oats was dense and tall, I told him to stoop and get away <sup>57</sup> as fast as he could. He kissed my hand and thanked me, and I stood and watched his course by the trail he made in the tall oats until I was satisfied he was out of danger, and returned to my comrades, to whom I told what I had done. They were greatly pleased, and all, without exception, heartily endorsed and commended my thoughtful action.

A strong guard of the Rangers was detailed as an escort to our men to return with the prisoners, whilst Dr. Gill and myself were appointed a committee to go to Stockton and lay the facts before the people and the authorities. On arriving in Stockton we found the community intensely excited, and placards were out calling a mass meeting for that evening. The utmost indignation was directed against Judge Reynolds when it was ascertained that he had issued a writ of arrest, and against the Sheriff for placing it in the hands of the Chileans to serve. Anticipating the coming storm, both the Judge and his Sheriff took hurried departure for San Francisco in a small boat. I never heard of them afterwards. But I was informed that Dr. Concha, who was the real author of all the trouble, was killed at a fandango in San Francisco a few nights afterwards.

The mass meeting was attended by nearly everybody in town. A young man, a nephew of Judge Collier, had come down to Stockton on behalf of the people of the Calaveras camps. He was the principal <sup>58</sup> speaker, and delivered a powerful, eloquent and impassioned address. His speech produced the wildest excitement, and it was well that Judge Reynolds and his Sheriff had got beyond reach of the excited and indignant people. That young orator was Samuel A. Booker, who took up his permanent residence in Stockton soon afterwards and served for many successive terms on the District and Superior benches of San Joaquin county. He was distinguished amongst the many able jurists of this state for the soundness of his opinions and the clearness of his exposition of fundamental principles.

After filing our affidavits, Dr. Gill and myself started back for the mountains. On arriving home we found that a large delegation of miners from Mokelumne Hill had organized a court to try the Chileans engaged in the recent lawless and murderous acts. Tirante and two others, to whom were traced directly the murder of Endicott and Starr, were sentenced to death; some four or five of the

most active participants in the affair were sentenced each to receive from fifty to one hundred lashes on the bare back; and two, whose culpability was held to have been exceptionally flagitious, were condemned to have their ears cut off.

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## CHAPTER VI

### OBVIOUS OBSERVATIONS UPON THE BLOODY EPISODE

Viewed in the light of the present time, when we have secure jails and safe State penitentiaries, the two last punishments will be considered barbarous and inhuman. Indeed, mutilation can at no time nor under any circumstances be justified. A crime which in a crude state of society would be deemed to merit a punishment so repellent to civilized ethics would be sufficiently revolting to deserve the death penalty, and the enforcement of such an expiation would be more defensible than a resort to the practices of the savage. I confess, however, that the mode of punishment so popular with Charles the First and his Star Chamber, did not at the time of which I write, and under the provocative circumstances of our case, impress me with the feeling of abhorrence with which I now contemplate the cruel infliction. This only goes to prove that our civilization is, after all, but a veneering, and that our inherent nature is that of the savage, only requiring the proper circumstances, conditions and surroundings to draw it out and put it conspicuously in evidence. Our modern method of warfare is only a refinement of the barbaric methods of the wild Indians, and when we boast of our improved weapons that kill by the wholesale, we merely show the progress we have made in the art of slaying, from the tomahawk of our painted ancestors, that kills in detail, to the Mannlicher arm of precision that sends one bullet through the bodies of sixteen soldiers ranged behind each other. It would be hardy to say that our civilized veneering will not wash in view of the fact that all the nations of Europe are now on a war footing, and only waiting for the signal to spring at each other's throats.

I have never seen any defense made of the action of Judge Reynolds and his Sheriff in placing the writ for our arrest in the hands of an alien posse comitatus to serve by force of arms upon a

large and scattered community of Americans. They must have known that the procedure would have been attended with fatal consequences; and they did know that they had no authority of law to invest a foreign mob with any such semblance of legal power. The mining laws of the districts were confirmed by statutes by one of the earliest sessions of the Legislature, and they were universally accepted from the beginning as the governing codes of all the mining communities. The early alcaldes recognized them in settling the local contentions brought before them, and the Judges of the Several Instances into which 61 the higher judiciary of the Territory was divided were governed in their rulings by the provisions of the local mining laws. They were the laws of custom of the time, and were therefore invested with all the force, dignity and sanction of regularly enacted statutes. When the miners of Calaveras assembled together in the usual way, organized their district and passed a system of laws conforming in principle to the recognized laws of civilized communities and to the exigencies of the situation, those laws possessed all the sanction, force and validity it was possible for any law-making power to impart to them.

If I am told that we had no right to forbid the Chileans to locate claims for their peons, the answer is obvious, that we had the same right to make this prohibition as the other districts had to forbid the slave owners among our own people to stake out claims for their black bondsmen. There was a general concensus of opinion amongst the miners upon this subject, and it would have been a “most lame and impotent conclusion” to permit an alien to exercise a privilege which was denied to an American citizen. It cannot be claimed that the laws we adopted were harshly or summarily enforced, for we gave the Chileans timely notice, and when they persistently not only refused to obey them, but aggravated their contumacy by driving our own people from their claims, it became a question whether it was not our 62 duty to get rid of so defiant and turbulent a neighbor. We decided that it was, and ordered them to leave, setting the time far enough ahead so that they could do so with the least loss and inconvenience to themselves. Had Judge Reynolds adopted a rule that we should appear before his court and show cause why he should not annul our order of banishment, we would gladly have answered it. But he preferred to take the summary course of arresting a whole community through an alien force, knowing that it would result in violence and

bloodshed, and when the awful and logical consequences of his own act stared him in the face, he ignominiously fled never to be heard of more.

I have dwelt thus at length and in detail upon this tragical episode in the early history of the mines for the reason that when a few years ago the mob in the streets of Valparaiso maltreated and killed sailors belonging to a United States cruiser on shore leave, the spirit of hatred then shown by the Chileans was ascribed to the treatment their countrymen had received in the mines in 1849. Perverted references were made in the public prints to what was termed the Chilean Massacre in California, and a profound ignorance of the whole affair was manifested both by those who wrote about it and by the mob who thought, if they thought at all, they were carrying out a commendable retaliation. Even this venomous spirit rankled in the breasts of 63 the higher orders of Chile, and at one time it looked as if we would in fact have to bring the peppery little republic to its senses by our strong national arm. The prejudice against Californians in Chile had its incipiency in “the Chilean war” in Calaveras, and I doubt if it would have been safe for any of the American participants in that affair to have visited that country for years after its occurrence and to have been identified as having taken part in the trial and punishment of the murderers of Endicott and Starr.

Over forty years after the event, the seeds of hatred planted in the Chilean breast at that remote period culminated in the brutal assault and murder of our sailors in the streets of Valparaiso and in international complications that nearly led to war between the two countries. How much of this was due to the prejudice, garbled and ignorant reports of the Calaveras affair that reached Chile we cannot know; but we do know that if all the facts had been fairly and truthfully disseminated in that country from the beginning they could not have resulted in a national embitterment which survived for more than a generation the event that gave it birth.

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## **CHAPTER VII**

**CAMP LIFE IN THE WINTER OF '49--CARNEGIE'S FORERUNNER--A BORN TRADER--  
BEAN PIES AND A HORIZONTAL RAISE--HOW TO MILK A CAMP**

Our late experience indicated the wisdom of concentration and we moved our tent and belongings to the lower camp. The rains had set in heavily, and whilst they cut up the roads so as to make them almost impassable and raised the prices of all sorts of supplies to enormous figures, they greatly widened the field of mining operations by enabling the miners to work successfully in the steepest gulches and upon the highest flats.

A man named Fash, who had a small train of mules, started a store in our camp and did a land-office business. He kept his mules on the road between Stockton and our camp, and enjoyed a monopoly of our custom. He was a born trader, and like monopolists everywhere he charged "all the traffic would bear." He possessed a large sheet-iron stove, and I venture to say that that stove brought him in more money than any stove had ever before made for its owner. He baked pies in it made out of dried apples, and his customers climbed over each other to buy them at the rate of \$2 apiece, or 50 cents for a quarter cut. For one dollar he would allow a miner to roast a joint of venison or cut of bear meat in it, and it was in constant use coining money for its enterprising owner. He dealt out whiskey to the thirsty miners in a small tin cup at the rate of 50 cents a drink. His price for ordinary supplies went up and down, according to the state of the weather. If the weather was moderately fair, he would sell flour, beans, bacon, etc., at the rate of \$1 a pound; but if it was tempestuous he made a horizontal raise on all articles of 25 cents a pound. At night some of the boys who were given to poker would gather around his table and while the weary hours away in playing this "noble national game." The rule was that the "house" should take four bits out of every double pot; and to hold "fours" and "rake in the pot" carried with it the responsibility of ordering the drinks all round. Sometimes these games would last till the "wee sma' hours of morning"; but generally by midnight the "house" had depleted the crowd of all its change and produced an enforced adjournment. On one occasion Fash had found his supply of dried apples exhausted, and the pie question became one of serious moment. But he was equal to the occasion. His stock of beans was large, and he invented a bean pie which he imposed upon his customers as a novel and delicious luxury. Fash never lost sight of the main chance. His mule train was constantly on the road, going to and coming from Stockton. Some of the miners had advised their people in the states to address their letters to this latter place, and would get the man in charge of the train to call for

them. For a while this service was performed gratuitously. But Fash's money-making genius soon saw that there was revenue for him in it, if properly manipulated. So the denizens of "Fashville," as our camp came to be called, had their curiosity excited one morning by seeing posted in large letters in front of Fash's store the legend, "Fash's Letter Express." Inquiry elicited the fact that Fash had formed a league with an enterprising young man named Todd, who had started a letter express from San Francisco to the Southern mines, to take and deliver all the letters destined for the Calaveras camps. This was considered a very generous and popular move on the part of Fash until the first letter express arrived, when the lucky recipients of missives from home found that they were taxed two dollars on each letter delivered. Undoubtedly our thrifty friend made bushels of money that winter, but I have in late years thought that Fash lived before his time. With his financial genius and resourceful talent for developing money-making schemes, had he flourished in the present day he would have become the president of a national bank, or the chief of a great trust, or perhaps the leading spirit in a great subsidized railroad corporation. What a team he and C. P. Huntington would have made! With Rockefeller in harness with him, I marvel at the number of universities and churches they might have endowed; and had he and Carnegie been yoked together they might have made the whole country vocal and studious with the academies of music and the book-burdened libraries they might have founded. Indeed, as it was, our thrifty friend carried on a banking business in a small way at Fashville in connection with his bean-pie vocation. For any well-known, needy miner could always get an accommodation from Fash by hypothecating to him his claim, and giving his note bearing a swingeing rate of interest. Had Fashville grown and flourished, there is no need to say who would have been at the head of its chief bank and other financial institutions.

When spring set in the camp broke up and the miners scattered to find river, creek or other diggings. About this time we heard much of the rich deposits found at O'Neill's bar, on a creek of the same name, one of the tributaries of the south fork of the Calaveras.

On arriving at the bar, we found that miners had flocked to it in great numbers, and that an unusually large camp had grown up there. The gold was coarse, and some of the claims were paying well. <sup>68</sup> All the likely ground, however, as far as we could see, had been taken up. But we were not

discouraged, and staked off a claim. It paid wages, and we settled down to work in the hope that the yield would improve as we went deeper.

It was at this camp that I first met George W. Trahern. He was in the cattle business, and had driven in several heads of beeves which he sold readily at the rate of six ounces (\$96) a head. I had heard a good deal about "Wash Trahern" before, and felt interested in him. He was dressed in a buckskin suit, with a wide-brimmed sombrero, from which depended a wealth of black hair falling over his shoulders. He had a keen black eye and a wary look. He had been a Texan ranger, conspicuous for his bravery during the war of independence of the Lone Star state, and had been in the forefront of all the thrilling exploits of that daring band of partisan warriors. He came to California, soon after the close of the Mexican war, with his partner, John McMullin, a kindred spirit, who has long since passed over to the majority. "Wash Trahern" was one of the famous castle of Pirote prisoners during the war for Texas independence, and successfully ran the terrible gauntlet of drawing the black bean. This awful lottery was resorted to whenever the Mexicans desired to shoot a number of their unhappy prisoners. The devilish process pursued was to range their captives in line, when a Mexican officer would make each man draw a bean from a vessel containing one for every prisoner. As many black beans as the number of men they had doomed to death were placed in the urn. When a poor fellow drew the black bean he was set aside for execution; the others were returned to their loathsome dungeons with the terrible knowledge that the infernal lottery would soon be repeated. Could the refinement of cruelty go farther? I remember that A. B. Laforge, a noble fellow, who was Treasurer of Calaveras County in the early fifties, and who made his escape from Pirote, told me that the intense agony the prisoners suffered after each of these horrible ordeals, was worse than death, and that they envied the good fortune of their comrades who drew from the urn the black prize which doomed them to certain, speedy and welcome death.

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## **CHAPTER VIII**

**ROVING MINERS AND THEORISTS FAILURES--AN ANDALUSIAN PROCESSION--AN  
EXCITING GAME OF MONTE--TAPPING THE BANK**



One reason why so large a percentage of the miners failed to “make their pile,” as it was then called, was the spirit of unrest that pervaded them. They were constantly on the go prospecting for new diggings. If they had a moderately good claim and heard of better ones somewhere else, they would pack up and start for them, to find either that the stories they had heard were untrue, or that the choice claims had all been taken up before their arrival. Every one wanted to make a big strike, and there was a prevailing conviction that the farther they went up into the heart of the Sierra Nevada, the surer they would be to get at the source from which the gold had been washed down into the rivers and gulches near the base of the range. To trace the gold to its great mother source would, in their crude opinion, be to discover an exhaustless deposit of auriferous wealth. The gold-seekers who kept constantly following this will-'o-the-wisp were filled with

COPY OF A DAGUERREOTYPE OF SUTTER'S MILL AT COLOMA IN 1851 James W. Marshall, the discoverer of gold in the mill race of the mill, stands in the foreground

71 the popular delusion that “far-off fields are ever green.” Those miners were the wisest, and accomplished the best results, who were satisfied with moderate-paying claims and stuck to them.

Another reason for the many failures was that nearly everybody had a theory about the logical distribution from natural causes of the precious metal. But the fact is that the distribution observed no law or regularity, and theories based upon the tenets of geological science were found to be practically barren of results. Rich deposits were found in the most illogical places, hill diggings of immense auriferous value would unfold themselves to the prospector by the merest chance, and even the law of gravity was often defied by the curious ways in which the gold would be distributed. The men who had a theory based upon geological principles would be baffled at every turn, whilst often the ignorant sailor or vaquero, who knew nothing about primary formations or secondary assimilations, would blindly sink a hole in a place where no reasoning man would look for gold, and make an immensely rich discovery.

I recollect an instance of this kind which occurred near Mokelumne Hill. A man named Clarke, who was famous for finding rich diggings, came into the camp, and, as usual, went upon a protracted spree. After he had spent all his money and could get no more liquor, he started out “to make a rich

find," as he said. It was winter, and he was overcome 72 with fatigue and inebriation, for he had induced some considerate friend to provide him with a flask, and lay down on the top of a steep hill. During his restless sleep he rolled down the side of the hill and landed in a gulch. When he came to his senses he turned over, drew his case knife and commenced to dig up the earth. After a while he uncovered a lump of gold. Then, as he went deeper into the ground with his case-knife, he brought out more nuggets, some of them very large. To make our story short, he had discovered a ravine that was afterwards known as Rich Gulch, and from which many millions were taken. The secret of Clarke's success in finding rich diggings was that he had no theory, but that he would go around prospecting in the most inconceivable places, untrammled by the laws of science or even by the likelihood of auriferous distribution. His knowledge of cause and effect began and stopped at the proposition that if he drank too much whisky he would get drunk, and he was very assiduous in demonstrating the truth of his proposition.

About this time the inventive genius of the miners was engaged in devising improved machines with which to wash out the gold. The rocker at the best was unsatisfactory. For two men to run through three hundred buckets of dirt a day--one picking, shoveling and carrying, the other handling the rocker--was considered a good day's work even in claims 73 where all the conditions were favorable to the operators. Of all the new-fangled machines invented at this time only one seemed to receive general approval; that was the Long Tom. It was really an enlargement of the rocker, only that it was stationary, and the dirt was decomposed by a constant stream of water running through it, and men on both sides stirred up the earth with shovels, and threw out the washed rocks. The gold was caught in a series of riffles supplied with quicksilver, to which the auriferous particles adhered. So much more dirt could be run through these Long Toms that even poor diggings could be made to pay well, whereas to work them with the rocker the result would be trifling. Until the Long Tom was supplanted by the sluice, a still more elaborate extension of the Tom, that machine came into general use.

Well, after leaving O'Neill's bar, we tried our luck at various points and experimented with various new machines and with indifferent success. In the course of our prospecting wanderings we visited the camp at the Middle Bar of the Mokelumne river. This was a very populous and lively camp,

deriving its support from several adjacent rich gulches and from extensive and successful mining on the river bars and banks. Gambling saloons flourished under extensive enramadas, and the tables were so well patronized that there could be no doubt that the 74 miners were taking a great deal of gold out of their claims.

I witnessed a scene here one Sunday which impressed me with its novelty and picturesqueness. A procession, such as one would expect to see in Andalusia or Estremadura, made its appearance on the trail coming up the river. Mounted upon two large, sleek mules were a gentleman and a lady. The gentleman was a giant in stature and a Don Alfonso in stiffness and dignity. The lady was superbly dressed in the choicest Spanish style, and her complexion showed her to be a daughter of the land of the Montezumas. They were followed by several caballeros, who seemed to be gentlemen-in-waiting upon her ladyship. Then came a long retinue of Mexican servants, some mounted on indifferent mules, some on dreamy-looking burros, and some afoot.

The grand hidalgo, as I then took him to be, turned with his handsome lady, into the main thoroughfare and halted in front of the most considerable house of entertainment in the camp. The mozos, or servants, ran up and assisted his royal highness to dismount, and then he approached his lady with knightly deference and courtly consideration, and assisted her out of the saddle and into the refectory. The gentlemen-in-waiting dismounted at a respectful distance and the servants led their animals away. In a short time the hidalgo 75 emerged from the refectory and called to him one of his servants whom I took to be his steward and purse-bearer. He certainly was the latter, for his master placed a large bag of gold dust in his hands, and proceeded straight to the principal gambling saloon and took a seat that had been specially prepared for him at one of the tables. To my astonishment he addressed the dealer in the purest and choicest English.

“What is your limit at this table?”

“We have no limit, sir,” answered the dealer.

“You certainly have a limited amount of money in sight.”

“True, sir, but when that is gone we can get more.”

“Francisco, take my bag of dust to the counter and have it weighed,” said the hidalgo in Spanish, addressing his purse-bearer.

While he was gone I closely scrutinized the dealer and could see that he was somewhat excited. He doubtless knew the man he had to deal for, and that it would require all the coolness he could summon to face the frigidity and nerve of his adversary. It was plain to be seen that he was making a strong effort to suppress any betrayal of nervousness, and ordered a glass of brandy and water to help him brace up.

The purse-bearer returned and reported one hundred and fifty ounces in the bag.

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“I shall not tap your bank at present,” said the hidalgo, “but I reserve the privilege of doing so at any time I wish. You have about two thousand dollars in it; this bag of dust is sufficient to see it, and more too. Shuffle the cards, and give me a lay-out.”

The dealer did so, and laid out a king and a deuce. The hidalgo placed one ounce on the king. Then the dealer laid out a five and a queen, and another ounce was hazarded on the five.

“Does the gentleman wish to draw the cards himself? It is his privilege.”

“I waive it for the present,” was the curt reply.

The king won in a few strippings, and the five was exposed next. The dealer passed over two doubloons to the hidalgo. The playing went on for some time, and the hidalgo was ahead of the bank a good-sized stack of doubloons. He had kept close watch of the cards and seemed like one who was doing his utmost to follow the run of particular favorites. At last he seemed to be satisfied, and got a lay-out to suit him.

“Now, sir,” said he in measured words, “I am going to avail myself of my privilege to tap your bank, and choose the five against the jack.”

The other lay-out he paid no attention to. The dealer was about to pick up the pack.

“Stop, my friend,” said the hidalgo. “I wish to avail myself now of my other privilege, to draw the cards.”

The dealer handed him the deck, and he deliberately turned it face up; and slowly exposed each card as it lay under the one in full sight. The bystanders craned their necks, and the most intense excitement prevailed. The room was filled with people, and the only really cool and collected individual there was the hidalgo, who was slowly drawing card after card, and liable at each stripping to win or lose a couple of thousand dollars. Nearly half the deck had been drawn, and yet neither a jack nor a five had shown up. The stillness was oppressive, and everybody held his breath as the hidalgo showed the edge of a court-card which looked very much like the upper part of a jack. Slowly the covering pasteboard was withdrawn and as the card underneath turned out to be a king the room was filled with long-drawn breathings. The anxiety was now reaching its crucial point, and the tension produced was painful. Slowly the hidalgo continued to expose the covered cards, until a universal sigh of relief ran through the worked-up crowd as a five-spot appeared and the hidalgo had broken the bank.

He passed the deck over to the dealer, who ran it through, finding the four jacks well down towards the bottom and the other three fives scattered between them.

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“Here, Francisco,” said the hidalgo, calling to his servant. “Go and tell Lopez to come here at once with his *serape*; and let him bring Tomasito with him.”

The servants he wanted were soon present. He ordered them to dump the whole bank into the *serape* and take it to the refectory, and rose to leave.

The dealer for a time seemed dazed; but he roused himself by an effort and addressing the winner he asked him if he was going away.

“Yes, sir,” said he, rising to his full height of about six feet three; “yes, I must dine with la señora, and (drawing his watch) I see my time is up. But, my dear sir, I will give you your revenge some other time when I have more leisure at my command.”

With this the hidalgo walked forth as cool and unconcerned as if nothing at all unusual had happened.

I soon learned that my hidalgo was Col. James, who had taken up a bar down the river and named it after himself. The lady was his wife, whom he had married in Mexico at the close of the war, in which he had served with distinguished gallantry. The bar paid well, but liberal as was its output it could not keep pace with the lordly expenditures of Col. James. Two years afterwards the Sheriff took possession and the Colonel went to San Francisco to practice his profession. He was for many years, and up to the time of his death, the leading criminal lawyer of the bar of that city, opulent in able lawyers. He was gifted with a wonderful memory. He rarely had a law book before him when pleading a case; but when arguing a point he would quote from decisions and statutes and refer the court to the book and page of every citation he would make. Reuben H. Lloyd was then a nice-looking, fair-haired young man. He read law with Col. James, was his clerk and Secretary, and generally took charge of the details of his business, and the bar of California is no doubt indebted to Col. James for instilling into the mind of one of its brightest ornaments of the present day the fundamental principles of his profession. He had an apt and receptive pupil, and the pupil a wonderfully endowed master in the science of jurisprudence.

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## CHAPTER IX

INCIDENTS OF A CAMP LIFE IN THE SPRING AND SUMMER OF '50--A FIERY MILESIAN  
CALLS DOWN A PUNCTILIOUS COLONEL--A TIMID MAN FIGHTS TWO DESPERATE  
DUELS--IT REQUIRED MORE NERVE TO DECLINE THAN TO FIGHT

My partner and I found nothing to suit us, and started for the Calaveras river diggings, with which we were familiar. We passed through Mokelumne Hill, which at that time consisted of a few store tents. A number of miners were working in the gulches and hill claims, and doing well. Upon reaching the Calaveras river we opened & claim which paid handsomely. The gold of this river was all scale gold, uniform in size and shape, and had that soft, bright color which makes scale gold so pretty and attractive. I rocked the cradle and my partner picked and carried. One morning, when it was my turn to cook, I prepared the batter for the flapjacks, and placed the pan inside the tent. I had used all the flour we had in preparing this batch of batter, and was therefore extra careful in placing it in a safe place. I then went down to the 81 claim, where Jack, my partner, had been getting out a lot of dirt to put through the rocker. When we had washed twenty-five or so buckets of earth, I started back to the tent to cook our breakfast, Jack in the meantime stripping more ground. As I came towards the tent I was confronted with a horrible sight. There stood before me a jackass belonging to a Sonoranian camp down the river. He was a picture to behold. His face was all covered with batter, and attenuated streams of it trickled down from his ears to his chin and hung below it in long threads coming together to a point, the whole forming a beard which the Patriarch of Alexandria would have envied. I realized at once that all my batter was gone, and that our breakfast would resolve itself into a barmecidal feast. I was furious. I rushed to the tent. The pan was covered with dirt, and the ground around was plastic with my precious batter. I seized a cord and tied the burro to a tree, and then battered that burro until he made the welkin ring with his strident notes. We break- fasted on coffee and a slice of bacon alone that morning, and spent the rest of the day in going five miles to the nearest trading tent to get a bag of flour.

My partner was an Irishman. He was a big, strong man, and so considerate of me that when there was any unusually heavy work to be done in the claim he would do it himself. My protestations 82 against this kind of treatment were not very loud at first, but they became feebler and feebler, until

I doubt if at last they were at all audible. We were sitting in front of our tent one afternoon when a splendid cavalcade rode up. The leader was finely mounted on a large, American horse. Out of the holsters to his saddle protruded the ivory handles of two five-shooters. There were three other horsemen with him. When they rode up their leader accosted me and said with a consequential air, that he was Col. Woodliff, the collector of foreign miners' taxes. A law had been enacted at the first Legislature imposing a head tax of \$16 per month upon all foreigners working in the mines. He wanted to know how far it was to the camp down the river where quite a number of Frenchmen were working. I told him. He then looked at my partner Jack and asked him if he was an American citizen. I noticed that Jack took a prejudice to the tax-collector as soon as he saw him, and when he learned from him the mission he was on, Jack's dislike became stronger. So I was somewhat prepared for Jack's reply, which was: "It's none of your d--d business."

"I'll show you whether it's any of my d--d business or not," said Col. Woodliff, as he seized a revolver from one of the holsters and started to dismount.

Jack ran into the tent, and as soon as Col. Woodliff<sup>83</sup> reached the ground, my partner, with his pistol stood ready to meet him. This was unexpected by the Tax-Collector, and although he was a brave man he evidently thought it undignified to place his life in peril with such an adversary.

"I'll give you as good as you can send," said Jack.

"I asked you a civil question," said Col. Woodliff; "why did you not answer it civilly?"

Jack was about to make a characteristic reply when I went to him and begged him not to further exasperate the Collector, but let me talk for him.

"All right," he said, "you answer for me, and I'll let the thing drop; but I would like to clip the feathers of that popinjay."

I told Col. Woodliff that my partner considered his question impertinent, and he answered as he felt, because he thought he had no right to put it. In the meantime one of Woodliff's assistants



held quite an earnest conversation with him. This man's name was Gass and he was the Colonel's Spanish interpreter. By this time Woodliff had cooled down, and said he was sorry that he had framed his question in a way that gave offense. I spoke for Jack and replied in a conciliatory speech, which Jack didn't like to father, but did all the same by saying that what I had said expressed his sentiments.

I Boon learned that there was a reason for Woodliff's change of temper. Besides the fact that he 84 did not wish to risk his life in so unnecessary a brawl, he had come to our tent to get me to go with him to the French camp as interpreter. He asked me if I would do so, and after we had settled upon certain preliminaries, I carried out my agreement. Jack ever after held Woodliff in the utmost contempt, and always insisted that he lacked "sand." But Jack was wrong. Col. Woodliff was not devoid of courage. He had made a good record in the Mexican War, and was always ready to go out with any gentleman who had a difference with him. Indeed he ended his career a few years afterwards in a duel with Ajax Kewen, brother of Col. E. J. C. Kewen. They fought with rifles back of Oakland, and Woodliff fell at the first fire, pierced through the heart by his adversary's bullet. This affair caused Kewen to leave the state. He went to Nicaragua and joined General Walker, and was killed at the second battle of Rivas.

I will here say that of the three mining districts into which the Territory was divided for foreign tax collection purposes, its coffers were only enriched by returns from one. That was the extreme southern district, of which that singular character, Col. W. W. Gift, was the collector.

In the course of a ramble up the river towards the cañon one day, I saw a miner hard at work upon strips of boards which he was nailing together at the edges. Near by was a cord to which was attached 85 at regular intervals open oyster cans. In reply to my inquiry he said he was making an endless pump, with which he intended to take the water out of his claim So as to get down to the bed rock, where he was sure to find rich crevices. We both sat down and had a long conversation, in the course of which I learned that his name was A. C. Russell. Some time afterwards I visited the same place, and found the claim abandoned. Inquiry elicited the fact that Mr. Russell's pump had worked well enough, but that it was unequal to the task of pumping the river dry. The ground

was porous and the water swift near the cañon, and it was impossible to make a dam tight enough to keep the water from coming in in quantities far beyond the capacity of his homemade pump to lower. I met Mr. Russell afterwards in San Francisco. He was the editor of a bright and newsy paper, the *Evening Picayune*. The position of an editor in those days was anything but enviable. However careful and impersonal he might be in his articles he was liable at any time to receive a cartel from some super-sensitive fire-eater who would take umbrage at something he had published. The first challenge he received was from Captain A. J. Folsom. The captain had been commissary in the United States army and was stationed in San Francisco in 1847-8. He was a shrewd man and invested what money he had in fifty-vara pueblo lots. When gold was discovered and the rush to 86 San Francisco became great, his real estate, much of it in the present business heart of the city, became very valuable. He was, like all other proprietors, annoyed by squatters jumping his lots, and as he was a resolute man and stood upon his rights, incidents occurred which no newspaper could ignore or fail to comment upon. Captain Folsom challenged Russell on account of some remarks he took offense at, and the duel was fought with pistols near the Presidio. Russell wore a little skull cap with a button on the crown. At the first fire the button was carried away, and at the second the captain's bullet whizzed past Russell's ear, fearfully close. This ended the function, to the great delight of Russell. His next duel was with John McDougal, the Governor of the State. On this occasion Russell had the closest kind of a call. The Governor's bullet shattered Russell's pistol and sent the hammer through the fleshy part of his pistol hand. Russell concluded that he had done enough editing in San Francisco, and went out of the business. I have mentioned these duels for the purpose of illustrating a state of society in which it requires more courage to decline a challenge than to take the chances incident to an exchange of shots. Mr. Russell was one of the most amiable of men. As he himself told me once he could not bear pain himself<sup>87</sup> or to see it inflicted upon others. He was the last man in the world to wantonly hurt anybody's feelings. That such a man, for a mere punctilio, should stand up against an adversary to kill or be killed, shows that it would be very wrong to hold those who engaged in hostile meetings in pioneer days to the judgment that would be pronounced by the sentiment of the present time. There is a vast difference between the general feeling on this subject now and that which prevailed at that period. Then the social restraint which now exists had hardly manifested itself. Society was, so to speak, in a state of chaos, and

the influences which surrounded the pioneers were all of a masculine character, untempered by the refining conditions which now govern the ethics of all classes. There were but few homes, and the social circle was so limited that the great mass of the people were thrown into contact with each other in such public places as female society is never found in. There was, literally, for many years, as to the great mass of its population, but one sex in California and that was impatient, bold, aggressive and indomitable. Public sentiment, therefore, reflected only the virile opinions of the men who stood at the head of this masculine community. Imbued with a wild and adventurous disposition, these men had nearly all faced dangers a thousand times, and many of them had 88 won laurels on the gory fields of Mexico. With that high courage born of intimacy with danger, they united a jealous regard for personal honor, and insult or detraction, which could not then be avenged by the law, was placed under the arbitrament of the combat. It was not, in those days, a question of the courage to accept a challenge, but the moral stamina requisite to decline one. The most timid shrank from the obloquy that would follow a refusal to grant satisfaction to an aggrieved adversary.

I do not wish to stand before my readers in the light of a defender or apologist of the code, but I desire to protest against that standard of ethics which measures the morality of one period by the yardstick of another and a very different period--the morality of the frontier against that of the center of a mature civilization, in which all the surroundings and influences tend to cherish and fortify the highest sentiments of moral circumspection and social order.

Our claim paid good wages during the summer months, especially when the water in the river had reached its lowest point and permitted us to get at the crevices in the center of the stream. Some of these were very rich, and often, as the result of a day's work in these pockets, we would clean up a pound of gold. At length, towards winter, the river began to rise, and we were compelled to work into the bank where we had to strip off from ten to fifteen 89 feet of top earth before we got to the thin layer of pay dirt near the bed rock. The yield was not sufficient to induce me to continue, and I resolved to give up mining, for which I was not well adapted, anyhow, and return to San Francisco.

## CHAPTER X

THE NUCLEUS OF A GREAT CITY--TWICE DESTROYED BY FIRE WITHIN A MONTH--  
A GLUT OF NEWSPAPERS--L0LA MONTEZ AND HER PETS--HOW A JOURNALIST  
WOODED, WON AND LOST HER--FROM A PALACE TO A NEW YORK TENEMENT HOUSE

I arrived in San Francisco a few days before the news was received from Washington of the admission of California into the states of the Union. The people were wild with joy at the welcome tidings. It seemed to bring everybody nearer home than they had been since they left the old states for the far-off El Dorado on the Pacific. Our statehood had only been achieved through the throes of a Congressional controversy which had shaken the Union from the Atlantic to the Mississippi and from the Lakes to the Gulf. The question of the extension of slavery was at the bottom of the agitation. California had knocked at the doors of Congress with a free constitution, and her admission was resisted by the pro-slavery men with a ferocity which threatened to bring on the war for separation a decade sooner than it did come to overwhelm the country

SAN FRANCISCO CITY HALL, 1856 Built for a theatre by Thomas Maguire and sold to the city. The El Dorado, adjoining, a noted early day gambling resort, afterwards became the Hall of Records

91 with its terrible reality. When the news, therefore, reached us that this dangerous crisis had been passed, and that California had been admitted, our people, regardless of section, hailed the happy event with acclamations of joy.

During the year I had been absent from San Francisco that city had emerged from her primitive and chaotic state and assumed urban shape and form. Several imposing brick buildings had been erected on Montgomery Street, and frame structures had taken the place of canvas houses in every direction. The city front was moving eastward into the bay, and a substantial wharf had been built to deep water for the accommodation of light-draft vessels and of river steamers of which there were several that had come around the Horn, and were plying regularly between San Francisco and Sacramento and Stockton. Streets were defined and some of them were graded. Stores of all kinds

were filled with merchandise and crowded with customers. There was bustle everywhere and the march of improvement kept step with the constantly increasing demand of a new city in full boom. The steamers from Panama arrived led with passengers from the Atlantic states; and vessels from all parts of the world were constantly adding their contributions to the human hive. The harbor was covered with masts, and presented at that time a marine picture such as has never been seen since. The desertion 92 of sailors for the mines was so general that many vessels remained in the harbor idle for the want of crews to man them.

Several daily newspapers had been started and others were getting ready to start. The *Alta California* had gone into energetic and capable hands, and took the first place. Then came the *Pacific News* followed by the *Daily Courier*, and shortly afterwards the *Public Balance* made its bow. John Nugent was getting ready to issue the *San Francisco Herald*, and the *Evening Picayune* was in full evidence. The new city was certainly well supplied with newspaper literature. The pay of printers will appear to the tyro of the present day as away out of sight. The rate for composition was \$2 per 1000 ems and \$2.50 for foreign languages. Pressmen received from \$60 to \$80 per week.

Three or four theatres had been started, but none of them were very large or imposing until Tom Maguire built the Jenny Lind, a magnificent temple where the drama flourished for a couple of seasons, when the city purchased the building and turned it into the City Hall.

The scarcity of sailors caused the owners of fine seaworthy vessels to dismantle and sell them for hulks. The purchasers were generally owners of water lots, and the hulks were warped over the shallow water, located upon the lots and turned into warehouses, business stores and sometimes lodging 93 places for the redundant population. The keels of many a fine ship lie imbedded under the foundations of business blocks east of Montgomery street and south of Market.

Gambling was still flourishing, and the houses around two sides of Portsmouth Square had increased in number, improved in architecture and enhanced their attractions by the elegance of their interior appointments. About this time the large brick structure, still extant, at the northeast

corner of Clay and Kearney streets was finished and thrown open to the betting public. Saturday nights the hall was cleared and masquerade balls were held in it to which nearly all the town flocked. It is perhaps needless to say that the female masqueraders all belonged to the demi-monde.

About this time the city became infested with an unusual number of daring thieves. It was soon ascertained that there was an organized gang of robbers, principally composed of ex-convicts from Australia. The term "Sydney thieves" was generally applied to them. The inefficiency of the police emboldened these gentry, and the most daring robberies became matters of daily and nightly occurrence. The people became exasperated, and secretly organized for the purpose of putting an end to this lawlessness. A particularly bold and flagitious assault and robbery brought the public indignation to a climax. A merchant sitting in his store shortly 94 after dark was bludgeoned to unconsciousness, and his safe, a small one, carried away. The alarm was given, and the man was seen to put the strong box in a boat and pull off into the bay. He was chased by other boats, caught and taken to the rooms of the organization. About midnight he was escorted by a great crowd of citizens to the plaza, and Peter Jenkins--for that was his name--was hanged from the porch of the adobe that used to serve as the custom-house. Out of this condition of affairs grew the first Vigilance Committee.

Although San Francisco had been visited by frequent fires the previous year, the first great fire she suffered from after she had emerged, so to speak, from the canvas era, started on the night of the 4th of May, 1851. It had its origin in Messerve's paint shop on Clay street, opposite the pie:. Those who attended the masquerade ball in the California Exchange that night--for it was Saturday night--had the first view of the commencement of a conflagration that swept nearly the whole business part of the city. It sped with lightning rapidity from street to street, and lapped up whole blocks so quickly that it was dangerous for any one to loiter to the leeward of its line of march. Next morning the city presented a sorry scene of desolation. But two or three brick buildings were left standing on Montgomery street. The rest of the lower part of the city was a charred, blackened 95 waste. More than half of the business men were impoverished, but they gave no sign of despondency. The next day they started in, buoyantly and with spirits undamped by their great misfortune, to again climb the ladder. Every man was willing to help every other man. Lumber was at once piled up on the

burnt blocks, and the sound of the hammer was heard everywhere. In & few days the whole burnt district was covered with buildings, good, bad and indifferent. Immense quantities of goods were brought in from the shipping in the harbor, and a week after the conflagration business was again in full blast.

A month afterwards, on the 3rd of June. another fire started. Parts of the city that had been spared by the May fire were swept by the June fire, and many of the newly-erected buildings on the site of the old fire were also consumed by this later visitation. But with dauntless spirit the energetic population set itself bravely at work to repair the losses, and the young city rose like a Phoenix from her ashes the second time in one short month. These successive fires were undoubtedly felt as great calamities by the immediate sufferers, but they resulted in 8 general benefit to the city in the long run. A less combustible and more durable class of buildings rose from this time in all parts of the city. There was a rage for fire-proof structures among the merchants, and buildings of brick with thick iron shutters 96 and doors were readily leased at enormous rentals. Not only did these fires inaugurate a marked improvement in the character of the buildings, but they initiated the work of creating one of the most efficient volunteer fire departments that any city ever had.

Gold continued to flow in great quantities into the city from the mines. The northern mining counties were the most attractive, and those counties became so populous that they soon formed the center of the voting power of the state. The mines on the American, Feather and other northern rivers and their tributaries were rich and numerous. Shasta had become a notable county for the exploitation of the precious metal, and Siskiyou and Yreka loomed up as important gold-producers. El Dorado, however, was at the head of the great yielding mining counties, and had the largest population of any county in the state. Hangtown, as Placerville was then invariably called, was the center of the richest gold region in California. It was by far the most flourishing town in the mountains. It had hotels, churches and newspapers, and *The Democrat*, established by D. W. Gelwicks and W. A. January about that time, was for many years the ablest and most influential journal, outside of Sacramento and San Francisco, in the State. It was edited with trenchant ability by Mr. Gelwicks, and was really the leading organ of the Democratic

## RARE OLD CUT OF PLACERVILLE (HANGTOWN) IN THE 50'S

97 party in California until Col. B. F. Washington and George Pen Johnston gave to that organization a very able newspaper advocate in the old *San Francisco Examiner*. Mr. Gelwicks personally was one of the most affable and companionable of gentlemen; but as a partisan he was extreme, uncompromising and aggressive. Whilst his paper bristled with partisan invective, and he poured vials of wrath upon the heads of political enemies, he was most suave and gentle to all kinds of people when he descended from the tripod and laid aside his partisan thunderbolts. Even the men who quivered with rage when reading his political philippics greeted him with cordial and effusive warmth when they fell under the soft and conciliatory spell of his personal magnetism. Poor Dan. He was, indeed, the kindest enemy that ever excoriated a foe with pen dipped in partisan gall. He died in Sacramento in 1885 when serving the state as Prison Director during Governor Stoneman's administration.

In the winter of 1850 cholera was brought across the plains with the immigration and it found in Sacramento the conditions for its propagation in the most deadly and virulent form. It became epidemic, and was attended with great mortality. It reached San Francisco, and for a short time caused serious alarm. But its ravages were confined to the crowded lodging houses, in some of which the 98 mortality was considerable. It soon died out, however, and the normal sanity of the city was restored.

At the time of the May fire I had an interest in the *Public Balance* newspaper. We had a fine office equipment including two large power presses. The fire partially destroyed our establishment, and rendered the presses unserviceable. I let my interest go, and took a position in the *Courier* office with Judge Crane. The assistant editor was "Pat" Hull, a good writer and a very genial gentleman, who afterwards became sixth, or ninth, or somewhere thereabouts, husband of that very eccentric woman, Lola Montez, the Countess of Lansfeldt. The Countess had built a cottage in Grass Valley, and was very fond of pets. Two of these were well-grown grizzly bears, which she kept chained at her front door. Poor "Pat" used to say, when speaking about his alliance with the famous Countess, that the greatest difficulty he encountered in his courtship was to get past those grizzly "guardians



of her palace gates.” But love laughs at grizzlies as well as locks, and “Pat” won and married the lady. Then came his troubles. The most truculent of the bears, in a playful mood, breakfasted upon the calf of one of “Pat’s” legs, and he killed it. That was enough. War commenced in earnest between him and his spouse, and Lola carried her matrimonial grievances into court in the shape of a suit for divorce. “Pat” concluded that 99 he had had enough of the mild and dove-like society of the Countess, and let her get a bill by his default. Lola's *pièce de résistance* on the stage was her Tarantula dance, and it was, indeed, a strange and wonderful performance. Her make-up caused one to shiver, and when she spread out on her feet and hands *à la* tarantula, and bounced from one side of the stage to the other with spider-like celerity, she was grotesquely and amazingly interesting. Lola went to New York, where she died in extreme poverty. The descent was terrific. From the favorite of the King of Bavaria, who was obsequious to her will and made her the mistress of costly palaces, to the squalor of a New York tenement house, must have added to her dying agonies a pang of bitterness that made the call of the Universal Leveller welcome as the sublime melody of seraphic music, which we trust greeted her spirit as it entered the “gates ajar.” “Pat” survived but a few years her application for divorce, and it was said that his death was quickened by mortification at one of the “incompatibilities” she alleged in her complaint about a distressing constitutional affliction he suffered from.

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## CHAPTER XI

A LIVELY CHAPTER ON THE LIVELY INCIDENTS OF A LIVELY MINING TOWN--  
HOME-MADE THEATRICALS--WAR OF THE SIX NATIONS--THE VALUE OF A HOME  
GUARD--A MURDER INTERLUDE--PATHETIC DEATH-BED SCENE

In the fall of 1851, H. A. De Courcey, Henry Hamilton and myself bought a printing outfit and started with it for Mokelumne Hill, which, through the discovery of rich mines in its vicinity, had grown to be a large and flourishing camp. When we reached the Hill with our press I marvelled at the change that had taken place in a little over a year. There was evidence of prosperity on every hand. On Sundays the miners flocked to the Hill, and the streets were almost impassable with

the crowds that blockaded them. Business was booming, and at night the gambling saloons and fandangos were the centers of attraction. Adams Express Office was buying gold from the miners in prodigious quantities. The output from the deep diggings in the adjoining hills was tremendous. The gold was coarse, and nuggets, or chispas, as they were called, 101 weighing from one ounce to one hundred and twenty ounces--the latter, of horseshoe shape, was the largest ever brought into camp--gave proof of the richness of the diggings.

Lumber for building purposes was scarce and very dear. We found at one of the stores a large lot of sheet iron which the merchant had bought to supply the miners with screens for their Long Toms. The demand for it had fallen away, as other methods of separating the gold had been found more suited to the mines of this vicinity; so we bought all the sheet iron he had, and covered the frame of our office building with it. On the 18th of October, 1851, we issued the first number of the *Calaveras Chronicle* , and that paper still lives, having been consecutively published under its original name for a longer period than any other newspaper in the state.

A feature of the camp, and one that was common to all the camps in the Southern mines, was the great number of Sonorians who dwelt in and around it. They were really Indians of the Yaqui tribe, those stalwart aborigines who occupy the fairest part of Sonora, and who have successfully resisted all attempts of the Mexican government to invade their territory and bring them under subjugation to Mexican rule. Their mode of mining was peculiar. They used neither shovel, pick nor machine. Their whole outfit consisted of a short crowbar, 102 a wooden bowl, or *batea* , and a horn spoon. With these they would prospect around until they found a place to suit them. With their crowbar they would sink a shaft just wide enough for their bodies to enter, and when they got to the bed rock they would drift until they found a lead or a rich crevice. It made little difference to them whether they were convenient to water or not. If they were they would at long intervals come to the surface with their wooden bowl filled with auriferous dirt, which they had carefully assorted, and wash it till only the gold remained in their *batea* ; if there were no water handy they would dry-wash, as it was called, the contents of their vessel. This was done by a curious method of manipulation. They would agitate the earth in their bowl until the gold had settled at the bottom, then they would blow off as much of the lighter earth at the top as they could and repeat

this process until they had blown off all the dirt and only the gold was left in the bowl. Sometimes they would deftly pour from a height the contents of one bowl into another, blowing upon the descending column, and thus eliminate the lighter material from the heavier, until after many repetitions of this curious process, the gold would be separated from the dirt. A high wind would help them cut in this kind of work. Instinctively these people seemed to know where rich crevices and leads were to be found, and in their solitary and

#### MOKELUMNE HILL FROM "OUR INLAND TOWNS" ISSUED IN 1860 AND NOW VERY RARE

103 quiet way they were supposed to take out a great deal of gold from the mines. At any rate, they were the pioneers of many rich discoveries. Wherever one would go their coyote holes would show that they had been there before. They were inveterate gamblers, and their pet game was monte. If there was a monte bank going anywhere there you would find your Sonoranian placing his money on the *caballo* or *el soto* .

There was a large number of fine, manly men in Mokelumne Hill at that time. The law was ably represented by such eminent practitioners as George T. Bagley, H. L. Buchanan, George H. Campbell, Wm. L. and Allen P. Dudley and T. Jeff. Gatewood. Among the county officials was A. B. Laforge, County Treasurer, a fine specimen of manhood, who had run the black bean gauntlet at the castle of Pirote; Charles A. Clark, the Sheriff, who had made a fine record during the Mexican War, and was as efficient as he was brave. Dave Mulford, also a Mexican War veteran, was his chief deputy, and a peerless one he was. General Cadwallader, with his son Charles, H. L. Sturges and Thomas B. Wade, were among the leading merchants.

Adams Express Company was represented by a young man of exceptional brightness and business capacity, H. Q. Clark. He was the leading spirit in the organization of a theatrical company out of the good home material we had for that purpose. 104 A building was rented and turned into a small theatre. A stage was built, scenery painted and a drop curtain adjusted. The lights consisted of candles. In order to darken the stage when the exigencies of a play required it, the footlights were placed at intervals on a long board which reached from one side of the stage to the other. By

an ingenious contrivance this board could be raised or lowered by the working of a lever from the prompter's desk. Openings were made in the stage to permit each candle to appear or disappear as a light or dark stage was wanted. There was one young man in the company who aspired to heavy tragedy. All he wanted was a chance to enact Richard the Third, and he would show what kind of histrionic stuff was in him. Now if there was any department of the drama in which this young man was fitted to shine, it was certainly not the tragic. In low comedy he might have been a success; but in tragedy, impossible. He was so persistent, however, in his demand to appear as the crook-backed tyrant that the management finally agreed to permit him to give the Bosworth field tent scene. The house was crowded. It was a dark stage. Richard was writhing on his couch. The ghosts of King Henry, Clarence, Rivers and Buckingham had worked him in his sleep up to concert pitch. With a frantic bound he leaped from his couch and rushed to the front of the stage with his sword beating a tattoo on the 105 boards, as all well-regulated swords do when in the hands of properly ghost-haunted men, and falling on his knees, he cried out to the people in front to bind up his wounds and give him another horse. As he made this appeal in tremulous tones a musical burro which one of the boys had mischievously fastened under the stage answered his prayer in corrugated notes that made the rafters shake. A great roar went up from the audience. The prompter, who could not see the front of the stage, thought the time had come to raise the footlights, and as the unabashed tragedian pathetically appealed to heaven, and cried "Have mercy, Jesu," one of the lighted candles bobbed up against his nose and brought the scene to an abrupt end. The tragedian arose in wrath and left the stage in a paroxysm of fury. He never tried the crook-backed tyrant again on those boards, although he did some clever work afterwards as Mrs. Bouncer in "Box and Cox."

The female characters in this novel theatre were personated by the most effeminate-looking members of the company. There were two reasons for this. One was that we gave the pure drama as it was given at the time of Queen Elizabeth, when such a thing as a female actress was unknown. The other was that Mokelumne Hill was entirely destitute of the fair sex--that is, of the fair sex who could speak English, and we were not giving any of de Calderon's 106 or Molière's plays. We were somewhat in the position of that California town of which "Phœnix" speaks when he says that, "The mails there don't run regular, nor the females nuther--because there ain't none."

Mokelumne Hill was amongst the first mountain towns to organize a militia company. The state furnished the arms and their equipments, but no uniforms. Sheriff Clark was elected captain, and Sergeant Pollock, an ex-soldier, drilled the men with great assiduity. When the Calaveras Guards made their first public parade in new uniforms, with a fife and drum and a new silk American flag at their head, it was a proud day for the Hill. The wisdom of organizing this company was soon made manifest. A serious mining trouble had sprung up on the river near Campo Seco, between several companies of American miners and a number of foreign miners, principally Italians, of whom there were a great many in Calaveras county. Both sides had sent out for their friends to come to their assistance. The County Judge ordered out the militia, and Captain Clark marched with the Calaveras Guards to the scene of trouble. He arrived just in time to prevent a serious battle. San Andreas district had sent a column of five hundred men to assist the Americans. On the other side the Italians had got together a formidable force composed of Italians, Mexicans, Peruvians and other nationalities. 107 But when the organized State militia company, eighty strong, arrived, hostile proceedings were at once arrested, and both sides agreed to submit their claims to the arbitration of the county officials who had arrived on the scene with the Guards. The affair was settled without bloodshed, and illustrated the power of authority, for the militia company was only as a drop in a bucket to the strength of either side to the controversy. "A dog's obeyed in office," is not only an apt apothegm, but a pregnant philosophical fact. The whole affair was very cleverly dramatized afterwards by one of the local actors, and placed upon the stage under the caption of "The Battle of Campo Seco; or the Fall of the Six Nations," and was played to crowded houses. It abounded in local hits that took immensely. One of these is worth preserving. Laforge was preceded as Treasurer by one Mudge, whose dishonesty had all but bankrupted the county, the scrip of which was almost worthless. Laforge, by honest management and financial tact, restored public confidence, and scrip rapidly rose in value. In the long march to Campo Seco, one of the Guards becomes mutinous. General Braveall, the hero of the burlesque, threatens him with courtmartial if he persists in his mutinous conduct; on the other hand, if he acts the soldier and obeys orders he will not only receive the thanks and applause of his countrymen, but the liberal pay of a Guardsman.

The recalcitrant replies contemptuously that his pay will be only in county scrip. This is too much for the irate general, and he thunders out: "Would that those words had choked within thy gorge. Is county scrip not honored by Laforge? There was a time when county scrip was fudge; But that was in the dynasty of Mudge."

Mokelumne Hill at this time was no more exempt than other mining towns from frequent acts of violence. She had a mixed population of Mexicans, South Americans and Kanakas, and scenes of personal encounter were constantly occurring amongst them, in which the handy knife played a conspicuous part. The fact that the camp was prosperous and money plentiful attracted to it a large number of American gamblers and their usual attendants, sharpers and desperadoes. Deadly encounters were frequent amongst these turbulent characters, and we often had "a man for breakfast," as was the popular way of putting it when a fatal brawl had occurred the night before. But these acts of violence were very scrupulously confined to the class mentioned. I recall one more than usually notable tragedy that occurred on Christmas morning, 1851. A rough character named Jim Campbell, who had gone to California with Stevenson's regiment, had been 109 "painting the town red" in celebrating Christmas Eve, and seeing a saddled mule hitched in front of a resort called the "Ceberiana," mounted the animal and rode up and down the street shouting, after the manner of his kind, "Hoopa, Mula," to the amusement of his boon companions who were delighted spectators. Estabon Naidés, a large, fine-looking Chileno, the owner of the mule, on seeing his animal thus abused, naturally ran to intercept the wild rider and recover his property. As he seized the mule by the bridle, at the same time making a motion as if to draw his pistol, the desperado slipped down the other side and drew an immense bowie knife. The mule got away and Naidés retreated to the front of a building, but failed to draw his pistol, for some reason never ascertained. The American desperado must have been fifty feet from the Chilean when he launched his knife with all his might from his hand. The weapon, point first, struck Naidés in the breast and went, so great had been the force with which it had been hurled, clear through his body, killing him instantly. The murderer was at once rushed off by his friends and taken to a miner's tent in a gulch some considerable distance out of town. Naidés was a man of consideration with the Latin population, and they at once organized a party to pursue his assassin. They traced him to the tent and fired into

it. The fire was returned, and some were wounded on both sides. In the meantime 110 Campbell made his escape. He went to San Francisco, and was killed a few months afterwards in a street light with one of his kind opposite Portsmouth Square. Years afterwards, during a visit to the San Francisco county hospital, I heard my name called in a low whisper by a pale, emaciated man lying upon a cot, and almost in the last agony. I went to him and found that he was one of the men who lived in the tent where Campbell had sought refuge. When the Latins fired into the tent he received a wound from which he had never recovered and from which he was then dying. He was entirely innocent of complicity in Campbell's awful crime, but paid for it with several years of excruciating suffering and finally with his life. So true it is that the misdeeds of others are often dearly paid for by persons who are in no way responsible for them. Poor Morgan, for that was his name, took from under his pillow a letter from his wife. It was a sad and pathetic appeal to him to write to her, and, if he could to send her a little money, for she was sick and their children starving. "Oh, Harry," she said, "if you have any memory of our happy days and of the joy that came to our hearts as our dear children were given to us by a kind Providence, don't let them perish for the want of bread. At least if fate has ordained that we must go, let us have a word from you and it will be a dying consolation to us." I was greatly affected at this 111 pathetic appeal for help from the worse than helpless man before me, and coupled the scene here with the scene away back there. I felt that the only help that could come to either was from the Divine Master who said, "Come unto me all ye that labor and are heavy laden and I will give you rest." At a sign from Morgan I bent my ear close to his mouth, and he begged me to write to her. When I assured him that I would, his wan face lit up with a serene smile. The doctor came along, and looking at his patient, he said, "His course is finished." The serene smile still lit up his lifeless countenance, and I went away feeling that that smile conveyed a message to me from above to faithfully fulfil my promise, and I did so.

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## **CHAPTER XII**

REMARKABLE OUTCOME OF A DUEL--DUELS OUGHT TO BE FOUGHT ON EMPTY STOMACHS--CRYSTALLIZATION OF POLITICAL PARTIES-DIVIDING ON SECTIONAL

## LINES--BRODERICK AND GWIN THE IDOLS OF THE NORTH AND SOUTH--HOW TO GET RID OF AN OBNOXIOUS HAT

I was suddenly called to Sacramento, one day, by a message announcing that my partner, Harry De Courcey, had been shot in a duel and would probably die. I took the first stage for Sacramento, and on arriving there ascertained that Harry was lying in a house in Washington, across the river, where the meeting had come off. I lost no time in reaching his bedside, and to my dismay found that the bullet had entered his side and one clear through his bowels. Yet in spite of this desperate wound, Harry was in excellent spirits, and declared that he would pull through all right. I remained with him several hours, and was amazed at the lightness with which he treated his case. During the afternoon I went over to Sacramento and met Ed Kemble, the partner of Gilbert of the *Alta California*, who was killed in a duel with General J. W. Denver. Kemble had acted as De Courcey's second. It seems that De Courcey and a man named Sam Carter had quarreled in the boat coming from San Francisco. The quarrel led to a challenge and the meeting. When I told Kemble that I did not think Harry would survive his wound, he said he differed with me and felt assured he would.

“You see,” said he, “when De Courcey asked me to act for him, I told him I would do so if he would place himself entirely in my hands and follow my directions. He agreed to this. I then sparred with the other parties for time. By dilatory expedients in correspondence, I delayed the meeting for three days, so as to get my man in condition. In the meantime I confined him strictly to his room and placed him on a toast and tea diet, and not much of that. Consequently when he reached the field his stomach was empty, and when his adversary's ball perforated his bowels the flaccid intestines offered no resistance to the bullet, which passed between them and out at the other side. No vital part was affected, and as soon as the exterior flesh wounds healed he would be as sound as ever.”

Notwithstanding Mr. Kemble's explanation was plausible and reassuring, I felt that it would be a miracle if Harry ever got out of his bed. I remained near him for a couple of days, and he improved so rapidly that I started for home. As Mr. Kemble had predicted, when the flesh wounds



closed and healed, Harry left his room, and soon was in as good condition as he ever had been. He returned to the Hill, sold out his interest in the *Chronicle* to Mr. Hamilton, and went East. I met him in Panama a year afterwards. He was on his way to Peru with a botanical exploring expedition. A couple of years after that he returned to California, and was found dead in his bed one morning in San Francisco. Harry was a bright fellow and an interesting writer. But he lacked depth and steadiness of purpose. He had very popular ways about him, and would have risen to public prominence had his intellectual powers and his social habits been under the discipline of a dominant and healthy directing will.

On my return to the Hill, I found Mr. Hamilton perplexed about how to get the paper out. Our inking roller had mysteriously disappeared from the office. Without it no paper could be printed. We instituted a rigid search for the missing article, and at last found its wooden stock in a nearby gulch. The condition and the surrounding evidences at once explained who were the perpetrators of the theft. Whenever we made a new roller we would strip the old one off the stock and throw the pieces out. The Indians would flock around the office on these occasions and devour the cast-out pieces with great gusto. As the rollers were made out of the best molasses and glue, it will be readily seen that to their untutored taste they were a *bonne bouche* as grateful to their palate as is jujube-paste to that of the school-boy. They had watched their opportunity and stolen the roller to enjoy what to them was a Lucullian feast. There was nothing for it but to let the paper go over until we could manufacture a new roller. I had a talk with Dr. Soher, our local druggist, about the matter and asked him to prepare for me a strong but harmless cathartic to mix with the composition. He did so, and when the roller had been worn out and the Indians had feasted upon it, they seemed all at once to acquire a prejudice against printers' rollers as an article of food, and left them severely alone ever after.

The first constitution of California was submitted to a vote of the people on the 13th of November, 1849, and ratified by an affirmative vote of 12,061 and 811 against it. At the same election Peter H. Burnett was elected Governor, and John McDougal, Lieutenant-Governor. George W. Wright and Edward Gilbert were elected to Congress. The Legislature met at San José in December, 1850, and elected John C. Fremont and Wm. M. Gwin to the United States Senate. A few months after

Burnett had taken the oath of office as Governor, he resigned and John McDougal succeeded him. No attempt was made by the people in the first election to divide on party lines, and the successful candidates were really elected by the two or three cities in which there 116 were compact populations. But when California became a state of the union the Democratic and Whig parties organized, and from that time forth the people divided on party lines. In 1851 John Bigler was elected Governor, and in 1853 he was again elected to the same position--the term of office under the first constitution being two years.

Down to 1855 the Democrats were largely in the majority. The Native American party swept the state that year, and placed J. Neely Johnson in the executive chair, and David S. Terry on the Supreme bench. The Democracy, however, returned to power at the next general election, and retained control of the government down to the breaking out of the civil war.

The early legislatures had a difficult task to perform in building up a system of laws suitable to the exceptional wants of our state. But there was a large number of very able and distinguished lawyers, both in and out of the Legislature, who took an active part in framing the statutes that were adopted, and in laying the groundwork for a complete system of jurisprudence. The bar of California was opulent with lawyers of the very first rank, and such men as A. P. Crittenden, Edmund Randolph, John Curry and Hugh Murray contributed their valuable aid in framing and perfecting the laws of the State.

For several years the Legislature was practically 117 on wheels. It met twice in San José, then moved to Vallejo, to Benicia and to Sacramento, where it found a permanent home.

The Legislature which met at San José in 1850-51 was composed of bright and able men, many of whom cut an important figure in California history subsequently. Ben Lippincott, Elcan Heydenfeldt and Judge Watson were members of that Legislature. These gentlemen were not only capable lawmakers, but they largely partook of the jocund spirit of the times. Ben Lippincott prided himself on being the best bird shot in the State, and never missed a chance to parade his fine Damascus twist double-barreled gun. During the session Judge Watson paid a visit to San

Francisco and returned wearing a fine, glossy silk hat--the only one in San José. He was as proud of his shining "stove-pipe" as the other members were envious of it. The Judge was not the kind of man who would stand with impunity the vulgar way of treating silk hats in those days; but yet it was intolerable for his colleagues to be compelled to have this one in constant sight. Heydenfeldt and Lippincott formed a conspiracy for its destruction. The former took occasion to have a serious talk with Judge Watson about the nuisance it was to be forced in season and out of season to listen to Lippincott's tiresome bragging about his shooting, and proposed to stop it. Watson sympathized with him.

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"But how will you do it?" he asked.

"I was thinking of a plan," said the wily conspirator. "You know how touchy he is about ridicule. Now if you will go to him, and just as soon as he branches out on his favorite theme, laugh at his pretensions and tell him that he's only a common every-day shot, and so forth, he'll flare up and propose to test his marksmanship. Then, if you offer to bet that he can't hit your hat at thirty paces, he'll jump at it."

"But I don't propose to have my beautiful hat shot to pieces," said the Judge with alarm.

"Nor will you. Just listen. His room is next to mine, and he keeps his gun in a corner of it. Before making the banter, you and I will slip into it and draw the charges of shots from the barrels, and your hat will be safe."

The Judge thought it would be a good scheme, and agreed to carry it out. After the two had withdrawn the charges of shot, the Judge hunted up Lippincott, and soon provoked the desired challenge and accepted it. The gun was at once produced, and the party adjourned to a clump of bushes upon one of which Judge Watson hung his "tile." Lippincott took deliberate aim and fired. Consternation was depicted upon the Judge's countenance when he saw his hat flying in pieces in

all directions. Elcan could not contain himself with 119 laughter, whilst the Judge stormed about his having been made the victim of a put-up job.

“I see it all,” he cried, as he shook his fist at the two conspirators. “You had double charges of shot in that gun. But I will get even with you both for this shabby trick.” And he hurried to his room to don a regulation slouch hat, which was the kind of head-gear he always wore afterwards.

The first indication that the Democratic party would at a later day become seriously factional on sectional lines made its appearance in this Legislature. David C. Broderick, a New York politician of the Tammany school, a very positive and aggressive man, impatient at the air of supremacy he imagined the Southern Democracy assumed, became the able, powerful and autocratic leader of his wing of the party. But a respectful truce was maintained by the two elements down to 1854, when the convention was held in Sacramento. Each wing of the party tried to capture the organization. The feeling on both sides was bitter, and the “chivalry” wing withdrew in a body and two Democratic conventions sat in different places at the same time and nominated two separate tickets. The most strenuous efforts were made to reconcile the factions, but without success. The Whig party was in a state of disintegration, so that the bulk of the vote at the election went to these two tickets, and the “chivalry” 120 wing elected its candidates. As only a clerk of the Supreme Court and two members of Congress were to be voted for at this election, it failed to call out a full vote of the people, and General J. W. Denver and Philip T. Herbert were elected to the House of Representatives. Herbert ruined his career and embittered his life before his term as Representative expired. After a night's debauch he seated himself in a restaurant to breakfast. He got into an altercation with the waiter about some trivial matter and shot him dead. That ended his public career, and he was only heard of afterwards fighting for the Confederacy during the Civil War. Denver, who for many years was conspicuous in Washington as President of the Association of Veterans of the Mexican War, died in 1894. He was a man of ability, possessed great force of character, was warm in his sympathies, and he doubtless deeply deplored to the hour of his death his fatal duel with Edward Gilbert.

Both the Democrats and the Whigs in their platforms for several years declared that they were in favor of the immediate construction of an overland railroad, of the establishment of a line of steamers between San Francisco and the Orient, of the most liberal concession of public lands to the State for educational purposes and that they were unalterably opposed to the sale or lease of the mineral lands of the State and in favor of leaving them open and free to the industry of all American citizens to develop their treasures. On the subject of a transcontinental railroad there was a complete unanimity of opinion in all political platforms, from 1850 down to 1860, that Congress should provide for its immediate construction from the Pacific to the Mississippi. In the Whig platform adopted in 1850 we find the first declaration made by a political party in California in favor of a protective tariff.

The breach between the “chivalry” wing and the northern wing of the Democratic party continued to widen and increase in bitterness. The factions were respectively under the leadership of Wm. M. Gwin and David C. Broderick. The former was an astute politician, a very polished gentleman and endeared himself to his followers by a personality which was at once winning and courteous. He strictly carried out all his promises, and never lost a partisan friend by deceptive or ambiguous courses. Broderick was a man of strong and rugged make- up. He was implacable as an enemy, but unswervingly true to his principles and his friendships. He was the idol of the rougher classes, and controlled them to his iron will by a supremacy that brooked no question. His straight-forward, indomitable course, and his loyalty to principle rallied to his support that strong and respectable element of his party which was impatient at the arrogance of the “Chivs,” as they were denominated. He was indeed the intrepid tribune of that great division of the Democratic party which was willing to leave slavery alone in its constitutional rights, but to stand manfully against it in its attempts to extend the “peculiar institution.” Indeed, the Democratic party in California illustrated the division that was rapidly approaching of the whole people of the country on sectional lines, and Broderick and Gwin were in themselves the typical embodiments of the “irrepressible conflict” that was destined to terminate in a long and bloody war between the two sections.

## CHAPTER XIII

A TRIP EAST--A GOOD PLACE TO "GO BROKE"--HOW AN OLD FRIEND INDUCED ME TO RETURN IN THE STEERAGE--AT THE HILL ONCE MORE--BABY YARROW AND THE OLD MINER--THE OPENING OF A GREAT MINE

The mines in the vicinity of Mokelumne Hill continued to yield bountifully of their treasure, and the business of the town was lively and flourishing. I began to feel that it was about time to pay a visit to my old home in the East, and I sailed in February, 1853, from San Francisco on one of the Pacific Mail steamers for New York via Panama. I was accompanied by a miner who had come to California during the Mexican war, and whose frugal and industrious habits had enabled him to return with a goodly "pile." His principal reason for going East was to attend a meeting of the heirs of Anake Jans, of whom he claimed to be one. They were to hold a great meeting in Cincinnati at which important business was to be transacted in bringing their suit, as they fondly hoped, to a successful termination. He spoke as if there was no doubt that they would 124 defeat Trinity Church, and divide among themselves all that part of New York that was situated west of Broadway from Lispenard street to Barclay, then worth a billion dollars and now worth ten times that vast sum. I have met several of these heirs of the old Dutch soldier and farmer whose ranch was on the site indicated in the time when New York was New Amsterdam, and every one of them was filled with the idea that their great cause was on the eve of a decision in their favor. They all reminded me of the indeterminate purpose for attainable practicalities and the far-away look of Richard Carstone, of the great Jarndyce and Jarndyce suit. They lived on hope, however often deferred, and seemed incapable of settling down to any steady occupation of mind or body. My friend had been separated from the demoralizing influences of the suit for several years, and had improved his opportunities. But the spell had not been broken. He brought with him ten or twelve thousand dollars in gold, and I fear that he spent it all in promoting this abortive suit.

As we sailed down the Pacific coast I could distinguish many prominent landmarks that made me know I was traversing those places where I had suffered so much on the brig *Laura Anne* four years before. We steamed into New York harbor through cakes of floating ice and landed in the city on

a bitter cold day. The streets were banked up with 125 snow and the jingle of sleighbells fell on the ear like a merry sound of by-gone days. The cutting atmosphere went through me like a knife, and I felt, with acute emphasis, the full force of a change from the mild and benignant climate of California to that of the penetrating frigidity of a winter in the Atlantic States.

I spent the Spring, Summer and part of Autumn in visiting old friends and in “doing” some of the fashionable places of resort, when my exchequer admonished me that I must lose no time in starting back to the State where I could soon replenish it. I was on my way down Broadway to the steamship office to secure a ticket, when I heard myself hailed by a familiar voice. On turning I found it was Allen P. Dudley, who had left the Hill before I did. Friendly greetings were exchanged and we walked down the street arm in arm. As we proceeded he asked me where I was going. I told him I was on my way to the steamship office to buy a ticket for California.

“What a lucky coincidence!” he said. “That's just where I'm going, and for the same purpose.”

I was somewhat annoyed at this, for I did not want him to know that I was not going out as a first-cabin passenger.

“See here,” remarked Dudley, after a while, “what's the use of us spending \$325 for a first-cabin ticket. Let us go back as second-cabin passengers 126 and we'll save one hundred and fifty dollars to spend on the way. It's only for a few days, anyhow, and we'll get along well enough.”

I was afraid, I told him, that I couldn't stand it, although I was delighted to know that he was not going in the first cabin. I reluctantly acquiesced in his suggestion, however.

“Now look here, Jim,” he said in a persuasive way, as we neared the office at the foot of Warren street, “what's the use in paying out a great handful of money to go in the second cabin, when we can get a steerage ticket for \$75?”

He was talking *at* me now in a way that my pocket appreciated. But I affected to draw the line at the second cabin. I declared that I could not bring myself to go below that.

“Pshaw! What's the use of you and I putting on style. We've roughed it before, and we can do it again. Anyhow, I'm going in the steerage whether you do or not.”

This suited me to a T, but I would not let Dudley know it; so I stood a good deal more persuading and finally yielded, reluctantly, for his sake. The passage out was devoid of incident, if I except several scrapes Al's abusive tongue got us into with some of the passengers, and a violent altercation he had on the Pacific side with Captain Whiting about some inconsequential matter. Dudley had the most exasperating use of invectives of any man I ever met. His cutting sarcasm was constantly getting him into trouble, while his genius for backing down gracefully always afforded him some hole through which to escape. He was a most effective stump speaker, and his oratory was in demand in every campaign. He was sarcastic, apt with anecdote and funny story, and could go further in broadness without offense than even that old Democratic “war horse,” always at outs with Lindley Murray, Jesse D. Pitzer. He was the terror of the criminal bar in San Francisco for years before his death. No witness could withstand his bulldozing, and none of the lawyers could hold their own with him in a bout at tongue-lashing. Mrs. Moriarty, the fish-market scold of Dublin, “threw up the sponge” and burst into tears when Daniel O'Connell called her the hypotenuse of a triangle, but Dudley would have answered him with a whole vocabulary of parallelograms and acute angles, and squared the circle with him to boot, before he would have flinched. And yet no one could help liking Al, for he had points, as Mark Twain said of his Calaveras frog. He was good-hearted, generous and wonderfully entertaining. “Alas, poor Yorick.”

It was raining cats and dogs when we got into San Francisco, but in spite of the weather I went around enough to show me that the city had grown extensively during my two years' absence, for I had made no halt there on my way East. Streets in the lower part of the city were well laid out and sidewalks, and the city front was built up as far out as Stewart street. Some fine large business buildings and imposing church edifices had been erected. There was a hiatus of sand from Bush street to Happy Valley, south of Market street, and that valley and Rincon Hill beyond were pretty well covered with nice residences, some of the houses on the hill being of mansion-like dimensions. Business had increased amazingly, and great wholesale stores had been erected along the city front,



where all was crowd and bustle. Everything gave sign that San Francisco was destined to become a great city.

When I passed through Stockton on my way to Mokelumne Hill I saw that that town had also gone ahead surprisingly. It was the great entrepot of the Southern Mines, the prosperity of which had given it an immense traffic. Agriculture had also taken a start, and many successful miners had taken up farms in the vicinity, or secured extensive tracts for grazing. It was plain that Stockton was to become the centre of large agricultural interests, as well as the point of supply for the mines.

On reaching the Hill I found that many improvements had been made since my departure. The mines were being worked more systematically and some new and important discoveries were adding to the general prosperity of the town. Some attention <sup>129</sup> was now being paid to quartz mines, and Dr. Toland, of Toland Medical College fame, had opened one which paid well at first, was then closed down for several years, and afterwards, under the name of the Gwin mine, became a very large and profitable yielder. The gulches and the river claims were now worked generally by the ground-slucice process, by which immense quantities of dirt could be washed, and places made to pay well that could not be profitably worked at all with the older contrivances. The ground slucice was really the forerunner and a necessary adjunct to the tremendous hydraulic method by which mountains were levelled and the abstraction of gold from the earth was brought to its highest and most profitable perfection.

One of the most pretentious improvements that had been made during my absence was the building of a large and thoroughly equipped theatre. This fine and expensive structure was financially engineered by H. Q. Clarke, Adams & Company's agent, and I fear that most of the funds for its construction came out of the strong boxes of that company without Clarke taking his superiors into his full confidence. So far, however, the theatre had been a financial success, and seeing this perhaps the head men of the company connived at the agent's use of their surplus funds in a paying but irregular transaction. Traveling companies, the local histrions <sup>130</sup> and an occasional star from San Francisco, Supported by home talent, had kept the new theatre going from the time it was finished.

The Hutchinson family gave one of their popular entertainments to a crowded house the first night of my arrival. In these days of break-neck rushes for a patch of land in an opened Indian reservation, it is refreshing to look back to the time when the Hutchinson family used to sing their famous song with the truthful refrain that "Uncle Sam was rich enough to give us all a farm."

In the meantime some of the Hillites had sent East for their families, and a nucleus of American society was formed. A number of fine ladies graced the social circles of the Hill, and the change was conspicuous in the care with which the young men dressed themselves. Red shirts became less frequently worn as one of the principal articles of apparel in the streets, and "boiled" shirts, as they were then called, made their appearance with other civilized wardrobe. A transition period was apparent not only in the care bestowed upon dress, but in the amenities exchanged, the touches of refinement that were observed and the general toning down of rough speech to a more decorous style of diction.

The appearance of children on the street and an occasional babe in its mother's arms were sights which had long been denied to the grizzled miners, and their rugged faces would be lit up with a soft and gentle expression as they beheld the little ones romping around or the infant nestling in its mother's breast. The old time and the far-away home would come back to them, and it was pathetic to see how their rough natures would soften and the kindly light would beam from their delighted eyes. Nor was this feeling always confined to the selfish satisfaction it produced by filling in them a long-existent and aching void. Jack Branscom, who had for years delved in the hills and gulches, and who occupied a small cabin just out of town, was found dead in his bunk one morning. When the authorities came to search his effects a letter was found in which he said that he had no relations that he knew of, and that he wished all his belongings, of whatever description, to be given to Baby Yarrow. Baby Yarrow was a bright and captivating child of two or three years, and the neighbors had noticed that whenever Branscom passed the Yarrow place the little one seemed to be on the lookout for him, and was invariably rewarded with a gift of some kind of toy or bon-bon from the ancient miner's hands. Baby Yarrow inherited his property, which consisted of a paying claim, a plethoric buckskin bag of gold, his cabin and all it contained. The parents, in recognition of

the handsome bequest, named the child Branscom Yarrow, and thus the solitary old miner's name and memory were perpetuated.

I had not been long back from the States when Sheriff Clarke offered me a deputyship. At that time certain taxes were collected by the Sheriff, and he wanted me to take charge of the department to which the duty was entrusted. Calaveras county then extended over the territory that has since become Amador county, and I was sent to collect the taxes in that part of the county. By virtue of my position as a peace officer I tried to stop the lynching of a horse-thief at Jackson. But my efforts were successfully resisted by the crowd, and the man was taken to the historic tree in front of the Union Hotel and hanged. At my instigation some of the rind leaders were indicted by the Grand Jury, and they found that participation in extra-legal necktie parties involved responsibilities that were not pleasant, and their prosecution had a salutary effect afterwards.

When I reached Amador creek I examined a quartz mine there that had been worked with arastras for a year or so. I entered the mine and found that the men were taking out a character of quartz that paid liberally, worked by the primitive mode they were pursuing in crushing the ore. That mine was the celebrated Keystone, and has been worked constantly ever since with improved machinery. For forty odd years it has been considered one of the best mining properties in the State, yielding variously a net income to its owners of half a million dollars and upwards every year, and its output now is, as I can learn, up to its best mark of gold production during its long and profitable career. Indeed, the mother lode in Amador county, upon which the Keystone is located, has been wonderfully prolific in rich quartz mines. Within a distance of a few miles it has increased the world's stock of gold from two to three hundred millions, and prospecting is now going on there with every probability of establishing the theory that at the barren intervals where the great mines ceased to pay, the lode by some perturbation of nature was broken off and pushed to the westward. As these irregularities have occurred quite frequently, it is believed that the lode will be recovered in the broken stretches, and open a new and immensely profitable era to mining in Amador county. What is called the mother lode has been traced from Siskiyou to Kern county, over six hundred miles. At intervals of this whole distance immensely rich mines have been opened, and in view of the vast extent of this prolific vein and its tributary branches it may reasonably be

said that mining is yet in its infancy in California, and great as has been its yield in the past it is yet destined to furnish the world with an unprecedented output of its exhaustless treasure.

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## CHAPTER XIV

REMINISCENCES OF THE STAGE--VALUABLE PRESENTS TO ACTRESSES--HOW THE SPIRITS HELPED A MANAGER OUT OF A BAD SCRAPE--EXPERIENCES IN BARN-STORMING--FIDDLETOWN MISNAMED--A DELIGHTED AUDIENCE OF ONE--SENATOR CONNESS--ON A MOUNTAIN SLEEPING WITH THE STARS

A custom had obtained in the mines, whenever a lady appeared on the stage possessing exceptional qualities of beauty or talent that made her a popular favorite, to raise a purse of gold specimens and present it to her on her benefit night. In the Chapman troupe, which played for a season at the Mokelumne Hill theatre, there was a young *danseuse*, called Josephine on the bills, whose charms of person, rather than her artistic merits, had turned the heads of half the town. When her benefit night came a considerable purse of nuggets had been raised, and a rather diffident young man about town selected to make the presentation. His friends were astonished to see him on the night of the benefit sitting in the front row of the orchestra seats elegantly dressed. It was not known at the time that there was such a thing in town as a swallow-tailed coat; but he had dug one up somewhere, and it was a beauty in everything excepting the fit. It was so tight in the back that the facings receded nearly to his sides, and it held him, as it were, in a straight jacket. When the time arrived for him to make his presentation speech he bounded on the stage from the orchestra, but the effort was too much for the dress coat. It split clear up the back. Whether he was conscious of the accident or not he coolly proceeded to make his presentation speech with his back to the audience. The scene was so ludicrous that the whole house fairly yelled. The uproar disconcerted him, and in a moment of confusion he pulled out his handkerchief and presented it to the astonished lady as a slight tribute of the esteem she was held in by the people of Mokelumne Hill, and then jumped from the stage and rushed out of the house. The mistake was rectified to the satisfaction of Miss Josephine, but the young man never heard the last of it.

I have related this incident not so much on account of its laughable dénouement as to record a custom of those days which was sometimes carried to a ridiculous extreme. When the Alleghanians visited the Hill they were accompanied by Miss Greenhough, a charming singer and a most attractive person. She was very young, as well as being very beautiful, and possessed a sweet and captivating voice. She took the town by storm, and the miners 136 went wild over her. On her benefit night they presented her with a large purse of choice nuggets worth several hundred dollars. The night before the company was to leave the rain came down in torrents; but this did not serve to cool the ardor of a score of lovesick swains, who stood in the mud to their knees singing up at her window "Open thy lattice to me, love."

I was not greatly astonished one morning to find that Harry Clarke had "skipped" and left Adams & Company in the lurch for a considerable sum. The agent of the company came to the Hill and three of us made arrangements with him to lease the theatre. Our venture went along smoothly enough until we struck a theatrical snag that came well nigh swamping us. Harriet Carpenter held the position of leading actress on the boards in San Francisco and Sacramento. She had a short time before married Ben Moulton, a well-known and popular express messenger. Everybody knew Ben and Ben knew everybody. He was a giant in stature and development and a fine specimen of physical manhood in every respect. "Miss" Carpenter had bloomed out as a star after her marriage, and we engaged her to come to the Hill and play for us at an enormous salary. About this time the Fox sisters in Rochester had discovered that departed spirits had adopted ordinary wooden tables as the medium through which to 137 communicate with their friends in the flesh. This phase of spiritism had a tremendous vogue, and we soon found that our new star had unbounded faith in table rappings, for at every favorable opportunity she would get up a circle.

For a few nights Harriet drew good houses. She was a very stilted and mechanical actress, without warmth or magnetism, and the theatre-going public soon got tired of her and left us to play to almost empty seats. The management was in a world of trouble. Their contract was binding and the weekly salary had to be forthcoming. In the meantime Ben Moulton, who had accompanied his wife to the Hill, had suddenly disappeared, and "Miss" Carpenter was in distress about it. We

still continued to put the best pieces in our repertory on the boards, but our exchequer kept on going down to low-water mark. This continued until we saw that we would have to do something desperate to extricate ourselves out of our difficulty, or go bankrupt. Harriet gave no signs of wishing to cancel the engagement. Her fine salary, as long as it was forthcoming, diverted her attention from the fact that she was not earning it. At last, one morning when we were all on the stage together, "Miss" Carpenter proposed that we should hold a table-tipping séance. A table was brought and the séance commenced. The first question our "bright, illustrious 138 star" put to the spirits was about Ben Moulton. "Had he gone to San Francisco?" The table tipped once, and that meant "Yes."

"Was there anybody with him?"

"Yes."

"Was it a man?"

The table tipped twice, and that meant "No."

"A woman?"

"Yes."

That settled it. She rose with blood in her eyes, went straight to the stage office, bought a seat, and the next morning started for San Francisco, breaking her contract to smithereens. Our star left us in financial straits, but by good management and the playing of a few taking pieces with home talent we got the treasury into shape again. As Spring approached business fell off, when one day Lambart Beatty, a peripatetic actor, and his wife, who was not an actress, dropped in upon the management. Lam had a fine wardrobe and would have filled a place in an established stock company to good advantage, but as a star he could not be considered a drawing "card." We played him three or four nights to poor houses and then closed down. It must have been a week after this when my partners both came to me and told me that Mr. Beatty and his wife had been shut in the green room for

several days. We at once proceeded to the door and insisted upon admission. It was really a sad 139 sight. The poor people were gaunt with hunger and on the verge of despair. Their money was all gone and they were too proud to communicate their situation to any of us. We tried to cheer them up, and made them eat a meal for which we had sent to a restaurant. As the result of a consultation, we proposed to Beatty a plan out of his difficulties. It was to prepare a suitable programme that he and I could perform and take the road for it. He assented. The bills were printed, the necessary wardrobe packed, and we started for Campo Seco. Bills had been sent ahead to the various towns we were to play in, so that we were well advertised when we arrived in the several places. We did so well at Campo Seco that Beatty entirely recovered his spirits. From there we went to Volcano, where we had more encouragement. The next place was Fiddletown, and here we had to put up with a shabby barn for a theatre. However, we cleaned it out, seated it with boards, made a small stage, hung the proscenium with blankets, and there you were. We had to get along without an orchestra, for strange to say not a fiddler was to be had in Fiddletown. The performance passed off well, however, but the house was excruciatingly thin. Next day we started for Mud Springs. There was a good hotel there, kept by a nice man named Howard, and as Mud Springs had a considerable population, in expectation of doing a large business we rented a spacious hall and fitted 140 it up regardless of what it cost. We also went to the expense of getting an orchestra consisting of two accordions and a violin, and paid them in advance. This, with the other expenses, about cleaned out our purse; but we knew it would be filled by the rush for seats that evening. We went to our hotel in fine feather and ate a hearty supper. When we arose from the table we were alarmed about the weather. It had commenced to rain, but the season was so far gone we reassured ourselves with the belief that it would prove only an April shower that would soon pass over. We went to our room to make preliminary preparations, and then, with our wardrobe in oilskin handbags, proceeded to the theatre. Our man of all work had already lit up the hall, and we went behind the wings and arranged the things we were to wear in the various acts in a way that they would be ready to our hand as we wanted to put them on. In the meantime the rain had increased in violence and was coming down in sheets. The door had been open for some time, and, with the exception of one lone individual, nobody had come as yet. As we watched the door for the sudden rush we could hear the rain beating upon the roof like a shower of bullets, and it seemed to increase in force as the time passed. Lam

looked blue and I felt like a funeral. It was half an hour past the time for the curtain to go up and our solitary auditor was still alone. The thing was getting serious. The 141 storm was increasing in fury and we reluctantly concluded that nobody would venture out in such a night to see a "one-horse show." Something must be done and at once.

"Well, Lam," said I, "here we are; what do you think we had better do?"

"I'm sure I don't know," said Lam in a dejected tone.

I saw that he was relapsing into his former dumps and I tried to rally him.

"See here, Lam, there's no use of giving way to the inevitable. If it hadn't been for this confounded rain we'd have had a rousing house."

"That's just it. The fates are against me. My ill luck haunts me and I seem to be doomed to constant disappointment."

"Pshaw! Let us make the best we can of it. Anyhow, don't let us take the matter to heart. What do you say, now that everything's ready, if we play to this one man we have. That will rouse us and may help us to see our way out of it."

"Very well," said he, "you speak to the man, and if he don't want his money back we'll give him the worth of it."

I found our solitary individual a good-natured fellow, and he seemed to be delighted with the idea that he could have the performance all to himself. I told the two accordeons and the fiddle to tune up and we went on the stage to dress.

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It was not long before both of us entered enthusiastically into the novelty of the situation, and we played up to our best standard. I had never before played to a more enthusiastic audience. The man was delighted with everything we said or did--guffawed outright at every hit, and in the most



serious parts of the scenes we gave from “Venice Preserved” and “The Wife,” he fairly shed tears. When Belvidere was “by a wave washed off into the deep” the appreciative fellow looked the very picture of apprehension lest I should not “instantly plunge into the sea and redeem her life at half the cost of mine.” But it was the droll sayings of Looney Mactwalter in “The Review” that gave the climax to his hilarity, and when the curtain dropped on the last scene and I dressed and went out to him, I asked him how he liked the performance. He declared it was the best he had ever seen, and said he would come every night. When we started for the hotel, I took the whole audience out and treated it, notwithstanding to do so consumed all the money that had come into the treasury.

I found no difficulty in squaring matters with the landlord, and good and early we started for Hand town, not being in financial condition to give the people of Diamond Springs, although we had to pass through that town, the benefit of a taste of the legitimate drama as presented “by two eminent American tragedians.” On arriving at Placerville we found 143 there the dismembered Eldridge dramatic troupe, which had made an unsuccessful tour through the mining towns and been thinned by desertion until it only consisted of “Miss” Eldridge and her husband. We at once joined forces, and nothing less would do “Miss” Eldridge than to place “Hamlet” on the stage. My protests went for nothing, because Lam Beatty took sides with the fair tragédienne. There was a large hall in Herrick's hotel, and we found no difficulty in turning that into a pretty good theatre. We filled up the company with volunteers and played the piece for three or four nights to satisfactory houses. Our exchequer was again replenished, and Lam and myself refused to go farther with the combination.

Hangtown, or Placerville, was, at that time, the most considerable and flourishing mining town in the State. Its numerous stores were doing a rushing business and its caravansaries were crowded. The surrounding mines were yielding generously of the precious metal and the town was the commercial focus of a large group of prosperous mining camps. Gambling, one of the surest signs that the mines of a locality were paying well, was in full operation in all the saloons. Keno seemed to be the popular game, and wherever it was played crowds of miners were attracted to it.

It was here I met for the first time John Conness, afterwards United States Senator. He lived 144 in Georgetown, where he was engaged in mining and other business. He was a keen, sharp, forceful man, a good conversationalist, and had a smooth, insinuating way which won men over to him. He impressed one with his straightforwardness and the fixity of his principles was accentuated by the candor and eloquence with which he asserted them. His information was wide and accurate and his knowledge of men and measures extensive and exact.

On our homeward trip we met with an adventure which is worth relating. We were following a trail leading to the Consumnes river, over which we thought we would have no difficulty in being ferried. But the trail ended at the river in a Chinese camp. When the Mongolians saw us they scattered in all directions, under the impression, as we thought, that we were foreign miners' tax collectors. After much friendly signalling one of the Chinamen came to us and we told him we wanted to be put across the river, which was swift and running banks full. He jabbered something about a boat and pointed to, a light a mile or two down the river. It was twilight and the shades of evening were rapidly closing round us. We now felt assured that we were in sight of a ferry and would find entertainment and rest on the opposite side. So along we sped in the direction of the light. Our disappointment was great on reaching it, for it proved to be a Chinese lantern hung on the branches of a tree over a new-made grave. The scene was calculated to excite uncanny feelings. The river, in freshet, was singing a dirge in mournful monotone as it swept over huge projecting boulders; the heavens were darkening above us, and the howling coyote was greeting night with his dismal song of welcome; the solitude that prevailed was oppressive, and made more disheartening from the fact that the nearest specimens of human life might find courage to fit their cupidity and attack us under the impression that we were tax collectors worth killing and robbing. Then there was the fresh grave at our feet and the cold night of exposure before us, with the prospect that we might be singled out by some hungry grizzly seeking to appease his appetite. The situation was, indeed, one calculated to appal the stoutest heart. We ascended to the top of a mountain, thinking that a height would be the safest place for us to pass the weary night. We had one match with us, and as usual in such cases it refused to light. We rubbed sticks of dry wood, Indian fashion, until

we nearly wore them through, but without any sign of combustion. At last we made a spread of my large Spanish wrapper and slept with the stars.

But the longest night must have its end, and so had this. As soon as day dawned I rose and devoted myself to a bout of violent exercise to restore my normal warmth. I then determined to cross the river if I had to swim for it. With this intention I 146 descended the mountain and searched for a place where the back water had created a comparative stillness in the flow. But just at the point I had selected to enter the stream and swim to the other side I saw an object that changed my mind completely. There was the body of a drowned man floating, face downwards, on the surface of the water. Lam was horror-stricken and I had all the starch taken out of my resolution. On close inspection we saw that the body was that of a Chinaman, and then it flashed upon me that what the Mongolian at the camp was trying to tell me was that during the recent freshet their boat had been swamped and several of their people drowned, one of whose bodies had been recovered and buried where the lantern was burning.

We picked up our belongings and followed the trail down the river for some fifteen miles, when we came to a ferry opposite Michigan bar, where we got a good breakfast and a recuperating rest. I walked clear into the Hill that night, arriving there about ten o'clock leaving Beatty at Jackson, where he declared he must stop for he could go no farther.

This was my first and last experience in what is now called barn-storming theatricals. But arduous as it was I look back upon that trip with satisfaction. I would not have made it for gain, but volunteered to go out of a philanthropic motive to relieve a poor actor in distress. It served its purpose.

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## **CHAPTER XV**

**THE HILL GOES UP IN SMOKE--RETURN TO SAN FRANCISCO-ITS MARVELOUS GROWTH--COLLAPSE OF ADAMS & CO.'S BANK--ITS TREASURES DISSIPATED--FACTS**

## THAT LED UP TO THE ORGANIZATION OF THE GREAT VIGILANCE COMMITTEE-- CHIEF JUSTICE TERRY IN ITS TOILS

My late experiences on the road had somewhat cooled my ardor for theatricals, and I made up my mind to go to the bay and engage in the newspaper business. But I had various interests at the Hill which I would have to adjust before I made the change. I was busy in winding up my affairs when an event happened which wound them up for me in short order. A fire started one night in a cigar store. The wind was high and the town was without an organized fire department or an apparatus with which to fight a serious conflagration. It spread rapidly and in a short time it reached the larger buildings, all composed of the most combustible materials. When it reached the theatre that immense building at once sent out a blase which rendered hopeless any effort we could put forth to save any part of the town. The next morning there was not a building left to mark the spot where the day before there was a considerable and flourishing settlement. My affairs had been completely adjusted, and I started for San Francisco.

On arriving there I could see that the city had made great progress. Immense brick blocks had been erected at several points on Montgomery street, which retained its original prestige as the principal business thoroughfare of the city. John Parrott, the banker, had erected a costly granite building out of material brought from China, and it was by far the most solid and symmetrical business structure in San Francisco. The city had been extended over the water front to nearly its present line, and the intervening water lots to Sansome street had been nearly all filled in. Wharves had been extended to deep water from the foot of the principal streets, and stately clipper ships were safely moored along side of them discharging cargo. Long Wharf, at the foot of Commercial street, the first wharf of any length that had been constructed, was lined with retail stores and became a popular promenade. Many fine residences had been erected on Russian Hill and many of the most prominent families of the city lived luxuriously in them. Stockton street was well built up and many handsome residences aligned it, principally on the west side.

The most persevering efforts were made by property

## FASHIONABLE STOCKTON STREET, LOOKING TOWARD NORTH BEACH, IN 1856

149 holders in the northern part of the city to popularize it as a residence section, but for some reason the city had an antipathy to going that way. The trend of improvement was southward and westward, and many flue fortunes were swamped in trying to turn it in the direction of North Beach. For many years Russ' Garden, beyond Sixth and Folsom streets, was the great Sunday resort. Here beer foamed, waltzers whirled, balloons ascended and a variety of athletic and other games were sufficient attractions to bring great crowds out from the city on the "day of rest." Sportsmen went gunning on the flats beyond and it was no trick at all in the season to fill a game bag with fine ducks on the marshes spreading out from Mission creek, now covered with massive warehouses. The little steamer Clinton, owned by Charley Minturn, who had been a leading merchant of New York before he came to California, was the only boat plying between the city and Oakland, and the traffic was not great. Oakland at that time only reached scatteringly for two or three blocks up Broadway from the landing, and most of her houses were devoted to the entertainment of pleasure-seekers from the city. A few enterprising men were endeavoring to grow fat oysters out of plants brought from Shoalwater Bay, and the Potter beds that had been carefully enclosed north of the landing were the ones that scored the best success. Drum fish, star fish and other enemies 150 of the luscious bivalve had driven the oyster-men from Mission creek to Oakland, and they still ply their industry there or farther up in the shoal water fronting the Alameda littoral.

In the Spring of 1855 the city was convulsed by the collapse of Adams & Co.'s bank. This financial institution was conducted in connection with Adams & Co.'s express, and its ramifications extended to all parts of the State and coast. It was a popular institution and carried an immense amount of deposits from all classes. When its doors closed a panic ensued which disastrously affected a number of other banks, and only the very strongest concerns were able to successfully weather the financial storm. General Sherman, of Atlanta fame, was in charge of the bank of Lucas, Turner & Co., a branch of the St. Louis institution. It was a very conservative bank and was not in any way involved in the general crash, but it went out of business with clear balances soon afterwards. I. C. Woods was the principal manager of Adams & Co. at the time of the failure, and in the many scandals which followed the collapse he was held to be mainly responsible for the utter dissipation

by disreputable processes of the immense sums that were left in the bank's vaults when its doors closed. James King of Wm. held a responsible position in the concern when it failed. He had been in the banking business for himself, and having been induced to transfer his interests 151 to Adams & Co., he carried with him to that institution nearly all of his depositors. After the failure he did everything in his power to honestly wind up its affairs, but to no purpose. None of the sufferers ever got a dollar back out of the immense assets the bank had when it closed its doors.

Some months afterwards James Ring of Wm. started the *Evening Bulletin* and made it a vehicle of ferocious attack upon municipal corruption and evil-doers of high and low degree. The *Bulletin*, under his management, became the *ensor morum* of the community, and the lash was relentlessly applied to men in public places, especially those who had secured their offices by devious political methods. Ballot box stuffing was popularly considered as the easiest method to step into office, and it was believed that the city hall was filled with men who had been elected by this shameless species of fraud. Amongst these was one James P Casey, who consorted with the "roughs," and was a determined and dangerous man. He held the position of supervisor. It was not to be presumed that James King of Wm., while dealing out trenchant excoriations to all sorts of evil-doers, would allow 50 shining a mark as Casey to escape "scot free." No one was, therefore, astonished when the *Bulletin* aimed its deadly shafts at the man who was presumed to be the leading spirit of the gang who turned minorities into majorities by the manipulation of fraudulent tickets in the ballot-box. 152 His time came, and Casey was put to the question. His antecedents in New York were exhumed and he was charged with being an ex-convict. Casey had started a Sunday paper called the *Times*, which he got John C. Cremony, a ready writer, to edit. He tried to explain away the fact that he had been sentenced to Sing Sing for larceny by saying that when he was a young man he got entangled with a designing woman, and had supplied a house for her with furniture bought on the instalment plan; that it was surreptitiously sold; that he was tried on a charge of larceny before a jury and convicted of "constructive" larceny. He claimed that he was the victim of a youthful indiscretion and that his misfortune should not be brought up against him as an inexpiable crime. James King of Wm. impaled his explanation by saying that society could forgive a repentant convict only on the condition that his repentance was sincere and made evident by his reformation. He then denounced

him as a ballot-box stuffer and all that was bad and dangerous in a community. Casey, when he had read the *Bulletin* that evening, waited for James King of Wm. to pass a certain spot, and, as he approached it, shot him mortally.

The people were worked up to the highest pitch of frenzy when the news of the assassination spread. They poured down town in great streams, and that night the first steps were taken to organize the Vigilance 153 Committee which has since become historical.

The popular uprising was the most remarkable ever known. It was not a revolution, but a social revolt against crime. Its ranks filled with amazing rapidity, and every member was known by his number. A series of lofts in a brick block on Sacramento street, below Front, were secured as the headquarters and citadel of the committee. The men were divided into companies and regiments and placed under efficient officers. Arms were secured; the front of the building was protected by a fortress made out of gunnybags filled with sand; ship cannon were placed in the embrasures of the fort so that they could rake the streets; guards were mounted, companies were drilled and everything gave token that the edicts of the Vigilance Committee would be backed by a strong military force.

The Sunday following the assassination of James King of Wm. the military arm of the committee moved upon the county jail, where Casey was imprisoned. The jail was guarded by a few militiamen who had obeyed the summons of the Sheriff. The Vigilantes approached the jail in three columns from as many directions, and concentrated in front of the building. A loaded cannon was pointed at the iron door of the jail with a man ready to fire it at a given signal. A deputation of the committee summoned the Sheriff, David Scannell, a brave man who had with distinguished gallantry stormed the heights 154 of Chapultepec, to open the door. He was given so many minutes to do so; if not the assault would begin. After a short consultation with some Law and Order men (such was the title assumed by those who opposed the Committee), he determined that the jail was untenable in face of the force brought against it, and admitted a deputation of the Committee. Casey was taken from his cell and placed in a closed carriage. A man named Cora, who had killed United States Marshal Richardson, was also taken out and placed in a carriage. The Committee formed

in column with their prisoners and marched back to Fort Gunnybags, where they were soon after tried, condemned and executed by being hanged out of the windows of the Committee rooms in the presence of a vast concourse of people who had gathered to witness the gruesome spectacle.

Of course these irregular proceedings did not take place without protest. A very large and respectable portion of the community ascribed the prevalence of crime and its immunity from punishment to the failure of the best class of citizens, especially the business men who were very generally members of the Committee, to perform their duty as electors and as good citizens. They had “shirked” jury duty and left criminals to be tried by the riff-raff of society. All the evils that had confronted the city could have been avoided or punished if the very men who were

HEADQUARTERS OF THE VIGILANCE COMMITTEE OF 1856, SHOWING “FORT GUNNYBAGS” IN FRONT Photographed 1856. The building remained until the fire of 1906

155 now vindicating justice by subverting the laws had not abdicated their civic duties.

The Law and Order element had a powerful organ in John Nugent's *Daily Herald*. The paper was boycotted by the business community, and, in one day, from a large and flourishing journal, filled with advertisements, it collapsed to a little four-page sheet, and its subscription list fell off in proportion. But what it lacked in size it made up in ability, for the occasion had rallied to its assistance some of the most powerful intellects on the coast. It fairly blazed with articles instinct with all the eloquence and logic that the brightest minds could bring to bear on the subject and the situation. Such men as Edmund Randolph, Gen. Volney E. Howard, Wm. Walker (the “grey-eyed man of destiny”), Eugene Casserley, John T. Botts and a score of others made the columns of the *Herald* brilliant with their luminous and powerful philippics against the Vigilance Committee.

J. Neeley Johnson, who was Governor of the State, took a firm stand against the Committee, and went so far as to do his utmost to enlist the Federal authorities to take active measures to put it down. But they refused to interfere, not because they sympathized with the uprising as much as from the fact that they were without sufficient force to successfully suppress it.

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The most active of the Law and Order men mustered a force at the armory of the San Francisco Blues, at the corner of Jackson and Kearney streets. But recruits came in slowly and unwillingly. In the meantime the officers of the Vigilantes held their men well in hand, and the Executive Committee was in almost continuous session. They examined the cases of a number of characters notorious for their turbulent lives and vicious antecedents, and some of these were ordered to leave by the service upon them of a notice that became famous as that of "No. 33, Secretary." If they did not leave the State when they were served with this notice they were forcibly deported.

David S. Terry was the Chief Justice of the Supreme Court, and had come down from Sacramento to consult with Law and Order men about plans to suppress the Committee. As he was one of the most resolute of men, the Committee set Spies upon him to watch his movements. He was sitting in the office of Dr. Ashe, United States Marshal, discussing the situation with Reuben Maloney, Dr. Ashe and others, when one Hopkins, an emissary of the Committee, undertook to lay hands on Judge Terry. The Judge at once drew his knife and plunged it into the neck of the emissary. He fell, and the whole party, knowing that they would soon be hunted down by the Committee, hastened to the armory. The Committee arrived before the armory with a 157 large force, and Terry, after some inconsequential negotiations, surrendered. He was taken to Fort Gunnybags to await the effect of the wound he had inflicted upon the Hopkins. For days the latter fluctuated between life and death. Had he died, nothing could have saved Terry; but he recovered. Then powerful influences were brought to bear upon the Executive Committee to save Terry's life, and he was, after many months of confinement, released.

The Committee continued in session during the summer, and disbanded in the fall, not, however, until they had built up a *point d'appui* in the shape of a local political party to rule the city. This party was so formidable in numbers that it filled all the municipal offices with pro-Vigilantes while it existed. It is only justice to say that the People's Party gave the city for several years a clean and efficient government, something it had never had before.

## CHAPTER XVI

### THE GENESIS OF A MODERN DAILY NEWSPAPER--A MINT SHORTAGE LEADS TO A LIBEL SUIT--CITY LANDS GRABBED UP IN LARGE TRACTS--THE STEAM PADDY MAKES SAN FRANCISCO WHAT IT IS

When the Vigilance Committee organized I was engaged on the *Herald*. The lamented Andrew J. Moulder was the associate editor and there was perhaps the finest corps of printers in its composing rooms ever got together in one office. It was generally conceded that there were but few branches of human knowledge with which the gentlemen in those rooms were unfamiliar. Languages, history, the classics, literature, politics, some of the sciences; indeed, nearly all the garnerings of human information had received careful and intelligent study from one or more of this "rare" group of practical printers, who are still remembered by many of the craft with pride and admiration.

John Nugent, the editor, was a man of small physique but undaunted nerve. He had backed his writings in the field on several occasions and carried in his pistol arm the scars left by the well-aimed 159 bullet of Col. Thomas Hayes, the owner of Hayes' Valley. He was proud, reticent and exclusive. He wielded a nervous, trenchant and luminous pen, was a ripe scholar, a staunch friend and a relentless enemy. When employed by James Gordon Bennett, the elder, as Washington correspondent of the New York *Herald*, he sent to his paper a report of secret and unprivileged proceedings of the Senate in executive session. He was brought before the bar of that body but steadfastly refused to divulge the name of his informant, notwithstanding he was committed to jail until he would do so. His contumacy and punishment created wide comment at the time, and the Senate finally yielded to his determined firmness and released him. He married into the family of the Estudillos of San Leanoro. His lordly extravagance at Washington, where he was attending the Supreme Court in the interest of the Estudillo grant, nearly bankrupted the estate to keep him supplied with funds, and after he had entirely wrecked his fortune and become an object of pity and commiseration to his friends in San Francisco, he died in a state of almost utter destitution.

The collapse of the business of the *Herald* by the withdrawal of patronage consequent upon its antagonism to the Vigilance Committee, gave me ample time to speculate upon the next move I should make. That part of the community which was opposed to the Committee was very bitter, but 160 it was in a helpless minority. On the other hand the friends of the Committee resented the several efforts made by the Law and Order men to produce a collision and public opinion on both sides became intensely exasperated. A newspaper called the *Town Talk* had gained a good footing in the community as a cheap daily. It was served to subscribers at the rate of 12 1/2 cents a week and had run up a considerable circulation. It became a strong supporter of the Committee, and its advertising business was so favorably affected by its course that it increased its size and its price at the same time. I saw that it had left a newspaper field open which if taken advantage of by the right parties might result in a successful journalistic venture. I therefore submitted my views to a number of printers, and after having canvassed the matter carefully, determined to start a cheap daily newspaper. Five\* of us formed a copartnership and purchased the material necessary to launch our enterprise. We were puzzled about a name, none of us caring to 161 designate our bantling by any of the stereotyped names so common to newspapers. Two or three of us met in the street one morning and were incidentally discussing this perplexing question when I suddenly cast my eyes on a large theatre poster announcing that Julia Dean Hayne would appear at the Metropolitan theatre as Parthenia in "Ingomar." In those days it was usual to give a five-act play followed by a one-act farce as the sum of the entertainment of the evening. The poster announced that the performance would conclude with the laughable farce of "A Morning Call."

The names of the original proprietors were: Chas. F. Jobson, D. W. Higgins, Llewellyn Zublin, W. L. Carpenter, James J. Ayers. George E. Barnes, who was to be one of the founders, was called out of the city just before the paper started; but returned in a few months and bought Carpenter's interest. Mr. Zublin soon retired from the firm, and went to Honolulu. His interest was purchased by Peter B. Forster. At the time of the Frazer river excitement, Mr. Higgins sold his interest to the concern, so that for ten years the *Call* was conducted by Jobson, Barnes, Forster and Ayers, under the firm title of J. J. Ayers & Co.

"There," said I to my friends, as soon as my eyes lit upon the title of the afterpiece, "I've got a name for our paper, and there it is," I cried as I pointed to the show bill. "'The Morning Call,' that name just meets our ideas. It is novel; it is appropriate; it rolls nicely under the tongue; it is striking; it will fix itself on the memory, and it will be looked for by our subscribers with the same impatience

that a friendly morning call is looked for from one we like. The child's born." And they were all so favorably impressed with the happy thought that they echoed in chorus: "Yes, the child is born."

On account of the strong feeling existing in the community for and against the Vigilance Committee, and because also there was division amongst ourselves on the subject, it was agreed that the 162 paper should ignore it. The Committee had disbanded and a disposition to let bygones be bygones was making itself manifest, so that to pursue the policy we had determined upon was made comparatively easy. The first number of our paper was issued on Monday, December 1st, 1856. Instead of printing a sheet of any pretentious size and padding it out with cheap or gratuitous advertising, we had concluded to start only with a very small paper, filling it with live matter and paid advertisements, and enlarging it as our business increased if it should do so. The whole paper was written and set up by ourselves, one of the stipulations of the articles of copartnership being that when the editor was not employed in gathering news or editing the paper, he should fill out his time at ease. From the very start the paper received a warm welcome from the public. It gave all the news in the most concise shape, its most elaborate articles being limited to about sixty lines. It took especial interest in the working classes, and was the first public organ to sound the alarm against the importation of coolie labor, which had then begun on a scale that threatened to disastrously affect the welfare of workers of our own race. The circulation rapidly increased and we soon found that enlargement was necessary so as to accommodate our advertising customers. One enlargement after another followed in rapid succession until *The Morning Call* took its rank with 163 some of the largest newspapers of that period. But we firmly adhered to our original rule of condensing everything treated to the smallest space compatible with clearness and perspicuity.

The juvenile days of the *Call* did not escape the trials and difficulties incident to the early life of all successful newspapers. As it grew in size and influence we were naturally compelled to increase our force in the editorial room and in all other departments. We secured as a writer a very singular character named Wm. H. Newell. He was afflicted with deafness, but we all thought that it was a convenient kind of deafness and that when he made up his mind to hear he could do so wonderfully well. It was perhaps owing to this peculiar gift that he could obtain information which was carefully withheld from other newspaper men. The elder Bennett used to say that he wanted men about him

who had “a nose for news.” If Newell's deafness was real, he must have had a nasal faculty of tremendous power to whiff in news, for he could “smell out” the most guarded secrets of officials, the most sensational scandals and the most carefully covered movements and intrigues of party leaders. It had got out that there was trouble in the United States Branch Mint about shortness in the annual settlement. Newell set his nasal organ at work to get at the bottom of the tumor, and a succession of sharply-written articles appeared in the *Call* on the subject 164 of the shortage which created a profound sensation. The sum of the exposé was that it had been discovered in the annual settlement that there was a shortage of between three and four hundred thousand dollars, and that this formidable shortage had been traced to the Melter and Refiner's department. It then became a serious question as to how so great a shortage could have been concealed in previous settlements, for it was not to be presumed that so much gold could have been abstracted at once, but that the pilfering, if pilfering there were, must have been going on for several years. This carried responsibility for the loss to the Treasurer of the Mint, whose duty it was to see that the annual settlements should be so conducted that every dollar in the institution would be accurately accounted for. The Treasurer became incensed at the imputation which was thus cast upon his integrity, and had the proprietors of the *Call* arrested for criminal libel. The trial came on before Judge Freelon in the Court of Sessions, with General E. D. Baker, who fell at Ball's Bluff, acting with District Attorney Byrne for the prosecution. The accused were defended by Watson and Love, the latter one of the severest cross-examiners of the San Francisco bar.

The facts of the publication of the alleged libel were proven; then one of the employees in the Melter and Refiner's department was placed in the witness box for the defense. He was asked by Love whether 165 at the settlements one or more large gold bars had not been weighed several times in order to swell the apparent amount of gold on hand in his department. The man broke down and burst into tears.

“Why don't you answer?” asked Love insistently.

He made no reply, but covered his face with his handkerchief. After a long pause Love suddenly plumped the question to him:

“Don't you know that you will lose your place if you tell the truth?”

Before General Baker or District Attorney Byrne could interpose an objection, the witness blurted out:

“Yes; I know I will.”

That settled it; and all the eloquence of General Baker or the keen logic of Byrne in summing up their side of the case could not get a verdict of “Guilty” from the jury.

We realized that we had had a narrow escape, and when we came to seriously review the subject came to the conclusion that Newell was too much of an element of danger to have free access to our columns, and the opportunity soon arose for us to gently hint to him that we would thenceforth dispense with his services. Newell would have been a man of inestimable value to a newspaper if he would have submitted to direction. He was a writer of ability, had command of a piercing and virile diction, was sometimes graceful and happy in his illustrations, and always strong, direct and cutting in 166 his attacks upon delinquent officials and upon all who were responsible for public abuses. But, like all men of concentrated and intense feelings, his prejudices against persons or parties were implacable, and he was as liable to “slop over,” as Frank Pixley graphically termed the overpraise of friendship, in laudation of men or measures he favored, as to go to unjust extremes in denunciation of his antipathies.

Notwithstanding the *Call* was afterwards conducted with the greatest care and with the utmost regard to truth and fairness, it was always in trouble with libel suits. One of these had its amusing side, although it proved very costly to us in the end. Albert S. Evans, a bright reporter, saw the opportunity for a smart paragraph when the news of the loss of the steamer *Brother Jonathan* and nearly all on board was received. A colored man, who had taken passage on her on her fatal trip, was seized by officers acting for his creditors on a writ of *ne exeat regno* and taken ashore just as the steamer was casting off her lines. When the news of the catastrophe arrived, Evans, remembering the circumstance, wrote that he considered a striking paragraph about the narrow

escape the colored man had had from a watery grave, and headed it "A Ducky in Luck." There was nothing in the screed personal or offensive that any ordinary person could see, and we were therefore greatly astonished when 167 the papers in a suit for damages were served upon us from the 12th District Court, the late Judge Pratt presiding. When the trial came on before a jury and the testimony for the plaintiff was in, our lawyer moved that the court instruct the jury to give a verdict for defendants, as no cause for action had been shown. Judge Pratt denied the motion and said that the very title of the article was libelous, for the plaintiff was held up to public odium by being called a "Ducky." The jury, doubtless taking their cue from the Judge's extraordinary definition, found against us, and placed the damage at \$5,000, which we paid, although we believed the verdict would have been reversed if we had appeared to the Supreme Court. The fact was that feeling was running very strong at that time in sympathy with the negroes of the South, and by an easy transition that feeling transferred itself to colored people everywhere if they had a grievance against a white man.

During the Frazer river mining excitement in 1858 the stampede to British Columbia was so great that real estate values in San Francisco were seriously affected. Many large fortunes in that city date their beginning from realty investments made at that time. But it was soon discovered that the mines of British Columbia were by no means comparable to those of California, either in richness, extent or the facility with which they could be worked, and 168 the disappointed adventurers soon began to return and San Francisco rose out of the temporary depression caused by the hegira of gold seekers to Frazer river.

For years the titles to what were termed the outside lands had been seriously questioned. The city proper was bounded on the west by Larkin street and the Beideman tract, just beyond that line, consisting of over one hundred acres, and the Hayes' Valley tract, perhaps as much more, had been claimed by two men and held in possession by them from the Territorial times. They had fortified their tenure with every title available, and they had strengthened their claim to these tracts by selling or granting portions of them to a large number of people and popular societies. So many, in fact, were interested in these lands that an ordinance was passed by the Board of Supervisors by which the city recognized the validity of these titles, and Mr. Van Ness was elected Mayor of the city

distinctively from the fact that he was the author of the ordinance. A strong effort was made to treat these lands as pueblo lands, and to apply the Spanish rule of distribution, to them. But the Supreme Court rendered a decision by which the Van Ness ordinance was sustained, and these extensive tracts were placed on the market and sold at first in 50-vara lots. Some of the finest streets in the city now intersect these tracts, and

#### COLOMA, CALIFORNIA, ABOUT 1856

169 many of the present wealthy owners secured their valuable properties at those sales.

The “steam-paddy” cut an important figure in bringing these lands into value. Immense sand-hills covered them at short intervals, and these were removed at comparatively small expense because the demand was great for material to fill the water lots and to raise the level of the extensive marshes lying between Mission street and Mission creek. The celerity with which these sand-hills were removed was a marvel. Rails were temporarily laid from the hills to the city front or to the marshes, and trains of sand-cars of great length were run on them. The rails were moved where wanted as the hills were leveled or the water lots filled. The steam-paddy was an immense moveable scoop, worked on a derrick by an engine. The scoop, or shovel, would take up a great quantity of sand every time it was projected into the hill, and it was then swung around and its contents dumped into the cars. In this way whole blocks were leveled, streets graded and great tracts made ready to be built upon in a space of time astonishingly short. The contractor who introduced this ingenious contrivance made an immense fortune out of it.

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#### CHAPTER XVII

##### THE FATAL DUEL BETWEEN TERRY AND BRODERICK

In 1859 politics became intensely hot. Broderick, who had been elected to the United States Senate in 1857, came back to the State in a mood that augured trouble. When Gwin was elected as Broderick's colleague it was understood that, in order to secure the latter's aid, he had been required to indite and sign a letter acknowledging his indebtedness to Broderick for his timely assistance and



relinquishing to his colleague all claims he might have to the distribution of Federal patronage in this State. This letter was known to exist and it had been in the keeping at various times of some of Broderick's most trusted friends. In spite of this compact, Gwin ingratiated himself into President Buchanan's counsels and his advice was followed in the appointments made for California. Broderick naturally felt that his confidence had been abused, and returned from Washington in a state of great exasperation. He prepared to take the stump, although it was a new thing for him to make public addresses. He was to open the campaign in Sacramento, and his friends 171 went there in numbers to attend the meeting. In the course of his speech he alluded to the Gwin letter, about which the public had heard so much, as the "scarlet letter," and declared that a fatality had followed everyone who had had that letter for a length of time in his possession. State Senator W. I. Ferguson had been one of its custodians. He died from the effects of a wound received in a duel with George Pen Johnston. James Estill was another, and his death was sudden and unexpected. John O'Meara had also carried the "scarlet letter," and he was no more. "Now," said Broderick, in dramatic tones, "I shall dissolve the fatal spell which hangs about that letter by giving it to the world," and he read it to the vast assemblage of people who had come there eager to hear it. He denounced Gwin in unmeasured terms not only at this meeting but from every platform in the State.

After his return to San Francisco, he sat down to breakfast one morning at his hotel and he noticed that a lawyer named Perley was sitting near him. He picked up the morning paper and was incensed at a dispatch he found in it from Sacramento. The dispatch referred to a political meeting held there the night before addressed by Chief Justice Terry, who alluded to Broderick in very unparliamentary terms. Broderick looked at Perley, whom he knew to be a strong friend and partisan of Terry, and spoke to him in a very contemptuous manner of his 172 friend. Perley flared up at this; declared he would not tamely submit to hearing his friend outraged in his presence, and said he would hold Broderick to personal account for his conduct. Broderick pooh-poohed Perley's pretensions to champion Terry's cause and told him plainly that he was altogether beneath his notice, but that he could send his master, Terry, to him for satisfaction.

Perley rose from the table in a great passion and wrote to Terry a circumstantial account of what had transpired. Terry lost no time in reaching San Francisco and sending a challenge to Broderick,

which was at once accepted. Considerable correspondence passed between the seconds; no acceptable basis of conciliation was suggested on either side, and the time and place were fixed for a hostile meeting. The secret, however, got out, and the Chief of Police, Martin J. Burke, appeared on the field and broke up the meeting by placing the principals under arrest. They passed their word that they would appear that afternoon in the Police Court to answer, and the time for the duel was postponed. Judge Coon, who was Police Judge, set 2 o'clock that afternoon for hearing the case. Both the principals were there with their counsel. Colonel E. P. Baker appeared for Broderick, and Calhoun Benham for Terry. The upshot of the hearing was that the charge was dismissed, as no law could be found upon which to hold the accused.

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It was known that night that the duel was to take place the next morning somewhere near Lake Merced. After having driven most of the night I reached the field shortly after daylight on the morning of the 13th of September. The place selected was a little valley shut in by hills, near the ocean, and about two miles from the head of Lake Merced. By count there were seventy-three spectators present, and these were divided about equally as friends of the principals to the duel. When the ground was measured off and marked, the distance seemed murderously short. Broderick's seconds were Joseph C. McKibben and David Colton; Terry's: Calhoun Benham and Col. Thomas Hayes. Samuel H. Brooks appeared on the field as general adviser of Terry. Broderick had none, unless Leonidas Haskell might have been considered such, for he was in close conversation with him nearly up to the time the word was given. Dr. Loehr, editor of the *German Democrat*, was there as surgeon for Broderick, and Dr. Hammond in the same capacity for Terry. Dr. Aylette held himself within call. Two pairs of pistols were produced. One pair belonged to Dr. Aylette, but had been for several months in possession of Judge Terry. The other had been brought to the field by a French gunsmith, Broderick's armorer. McKibben and Benham tossed up for choice of weapons, and the latter having won, selected the Aylette pistols. Broderick's armorer 174 protested to McKibben against using those pistols on the score of the peculiar conformation of the handles, and because the triggers were set to too fine a hair; but nothing came of it. The pistols were placed in the hands of the principals by their respective seconds. Broderick, when he received his,

examined it anxiously and then held it by his side. Terry at first held his weapon behind him, but afterwards rested it across his breast on his left arm. Colton was to give the word. He explained that the word would be given by saying: "Gentlemen, are you ready?" and upon receiving an affirmative response he would say "Fire--one--two," with a pause between each word, the principals to deliver their fire between the first and last words. Hayes repeated the instruction, and there was a moment of deep silence and tense anxiety, as the two men faced each other with pale but determined faces. Just before the word was given Brooks walked over to Terry and whispered something in his ear. Terry, who wore a slouched hat with a wide brim, raised the brim, and a cloud passed over the field that obscured the rising sun. It was then seen that Colton was about to give the word, and the crowd held its breath. In clear, measured tones Colton pronounced the words. The word "fire" was hardly ended when Broderick commenced to raise his pistol. He had got it but partly raised when the charge went off, and the bullet entered the ground 175 about five feet in front of him. Terry, instead of raising his pistol from his side upward, had so held it that he brought it over his shoulder and down, and before the word "two" had been pronounced, fired.

It was seen at once that Broderick was hit. He made an effort as if to brace up and stand his ground. But the effort was unsuccessful. He put his hands--still holding the pistol--to his right breast, and gradually sank to the ground. His seconds and surgeon ran up to him. The bullet had entered his right breast above the nipple. Dr. Ayelette offered his services and they were accepted. Terry remained in his place till he was told by Benham that the affair was ended. He entered a carriage and was driven off. The crowd dispersed. A litter was prepared and Broderick was placed in a wagon and driven to the residence of Leonidas Haskell, at Black Point, where he lingered in great agony for four days, and died.

The killing of Broderick produced a profound sensation throughout the State. There was a strong feeling, especially amongst his friends, that he was the victim of a trick of the *duello*, and that the fight was not one of equal chances. Talk about hair triggers and pistols with peculiar handles was heard everywhere, and the newspapers were filled with articles in which it was claimed that the "Chivs" had conspired to do Broderick to death by 176 forcing him to stand up against their coolest

man and their dearest shot. The excitement ran so high when the news reached San Francisco that Terry evaded the city, and crossed the bay in a small boat which he boarded, in Mission Creek.

My impression at the time was that the duel was conducted strictly according to the rules of the code. Terry had the same right, under those rules, to bring his own pistols to the field, as Broderick had, through his armorer, to bring a pair with which, it is presumed, he was familiar. But when McKibben was told by the armorer that the Aylette pistols should not be used because they were set to too fine a trigger, it was his duty to have at once insisted that the spring of the trigger should have been adjusted to an ordinary tension. In view of the fact that Broderick's pistol went off as it did, there is no doubt the armorer was right, and that McKibben assumed a fearful responsibility in permitting his principal to fight with such a weapon. Broderick was undoubtedly placed under such a disadvantage with the Aylette pistols, with which Terry was presumed to be perfectly familiar and of which Broderick knew less than nothing, that that provision of the code which provides that both parties to a duel shall be placed on a perfect equality as to weapons, was disregarded. The funeral of the dead Senator took place on the 19th of September. It was one of the great 177 events in the history of San Francisco. People had come to the city from all parts of the State to assist at the obsequies. A catafalque, draped with emblems of mourning, had been erected at the southeast corner of Portsmouth Square, and the remains of Broderick, encased in a fine casket, were placed on tabourets in front of the platform of the catafalque. The plaza and the streets adjoining were filled with people, and civic societies and military companies lined all the streets leading to the square. The funeral oration was to be delivered by Colonel E. D. Baker, a strong friend, admirer and partisan of the Senator. No better selection could have been made. Colonel Baker was recognized as the most eloquent member of the California bar, and scarcely had his peer in the country as an impassioned and soul-stirring orator. He had won his epaulettes as Colonel upon the ensanguined fields of Mexico, and was destined, as General of division in our Civil War, to fall gloriously at the head of his command at the surprise of Ball's Bluff. His funeral oration over the dead body of Broderick was an effort altogether worthy of himself and the occasion. Passages of it were delivered in his clear, resonant voice with surpassing dramatic power. The effort throughout was such a

display of energy and pathos, intensity of feeling, elevation of thought, justness of encomium and elegance of diction, that it has taken its place in American classics.

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The result of this duel served to inflame the minds of the people on sectional grounds. They were already divided on political lines-the northern and southern Democrats being irreconcilably separated. But the death of Broderick, and the circumstances attending it, swept away whatever hope there might have been for a reconciliation between the two wings of the Democracy. The “irrepressible conflict” was making rapid strides; and the civil war, which was soon to follow, already existed in this State in epitome. Yet but few believed at that time that our country was on the eve of a terrible, fratricidal struggle.

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## CHAPTER XVIII

NARROW ESCAPE OF CALIFORNIA FROM CIVIL WAR--GENERAL ALBERT S. JOHNSTON'S NOBLE ATTITUDE--GREENBACKS DISCREDITED--THE WAR FEVER RAGES--FIVE REGIMENTS RAISED-A MEMORABLE FISHING EPISODE--A MIRACULOUS CATCH AND A GRAND PROCESSION--TWO STRIKING DESTINIES

When the Civil War broke out, it became a serious question whether the sympathizers with the South would not make an attempt to carry our state out of the Union. General Albert Sidney Johnston was in military command of the department, and although the unionists were believed to be in the majority, yet if General Johnston, who was an ardent Secessionist, and laid down his life for that cause at the battle of Shiloh, could be prevailed upon to act as General Twiggs did in Texas, the secessionists could raise the standard of rebellion in this state with the odds decidedly in favor of their success. But General Johnston was a man of the nicest sense of honor, and refused to betray the trust he held under his commission. The *Call*, at this 180 crisis, threw the whole weight of its wide influence in favor of the Union, notwithstanding about one-half its subscribers were secessionists or sympathized with secession. Its patriotic course exerted a restraining influence upon

the rash and wavering, and held many within conservative bounds who would otherwise have gone over enthusiastically to the ranks of the avowed secessionists.

The crisis was not over until General Sumner arrived suddenly from Washington and at once assumed command of the Pacific Department. As soon as General Johnston surrendered his command and resigned his commission, he made his way south, taking in his train a number of the leading secessionists of the State and the coast. General Sumner addressed himself at once to securing the State against the dangers which confronted her. No one can contemplate without horror the awful conditions which could have arisen on this coast if General Johnston had yielded to the entreaties of the extreme secession element. Bleeding Kansas would have afforded but a shadowy picture of strife beside the tremendous warfare that would have been waged in California between the hostile forces. The whole state and the adjoining territories would have been deluged with blood, and the substantial advances which twelve years of superhuman effort had made would have been swept away. Cities and towns would have gone up in smoke, and California 181 would have been reduced to a howling wilderness. Only the tremendous lines placed in Anthony's mouth by the divine poet can fittingly depict the horrible scene which civil war in California would have presented: "Blood and destruction would be so in use And dreadful objects so familiar, That mothers would but smile when they beheld Their infants quartered with the hands of war."

Thanks to Johnston's nobility of soul, he was loyal to the highest instinct of honor, and our state was saved from a calamity which would have set her back a quarter of a century in the march of civilization, and brought sorrow and mourning to thousands of desolate hearthstones. Let no man mention this great captain's name disparagingly. He laid down his life in the shock of battle for a cause which he might have immeasurably served in safety by an act which many would have praised as noble, and which but a choice few of his partisans would have denounced as a gross breach of military faith.

After the war broke out an attempt was made to introduce greenbacks into general circulation. But the paper money was not well received. The people of the State had never used anything but hard money in their general transactions, and it was not difficult to confirm them in a determination to

adhere 182 to the custom. A mass meeting was called at Platt's Hall by Mr. Cheesman, Director of the Mint, to promote the introduction of United States paper money, but the popular prejudice was so great against it that Mr. Cheesman could not get a hearing. It was argued that the principal production of the state was gold and that a revolution in the medium of circulation would injuriously affect the working of our mines, and to the extent that the output of gold was diminished the government would be crippled in its ability to procure that metal to meet obligations that could only be discharged in gold. In this specious way a loyal phase was given to the opposition to paper money. When public opinion was crystallized in the Legislature by the passage of a specific contract law, argument was closed and California was fixed as a hard-money State.

One result of this policy was undoubtedly to the general disadvantage. Our merchants flooded the state with goods bought at the East with greenbacks and sold here at apparently cheap prices for gold. The difference between the value of gold and greenbacks opened an immense margin of profit to the merchants, and although our people were buying their goods at prices which, on their face, were in keeping with those prevailing at the East, they were actually paying for them an extraordinary advance on those prices. Many large retail firms 183 found this business so lucrative that they kept one of their members constantly attendant on the Gold Board in Wall Street to take advantage of the great fluctuations that prevailed there in consequence of the good or bad news received from the operations of the hostile armies in the field. The fact that California repudiated greenbacks was, however, a source of much apprehension and great embarrassment to the Government at a crucial time in its grappling with secession, and it only served the cupidity of our traders by enabling them to "milk" the community of its gold in order that they might reap exorbitant profits from their merchandise. It was a peddling advantage taken out of the throes of a great nation.

The war fever rapidly spread throughout California after the firing upon Fort Sumter. It was expected that a call would be made for troops from this state, and the ardor of our young men at once filled the ranks of the National Guard in order that they might perfect themselves in military drill. But no call was made. The expense of transportation was too great, and the Government did not feel that it would be wise to weaken the Union strength on this coast at that time. Afterwards,

however, a call was made for five regiments to guard the posts on the frontiers, and relieve the regulars, who were transferred to the scenes of active warfare in the south. These regiments were so distributed that 184 they could not only keep the Indians in subjection on the reservations, but overawe the secessionists at the many points on the coast where they were in the ascendant. A strong garrison was placed in Fort Churchill, near Virginia City, Nevada, and the Third Regiment, Col. P. Connor, was stationed at Camp Douglas, near Salt Lake, Utah. In order to have a Union force near Los Angeles, strongly saturated with the virus of secession at the time, and to be within easy reaching distance of Arizona, Camp Drum was established at Wilmington, and the residue of the regiments were marched towards Texas, under command of General Carleton. A chain of military posts was established and garrisoned from Arizona to western Texas, and portions of the Carleton column penetrated to the region of actual hostilities and saw considerable hard service in the field.

Before the Third Regiment started for Utah, James W. Stillman, who had come up with me on the *Laura Anne* from Realejo, and who was the adjutant of the regiment, came to me and proposed that we should have one good day's fishing before he left for Camp Douglas. Jim and I had had many a good day's sport in Raccoon Straits, and he was a master hand at cooking a chowder. I gladly agreed to go, and we sallied forth to select the right kind of fellows to make up a congenial party. We knew just where to go to find the men we wanted. 185 The Auction Lunch, next to Washington Market, carried on at that time by James C. Flood and William O'Brien, who afterwards became two of the "Bonanza Longs" and amassed many millions of dollars out of the Comstock and from their deft manipulation of the Stock Board, was the place we went to. O'Brien was there, and when we told him what we wanted, he said:

"Why, I'll be glad to make one of the party, and there's Jake Chase," who was superintendent of the market, "I know he would be glad to go."

He called Jake over, and he said, "Certainly."



That made up the party, and the next morning we met bright and early, and went to the foot of Washington street where we got a boat to suit, put in our “traps” and sailed away.

The tide was not yet right for good fishing in Raccoon Straits, so we pulled over for Goat Island, not with the expectation of doing much there, but of filling up the time till we should row away for the Straits. We first threw out our lines in front of Captain Dowling's, who had lived on the island for years, and claimed to be its owner by pre-emption. But Uncle Sam, a few years afterwards, would not have it so, ousted the Captain and took possession of the island for military purposes. Well, we fished patiently for a couple of hours on the south side of the island, but caught nothing worth speaking of. We then moved around to the west side of the island facing the city, and threw out our lines. In a short time we commenced hauling them in. We had struck a large school of young salmon, and the way they took our hooks showed that they were ravenously hungry. As fast as we could bait them and throw out our lines they would seize the hooks, and we would haul them in, sometimes by the pair.

“By the Lord Harry,” said Stillman, “this beats the Wampanoags.” The Wampanoags was a standing simile with him for everything.

“I tell you, boys,” said Bill O'Brien, as he landed in the boat a fat brace of shiners, “this beats anything I ever struck. If it keeps up much longer our boat will be full to the guards.”

“Say, Stillman,” I cried out exultantly, as I was pulling in my line with all my might, “I think this beats our experience on the *Laura Anne* when we caught mackerel as fast as we could haul them up.”

“Yes,” replied Stillman, “only these fellows are gourmets and must have genuine bait, whilst those Lower Californian idiots were satisfied with a white rag.”

We had been hauling them in as fast as we could for a couple of hours, and our boat was nearly full.

“I never saw the like of it,” said Jake Chase; “if they don't stop biting soon we will have to throw them overboard, or they will swamp our boat.”

At last they eased off in their eagerness for the 187 lines, and we pulled in our tackle. It was good time, for we could carry no more in our boat with safety.

We were really tired out, and concluded to pull around to Dowling's and take a rest. When we reached the landing Dowling's eyes got as big as saucers looking at our miraculous catch. He had never seen the like of it, and said that he never knew before that salmon would take the hook.

Taking a large mess to the house, Stillman and O'Brien set about cooking them. We had abundance of other edibles and refreshments in our baskets, and Jake and I brought them up to the house. I can only remember one time before when I ate a meal with the gusto I ate that one. The salmon were cooked to a nicety--for both O'Brien and Stillman were first-class caterers,--and the etceteras we had brought with us fitted in so well with the toothsome young salmon, that I ate like six. But there must be an end to all things, and one cannot eat on forever, no matter how inviting and palatable the *menu* may be. This was indeed a day of fullness. The boat was full and we were full; and I thought, from the way Captain Dowling cavorted around, that he was more than full.

After a good smoke, we made free with Dowling's blankets, and took one of the most refreshing siestas I had had for many a day.

The lengthening of the shadows in the east admonished 188 us that it was time to return to the city. A nice fresh breeze was blowing, and we stept the mast of our boat, unfurled the sail, and went bounding over the rippling bay in fine style.

When we landed at the foot of Washington street a crowd soon gathered and were loud in expressing their astonishment at our marvelous catch. We secured a number of poles upon which to hang our fish in strings. O'Brien sent a messenger up town whilst we were stringing the beauties,

and before long a great number of our friends put in an appearance. Their remarks ranged from the incredulous grunt to the highest note of admiration.

“Look here, O'Brien, you don't mean to say you caught that mess with hook and line, do you?”

“Barry, as sure as you've got a hole in your mouth, we pulled 'em all in with our little lines.”

“Yes, I've heard of people getting up a reputation as boss fishermen by buying their catch from the professional dagos. Those fish look very much as if they had been taken in a seine.”

“Say, Stillman,” another would cry, “what did you pay for the lot?”

We vouchsafed no answer to these doubting Thomases, but kept on stringing our fish on the poles. At last everything was ready, the poles were taken up by stalwart fellows, and we all fell into line, with the four triumphant fishermen locked arm in arm at the head of the procession. A fife and

MONTGOMERY STREET LOOKING NORTH FROM CALIFORNIA A photograph taken in 1856. The granite building occupied by Wells, Fargo & Company Express, erected in 1854, is still standing. The granite was brought from China; transportation thence being cheaper at that period than from the boundless supplies of the Sierra Nevada

189 drum had been procured, and as we passed the customs house a well known character rushed out with a good-sized American flag, and took his place between the band and the “heroes of the hour.” In this order we marched past Washington market, when our ranks were swelled by an accession of butchers in their aprons and a host of other market men “accoutred as they were.” As we passed the Bank Exchange and turned into Montgomery street the humor of the occasion seemed to seize everybody, and the people fell into line by hundreds. With music playing, flags flying and our miraculous catch strung out on poles, we marched along the principal thoroughfare. By this time the news had spread that the highest kind of jinks was going on, and the people flocked from all directions to Montgomery street. The windows all along the line were raised and filled with staring heads. Arrived at Market street, we called a halt. To our astonishment there suddenly appeared on the scene great numbers of plain women with market baskets in their hands. Stillman--

who was a splendid after-dinner speaker--addressed the crowd. He told the story of the catch, and wound up his witty remarks by inviting the women with baskets to come near and have each a mess. Our catch was soon distributed, the fife and drum struck up, we again formed in line, marched to the Auction Lunch, dismissed the procession and the play was over. The miraculous 190 catch and the impromptu procession were the talk of the town for many a day.

I always think of that day as one of the few white days that appear in every life. But when from this distance of time I look through the lens of memory and bring into bold relief the actualities of the careers of two of the men who participated in that day's sport, I cannot refrain from exclaiming with the poet, that life is but "A tale told by an idiot, Full of sound and fury, signifying nothing."

Let us, for instance, draw a parallel between the destinies of O'Brien and of Chase. On the day of the "miraculous catch" any one would have said they were very evenly matched for success in life, both intellectually and in business qualifications. In habits perhaps Chase had a little the best of O'Brien. Let us jump a decade and a half, and see the two men as they then appeared. O'Brien is a member of the great Bonanza syndicate, one of the founders of the Nevada bank, "rich beyond the dreams of avarice," whose check, endorsed by his partner, Flood, would be considered gilt-edged paper by any bank in the world for fifty million dollars. Presto, change. Let us summon the superintendent of the almshouse to the stand.

"Do you know where Hon. Jacob Chase, ex-member of the Legislature, resides?"

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"Yes, sir, he is an inmate of the poor house, of which I am in charge."

That completes the picture, and shows that "There are more things in heaven and earth Than are dreamt of in thy philosophy, Horatio."

Poor Stillman served with his command through the War, and lay down at last to pleasant dreams under the clear skies of Utah.

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## CHAPTER XIX

### A GROUP OF WAR GOVERNORS--THE GREAT BULKHEAD SCHEME--DOWNEY KNOCKS IT ON THE HEAD--DISCOVERY OF THE TREMENDOUSLY RICH COMSTOCK LEDGE--THE BIG FIVE OF THE CENTRAL PACIFIC RAILROAD

In the election of 1859, Milton S. Latham was elected Governor and John G. Downey Lieutenant-Governor. The Legislature was to elect a United States Senator to fill the vacancy occasioned by the death of Senator Broderick, and Latham used the influence of the Gubernatorial office to secure his election, which occurred but a few weeks after he had been inaugurated as Governor. Latham possessed qualifications to make him remarkably successful in politics in a new State, but he had traits which would have remanded him speedily and permanently to private life in an old and settled community. He was selfish, cold-blooded and insincere. Polonius says to Laertes: "The friends thou hast and their adoption tried, Grapple them to thy soul with hooks of steel."

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Latham, however, acted in direct opposition to this approved and righteous principle. One secret of Broderick's success as a political leader was his unswerving loyalty to his friends. His word was sacred. Gwin also was true to his promises and devoted to the interests of the men who served him. There has been no instance in this State of a young man entering public life at the foot of the ladder, and rising as high and as rapidly as did Milton S. Latham. From the humble position of clerk of the Recorder of San Francisco, he rose successively, in nine years, to that of representative in Congress, of Governor of the State and of United States Senator. And yet as he ascended the ladder, he spurned to the ground those who had shouldered him up. He had the faculty of winning new friends, using them, and "whistling them down the wind," after they had served his turn. A nature abnormally fish-blooded could have succeeded in public life in a State only in which the great bulk of its population was new, floating, and receiving constant accessions from abroad.

John G. Downey succeeded Latham as Governor, and gave the State a careful, economical, business administration. He made himself very popular with the people of San Francisco by vetoing

the Bulkhead Bill. This was a measure to hand over the whole city front of San Francisco to a corporation headed by Levi Parsons. It would have enabled the 194 company to levy toll upon every pound of goods landed in San Francisco, which was virtually the sole distributing point to all parts of the State. In consideration of the concession the company was to build a bulkhead around the city front, construct docks, ferry houses, etc. The bill was passed by the two Houses under the pressure of a tremendous lobby, and most powerful influences were brought to bear upon the Governor to approve it. He wavered for some time, but finally vetoed the measure. Although Downey was a resident of Los Angeles, and belonged to the "chivalry" wing of the Democracy, he was loyal to the Union. California was authorized to raise five regiments of volunteers during his administration, and the levy was made, the troops armed, equipped and dispatched to their various points of destination under his energetic Supervision.

A personal and public acquaintance of thirty years with Governor Downey enables me to form an intelligent estimate of the man. His impulses in public matters were actuated by a liberal and commendable spirit. He was a staunch friend of the public schools, and although in fortune he ranked with the very rich, he was a warm advocate of every measure to restrain the greed of monopoly and to advance the interests of the working classes. In despite of the influences brought to bear upon him from the most powerful and intimate quarters, 195 he was an active and effective advocate of the new Constitution, an instrument framed in the interest of the masses, and his name was a "tower of strength" in the campaign which resulted in its adoption. But Downey had grave faults, and none of us are so perfect as to be free from them. He was pompous, self-opinionated, a despot in a small way, and his penuriousness and love of popularity were at constant warfare. He loved to be looked up to as a free, generous man, and he really believed himself that he was so. But the passion of gain so dominated his nature that the many good and noble deeds he longed to do were overslaughed by the spirit of closeness which had irresistible power over him. His right hand was always ready to give, but his left hand was potential to withhold. His advice was always on tap, but his pockets hermetically sealed. He died a multi-millionaire; but he might as well have breathed his last in abject poverty as far as any of the many benevolent, philanthropic or educational institutions of the State, which enabled him to amass his vast fortune, were benefited by his death.

He was, indeed, a queer compound and an interesting subject for character study. Had he been as generous in deed as he was liberal in word, he would have been a model of human excellence; or, perhaps, he had never emerged from the obscurity of a compounder of medicines.

Perhaps no better illustration of the irresistible 196 power that governed Downey could be given than to relate an amusing incident in which the multi-millionaire, Michael Reese, figured. Charley Strong and a couple of kindred spirits were down from the Comstock having a gay time. One of them proposed that they should go to a high-toned place and discuss a “bang-up” oyster and champagne supper, and, to give a rare relish to the feast, that they should invite Michael Reese to join them as their guest. They met according to appointment, and were served with every delicacy the place afforded. Reese was an enormous “feeder,” especially at a free “blow-out,” and the “boys” greatly enjoyed the gormandizing qualities Mike exhibited. The feast ended, Strong called for the score. Reese's eyes opened wide as he saw that it was \$300; but they opened still wider when Strong with the utmost nonchalance threw the money on the counter. Mike was so worked up at Charley's cool way of settling so large a score that he put his arms about Strong's neck and exclaimed: “Charley, I'd give twenty-five thousand dollars if I could do dot; but I couldn't. It would make me seek.”

The election of 1861 elevated to the Gubernatorial chair Leland Stanford by a tremendous and unprecedented majority. The Democratic party had been shattered by the rebellion, and although the two wings maintained an organized front, many northern Democrats went over to the Republican 197 party, and its strength was also swelled by the alliance of a loyal Democratic organization, whose members voted with it as Union Democrats without merging into its ranks and thus effacing their party identity.

Leland Stanford was a merchant in Sacramento. He was suave in his manners, created an excellent impression wherever he went, was well endowed intellectually, and above all was a gentleman in all which that expressive word implies. His elevation added nothing to the security of the State against secession, for the time had passed when the Sympathizers of the Confederates could do anything to disturb the loyal attitude of California towards the Union. But the tendency of

Stanford's administration was to strengthen the ties that bound us indissolubly to the cause for which our soldiers were fighting in the field. During his administration the National Guard was reorganized and strengthened, and encouragement was extended to that remarkable spirit of patriotism which, being denied by our isolation, from venting itself in the tented field, asserted its devotion to the national cause by pouring its wealth in great and continuous volume into the treasury of the Sanitary Commission.

At the beginning of this decade rumors were abroad of the discovery of mines that promised to develop into fabulous richness. They were said to be situated in Nevada. By degrees the fact became known that they were located on the side of Mount Davidson not far from Carson river. Rich specimens of ore came in from them, soon followed by bars of precious metal. Then succeeded a stampede from all parts of the State to this new El Dorado. The output from the leading mines in the Comstock ledge increased to such a degree that the rich men of San Francisco were attracted to Virginia City, the town that had been started on the site of the mines. Companies were organized, capital was liberally subscribed, and the wealth that was extracted from this wonderful deposit of gold and silver-bearing quartz was diverted to San Francisco. It is needless here to follow the history of these mines. Suffice it to say that in a few years the yield of precious metals was so enormous that its effect upon San Francisco, which became the beneficiary of the output of these marvelous ledges, was to more than double its population, to amplify and embellish its architecture, to immensely increase its commerce and to give its manufacturers an impetus which attracted skilful mechanics and ingenious inventors to that city in great numbers from all parts of the world.

Stanford's term expired in 1864. In the meantime he had become interested, as one of the projectors, in the Central-Pacific railroad, an enterprise which was destined to work a revolution in our commercial relations with the East, and to enable its five founders to become prodigiously rich out of the enormous subsidies in money and lands granted to the corporation by a too generous government. At the general election in 1863, Frederick F. Low, who had served a term in Congress, and was a man of the highest consequence politically and in business life, was elected as the standard bearer of the Republican party for Governor. The constitution had been changed so that the term of office of the Chief Magistrate and other State officers was increased from two to four



years. Mr. Low was a man of large intelligence and of fine executive ability, and gave the State an administration with which no grave fault could be found. He was afterwards made Minister to China, and died in San Francisco in 1894.

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## CHAPTER XX

A VISIT TO THE FRONT--INTERVIEW WITH PRESIDENT LINCOLN--HE TELLS HOW TOM CORWIN STOPPED THE WAR--A PATHETIC STORY SHOWING LINCOLN'S SYMPATHETIC NATURE--A VISIT TO ARLINGTON CEMETERY--THE ENDLESS PROCESSION OF THE NATION'S DEAD

In the spring of 1864, after a severe domestic affliction, I made up my mind to take a trip to the East. I arrived in New York at a time when the whole country was in a state of feverish excitement. General Early had crossed the Potomac with a large force, and was marching on Washington. The price of gold had gone up to the highest notch it had reached from the time the war commenced. So rapid had been the rise that tradesmen hardly knew what price to place on their goods, and many would rather go without sales than to exchange their wares for paper money that was so rapidly decreasing in value as compared with gold. Early had got within three miles of Washington, and the President and the Federal officers were packing up to leave. The forts around the capital were manned with green 201 hands, and Early knew well the defenceless position of the city from the fact that the firing gave evidence of the greenness and incapacity of the men who served the guns. Early lost a day--a precious day for him--in indecision. That was Monday. When he made up his mind to assail the city on Tuesday, the firing showed that the forts were in the hands of veterans. General Hancock, the superb, was hastily summoned, had rapidly swung his command around, and reached the capital in double-quick. The defenses of the city were quickly placed in the hands of the veterans, and their accurate firing told the story to Early, who made immediate arrangements to retire. The capital and its priceless archives were saved.

Three months after this exciting episode, I visited Washington, on my way to the front, and whilst there I had the inestimable gratification of a personal interview with the President.

Everything relating to Mr. Lincoln increases in interest as that great character recedes into history. His remarkable personality is so impressed upon the times when the fate of this nation hinged upon the result of one of the most stupendous civil wars the world ever saw, it is no wonder that even his most trifling acts and sayings should be recalled with the intensest interest. His providential appearance on the broad stage of public affairs at a crisis in our annals that needed such a man, illustrated with 202 great force the fact, often repeated in history, that the right occasion will always bring out the right man to meet it. Great Britain had her Cromwell, France her Bonaparte, the American Revolution its Washington, and our Civil War its Lincoln. All of these great personages were exactly fitted to the duties of the times that called them forth.

Lincoln presented to the world a new type of public man raised suddenly to the highest and most conspicuous pinnacle of responsibility. He was the product of a manly and rugged frontier civilization, but possessed of all the finer qualities that adorn the heart and mind of the most polished societies. His human sympathies were boundless. He had a heart, to use a common expression, "as big as that of an ox." Gentle, affable, tender and kind, no one could approach him without being impressed with the loveliness of his nature, and the catholic charity that governed him in thought, word and deed. In him, truly, the quality of mercy was not strained. He had, "in full measure and running over," those benign attributes which Beattie pictured in the one he hailed to from his inmost soul when he cried: "Come thou whose love, unlimited, sincere, Nor faction cools, nor enmity destroys, Who hast for misery's moans a pitying ear, And feelst with ecstasy another's joys."

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His sense of humor was unusually acute, and his fondness for jokes has become proverbial. As a raconteur he seasoned his stories with illustrations that were always fresh and striking; and often by an apt and happy frontier anecdote he would demolish the labored argument of an inflated adversary. No vulgar garnishment nor unclean dressing marred the wholesome relish of his humor,

and the clear and pellucid flow of his wit was as devoid of murky sediment as the waters of a translucent mountain brook. I had the good fortune to meet General Baker, who introduced me to the White House, and presented me to President Lincoln. General Baker was chief of the United States detective corps, with headquarters at the federal capital, and was an old San Francisco friend. I found the president seated at the head of a table in his work room. It was a large room with seats on one side of it against the wall. These were principally occupied by plain women who had come to Washington to see the president about matters connected with their husbands, sons or brothers in the army. He was accessible to poor and rich alike, and the supplication of the poor woman in cotton gown received the same attention as the tale of the grand lady dressed in fine attire. When he had dismissed with words of consolation a sobbing woman whose son was perhaps in trouble 204 at the front, General Baker presented me. The president arose and we went to a window, where he assumed an easy but characteristically awkward attitude. Our conversation led naturally to the war and the prospects of an early peace. Mr. Lincoln said that he had been earnestly looking for an early peace for over three years. He was ready at any time to listen to proposals, but he feared the war would have to go on to a finish. Falling into a reminiscent vein, he recounted how at the beginning of the war he had been harassed by men of the highest consequence to stop it. It seemed as if distinguished personages, who ought to have known better, thought that all he had to do was to lift his little finger and that would end it. One day, he said, Tom Corwin, who had just arrived in Washington, rushed up to the White House, and, in a state of great agitation, asked him why he didn't stop this infernal war? The president told him there was nothing he more desired, but he was unable to do so. Corwin pooh-poohed the idea, and declared that all that was necessary to terminate hostilities was to have a calm and earnest talk with the Confederate leaders. He knew them all well, and he knew that if he were furnished a train and crossed the lines he could so present the case to them that all difficulties could be speedily adjusted. "Do you seriously believe, Corwin, that you can 205 bring this greatly-to-be-desired consummation about by a personal interview?" "I know I can," vehemently asseverated Corwin. The president gave Corwin the necessary order, and the sanguine peacemaker took his departure, reiterating his assurance that he would stop the war. Mr. Lincoln then recounted, in his own peculiar and inimitable way, how Corwin started to the front; how he crossed the union army's lines and approached those of the enemy covering Richmond;

how he got on top of the car, and as he neared the rebel pickets waved his handkerchief and took off his hat; how he was warned by a shot to halt, but failing to do so, the admonitory shot was followed by a volley; how he yelled out that he was Tom Corwin, and wanted to see Lee and Davis and have this war stopped; how this was followed by a shower of bullets which sent him to seek shelter below; how he called to the engineer to reverse his engine; and how all this time the rebels kept peppering away at the train. The engineer lost no lime in opening the valve to its widest and taking the back track. Corwin put himself in as small a space as possible in the most sheltered part of the car, and fortunately went unscathed through showers of bullets. As he neared Washington he ordered the engineer to slow down, and slipped off the train, thus ending his brief but lively campaign in the interest of peace.

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“Shortly after that,” said the president, “I met Corwin, and jocularly asked him if he had stopped the war.” “Stopped the war? Not by a long shot. It was as much as I could do to escape from stopping the durned bullets they fired at me. Those fellows are in dead earnest and mean business and after my hard experience I have concluded to let you stop the war in your own way.” Mr. Lincoln said he used this incident of Corwin's to good purpose with other distinguished gentlemen who knew just how to stop the war. I took leave of the president very strongly impressed with the feeling that we had a man at the helm of the nation who would steer it through its trouble with prudence, firmness and sagacity. When we reached the corridor we met Colonel Hay, the president's private secretary. I found the Colonel communicative, and naturally drifted into remarks about the easy accessibility of Mr. Lincoln to a class of people who had not always had free entree to the White House. Colonel Hay said that the president was actuated by the principle that the poor and friendless should have easy opportunity of laying their complaints or grievances before him; the rich and influential had numerous ways of reaching the presidential ear, whilst the plain people, however meritorious their cause, had nobody but themselves to plead it. He then related a most 207 touching and pathetic incident in point that had occurred the previous winter. A thinly clad and bedraggled little girl, showing in her looks and dress poverty and distress, was noticed one day to be anxiously waiting in the corridor. The Colonel's attention was attracted to her by her wan face, her scared and shrinking

manner, and the signs of intense anxiety that were apparent in all her movements. She was among the first comers in the morning and remained there for several hours. Seeing her in a flood of tears after her long and anxious waiting, the private secretary asked her what the trouble was. She said she wanted to see Mr. Lincoln very much. At that moment the president was ascending the front staircase, and Colonel Hay, pointing him out, told her that that was Mr. Lincoln coming. As the president passed along the little girl pulled his coat-tail in a scared and halfhearted way. Mr. Lincoln's tall form bent, and he looked beamingly down upon the little bundle of rags and humanity and kindly asked what he could do for her. "I was told," she said, "that you were President Lincoln, and I have walked all the way from Philadelphia to ask you to save my poor father's life." The interest of the chief magistrate was at once aroused, and taking the little waif by the hand he led her into his room, and asked her to tell him all about how he could save her father's life. She told 208 the story in her own artless way. Her father was in the army, and for some breach of military law he had been court-martialed and sentenced to death. Her mother was prostrated when the awful news reached her, and some of the poor girl's friends told her that if she could see the president he might save his life. For want of means she had trudged afoot through the snow and sleet to the capital, and now she begged good Mr. Lincoln to pardon her dear papa. Mr. Lincoln was sensibly affected by the child's earnest appeal, and questioned her as to her father's name and the regiment he belonged to, taking notes of her answers. He found out in the course of his examination of the girl that her father had fallen asleep while on picket duty at a very important outpost, and the offence was deemed grave enough at that critical juncture to warrant a court-martial to make a striking example of the offender. After the president had got from the little girl all she knew about her father's case, he beamed upon her with that tender and compassionate face of his, and mused aloud upon the touching scene: "Poor child," said he, "you have no influential friends to plead for you--no congressman, no senator, but have bravely faced the inclemency of the season in scant apparel, and trudged all the way from Philadelphia to Washington to intercede with me for your father's life. And you had faith in me, 209 that if you could only see me and tell your touching story, I would save his life. And I will." He wrote a note to Secretary Stanton and sent it to the war office by Colonel Hay, who had been a silent witness of the whole pathetic scene. In due time the offender was pardoned and returned to the ranks. "You may rest assured," said Colonel Hay, "that the little one went home

in very different shape from the way she had come. We all took a lively interest in the brave child and raised quite a purse for her before we sent her warmly clad on her way rejoicing.” “And this,” pursued Colonel Hay, with feeling, “is only one of many incidents that are constantly occurring here to show how kind and tender a nature presides over the destinies of this country in the midst of a merciless war.” After a visit to the front, I returned to Washington, and accepted an invitation from Gen. D. W. C. Thompson, of San Francisco, who had joined Reed's California command, and seen a good deal of hard service in Virginia, to ride with him to the new national cemetery that had been laid out in the beautiful grounds of the Lees, at Arlington Heights. Although this cemetery had only been opened to the burial of deceased soldiers for a few months it was already populously inhabited by the dead heroes who had fallen in battle or died in the numerous military 210 hospitals around Washington. Each grave was distinguished by a neat headboard, bearing the name and a concise identification of the brave fellow who “had fought his last battle” and “slept his last sleep” beneath the little mound. On our way to Georgetown we passed a constant procession of ambulances, each one covered with an American flag, and bearing to the cemetery the body of a dead soldier. The sight was one that brought up harrowing thoughts about the fearful sacrifice of human life the cruel war was entailing on the country. When I reflected that this silent and endless procession was only one of hundreds of similar grim processions that were in constant funereal march from the Ohio to the Gulf, and from the Potomac to the Mississippi, I realized the fearful responsibility that must rest on those who encourage the settlement of national or international disputes by the arbitrament of the sword. Speed the time when mankind shall become so exalted in its humanity and so perfect in its civilization as to substitute for this barbaric mode of adjusting differences peaceful methods of arbitration, based upon the code of reason and governed by the eternal principles of right and justice.

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## CHAPTER XXI

THE NICARAGUA CANAL--PROSPEROUS SAN FRANCISCO--A TRIP TO THE  
SANDWICH ISLANDS--THRILLING ADVENTURE OF MME. ANNA BISHOP, THE DIVA --  
NATIVE SUPERSTITIONS--PRAYING AN ENEMY TO DEATH--A MODEL PLANTATION

I returned to California by the Nicaragua route. The San Juan river was navigated by a class of small steamboats, which were both unsafe and uncomfortable. They made the trip to the Castillo rapids, where a portage of a couple of miles brought us to a larger and more comfortable steamer designed to navigate the lake, which is sometimes so rough that frail vessels would be too unsafe to venture upon it. The question of constructing a ship canal by this route to connect the two oceans was the subject of a good deal of speculation even at that early time. The route had been already surveyed, and the feasibility of building an interoceanic canal was admitted by the highest engineering authorities. In making the trip from Graytown to San Juan del Sur, no insuperable difficulty presented itself to the lay mind to interfere with the successful achievement of this great work. Ex-Governor Bigler, of California, who was one of my fellow passengers on this Voyage, was an enthusiastic advocate of the building of the Nicaragua canal. He had made a close study of the subject, and pointed out to me on the route the most formidable difficulties that would have to be overcome. He did not think that the rapids offered so serious an obstacle to the success of the scheme, as the difficulties that would have to be overcome by the sudden accessions during times of freshet of the waters of one or two rivers that entered torrentially into the San Juan from the mountainous country on the Costa Rica side. But he had no doubt that these difficulties could be surmounted by a canal, the waters of which could be perfectly controlled, and raised by a system of locks to overcome the sharp elevations existing between the lower San Juan and Lake Nicaragua.

The lake is infested by the most enormous sharks, and these hideous monsters all make their way through the rapids from the Atlantic Ocean. I recollected, when I saw specimens of these voracious creatures sailing in the lake, that the members of the Gordon association, when they reached Realejo in 1849, told thrilling stories about their narrow escapes from the man-eating sharks that had attacked them even in their small boats in the river and the lake while they were making the

transit. 213 The greatest danger they feared from an upset was that they would be at the devouring mercy of these hungry monsters.

Lake Nicaragua is a beautiful sheet of fresh water, 110 miles long by an average of 40 miles wide, and of immense depth. As its surface is about 1100 feet higher than the level of the Pacific Ocean, and its distance from that ocean is only about 15 miles at Virgin Bay, it will involve the nicest engineerIng skill to connect the canal with the ocean so that it will be practicable for vessels. This will, of course, have to be done by a system of locks at very short intervals.

It is a humiliating fact that our Government has shown itself so dilatory in coming to the aid of this great work. There is no excuse for this indifference to a project which would operate so prodigiously to the commercial benefit of the nation, and which would so increase the capacity of our navy as to augment its effective strength at least three times what it is under existing conditions. The hesitating policy of the Government towards the Nicaragua canal is inexplicable upon rational principles, and when we consider that that policy may result in the abrogation altogether of the concession to an American company, it becomes an unpardonable crime. Great Britain, or any of the other first-class powers, under similar circumstances, would have given the project such encouragement 214 that the canal would be nearly, if not quite, an accomplished fact by this time.

On reaching San Francisco I found all kinds of business prospering. The immense wealth poured into the city from the Comstock was beginning to show itself in its growth and in the improved style of its architecture. The demand for machinery for the mines had increased investment in foundries and all kinds of iron works, giving remunerative employment to a large number of skilled and unskilled laborers. Every other business was favorably affected by the tremendous requirements of the Comstock mines and the hundreds of other new districts which prospectors had opened to exploitation; and I doubt if San Francisco has ever seen in her whole history five more prosperous years than the lustrum that followed the development of the mines at Virginia City, say from 1863 to 1868.



In the beginning of 1866, the steamer Ajax was advertised to sail for Honolulu, and as a number of my friends had secured passage on her, I made up my mind to join them. When we got to sea, we found that we had a very fine and congenial set of passengers with us. Mme. Anna Bishop, the great diva, was one of them, and we all discovered her to be a most pleasant and interesting travelling companion. She had traveled all over the world, was familiar with several languages, had fine conversational powers and entertained us delightfully with 215 reminiscence, anecdote and graphic description of some of the curious places she had visited. She had been favored with the personal acquaintance of many of the most noted men of Europe, and she had a very happy faculty of sketching them in a way that enabled us to see and know them as well as she had seen and known them. She had adopted a rule only to sing professionally, and she adhered to it pertinaciously. Whilst we greatly enjoyed her conversation, she could have made us entirely happy if she would have only relaxed her rigid rule and delighted us with a display now and then of her wonderful vocal powers. But she never offered to sing, and none of us were brave enough to make the request. When we arrived in Honolulu, she gave one public concert, and sailed next day on the bark *Libelle* for Australia. It was a disastrous voyage. The vessel ran on a coral reef and went to pieces. Mme. Bishop and several of the crew were for fourteen days in an open boat on the broad Pacific, suffering all the agonies from thirst, hunger, heat and their cramped condition, until they were providentially picked up by a passing vessel and carried to an Australian port. Years afterwards I met the Madame, and she recounted to me scenes that happened in that boat which made the blood curdle. One poor fellow became crazed, and acted in so threatening a manner that he was tumbled into the sea. Another opened a vein in his arm and sucked 216 the thin blood until the others had to seize him by force and lash him to a seat. Just as the ship hove in sight they were all seriously thinking about that last awful act of preservation by drawing lots to see who should die that the rest might live a while longer. But although they all knew that they were all seriously thinking about this last terrible resort of despair, none of them yet dared to propose it. Had they not met with providential rescue at the time they did, they would soon have engaged in that horrible lottery and become unwilling cannibals.

Honolulu was in that unenviable business position of a city that is fast losing an industry which had raised her to commercial prosperity, and not yet in the enjoyment of the full benefits of a staple interest destined to revive her commerce and increase her wealth. Whaling had seen its best days, and sugar culture, though not in its infancy, labored under the tremendous disadvantage of an almost prohibitive tariff in its only market. Thus Honolulu was in that deplorable period of transition when her old source of prosperity was nearly gone, and her new dependence for better times was still in embryo.

Most of the business houses were conducted by Americans, and this element predominated in nearly all of the activities. The native population had been rapidly declining for a number of years. At their best the Kanakas were a people that possessed but little physical stamina, and the usual deteriorating effects of civilization upon an inferior race were apparent. Their natural wants were simple and easily supplied. Their artificial wants, however,--those acquired appetites that followed in the train of evils brought to them by their contact with the whites--and these principally of a class who were no credit to our race--stimulated them to the uncongenial task of physical labor so as to earn money to gratify their new and vicious tastes. The two processes were making sad havoc in their ranks--hard manual labor, for which they were constitutionally and from hereditary habit unfitted, and indulgence in deadly liquors and concomitant vices, which swept them off in appalling numbers. The law seems to admit of no exception to the rule that the contact of inferior with superior races is invariably detrimental to the former. They readily acquire and naturalize in themselves the vices of civilization, without possessing the power to absorb and practice the saving virtues of that higher order of human advancement. The sugar planters of the Hawaiian Islands were in the trying position of being able to get but unremunerative prices for their products, and of being compelled to work their plantations with a class of labor that was unreliable, unwilling and rapidly diminishing. There were, however, signs of a change for the better, and the leading business men of Honolulu were taking active steps to negotiate a reciprocity treaty with the United States by which, in return for the admission to the Islands free of duty of leading articles of importation from the United States, our country would so modify its tariff on sugar imported from the Hawaiian

Islands that the staple industry of that country would become remunerative and prosperous. They did not have many years to wait for the fruition of their efforts.

Notwithstanding the natives had, after fifty years of missionary effort, been brought into the Christian fold, they still adhered to some of their superstitions, and would have readily relapsed into their former state of idolatry if left to themselves. The resident physician of the Queen's hospital told me that hundreds of instances had come under his experience of natives who, when they felt that death was approaching, would bring out from some secret place a fetich or small idol, and cling to it with all the devotional fervor of a Christian clinging to the cross in his last moments. The Koa tree grows on the high mountains. It is a costly wood, and is susceptible of the finest polish. The natives prize it as possessing supernatural virtues, and to be buried in a Koa wood coffin is to be assured of a happy passage to the Kanaka paradise. It is seriously said that natives have been known to go up into the mountains and give up the ghost on the 219 accepted assurance that they would be buried in coffins made out of the wood of this wonderful tree.

Another heritage of their early superstitions is the faith they have in the power of a certain class of native doctors to compass the death of any person whom they are hired to pray into eternity. These doctors practice all sorts of barbaric incantations, and their ignorant dupes have complete faith in their power to dispense the favors of fortune or the reverses of calamity to whomsoever they please. A curious anecdote illustrative of the hold which this superstition has upon the ignorant natives was related to me by James Price, a leading butcher of Honolulu. His slaughter house was located well out of town on the Waikiki road, and adjoining it was a native house, in which one Kapeana and his family lived. Price had several litters of pigs at his slaughter-house which he was raising to sell as toothsome shotes to his customers. But no shotes materialized at his shop, so he instituted an inquiry with the result that Kapeana was in the habit of enticing the piggies into his yard and making away with them. Price was justly indignant at the loss of his porkers, and going to Kapeana in great rage, accused him of the theft, and declared that he would forthwith go to doctor Kanina and give him a fee of one hundred dollars to pray Kapeana to death. Kapeana became greatly 220 alarmed at the threat, and offered to pay him for his porkers if he would not do so. But Price was obdurate, and started off as if going to the praying doctor's, which he had no intention of doing. A

few days afterwards he met Doctor Kanina, who told him that Kapeana had come to him in a state of great agitation, and told him that Price was about to engage his services in praying him to death; but begged him not to accept the fee. If, on the other hand, he would pray Price to death he would double the amount of the honorarium. Price laughed heartily and told the doctor to accept Kapeana's offer and start in with his praying. But it is popularly recognized as a fact that natives have pined away and died when they knew that one of these doctors was exercising his fatal powers to produce the very result which the ignorant victim was so effectively contributing to bring about himself.

I availed myself of an opportunity which offered of sailing to the Island of Kauai and visiting the largest and most productive sugar plantation in the Kingdom. The Princeville plantation is situated in a beautiful valley buttressed by lofty mountains that rise for several thousand feet almost sheer into the clouds, which are constantly condensing their moisture into tiny rivulets, that look like silver threads as they descend sinuously into the valley and supply grateful irrigation to the thirsty soil of the immense plantation. At the mouth of the valley is the little harbor of Hanalei; and when we landed the whole population had gathered at the warehouse to receive the supplies which our little packet had brought from Honolulu. Princeville plantation was started by a Scotchman named Wylie, who was, during the reigns of the third and fourth Kamehamehas, Prime Minister of the Kingdom. He was a wise counselor, a shrewd statesman, and an enterprising subject. The sugar mill was an immense affair. The machinery had all been sent out from Glasgow, and worked to the entire satisfaction of its energetic and critical owner. Its capacity was great enough not only to grind all the cane of the immense plantation, but also that of numerous small planters who held leases of tracts in the valley. I can imagine no more beautiful sight than the valley presented from the porch of the plantation mansion. Miles of tasselling cane, gracefully curving to the breeze, in a beautiful valley, "shut out by Alpine hills from the rude world," formed a picture which remains indelibly photographed upon the memory. All nature had seemed to shed its choicest blessings upon this splendid home and its rich surroundings. But a dark shadow of gloom and sadness hovered over it. Minister Wylie had died a few years before without issue. The estate descended to a nephew in Brooklyn, New York, and he had come out and taken possession of it. He was a young man, of amiable disposition and popular manners. But for some reason, that nobody could account for,

a short time before my visit he shut himself in an outhouse and drew a razor across his throat. The dark shadow of this tragedy cast its gloom over the whole valley, and I felt relieved when Captain Hatfield announced to me that he was ready to sail back to Honolulu.

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## CHAPTER XXII

“MARK TWAIN” DOING THE ISLANDS--HOW HE DISCHARGED HIMSELF FROM THE “CALL”--MARK AS A JOKER--COULD GIVE BUT NOT TAKE--HIS INTENDED FATHER-IN-LAW MAKES AN AWKWARD PROPOSITION--HE DISPOSES OF IT HANDSOMELY--ORIGIN OF THE RECIPROCITY TREATY--A NEWSPAPER DRENCHED TO DEATH

On my return to Honolulu I was astonished to find that “Mark Twain” had arrived a few days before. He was in San Francisco when I left holding the position of reporter on the *Call* .

“How in thunder, Mark,” I asked him when we met, “does it happen that you have come here?”

“Well, you see,” said Mark, in his peculiar drawl, “I waited for six months for you fellows to discharge me--for I knew you did not want me,--and getting tired of waiting, I discharged myself.”

There was “more truth than poetry” in Mark's observation about our desire to get rid of him; for, however valuable his services had proven to a Nevada paper, where he might give full play to his fertile imagination and dally with facts to suit his fancy, that kind of reporting on a newspaper in a settled community, where the plain, unvarnished truth was an essential element in the duties of a reporter, could hardly be deemed satisfactory. It was true that we had long desired to dispense with Mark's services, but had a delicacy about bluntly telling him so. We had, moreover, thrown out broad hints to that effect, but he seemed to be obtuse to their meaning, and kept on. When we would tell him that he was doing injustice to himself by staying on the coast, as an obscure reporter, instead of going East and exercising the play of his undoubted literary talents in a broad field where they would be appreciated, he would answer:

“Oh, y-a-a-s. I know. But the coast is good enough for me.” And that would end it.

“Well, Mark,” I asked, “what do you expect to do here?”

“Oh, I'm all right. The *Sacramento Union* made me a good offer to come to the Islands and write them up in my own way, and here I am to carry out the contract.”

True enough, that was the gist of Mark's mission, and he wrote & series of letters to the *Union* which attracted the widest attention. They were picturesque, graphically descriptive, abounded in felicitous humor, exhibited a novel and penetrating study of the native character, and displayed an acuteness of foresight as to the value of the islands 225 to the United States as a naval outpost on the Pacific, which was instinct with prophetic acumen. They were not only universally read in California, but they arrested the attention of Eastern men of letters, and paved the way to his engagement as the correspondent of the *New York Tribune* to accompany the excursion of the “pilgrims to Palestine.” This excursion resulted in that delightful book, “*The Innocents Abroad*,” which at once established his fame as the first of American humorists.

Whilst Mark delighted in jokes at other people's expense, he was unusually thin-skinned when he himself was made the subject of the play. He never fully forgave his friends in Virginia City who presented him with a silver-mounted Meerschaum pipe, which he ascertained the next day to he made out of common clay, the mountings being fashioned out of tin. At the risk of his displeasure, however, I will here record a story about him which was greatly relished by his California friends when it first got out. Mark was referred to her father by his wife when he proposed and the old gentleman said:

“Mr. Clemens, I have only known you for a short time, and I certainly am favorably impressed with you from what I have seen. But this is a very serious matter with me. You know a great part of your life has been spent in those wild places on the far Pacific coast, and your reputation there, for 226 all I know, may have been such that I would refuse to entrust the happiness of my daughter to

your keeping. Could you not give me some references to reputable persons in Virginia City or San Francisco to whom I could communicate as to your conduct and standing in those places?"

"Of course I could," said Mark, in all seriousness. "I could refer you to Joe Goodman, of the Virginia City *Enterprise* , Jerry Driscoll, a successful stock broker on the Comstock, General McComb, of the *Alta* or Mr. George Ed. Barnes of the San Francisco *Call* . But then what would be the use? I know them all well enough to be certain that they would lie for me just as I would lie for them under similar circumstances. I think you had better take me on trust as I am, without going to the Pacific coast for credentials."

And the old gentleman was so struck with the novelty and candor of the humorist's answer that he did.

I found that an indisposition from which I was suffering almost entirely disappeared while I was in the Islands; but when I got back to San Francisco it returned. This caused me to hastily make up my mind to dispose of my interest in the *Call* and go back to Honolulu. It was a foolish resolution to come to, for my trouble was not serious. I had been at the head of the *Call* from its foundation, and its business had prospered immensely. 227 Ten years of my life had been spent in building it up, and I knew that it was destined to become, with careful management, one of the great dailies of the country. I have only regretted this ill-considered step once, and that has been all my life from the time I took the rash resolution. However, the die was cast, I severed my connection with the concern and returned to Honolulu. I had brought a small printing outfit with me from San Francisco, and finding that the time hung heavily on my hands, I set up my press and started a small paper named *The Daily Hawaiian Herald* . This was the first daily journal ever issued in the Islands, and its reception was all I could wish. Henry Hamilton, with whom I started the *Calaveras Chronicle* in 1851, came down from Los Angeles and joined me in the publication of the *Herald* . Business was so greatly depressed in Los Angeles at that time that he discontinued his paper there--*The Star* ,--locked up his office and came to the Islands. I had no expectation that a venture of this character could be made profitable in Honolulu in the condition in which business then was; but I believed that the little sheet would secure patronage enough to meet its running expenses, and that it

would afford me congenial employment whilst my health was recuperating. I had, however, another and more important object in view in launching this little sheet. I ascertained during my first visit to the 228 Islands that there was a growing sentiment amongst influential people to invite either the United States or Great Britain to establish a protectorate over them. If the project of negotiating a reciprocity treaty with our country should fail, the only industry which could be depended upon for a renewal of the business prosperity of the Islands would come to grief. In that event, public sentiment might soon gravitate towards Great Britain, and a formal offer might be made to that power to take Hawaii under its wing in some shape. There were several strong houses in Honolulu owned by English firms, and the other European houses were decidedly prejudiced against any movement that might favor the acquisition of political control of the Islands by the United States.

The policy of the paper was therefore directed to spreading and intensifying the pro-American sentiment, to strenuously setting forth advantages that would accrue to the United States by a treaty of reciprocity, and to discouraging by every argument possible the growth of the pro-British feeling. In order that the official relations of our Government and Hawaii should become closer, and that the interest of the United States should become more pronounced in a policy favorable to the Islands, the *Herald* strongly advocated the appointment of a Resident Minister to the little Kingdom, and great numbers of the papers in which these views were 229 elaborated were sent “where they would do the most good.”

It so happened that a discovery was opportunely made and energetically handled which had the effect of opening the eyes of the Government at Washington to the need of some higher representation of our country at the islands than a mere commercial consulate. At the time when whaling was in the zenith of its prosperity the great number of American ships engaged in that business, and virtually making the Islands their only place of rendezvous on the Pacific, impelled Congress to establish and maintain two marine hospitals--one at Honolulu, the other at Lahaina. Large sums of money were yearly appropriated for the support of these institutions. Notwithstanding however, the whaling business had, in the meantime, immensely deteriorated, and American seamen wanting hospital care had become a thing of the past, the appropriations for the support of these benevolent institutions had fallen off but slightly. A newspaper investigation



showed that there were only one or two patients at the Honolulu and none at the Lahaina hospital. Yet the official report showed that the retinue of stewards, attendants and physicians was kept up as of old, and the supplies for the suffering patients had but slightly diminished. The presumption was apparent that the Government was being made the victim of a shameful job, and soon after the exposures 230 reached Washington, General Ed. McCook--one of the celebrated fighting brothers of the Civil War--was sent out as Minister Resident of the United States at the Hawaiian Islands; and the Islands have had a Minister Resident from our country ever since. This placed our Government in direct official communication with Hawaii, abolished the marine hospitals and expedited the adoption of the reciprocity treaty which proved so timely and important a boon to the isolated people, and which forever placed at rest any fear that the Islands should pass under the protection of a European power.

Had it not been for an extraordinary accident, I might have continued the publication of *The Daily Hawaiian Herald* until the revival of business prosperity consequent upon the operation of the Reciprocity Treaty, and thus established another permanent and profitable newspaper. The office of the *Herald* occupied the second story of a large, brick building. Immediately under it was a general men's furnishing and clothing store. One Monday morning as I was proceeding from my residence down town, a friend accosted me with the alarming news that I had destroyed all the goods in Greenbaum's store. To my question as to how I had destroyed them, he said:

“You'll see when you get there,” and this was all the explanation I could get out of him.

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I hurried down town believing that a fire had started in my office and communicated to the store beneath. On arriving at the building, I pushed through a crowd and entered the clothing store. It was a sight “for to behold.” Everything in it was afloat. Boxes of shirts, stacks of hats, packages of shoes, boxes of paper collars, boots, clothing of all kinds--everything floating and soaking in several feet of water. I realized at once how it had happened. The water company was in the habit of shutting off the water whenever it suited them, and turning it on again at their pleasure. When my Kanaka pressman took the forms to the washing trough Saturday afternoon, he turned on the

faucet. The water was not running, and he left the cock open till the running water would attract his attention. In the meantime he forgot all about it, locked up the office and went home. The water was presumably turned on soon afterwards, and the open cock let it run in a voluminous stream from Saturday night till Monday morning, flooding my first-floor friend in good shape.

“Mr. Greenbaum,” said I, “how do you account for all this?”

“I don't know nothing about it. All I know is that my goods are all damaged, and that I shall hold you responsible. You must take them off my hands at the invoice price.”

I said if that was the case, I should expect him to sort out the damaged goods, and those that were not so should be set aside. I called in a friend to act as adjuster in the case, with the result that I had a great quantity of all sorts of goods thrown on my hands. I went to the leading auction house of the town and made arrangements to sell the damaged goods under the hammer at a time sufficiently remote so that I could thoroughly advertise the sale throughout the islands. For the succeeding three weeks the *Hawaiian Herald* was a marvel of special advertising and puffery. The leading editorials were either learned dissertations upon the evolution of the modern shirt from suggestion of the ancient tunic or tabard or hauberk; or disquisitions upon the revolutions in head-gear from the time that hats were first made out of a firm fabric by an ingenious English manufacturer, in 1510, to the present century when the bell-crowned-teaser was introduced by Genet and improved upon until it evolved into the stylish silk tile of the present day. Everything that was to be auctioned off at that sale was the subject of comment in the *Herald*, and the paper was distributed broadcast over the Islands. The result was that the auctioneer declared he never saw such a crowd before at an auction in Honolulu. People had come from every island in the Kingdom to get bargains, and the sale was a howling success in every respect. I got out 233 of my cold-water scrape with quite a loss, but trifling to that which I at first feared it would be.

My ardor to give the people of Honolulu a “live” daily newspaper was considerably dampened by this unfortunate episode--indeed, I might say that it yielded to a hydropathic treatment that chilled me to the marrow. I sold my printing outfit for what it would fetch, disposed of my carriage and

horses, sent to San Francisco for funds, paid off my debts, packed my belongings and took passage on the first packet that sailed for the Golden Gate.

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## CHAPTER XXIII

### BACK IN THE EDITORIAL HARNESS--THE COMSTOCK LEDGE--THE RUSH TO WHITE PINE--A DISASTROUS NEWSPAPER VENTURE ABOVE THE CLOUDS

Whilst editing the *Territorial Enterprise* in 1868 for Joe Goodman, who was making the grand tour, I became impressed with the extent and richness of the mines on the Comstock ledge. They had been continuously worked on a colossal scale for seven or eight years, by processes that were being improved every day, and yet the yield from them was constantly increasing in volume. Some of the old mines would for a time fall off in their output, but the dips, spurs and angles of the great ledge would be followed, new and richer deposits than those before worked would be found, and up would go the quotations on the stock board. Thus the feverish excitement was kept up from year to year until it reached its climax in the seventies, when the Bonanza mines turned the heads of the coolest people on the coast. Stimulated by the wonderful riches developed on the Comstock, experienced miners were scattered all over the State of Nevada prospecting for 235 other Comstocks. It was not believed Mount Davidson was alone in its glory, but that mines as rich as those opened at its feet could be found in other places if intelligently sought for.

I had not been long in the editorial chair of the *Enterprise* before mysterious hints about marvelous discoveries came from the region of White Pine. Information from that remote locality continued to come to the office during the summer of 1868, and from sources so authentic and direct as to leave no room to doubt that a rich and extensive system of mines had been discovered at Treasure Hill. Later in the year the news had spread all over the coast that another Comstock had been found at White Pine, and that the laurels so long resting on the imperial brow of Virginia City as the greatest gold and silver producer on the coast were about to pass over to a new city in Eastern Nevada. The boom was on. The White Pine fever seized everybody within the range of its influence. Miners

were moving in columns from Montana, Idaho and Utah towards Hamilton and Treasure Hill. It struck San Francisco and the rush for White Pine showed that it was at white heat there.

In my position, as editor of the *Enterprise*, I was in the way of getting the best and most reliable information from the district. We had special correspondents there who sent us glowing accounts of the mines on Chloride Flat, and dwelt especially on 236 the immense wealth developed in the Eberhardt mines. One of the five owners of the Eberhardt claims I knew well, and his letters confirmed even the most extravagant reports we had received from the district. I was clean gone. The White Pine fever had taken full possession of me. I went to San Francisco, sold property there near the Baldwin Hotel that would now be a large fortune to anyone, purchased an elaborate newspaper outfit, most of which was in Virginia City, and started for the new El Dorado. When I arrived in Virginia City, I found that the White Pine fever had reached the epidemic stage there, and that many of the old Comstockers were getting ready to move to the scene of the new discoveries. I had made arrangements with the mad nates of the Central Pacific railroad for transportation from Reno to Elko. I had hard work to accomplish this. The rivalry between the Central and the Union Pacific railway companies to complete as much of the road as possible before they met in Utah was very great. It was not so much that the Government subsidy of \$36,000 per mile was an inducement as it was that each road desired to have its terminus at as great a distance from its initial point as possible. Both roads were putting forth their greatest efforts to push forward the work of construction, and the Central Pacific had sent to the front every possible car it could spare to expedite 237 the work of building. Only as a special and exceptional favor could I get the cars I wanted.

Announcements had been made all over the coast by the publishers of small newspapers that they intended to remove their concerns to White Pine, and I concluded that if it was generally known that I was taking a very large establishment to Hamilton it would discourage them, and that I would have the field to myself. So I issued a prospectus that had the desired effect. My outfit consisted of a large power press and four or five job presses, with the types to publish a large-sized daily and the material for a complete job office. Arrived at Elko I hired teams to take all this machinery, at an enormous figure, to Hamilton, a distance of two hundred miles from Elko. I brought with me also

all the men necessary to get out the paper and work the job office. Arrived at Hamilton, I purchased a lot and put up a building. Lumber cost \$400 a thousand there at that time, and very inferior lumber it was at that.

Hamilton and Treasure Hill were already alive with people, and the arrivals were constant and numerous. The winter was setting in and the weather was intensely cold at that altitude. The peaks were covered with snow, and the white mantle was getting lower down every day. Treasure Hill is about 1,000 feet higher than Hamilton, and the altitude at Hamilton is about 10,300 feet. Business in all lines was at high pressure, and '49 prices were the rule. 238 Everybody was muffled to the chin, and blanket coats reaching almost to the feet were universally worn.

The first number of the *Inland Empire* --that was the ambitious title I gave the paper--was ready for the press, and was eagerly waited for by crowds of people who blocked up the approaches to the office. I made arrangements to run a pony express to the nearest telegraph station, fifty miles away, and thus the *Inland Empire* came out with all the latest news. Everything went along swimmingly, and it looked as if my venture would prove a complete success in every way. As, however, everything depended upon the character and extent of the mines, I took the earliest opportunity that presented itself to make a careful personal inspection of them. The Eberhardt series and the other best known mines were situated at Treasure Hill. Men were at work in all directions sinking shafts and prospecting. The chief mine of the Eberhardt company was called the Belle something, and that was the first I visited. We descended to the "silver chamber." That was as far as the company had got down. The chamber had been yielding the richest chlorides yet found in the district. It had been worked into the shape of a square of about forty feet at each side and perhaps thirty feet from floor to ceiling. This was indeed a wonderful chamber. The walls, the ceiling and the floor were composed of chloride so soft that it could be cut with a knife Eke cheese. One 239 could place a silver half dollar against it at any place, strike it with a hammer, and it would leave an exact facsimile of the piece upon the chloride wall. Not only an exact impression, but the stamp left would shine out as pure silver. The chloride in this chamber yielded ten thousand dollars to the ton, and there was no telling to what depth or width this wonderful deposit penetrated. All the mines

I visited gave promise of richness and permanency. I returned to Hamilton fully satisfied that the Comstock was duplicated in Treasure Hill.

The new paper was well received everywhere, and the business of the office was as great as we could handle. This continued through the winter and well along into spring. The camp had been visited with two epidemics--one of pneumonia, the other of smallpox--from which many of the large number attacked succumbed. This was the first serious cause for discouragement which we were compelled to experience.

All at once the Eberhardt company closed down their most noted mines. The silver chamber was hermetically sealed. New people ceased to arrive. There were innumerable mines to sell, but no buyers. The output of bullion from the mills began to fall off. Small smelters increased in number, and as the leading silver mines were shut up the miners turned their attention to smelting the base metal ores that abounded in certain localities. The bars they produced 240 could be sold to distant refineries, and this industry seemed to be taking the place of chloride mining. No one could help feeling that the bottom was dropping out of the district. Business was greatly depressed. Bills came to be hardly collectible. Everybody almost was living on credit. At last the crash came. The best houses went into the hands of the Sheriff, and the town which a few months before was a lively picture of active prosperity was in the doldrums. Nothing stirred but an occasional pogonip, or sleet storm, and that sometimes left wreck and ruin in its track.

The rival newspaper--for there was a rival newspaper in Hamilton as there is everywhere--seemed to be weathering the storm in good enough shape. But then it is not every editor that can run a newspaper, a whiskey mill and a gambling establishment at the same time. This feat, however, J. W. Forbes accomplished with ease. After writing up his newspaper he would adjourn to his saloon, run that in lively fashion for a while, and then go into his faro rooms and see how his banks were getting along. Next morning his paper would come out inveighing loudly against the growing immorality of Hamilton, how the vile passion for gambling and drinking was increasing, and calling upon the authorities to take effective steps to purify the moral atmosphere of the place.

When Forbes concluded to leave Virginia City for White Pine, he was publishing *The Safeguard*, an evening paper. In his valedictory he said that long experience had taught him that the average man would reluctantly pay five cents for a newspaper, but would throw down a quarter for drinks in a free and off-hand way. He would therefore when he got to White Pine take with him a stock of liquors and open a saloon as well as a newspaper office, so that the profits of the former might make up for the deficits of the latter. No wonder his paper outlived mine.

When the *Inland Empire* suspended, I hied me to San Francisco, which kept on growing and developing into a large and beautiful city. I started in again at the foot of the ladder, and began to climb. The *Call* was now in the hands of Pickering & Finch, who were also publishing the *Bulletin*. Two of the original founders of the *Call* had died, the other had gone to Australia. Henry George, the great political economist, had just heated the editorial chair of an Oakland paper, and the proprietor offered me the place. I took it temporarily, and yielded it to W. W. Foote, who, had he chosen to remain in the newspaper profession, would have made as great a name for himself as a journalist as he had achieved eminence as a lawyer. But he was wise in his generation, and was not long in exchanging the tripod, with its paucity of worldly prizes, for the bar, which has fame and fortune hung within reach of its successful members.

The Legislature of 1871 had to elect a United States Senator. There were a number of prominent candidates whose friends made the session memorable by charges and countercharges of bribery and corruption. It looked to an outsider as if it was not the longest pole, but the longest purse, that would knock down the Senatorial persimmon. Eugene Casserly was elected; and General Volney E. Howard, who was one of the defeated candidates, came to San Francisco with blood in his eyes. He declared that he would expose the shameful corruptions and bargains and sales that had taken place in the Legislature. Mr. Sam Butterworth and others of his friends tried to restrain him, and finally hit upon the plan of buying an evening newspaper for him, and controlling him in his ebullitions till his indignation had subsided. A little evening paper, named the *Dispatch*, which was not a financial success, was purchased, and I was selected as the associate of the General. He was kept well in hand for a couple of weeks, when he received a dispatch to go at once to Los Angeles

on an affair of great urgency. When he started he left with me a box full of editorials to publish while he was gone. I looked over the articles, and there was not one that would make less than three columns. Indeed, they were all essays upon finance and other large national questions, which, from their interminable length, would kill a daily paper in short order. They were very ably written and would have been acceptable and of great value to a political magazine; but no daily newspaper could handle them and live. I saw the object of the General's backers when he had gone. They complained that the day he left an editorial paragraph with a sting in it had appeared about the senatorial election. They wanted me to scrupulously suppress any allusion to that subject, and intimated that the General would not come back. I saw that I was spending my time on a dead horse, and resigned. I have since suspected that the dispatch which called the General suddenly to Los Angeles was manufactured; but, if so, it involved a strange coincidence, for a great domestic calamity faced him when he reached the southern city.

I spent the winter of 1871-72 in San Luis Obispo, and I met there for the first time the late Judge Anson Bronson. He had started overland for Sacramento to put in his claim to the Governor for the appointment of District Judge of Los Angeles county to fill the unexpired term of Judge Morrison, who had just died. But when he had got as far as San Luis on his journey the stages were compelled to cease running. The rain had come down in torrents and the roads were impracticable. The Judge knew before he started that he had a competitor in Judge R. M. Widney, who was to make the journey by sea. He therefore chose the overland route, and would have got to Sacramento some time before his competitor had the roads remained open. As it was Judge Widney got the appointment. I have brought up this circumstance more for the purpose of bringing Judge Bronson into court, as it were, than for any interest inherent in the fact that he was weatherbound in San Luis Obispo. The Judge was one of the most remarkable men that Southern California has produced. He was an astute lawyer, possessed of a logical and analytical mind, extremely well equipped in the detailed requirements of his profession, a close and searching reasoner, an acute examiner into first principles, but a man wholly without moral balance. His manners were suave, gentle and fascinating. He would make a friend of the hardest subject by his faculty to say at the right time the "soft word that turneth away wrath." On the surface he was a perfect man; at the core he was



diaphanous as ice that the feather of a passion or the whim of a desire could break. Without fixed principles, he was tossed by the wind of accident into the most equivocal positions. He lived like a hermit or like a nabob, as his fortunes were propitious or the reverse. Finally he closed a career, which might have been beneficial to himself and of incommensurable value to his fellow-man, by dying in needless poverty and comparative obscurity.

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## CHAPTER XXIV

### A VERY SPANISH TOWN--JUDGE PABLO DE LA GUERRA--A SYMPOSIUM OF BON VIVANTS--VENTURA, YOUNGEST OF THE TRAIN OF SUNNY SISTERS

Santa Barbara in 1872 was a quaint Mexican town. Its modern improvements on American architectural lines were only sufficient to bring out in strong relief and striking contrast the Mexican character that adhered to it. A noble building, the Santa Barbara College, which owed its existence to that enterprising and public-spirited citizen, Col. W. W. Hollister, was the finest and most pretentious structure of the new era. But the town, as then seen from the bay, was essentially a picture of the past. Its population, too, was more largely composed of the old native Californians than that of any other community to the north, with the exception, perhaps, of San Luis Obispo. The old Mission building, which looked down with its Moresque tower and imposing facade upon the little city it had held under its wings for nearly a century, was then, as it is now, the most conspicuous and best preserved of all the monuments of the time 246 when the Fathers ruled supreme in Alta California. More Spanish than English was spoken in its thoroughfares, and the Santa Barbara of to-day is but a faint and fading marker for the quaint and primitive Santa Barbara of 1872.

Who can think of Santa Barbara without recalling to mind Don Pablo de la Guerra, the representative, *par excellence*, with Don Mariano Guadalupe Vallejo, of the stalwart race and magnificent caballeros who represented all that was good and worthy and manly of the native Californians in the ante American period. I see him now, as I saw him in the State Senate at one

of its early sessions, replying to a fresh and impertinent newcomer, who thought there should be a certain change in the constitution which protected in the manner of assessment the rights of the ranch owners. The obnoxious individual had contemptuously said, with a disdainful flourish, that we should not consider the wants or the desires of the native population in our legislation. Don Pablo arose in his seat, not with fire in his eyes, but his ample stature and native dignity seemed to increase as he looked with a mien of regretful pity upon the “smart” young fellow he was about to annihilate. “Mister President,” said he, with a touch of the Castilian accent that gave it resonance and melody, “we are here to pass laws for the people of the whole State, but my friend thinks there should be exceptions, notwithstanding 247 the guarantee of the constitution. I do not wish to go farther. I feel like the courteous knight who was constrained by the rules of chivalry to oppose Bradamante in the jousts. His vow compelled him to keep the lists and meet all champions; but Bradamante was a woman. ‘I shall therefore,’ said the knight, ‘exchange my invincible sword Balisarda for one hacked and shortened, and maintain my vow to heaven at the same time that I signalize my underlying courtesy towards woman.’” The point was, of course, irresistible. Don Pablo de la Guerra was, in 1871, Judge of the 1st District Court, the jurisdiction of which included San Diego, Santa Barbara and San Luis Obispo, and it was a rare treat to attend his court and see Walter Murray and Wm. J. Graves conduct a case in which nothing but the pure Castilian tongue was heard.

The only hotel worthy of the name in Santa Barbara in 1872 was the St. Charles. It was kept by M. Raffour, a French cook who gloried in the reputation of being the Brillat-Savary of the coast. He superintended his own kitchen, leaving the rest of the hotel to the management of his very capable and interesting wife. The fame of Raffour's *cuisine* was deserved, and a number of choice spirits, gourmets and connoisseurs assembled there every Thursday afternoon to discuss the rare *mets* prepared by the famous *chef*. The building is still extant. It is a two-story adobe, with a grand hispaniolic porch 248 and red-tiled roof. Its pantry was stored with the choicest morceaux of a rare and various market, and its cellar filled with the finest vintages of Epernay and Cette. It was at the Thursday banquets of the local gourmets that the good cheer of mine host Raffour and the flow of wit of the bon vivants made life worth living. The sententious and courteous Thomas R. Bard

usually presided, with the effervescent and brilliant captain Forney on his right and the all-round good fellow, Jarrett Richards, on his left. At times Judge Dillard, with his lively and luminous conversation, would wake up the reticent John Bell, of Alamo ranch bucolic fame, to spirits of drollery, and the serious Dr. Den, eccentric but debonair, to a relaxation of his pent-up humor that would alarm his friends. There were more stars in this brilliant constellation who, while they contributed little to the "flow of wit," were trenchermen, tankardmen of rare accomplishment and assiduous application.

E. D. Boust, of happy memory, who was publishing the *Santa Barbara Times*, came to me one day, and as the result of the interview I proceeded next morning to San Buenaventura, where I remained for several months. The old mission church there and the mission orchard were objects of unceasing interest to me, and I never tired tracing out the miles of acequias which the early Fathers had constructed out of a cement that defied the ravages of time as well as the strokes of the investigating pick. Where the Fathers found this cement, or by what methods they compounded it so that it was superior in adhesiveness to any cement of the present day, I never was able to learn. But it is a fact that at several of the old missions a cemented concrete has been found which surpasses in hardness and durability any cement concrete now known.

I took a great fancy to Ventura county, which was then known to be as rich in oil as she was affluent in agricultural promise, and when I was called to deliver the Fourth of July oration, I dropped into poetry at the end of my address, and paid the following idyllic tribute to the favored county:

VENTURA A zephyr, gently rising from the West,  
The shady oak and tall date-palm caressed,  
While, like a lake, the sea's unrippled face  
An air serene gave to the distant space:  
Above, around, beneath, a genial glow  
Soothed all my cares and temper'd woe.  
To thee, Ventura, thus my harp I  
tune, And sing thy matchless fields of flowing grain;  
Thy mountains, rivers, and thy vales, which  
soon Some happier bard may chant in loftier strain.  
But first, a tribute to thy clime I bring,  
Whose breezy airs in balmy currents flow,

Breathing a freshness of perennial Spring, And flushing cheeks with health's empurpl'd glow. Thy feet bedewed by Ocean's ceaseless spray-- Thy soil rich-moistened from his liquid breast-- Thy hills majestic, looming far away, And towering each above the other's crest: Yet gently sloping as they reach the plain Broad, vast and em'rald to the restless shore, Where fertile fields blend strangely with the main, And echo back the sea's tumultuous roar. Nor those, Ventura, jewels of thy bounds, Thy silver streams, soft-stealing to the sea, And gladd'ning wide thy people's teeming grounds, Should 'scape the Muse's gentle eulogy. Though Santa Clara on her buoyant breast Bear neither steamer swift nor bellied sail-- No Palinurus, steering from the West, Seeks shelter here from Neptune's threat'ning gale,-- Yet grandly on she flows through brake and dell, Irriguous wide in many a sinuous line, And Ceres sees with joy her banks o'erswell, While Bacchus thanks her for his certain vine. And there Vertumnus and Pomona, too, Like timid lovers shrinking to the wood, With bosky groves they shade the open view, And gather freshness from the swelling flood:

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See where their juicy fruits abundant trend, Or hang in clusters from the rustic arm; Here North and South their sweetest treasures blend, And equal thrive the pine and stately palm. The opposites of Nature's countless germs Together bloom and peaceful shade the ground,-- There Tropic fruits, here Hyperborean ferns Entrance the eye and grace the space around. Arcadian scene! is there no lesson here, From Nature drawn, appealing to the heart, And teaching man, proud man, the truth austere That each but atom is of one great part? What though we yearn toward our mother State? What though we rankle at that dreary past? One thought alone should repress every hate-- We're of one country and one kind, at last. The passing storm may blast the ripening ear-- The nation suffer long a single crime-- The trembling earth bring many a bitter tear; But passions, ills and wrongs give way to Time. Enough of this. Ventura's views I sing: From this tall mount I see her pastures grand, Her sweet-tuned birds their notes around me ring, And swell in cadence with the prosp'ring land.

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Behold where late the Native casa stood, And round its low, tiled porch the listless throng Insouciant lay, or, else, in livelier mood, Stept to the lute's trill thrum and measured song; Their aimless life they doze and dance away-- Their herds and flocks the only wealth they prize,-- Whilst

Nature, smiling, spreads her grand display  
In vain before their soft, untempted eyes. Though  
kindred soil fill the adjoining space,  
And Nature's bounteous gifts flow equal round,  
Behold what glorious fruits in plenty grace  
The labors of the bold, progressive race  
Whose cultured toils exploit  
the pregnant ground. O, Labor, sire of Commerce and of Art,  
I sing thy praise with all a votary's  
power-- Justice and thee no villain hand can part,  
And Freedom claimed thee at thy natal hour. The  
long probation of Oppression's chains,  
Which Igu'rance forged around thy youthful limbs,  
Is passed, at length, and on our hills and plains,  
In manly pride thy new-born life begins. Farewell, Ventura,  
youngest of the train  
Of sunny sisters on our Southern shore,

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I may not sound thy praises here again,  
Nor with thy grandeurs teach my Muse to soar;  
Yet, still with rapture to thy groves I'll turn--  
To where thy corn curves pluming to the wind,--  
To where thy soft repose may bid me learn  
The pleasures of a calm, contented mind.

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## CHAPTER XXV

### A GLIMPSE OF THE LOS ANGELES OF TWENTY-FIVE YEARS AGO

In August, 1872, I reached Los Angeles. Its population numbered about five thousand, and its business centre was Temple Block. There were quite a number of fine modern store buildings within a short radius of that block. The Temple building at that time was considered quite an imposing structure, and so it was by comparison with the others. Downey Block was another notable structure. The old court house was first built by Don Juan Temple for a market house, and its style of architecture was after the order of Essex Market, in New York. South of the court house there was no business structure of any note. The few stores below Court Street, on Main, were either in adobes or on-story frames. Henne, the brewer, however, had erected a two-story brick building at the southwest corner of Main and Third, which is still there; and the grocer, Mr. Leck, had erected another brick store with a dancing and assembly hall on the east side of Main, between Second and Third. The nicest residences in 255 the city were south of Third on both sides of Main street as far as Fifth. Spring street, south of Court, had no building of any pretensions whatever, if

we except Turnverein Hall, a large frame structure, upon which the carpenters were then putting the finishing strokes. Nearly all the business of the town was done on North Main street. Outside of this locality Los Angeles was practically an adobe town, and even in this locality old adobe houses were scattered everywhere.

Pio Pico, the last of the Mexican Governors, had put up a fine large hotel opposite the Plaza, and named it after himself. For the time this was, indeed, a formidable building, and, under the capable management of Senor Cuyas, it was for years the leading hotel of Los Angeles. After leaving the plaza and passing the old church, one entered Señortown, and here, indeed, was a well-preserved picture of the ancient pueblo of "la Reina de los Angeles." It was Mexican all over. The adobe house flourished there in its most formidable, as well as its most contracted shape, from the great rectangular building, with its ample *patio* in the centre, to the hut of one or two rooms with the evidence apparent of an indefinite amount of filth and squalor. To cross the plaza and enter this ancient part of Los Angeles was like stepping from an American town into a small pueblo in Guadalajara or Sinaloa. The English tongue was as foreign from the speech that one would hear 256 in its streets as it would be in Culiacan or Jalapa. And its inhabitants might as well be in Guadalcazar or Zimapan as Los Angeles. Indeed, their language, dress and manners would seem to be more germane to the latitude of our sister republic than to California in the seventies.

Generally, in speaking of the Los Angeles of twenty-five years ago, it is alluded to as a small Mexican town. It was, and it was not. North of the plaza it was; south of that point it was a vigorous American city sloughing off as rapidly as possible the cumbersome relics of its old civilization.

On the hill where the beautiful Court House now stands was a fine, large school-house of modern design. It was the high school in a double sense. It could be seen from all parts of the city, as it was upon a much higher eminence than that which the Court House now occupies, for the hill was cut down considerably before the foundations for that edifice were laid. With two or three exceptions, Spring street, on the west side, from Temple to Franklin, was occupied by adobes. Henry Hamilton published for many years the Star newspaper (first started in 1851 by Lewis, McElroy & Rand, and edited by E. Gould Buffum) in an adobe opposite Temple Block. On-story brick warehouses

adjoined to the south, and these have since been added to and enlarged by Mrs. Jones, their present owner. The next buildings were of adobe; then came a brick two-story

#### COURT HOUSE, LOS ANGELES

257 story building, where the benevolent society lodges met, and which has been enlarged and improved to what is now the Furrey hardware store; several straggling adobes intervened until the old-fashioned block belonging then to Pio Pico was reached. From there to the corner of Franklin street was the city hall, consisting of a one-story adobe, divided into four apartments. In one the old fire-engine, No. 38, upon which the city depended principally for its protection against conflagrations, was housed. In the next the council held its meetings and kept the archives of the city; next to that was the police office, and entrance to the county jail, and on the corner of Franklin street, the rest of the building was occupied by the jailor and his family. The county jail was in the centre of the lot, which reached to New High street, and the Spring street front of the lot is now covered by Phillip's Block, an elegant and imposing structure.

Crossing Franklin street, on the same side, were several small stores owned by Mr. Scheick, still the owner of the property, and next came John Schumacher's little adobe grocery store, now supplanted by a fine block built by his sons. The corner of First was occupied by a small frame shanty in which the zanjero, an officer of great importance, could then be found. Here practically the business portion of the city ended. True, there was an adobe store where the Nadeau hotel now stands, but south 258 of that, if we except a corral and a blacksmith and carpenter shop, business activity ceased. The east side of Spring street, from the old Court House south, is soon disposed of. A few wicky-up shops were in place to the middle of the block, where a nice cottage, in which the Mellus family lived, was encountered; then came Mr. T. D. Mott's two-story brick, used as a private boarding house. Where the National Bank is was a tumble-down shanty devoted to the sale of fruits and candies. Crossing First street Mr. Wilson had a low on-story brick; next was Hick's nice cottage and grounds, then a couple of small frame tenements and a little cement-fronted house, and at the corner of Second, Horace Burdick had a frame store. On the opposite corner a cheap brick building was the last evidence of improvement worth noticing on Spring street. On the lot where the Bryson

Block now is was a little public school-house, and the Hollenbeck hotel site was a corral, reaching to Broadway, belonging to H. Wiley, who had once been Sheriff.

Temple street at that time practically ended at Broadway; beyond that it was a gulch. The city dump was on the west side of Broadway, opposite the Court House. The hill now so handsomely improved with splendid residences west of Broadway was in a state of nature, the only building upon it which I can call to mind being a little public schoolhouse devoted to colored children. Sixth street was an 259 arterial street, leading to Pearl, which was quite a thoroughfare at that time; but the aligning lands were cut up into acreage holdings and cultivated as orange orchards or vineyards. There were a few nice residences on Figueroa street, with extensive orchard surroundings.

Los Angeles street did all the wholesale and jobbing traffic there was at that time, and Arcadia Block, still existing, was the centre of the heavy business. Below Requesena street, on both sides, continuous lines of old on-story adobes flourished, and this was the Barbary coast of Los Angeles.

The only railroad running to the city was the one from Wilmington. Its depot and terminus was at the corner of Commercial and Alameda streets. A San Francisco capitalist built the road, not, however, until the people of the city by vote had subscribed to a large block of the stock, and the people of the county to another large block. The late General E. E. Hewitt ran the road as Superintendent, and he was assisted in the office of the depot by James Landers and John Milner, whilst George Furman was equal to attending to all the freight delivery business of Los Angeles at that time.

Our streets were enlivened twice a week by the arrival of Nadeau's wagon trains from Inyo with bullion bars. These were brought from the rich mine of Victor Beaudry at Cerro Gordo, transferred to the Wilmington train, taken to the steamers 260 by General Phineas Banning's lighters, and shipped to the reduction works in San Francisco. Although these bars were principally base metal, they carried a large percentage of silver, and made the owners of the mine immensely rich. The arrival of Nadeau's trains always created a stir. They consisted of six or seven spans of large mules drawing a heavy freight wagon and a "back action," both laden with bullion bars. The jingling



of the bells on the mules and the loud cracking of the whips of the drivers reminded the old Los Angelans of the time when their city was alive with trains from Salt Lake City, and all the traffic of Utah with San Francisco was carried on by way of Los Angeles and the coast steamers.

Remo Nadeau was a man of untiring industry and energy and of dauntless business nerve. He was a French Canadian, and of that hardy and sinuous make-up which is characteristic of his race. He had an extensive farm at Florence, where he kept a large reserve of fine mules and had farrier and blacksmith shops and a retinue of harness-menders. He raised grain on his ranch to keep his stock supplied with feed, and held the economies of his extensive business well in hand under his own keen supervision.

In 1812 there were very few churches in Los Angeles, and the attendance was very slim. Outside of the old Catholic church opposite the plaza 261 there was St. Athanasius Episcopal Church at the southwest corner of New High and Temple streets, occupying a small strip of the new Court House grounds; a little church on the west side of New High street, north of Temple, where the Congregationalists met, and the old Methodist church on Fort street that could seat perhaps one hundred worshippers. The Presbyterians and Baptists held services in private halls. East Los Angeles was then cultivated as a grain farm by Dr. Griffin, and Wm. H. Workman flourished alone at Boyle Heights as a horticulturist.

The gardens of the Round House, on Main street below Third, ran from Main to Spring street, and were quite a public resort on Sundays and holidays. They belonged to the eccentric George Lehman, who carried out his strange ideas of embellishment not only to the grounds but to the plan of the house, which was built after the style of a watch-tower. He had placed crude elongated cement figures of Adam and Eve reposing side by side on the grounds near the gate, and made out of the same material the figure of an enormous serpent catching the ear of our first mother. The trees in the garden were of many and rare varieties, but laid out in no sort of order. Lehman had a craze for accumulating town lots. He owned several hundred of them in that part of the city that was then called George town, from Sixth street south and Spring street 262 west. When in 1876 there was a small boom in property, he was advised to sell some of them and pay up a mortgage he

was carrying of about \$5,000. But he would not part with a single lot. The mortgage grew on him; the holders wanted their money; real estate was in a condition of deplorable depression. At last the crisis came. His mortgage, with years of unpaid interest compounding, grew to be an incumbrance on all his property of some \$20,000. He could not satisfy the holder, and the entire estate was foreclosed and sold, and Lehman died at the county hospital, a pauper.

A syndicate had built a mill on Aliso street to grind meals. It was run by water-power. John Denim, one of the brothers who founded the Capitol Mills in San Francisco, had just leased the Aliso Mills and was producing a large assortment of meals for the trade in San Francisco. I asked him, one day, why he confined himself to meals. He said he would like to manufacture flour, but that there was not enough wheat grown in the county to make it an object. He said that the Sonoranian, Ramirez, who had quite a ranch beyond Pio Pico's farm at Ranchito, was the only one in the county who raised wheat in any quantity. Five years from the time that conversation was held seven ships, laden with surplus wheat raised in Los Angeles county in one season, were dispatched to Europe.

Two morning and one evening paper supplied 263 the journalistic wants of Los Angeles in 1872. The *Daily News* was edited by Judge A. J. King and Captain C. E. Beane; the *Daily Star* had been leased to G. W. Barter, who was running it for all it was worth; and Tiffany & Painter were publishing the *Evening Express*, which was edited by Judge Austin, who was also United States Land Register. It was Republican in politics. The *News* was ultra-Democratic, and the *Star* independent.

The great question which agitated the people was the voting for or against a subsidy to the Southern Pacific railroad and thus to place Los Angeles irrevocably on the line of a transcontinental road. The subsidy to be voted for was bonds of the county for \$385,000; the stock owned by the city and the county in the Los Angeles and San Pedro railroad, amounting to \$150,000 for the county and \$75,000 for the city, and depot grounds to cost \$12,000--altogether \$622,000. The State law, which allowed counties to subsidize railroads to the extent of 5 per cent on the assessed value of the property in the county, had not been repealed as regarded Los Angeles and some other counties, and as the assessment roll of 1872 footed up \$10,700,000, 5 per cent on that total amounted to

\$535,000. The county's stock in the San Pedro railroad was, as agreed to, deducted from this, so that the Southern Pacific received \$385,000 in bonds, \$225,000 in stock of the San Pedro road, and \$12,000 in depot grounds.

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The fight against voting the subsidy was a sharp but ineffectual one. The charter of the county required the road to go through Los Angeles. But the railroad corporation had intimated that they could fulfill the requirement of the charter by merely touching an edge of the county as they passed through the Mohave desert. The apprehension that the city of Los Angeles would be left remote from the main transcontinental line if the subsidy was defeated rallied the great mass of the people to its support. In the light of subsequent history the people acted wisely. If Los Angeles had been sidetracked as Stockton and Visalia had been, she would have grown into a considerable city through her exceptional resources, but she would have been set back many years in reaching the metropolitan importance and commercial opulence which she now enjoys. It requires no small amount of courage for a people to vote as a subsidy to a railroad corporation one-eighteenth of their entire assessable wealth; but the people of Los Angeles had that courage, and it is well for the people of the present day, who are happy and prosperous on account of the marvelous growth of their city and county, that the old-timers had that nerve.

THE NADEAU BLOCK, LOS ANGELES

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## CHAPTER XXVI

SEASIDE RESORTS IN THE SEVENTIES--WHY COL. KEWEN DIDN'T GO TO CONGRESS--A GAY BACHELOR SURPRISE--A FINANCIAL CRISIS--COLLAPSE OF THE TEMPLE & WORKMAN BANK--HOW BALDWIN COMES TO ITS RESCUE--HOW WORKMAN CUTS THE GORDIAN KNOT

The principal and most popular seaside resort of Los Angeles in 1872 was the mouth of Santa Monica canyon. Here, under the shades of tall and ample sycamores, families would pitch their tents, and would disport in the adjacent surf during the hot summer months.

Will Tell's, now known as the Ballonna, was also a favorite resort, especially on Sundays. The proprietor and his wife were famous for setting a sumptuous and inviting table, and as the distance just made a pleasant drive from town over good roads, it was very much the fashion amongst the "four hundred" of that period to take a "spin" down to Tell's behind a fast team and enjoy the luxury of a flue dinner.

San Pedro, near Timms's landing, was also a 266 favorite summer resort, where a delightful swim could be had at any time, or a pleasant sail on the fine sheet of water inside of Deadman's island, or a deep-water excursion outside. The fishing was also attractive, and lured many there to try their luck with hook and line.

The island of Santa Catalina was also a choice resort for those who delighted in "roughing it" for a season at a place where unsurpassed fishing and bathing was always to be had. The most popular point at the island for pleasure-seekers was then, as it is now, where the pretty town of Avalon has been built. It was known at that time by various names, such as Timms's valley, Happy Valley and Billy Bruen's Cove. Captain Timms ran sail packets over there at regular intervals during the season, and from thirty to forty families would pitch their tents along the beach and spend a month or two in perfect enjoyment.

These were about all the seaside resorts popularly frequented by the Los Angeles people of that time, and the campers were very well satisfied with them. I believe that as a general thing there was more genuine, hearty, wholesome enjoyment in "roughing it" in tents at one of the few seaside resorts available then, than is experienced now at the many "tony" sea-view hotels carried on in fashionable style and on stilted notions of "prunes and prism."

At the general election in 1872 a representative 267 in Congress was to be elected from the Fourth district, which then reached from San Francisco to San Diego, inclusive. The district was Democratic by from three to five thousand majority. Col. E. J. C. Kewen, of Los Angeles, was the Democratic nominee, and Col. S. O. Houghton, of Santa Clara, the Republican. Col. Kewen was a fluent, florid speaker, and very popular, especially in the Southern counties. Col. Houghton was a lawyer of ability, had come to California as an officer in Stevenson's regiment in 1847, and had an excellent standing in all parts of the state. It was generally conceded that Col. Kewen had a walk-over, and his election would have been certain had it not been for a most unaccountable *faux-pas* he made in a speech at San Diego. The people of Los Angeles county were deeply interested in the construction by the Government of a bulkhead at San Pedro for the purpose of deepening the channel and making the inner harbor accessible to vessels of twelve feet draft. Appropriations had been made by Congress, and the work was progressing satisfactorily under the supervision of the Federal department of Engineers. When the work was first commenced the depth of the channel at the entrance was only about 2 1/2 feet. That depth had been considerably increased by the action of the tides enclosed by a bulkhead and rip-raps connecting Rattlesnake with Deadman's Island. The people of San Diego claimed at that time that Los Angeles county was their back-country, and that their fine harbor was the natural ocean outlet for its products and marine commerce. It was natural, therefore, for the people there to ridicule the attempt to create a harbor at San Pedro. Col. Kewen, in a speech he made in that city, placed himself in sympathy with the San Diego feeling on this subject, and said that every dollar the Government spent at San Pedro might as well be thrown into the ocean for all the good it would do towards the creation of a harbor of any value at that point. When the report of this speech reached Los Angeles it was denounced on all sides as not only Unwarranted by the facts but as treason against the interests of his own locality. The ill-advised remark turned enough votes to defeat him and to elect his competitor.

Col. Kewen was one of those brilliant men of whom we have seen so many, gifted with fine powers of oratory, but who are deficient in that nice poise of judgment which renders their words weighty and decisive when applied to the practical questions of life. He was brave, generous and affable. He could not do enough for a friend, and was the most entertaining of hosts at his fine home, "El

Molino,” in the San Gabriel orange belt. He came to California across the plains in 1849 in the same wagon train with Dr. T. J. White, of St. Louis, and family, and on their arrival at Sacramento, he married one of 269 his daughters. This was one of the first weddings, if not the first, celebrated between Americans in that city. Col. Kewen was of a martial spirit, and when General Walker, the great filibuster, took his ill- fated expedition to Nicaragua, he joined him and fought under his banner gallantly to the end. He was the first Attorney-General of the State, filling the office from 1849 to 1851. He died in Los Angeles in 1879.

Among the many curious characters in Los Angeles at that time none presented more remarkable traits than Major George Washington Barter, the lessee of the *Daily Star* from its owner, my old friend, Henry Hamilton, who was taking his *otium cum dignitate* at a nice orange orchard he had purchased near the old Mission of San Gabriel. Barter was particularly peculiar from his strict observance of personal style in dress and make-up. He was neither dandyish nor plain, but there was a “loudness,” so to speak, in his tailoring and toilette which set him apart from the rest of the community as a standing beau. He was not a bad-looking man; indeed, he would have passed anywhere for what the ladies would call a handsome man if he did not give one the idea that he was always on exhibition. Barring his little foibles in this respect and certain affectations that were always out of place, Barter was a nice and companionable fellow. He was considered the bachelor par excellence of the town, and 270 he was always a welcome visitor at the houses of the best society. In the game of hearts he was considered a success, and nobody would have been astonished any day to read in the society notices of the papers that the Major was engaged to any one of a dozen charming young ladies. Indeed, it was a constant source of wonder to his friends how he managed to keep out of the meshes of the matrimonial net. When I arrived in Los Angeles he engaged me to write for his paper during the campaign, and after the election was over, as he was desirous that I should continue, I did so. One morning he came to me with a troubled look and said he wanted my advice about a very serious matter. Briefly he told me he had a wife, and that she, with their two children, had arrived in town that morning. I was about to congratulate him, when he said the union was not a felicitous one, and that her arrival was very inopportune. He wished that I would go to the hotel and see her. I refused to do so, and told him plainly that it

was his duty to call on her at once, become reconciled and act the man to her and their children. My counsel had a good effect, for he went to the hotel where they were stopping, and in the course of a few hours he returned to the office with his wife and two daughters--real nice young ladies--and presented me to them. It was soon known all over town that Barter's family had arrived from the East, and the bachelor 271 beau immediately lost caste in certain circles. But the reconciliation was of short duration. A divorce was had and one fine morning Barter disappeared. I at once sent for Mr. Hamilton, and he and I kept the paper afloat until Major Ben C. Truman bought it. This gentleman, who is an excellent writer and a newspaper man of exhaustless resources, made the Star a financial success.

In the meantime I took editorial charge of the *Evening Express* , and soon afterwards, in connection with Mr. Joseph D. Lynch, organized a joint stock company and purchased the concern. Shortly afterwards he leased the *Herald* , and Mr. Lynch took full charge of that paper, whilst I remained in control of the *Express* . The *Herald* had been greatly run down, but Mr. Lynch, by careful management and by his fine ability as a writer, soon brought it into prosperous business condition and made it a permanent and influential newspaper.

The collapse of the Bank of California, in San Francisco, started a financial panic in the State, which reached Los Angeles with disastrous force. Unfortunately the cool judgment and financial acumen of I. W. Hellman, which was wanted very much in Los Angeles at that crisis, was not available. He had gone to Europe and left the Farmers and Merchants Bank in charge of Governor Downey, the vice-president. By an ill-advised step the latter gentleman entered into an agreement with the Temple 272 & Workman bank to close their doors. As these two banks controlled nearly all the banking business in town, their suspension made bad matters worse. It spread such a feeling of distrust in the community that depositors went wild for their money, and by their actions added fuel to the flame of agitation. The Farmers and Merchants Bank was in condition to stand a run; the Temple & Workman was not. Had the former kept its doors open and the latter closed, as it would have been compelled to do in any event, the evil would have been confined within reasonable

limits; but as it was, it reached everything and everybody. Business was paralyzed; creditors were clamorous, and reason lost its sway even with the coolest heads.

Mr. Hellman, being apprised by telegraph of the trouble in Los Angeles, hurried back, and when he arrived he had a stormy interview with Governor Downey. He at once made arrangements to re-open the bank, and forced the vice-president to retire. F. P. F. Temple went to San Francisco with ample securities to raise coin to re-open his bank. For weeks he followed the moneyed men of that city begging for assistance, but to no purpose. He offered to hypothecate realty, including ranches and some of the most valuable property in the city, for gold enough to resume business. He could prevail on none of the capitalists to listen to him. At last 273 he was steered into the hands of E. J. Baldwin, who agreed to advance him \$200,000, taking all his ranches and property as security. The bank reopened. In two weeks its available cash was exhausted, and the doors of the Temple & Workman bank were closed never to re-open. Its affairs went into the courts. Receivers were appointed. Suits and counter-suits were piled upon each other, and all the machinery of the law was placed in motion complicating matters in an inextricable tangle. The upshot of the whole affair was that the depositors never got a cent, and what was left of the estate was eaten up in litigation. Baldwin foreclosed on his securities, and when poor old Wm. Workman, Temple's partner, found that his home ranch at the Puente was involved in the ruin, he blew his brains out. Workman knew little or nothing about the bank, and had probably not visited Los Angeles half a dozen times during its existence. He had the utmost confidence in the business ability of his son-in-law, Temple, and gave himself no concern about the matter. He could not understand how Temple's failure in the bank could involve his home ranch at the Puente, where he had lived from 1842, when he retired from the life of a trapper to that of an agriculturist, and was so shocked when he realized that it was to be taken from him by no fault of his that he brought the drama of his life to 274 a tragic close. Temple eked out a few years of miserable existence at the Merced ranch, a property belonging to his wife, and died a broken-hearted man.

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## CHAPTER XXVII



A PERIOD OF DEPRESSION--THE SOUTHERN PACIFIC RAILWAY COMPANY  
DENOUNCED--CONCESSION OF RATES ON PLASTER'S HAIR--AMUSING SCENE  
BETWEEN CHAS. CROCKER AND JUDGE BRONSON--HOW THE GOVERNMENT WAS  
UNGRATEFUL TO THE RAILROAD MAGNATES--MARIE ANTOINETTE'S SÈVRES VASE.

The effect of the collapse of the Temple & Workman bank upon business was disastrous, and it was several years before the consequent losses were recovered from and confidence entirely restored. This will be readily understood when we call to mind the fact that Los Angeles was then a city of only about 7,000 inhabitants, and that the business community was about equally divided as friends and patrons of the two leading banks. The depositors of the Temple & Workman bank were severely crippled, some entirely ruined, and the loss of confidence entailed upon the community was such that business in all its departments was carried on in so conservative a way that expansion and progress were out of the question for several years. From 1876 to 1880 Los Angeles may be said to have been at a stand-still. But in the meantime a great deal of fine missionary work was being done. Her newspapers were guided by a policy that was sure to bear good fruit. They vied with each other in their efforts to bring the marvelous resources of the country to the knowledge of the outside world, and the matchless benignity and salubrity of the climate was a never-ending theme for the facile pens of their editors. As it would be almost impossible to exaggerate the wonderful attractions of their section of the State, the editors had an almost unlimited latitude in which to sound its praises. And it is universally conceded that Los Angeles has been more judiciously and attractively written up than any other portion of the United States. The fruit of this constant advertising began to manifest itself in large measure in 1883, and since that year the growth of Los Angeles city and county has been the subject of comment and astonishment in all parts of the Union.

The Southern Pacific railroad had placed Los Angeles in full connection with the outside world; but the beneficial effects of this connection upon agriculture and business had not come up to the rosy anticipations the people entertained when they voted for the subsidy. It was expected that the road would not only open near and distant markets for their products, but that its completion would

be soon 277 followed by a great rush of desirable population to their part of the State. They were disappointed in their expectations. The new people failed to come, and the rates of transportation were fixed so high that but very little if anything was left to compensate the producers for their shipments. The feeling against the railroad corporation became very pronounced. At length the complaints about extortionate charges were of so general and grievous a character that the corporation was compelled to take official notice of them. The elder Charles Crocker, one of the original builders of the California roads, went to Los Angeles, with Col. Gray, one of his auditors, to investigate the grievances and ostensibly to apply the remedy, if he found them to be true. He called a meeting of the people at the Court House, and a great number of complaints were presented which he said he would submit to the railroad directory in San Francisco for their ultimate action. But his mission was without remedial results, and the people of Los Angeles, in common with the people of the whole State, were intensely bitter in their animadversions against the exactions of the company.

An amusing incident occurred at the Court House meeting which the town laughed at for many a day afterwards. The late Judge Bronson entered the court room whilst Crocker was receiving the complaints of the fruit-raisers and business men. The 278 Judge had evidently just come from a sumptuous dinner and tarried longer than he ought to have done over the nuts and wine.

“Well, Judge,” said Mr. Crocker, in a bluff, hearty manner, when he saw Judge Bronson enter, “what have you to complain of in regard to our rates?”

“Everything you charge is outrageously extortionate. For instance,” and he picked up a small pamphlet containing a schedule of the rates and opening it haphazard placed his finger on an item; “for instance, Crocker, how do you think people can live as long as you maintain so outrageous a charge as that?”

Bronson put on his glasses, and read from the schedule, “Plasterer's hair, max.”

“Do you,” continued the Judge, “for a moment suppose, sir, that we can build up a large city here and pay you fellows ‘max’ for plasterer's hair?”

Crocker looked at his schedule and was puzzled. Turning to Col. Gray, he inquired:

“Gray, what the devil is ‘max’? what does it mean?”

Mr. Gray explained that “max” was the highest rate charged for anything.

“Well, Judge, I'm very glad you pointed that out to me. But what the thunder difference does it make to you whether plasterer's hair is carried at low or high rates?”

“It makes a great difference,” said the Judge; “I 279 have clients who are plasterers, and I am here to see that they are not driven to the wall by rates that are simply prohibitory.”

“Well,” said Crocker, “I'll help you out. How do you want me to fix the rate for hair? Just say the word, and I'll make the change.”

The Judge said that he knew his clients well, and that nothing but “min” would suit them.

“Gray,” said Crocker, leaning over to his auditor, “what the devil's ‘min’?”

Gray explained that it was the lowest rate charged on any article of shipment.

Crocker hardly intended to yield that far, but turning to the Judge he said that for his sake he would make plasterer's hair “min.” The Judge said he was satisfied and turned away. He could hardly have hit upon any item in the whole schedule the rating of which was of less consequence than plasterer's hair, and it was the belief of everybody that if he had chanced to point out something that would have benefited the whole community Crocker would, under the circumstances, have marked it down to “min” just as readily as he yielded the point to Bronson on plasterer's hair.

The action of the railroad men raised a popular storm over the whole State, and the people were in revolt everywhere at their oppressive charges. It is difficult to understand how a clear-headed set of business men, whose vast interests seemed to be 280 identical with those of the State, would adopt a policy which to the non-railroad mind was calculated to retard the prosperity of California, diminish the volume of her productions and discourage immigration. The true explanation of their policy is probably to be found in a defect which is inherent more or less in human nature. They had a monopoly of the transportation business of the State, and could not resist the temptation to squeeze the orange they held in their grip to the last drop. The selfishness of the average man is only limited by his opportunities, and when greed is checked by no adequate restraint it begets increase of appetite by what it feeds upon.

I shall never forget an incident related to me by the late Governor Stoneman as coming from Justice Field, of the United States Supreme Court. Governor Stanford gave a dinner to a select circle of friends at his palatial residence on Nob Hill, San Francisco. Post-prandial speaking followed, and the Governor, in his remarks, complained very bitterly about the ingratitude of the Government towards the builders of the Central Pacific railroad. He claimed that the Government, for which he and his confreres had made so many and such enormous sacrifices, was hounding them, like Shylock hounded Antonio, for the pound of flesh. "Yes," said Justice Field in a low voice to those sitting near him, "one has only to look around him here to see how shamefully these 281 gentlemen have been treated by an ungrateful and ungenerous Government," and with a sweep of his hand he took in statuary, bric-a-brac, paintings and articles deluxe that were worth hundreds of thousands of dollars.

This anecdote reminds me of another incident that occurred in that same palatial residence. By special invitation Eli Perkins and myself spent a very pleasant evening with the Governor and his family. It was about the time when Dennis Kearney commenced firing the sand-lot heart against the railroad magnates. Personally, I always held Governor Stanford in the highest esteem. He appointed me a member of his staff when he became the Executive of the State, and our personal relations were always of the most friendly character. On the night of my visit with Perkins, the Governor

surpassed himself in his efforts to make it pleasant for us. He and his lamented boy, a fine specimen of promising youth, escorted us through his extensive picture gallery and pointed out those works that he most prized. Then he took us into the various rooms--the India room, the Pompeii room, etc., all of which were adorned with works of art of the rarest and most costly character. At last he took us into a room that was lavishly rich in historical relics of the most interesting character. It looked as if the old palaces of Europe had been ransacked of their art and other treasures to embellish the home of an 282 American gentleman. With a feeling of genuine satisfaction he pointed to an immense Sèvres vase that stood under a great illuminated candelabra, and told us he had had hard work to get that magnificent work of art for \$100,000, and he called upon me to read the inscription inserted in it in gold script characters. I read: "*De Marie Antoinette au dernier Marquis de Villette* ." I had no sooner read this inscription than a great howl went up in the street nearby. To my look of inquiry the Governor answered, "Oh, that's nothing unusual. It is Kearney and his crowd. They've adjourned their meeting at the sand-lots so as to give the residents of Nob Hill a taste of their peculiar oratory," and he treated the matter as a joke.

But to me there seemed something significantly ominous in the coincidence. I could not help recalling the fate of the unfortunate queen who presented that vase as a gift to the Marquis of Villette, and coupling the roars of rage that went up from the Jacobins of Paris when Bertrand Barère moved in the National Convention that the "Austrian woman" he sent for trial before Fouquier Tinville--that is, to the guillotine,--with the curses and mutterings of the men of the sand-lot within earshot of us. Was there, I asked myself, a fatality attending the ownership of that vase? The giver and the recipient had both fallen victims to the fury of the reign of terror, the legitimate offspring of the abuse of power. 283 Were the mutterings that reached us the first symptoms of an uprising that might some day blindly lead its cohorts into the very house where that fatal vase now stood? I said to myself that were I Stanford, I would look upon that beautiful work of art as a "hoodoo," and neutralize whatever evil spell it might possess by donating it to some institution where its power for good or evil would expend itself, not on an individual, but on the general public.

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## CHAPTER XXVIII

### THE CAPTURE OF TIBURCIO VASQUEZ, THE NOTED BANDIT AND MURDERER--A CLEVER AND SUCCESSFUL RUSE

I was living in Calaveras county when Joaquin Murietta and his band of cut-throats filled the public mind with horror at the atrocious crimes they were committing in that and the adjoining counties. Notwithstanding the State offered tempting rewards for the capture of this bandit, and the sheriffs and peace officers throughout the Southern mines were on the alert to capture him, he succeeded in eluding and deluding them. At length Harry Love, an old scout and mountaineer, raised a company of picked men to run him down. He was brought to bay, and Jim Burns, who was Love's lieutenant, dispatched him and cut off his head. But I doubt if the terror inspired by Joaquin throughout the Southern mines was nearly as great as that inspired by Tiburcio Vasquez twenty odd years later among the people of the rural counties of California, reaching from Santa Clara to San Diego. He was at the head of a band of blood-thirsty ruffians 285 who committed depredations, robberies and murders with seeming impunity for years. After having "held up" small isolated towns and hamlets, and leaving a murderous trail behind them in the counties of San Benito, Santa Clara and Monterey, they suddenly made their appearance in the lower counties, and from an almost inaccessible stronghold in the vicinity of Tejon made raids upon the farmers and settlers in isolated places in Los Angeles and Ventura counties. Wm. R. Rowland was the Sheriff of Los Angeles county at the time, and this brave and efficient officer organized parties at various times to hunt down the bandits. But they were too secure in their retreat to be caught. H. M. Mitchell, who was afterwards elected Sheriff, accompanied these parties, and so keen was his desire to capture Vasquez that he would go alone to the Point of Rocks, at the mouth of the canyon in the mazes of which the bandits encamped, and watch for days at a time the trails they would be likely to pass. At length Vasquez, emboldened by his success in eluding the officers, emerged from his stronghold, and transferred his field of operations to Los Angeles valley.

Early one morning he appeared with his band in front of the house of a rich sheep man named Repetto, who lived but a few miles from town, and seizing the latter, he compelled him to write

out a check for a large amount and send his son to the city to get it cashed. The boy was told that they 286 would kill his father unless he returned at a given time with the money. The boy went to the bank, but the suspicion that all was not right caused the teller to closely question the trembling lad, and he elicited from him all the facts. Sheriff Rowland was sent for, and he organized a party who at once, well armed and mounted, started for Repetto's ranch. They were, however, descried by the scouts of Vasquez, and the bandits made their escape up the Arroyo Seco. That afternoon Charles E. Miles arrived in Los Angeles and reported that whilst he was surveying in the Arroyo Seco the fugitive bandits had robbed him of what money he had and a fine gold watch that had been presented him by the fire department. The Sheriff's party chased the robbers up the canyon, but they successfully effected their escape across the Sierra Madre.

A few days afterwards the Sheriff got word that Vasquez had an appointment at a certain time with a woman at the house of Greek George, on the Cahuenga road, near the Encino. A party was forthwith organized to capture the bandit. This party included H. M. Mitchell, A. J. Johnson, Emil Harris and George Beers, a newspaper writer. When they got within a mile or so of Greek George's they intercepted a Mexican caretta driven by a native boy, got into it and instructed the boy to drive on slowly. On reaching the house, they all jumped out and surrounded it. Two of the party went inside 287 and found Vasquez in one of the rooms. He sprang through the window and tried to make his escape on the side where Harris was stationed; but the latter fired at him, and three or four other shots were discharged at the same time, and Vasquez fell. He was found to be severely but not mortally wounded. When he was brought to the city, the officers had a serious task to land him in the jail so great was the excitement of the populace. On the person of Vasquez was found Miles's repeater, which that gentleman was very glad to recover. He was taken to Santa Clara county and there tried for one of the many murders he had committed, and in due time executed.

Sheriff Rowland, who had planned the "campaign of capture," deservedly received great credit for it, and the posse who so successfully carried out the plan were greatly praised for their coolness, adroitness and daring. They had relieved the State of a monster who had become a terror to the

people of thirteen counties, and whose raids were traced in the blood of helpless victims from San José to Los Angeles.

Sheriff Rowland still lives on his splendid patrimonial estate at the Puente, dispensing with generous hand a lavish hospitality which recalls the golden days of old California when the hacienda of every ranchero was an open house where the stranger as well as the *paisano* were sure to be received with open arms and made to feel a welcome as hearty and sincere as if each of them had come to his father's house after many weary years of absence.

Poor Mitchell, as true a friend and brave a gentleman as ever wore spurs, met with a melancholy fate a few years ago. Whilst out hunting he was mistaken by his companion for a deer and shot through the heart.

George Beers was a young newspaper man of unusual brilliancy, and notwithstanding his irregularities, Charles De Young, of the San Francisco *Chronicle*, had so high an appreciation of his talents that he always retained a desk for him in the reporters' room. He wrote the "Life of Vasquez" for a New York publishing house, and the book sold well; poor Beers, however, realized only a mere pittance out of the venture. He wandered into Texas and fell upon hard lines in that State, perhaps through his own fault; but managed to return to California, where for a few years he led a checkered existence, until death ended his troubles in Ventura county in 1892. Had poor Beers been able to exercise judicious control over the vagaries which beset him, he would have adorned society by the brightness of his intellect and his rare accomplishment as a graphic writer for the press.

Albert J. Johnson was the younger brother of Captain George Johnson, one of the notable triumvirate who established the California Steam Navigation Company, which for many years controlled the passenger and freight traffic between San Francisco and Sacramento. When the Central Pacific railroad had made its railway connection with the bay, the steamers of the company were transferred to the Colorado river, and the triumvirate retired with large fortunes. Albert Johnson was Rowland's Under Sheriff, and deserves to participate with his chief in the credit



of ridding California of the notorious Vasquez and his band. He was a very popular young man, and had an aptitude for affairs which gained for him the confidence of business men. He went to Colorado when the mines of that State were beginning to develop their wonderful wealth. He was successful in his business ventures and on the highroad to fortune when he was seized with an illness which terminated fatally. His untimely death could not have been more sincerely deplored in Colorado than it was by all his old friends in California.

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## CHAPTER XXIX

### A GROUP OF NOTED LOS ANGELANS AND THEIR CHARACTERISTICS

Los Angeles, like all parts of California, has had among her pioneers men who would have been distinguished in any community for their broad spirit of liberality, their exceptional intellectual endowment and their indomitable energy and enterprise. Perhaps none of them possessed these characteristics in a more marked degree than the late Don Mateo Keller. Mr. Keller was an Irishman, and whilst the racial traits of ready wit and fiery impulse plainly betrayed his Milesian origin, his Yankee cuteness, his Gallic thrift and his Teutonic providence gave an unusual cosmopolitan character to his peculiar make-up. On slight acquaintance one would conclude that Don Mateo was just an ordinary Irishman who had graduated from a hedge school. But a closer knowledge of the man would soon dissipate this hasty and unwarranted conclusion. In the first place he was of a very inquiring turn of mind and a deep thinker. He never accepted a fact until by his own searching process of investigation 291 he had satisfied himself that it was such. His knowledge was various and extensive, yet he was so plain and commonplace in conversation and manner that one would fail to suspect that under so much unpretentiousness there existed a rich and deep mine of acquired knowledge which enabled him to discuss learnedly the most abstruse questions and to throw a flood of light upon the most recondite subjects. I had known him a long while before I was aware that he was, indeed, a profound scholar and a master of several languages. He had made botany a careful study and was as conversant with the habits and peculiarities of the growths of the vegetable kingdom as if he had made them a special study from the beginning.

His knowledge of viticulture was far in advance of that professed by many of the specialists in this branch of horticultural science. He was a practical vigneron and vintner, and raised at his large vineyard near where the Arcade Depot now stands, grapes of all varieties, from which he manufactured wines which were pronounced excellent by European connoisseurs. When the Legislature passed an act to give a considerable sum as a prize to the person who should raise in this State the best bale of cotton, he received the award. He was constantly experimenting in new fields to produce something which would be of advantage to the interests of his locality. It was this tireless spirit which led him into an experiment which might have resulted in immense advantage to Los Angeles had it not been that it was prematurely frustrated by an extraordinary visitation. He was the owner of Malibu ranch from which a small creek runs into the ocean. He thought that he saw in the mouth of this creek all the conditions requisite for oyster plants to develop into the fatness and amplitude of the favorite Eastern bivalves. To test the matter he sent for a lot of the most approved plants and placed them in protected beds at the mouth of the creek. They were growing finely, and Don Mateo was felicitating himself upon the success of his experiment, when one night a great cloudburst occurred at the head of the creek, and the water rushed down it like an avalanche and swept all his oysters into the sea, scattering them far and wide. When, in 1876, the wines of California had been almost obliterated in the Eastern markets by the shameful system that had obtained amongst the wine merchants of selling them with false French labels, he went to New York and Philadelphia and opened large warehouses in which nothing but pure California wines and brandies were stored, undersold the falsely labeled article, and restored our vinous juices to the position in the trade to which they were justly entitled. It will be admitted that a man with such intelligence, energy and resolution would have been no contemptible factor in the building up of any community.

It would seem paradoxical that a gentleman gifted with so strong an understanding as Don Mateo Keller should, nevertheless, be the easy dupe of the most transparent charlatans if they professed to be on talking terms with departed spirits. I can readily conceive that the strongest mind has no advantage over the weakest in the consideration of questions touching our future state; but Keller was so wrapped up in spiritism that his acute powers of discrimination afforded

him no guard whatever against the baldest empirics who professed to be mediums. I have heard him more than once defend his belief in the power of certain natures to commune with spirits by relating a remarkable instance which occurred in his own experience. A professed medium named Jackson had brought himself into penury and distress by addiction to the flowing bowl. He applied to Keller for assistance, and that gentleman gave him employment at his Rising Sun Vineyard. Jackson performed his duties satisfactorily for some time; but at length he got into the bad habit of going uptown nights and patronizing the bar-rooms. It was noticed that when he went home at a late hour he invariably took a bottle of whiskey with him. One moonlight night as he was wending his unsteady way to the vineyard, Keller saw him, and proposed to a friend who was with him that they should follow Jackson and find out where he was in the habit of hiding his bottle. They did so, and when Jackson reached the vineyard house he was seen to carefully hide his bottle under the stoop to the back entrance. After he had gone in, Don Mateo and his friend took the bottle from under the stoop and went to a haystack, made a hole in it, inserted the bottle and replaced the hay carefully in the hole.

“Now,” said Don Mateo, “what do you think that confounded fellow did next morning? He looked under the stoop the first thing, and finding his bottle gone he went to one side and acted as if he was in close communication with something or somebody. All of a sudden his face lighted up and he walked straight to that haystack, pulled the plug of hay out of the hole, and withdrawing the bottle returned with it into the house. I saw him do this with my own eyes.”

“How do you suppose, Don Mateo, he came to hit upon the exact place where the bottle was hidden?”

“Oh, that's plain enough. He was familiar with a lot of drunken spirits, which he consulted at the time I saw him hesitating in the yard, and those spirits, sympathizing with him in his distress for the want of an eye-opener, told him exactly where to find the bottle.”

Barring his vagaries on this subject, Don Mateo Keller was one of the keenest, most practical, matter-of-fact men I ever encountered. I delighted in his conversation, it was always so rich in

new suggestion 295 and so affluent in ideas resulting from his wide and various knowledge and rare experience. Indeed, in those days, when the work of the newspaper man was not confined to a single department, he was apt to find himself often at a loss for a subject to write about. Whenever I felt myself thoroughly “pumped out,” as it were, I would hie me to his Pierian spring, drink deep at his teeming fountain, and go back to my labors charged with fresh ideas. His mind was like the magic flash in the eastern fable, which when turned into the marble vase gave forth an endless stream of golden water.

Col. James G. Howard was another notable character of the transition period of Los Angeles. He was distinguished at the bar as a lawyer of fine ability and of exceptional force before a jury. His tenacity and persistence coupled with his almost exhaustless intellectual resources brought him off triumphant in many cases that possessed but scant merit. His greatest success, as will be readily surmised, was in criminal practice, and in desperate cases he allowed himself a latitude which but few lawyers would dare to take. Col. Howard had led a checkered and adventurous life. He joined Lopez in his ill-started expedition against Cuba, and by a lucky chance escaped the garrote, which ended the revolutionary career of his chief and many of his companions-in-arms. When he first came to California he opened a law office in Sacramento. He 296 became extensively known at that time as the author of the “Colonel Blove Papers,” a series of trenchant satires that made their appearance in the *Sacramento Union*, and that were universally read and admired. Indeed, his literary powers were of a very high order, and many flue essays were the production of his graceful pen. His essay on the life of St. Paul was the production of a mind deeply tinged with profound reverence for sacred subjects, and capable of taking an acute and penetrating insight into the hidden springs of human action. He enjoyed for a long series of years the distinction of having an esthetic home where the best society delighted to meet. At length infelicity entered it; the home was broken up, and in a very few years death not only claimed the head of the disrupted house, but the charming young lady daughter, who took the parental separation so seriously to heart that she entered into a rapid decline. She was soon followed by her promising brother, and thus, in a brief space, was domestic dissension punished by a signal and awful retribution.

J. J. Warner was for over sixty years one of the most notable residents of Los Angeles. In 1830, Don Juan, as he was familiarly called, left his home in Connecticut to go West. He was in delicate health, and he sought change of climate to strengthen his weak constitution. Arriving in St. Louis he joined a wagon train going to Santa Fe. Here he 297 found a party of trappers fitting out for an expedition to California, and he became a member of it. He arrived in Los Angeles in 1831, and resided there continuously up to the time of his death in 1895. He was in many respects a remarkable man. Having entirely recovered his health in the salubrious climate of Southern California, he presented a fine picture of stalwart manhood. For years after his first arrival he followed the fascinating and adventurous calling of a trapper. In those days beaver abounded in the rivers that emptied into the San Joaquin and Sacramento, and he pursued his quarry with varying success in the Merced, the Stanislaus, the Calaveras and the other streams. He once related to me the experience he had in one of his trapping excursions, at the mouth of the Mokelumne river. He had set his traps in places where there were numerous signs of beaver and camped on a knoll of high land where he could keep them well in sight. The rainy season had set in earlier than usual, and the river was rising so rapidly that he considered it advisable to take in his traps and wait for the freshet to subside. But the rain increased in the volume of its downpour and he and his comrades came to the conclusion that it was unsafe to remain where they were. They left the knoll, which was already almost submerged, and sought higher land. The rain continued to come down in torrents, and they decided that the safest course 298 they could pursue would be to make their way to Sutter's Fort. With great difficulty they reached that place of refuge in the midst of a blinding rain storm which gave no signs of cessation. They remained at the fort for a number of days, during which the flood continued to rise, and when the downpour ceased, the whole country was submerged. From the foothills of the Sierra Nevada to the Coast Range nothing but a vast sheet of water could be seen. Their provisions were rapidly diminishing, and the Indians in the fort were living on short allowance. After a consultation with Captain Sutter, they determined to sail for Sonoma in a whale boat which the captain was willing to furnish them. Don Juan declared that he believed that such a flood recurring at the present time would be utterly ruinous to all the farms and towns within range of the overflow of the rivers pouring into the Sacramento and the San Joaquin basins. I regret very much that I have forgotten the year in which that great flood occurred; but

it must have been subsequent to the year 1841, for during that year Sutter founded New Helvetia by building a number of adobe houses and surrounding them with a defensive wall, which caused Americans to give to the small settlement the name of Sutter's Fort. Perhaps with the lapse of years the flood increased to the formidable dimensions it appeared in memory to Don Juan, but from his description of it I should judge that it was a 299 greater one than has been seen since the American occupation of California.

Don Juan was gifted with an unusually good memory, and was very interesting when in a reminiscent mood. He was generally accepted as authority upon doubtful facts in the early history of California, and it is great pity that he did not write a book of memoirs during his declining years. It would have been a most interesting bequest to his successors in a land that has been rich in incident and romantic in its wealth of events that are growing in importance to the historian as the years pass by. Warner was a man of education and intellectual resources. He came from fine New England stock, of which the late Chief Justice Waite, his cousin, represented one branch. The closing years of Mr. Warner's life were spent sadly enough, although his worldly circumstances were in fair condition. His eyesight was always weak; but about ten years before his death it became dimmer and dimmer, until at last he was left in utter darkness. He closed his days in a comfortable residence he had built in the University tract, surrounded by grandchildren and great-grandchildren, at the ripe age of eighty-eight.

It would not by any means do to leave General Phineas Banning out of the list of any of the notable Los Angeles men of that period. His was a character that cannot be sketched in a few words. But I will try to give my readers a picture of the man as 300 briefly as possible. Whilst he was shrewd and insinuating, he was possessed of a brusqueness and bonhomie that made him at home, so to speak, on first acquaintance, with all sorts of people. He knew human nature from the ground up, and had a bluff way of making himself on good terms with everybody. His "Hail, old fellow," was the "open sesame" to the good-will of all he met. In business he was shrewd, deep and far-seeing. He could turn the shaft of a joke against himself with the dexterity of a Sunset Cox. With his Falstaffian rotundity and exuberance of good-nature, he carried his points against the odds of armed suspicion and ill-concealed prejudice. Notwithstanding his bulky physique, he was always brisk and

intent on business. He never was in doubt about names. If the appellation of a person did not come spontaneously to his lips he was always ready with a pleasant substitute for it. When, during war times, Wilmington, the town he started and called after his native city in Delaware, was selected as the military headquarters for the Carleton column, he made himself immensely popular with the army officers, and it was worse than useless to run against him for an army contract. His good nature and his champagne were always on tap. With a keen eye to the future he kept constantly in view the possibilities and advantages of the inner harbor of San Pedro. He built small steamers to do the passenger carrying business to the large steamers

#### THE OLD MILL

301 that came to anchor in the offing, and he ran lighters to the shipping outside so as to control the freight business of the port. He induced a capitalist of San Francisco to build a railroad from Wilmington to Los Angeles, and so entrenched himself in the control of the business of the harbor that he left it "as a rich legacy unto his issue." He was the chief and moving spirit in getting the Government to build the bulkhead, and the fact that a fine inner harbor has been available to the commerce of Los Angeles for many years is due more to General Phineas Banning than to any other man. He was immensely proud of his title of General, which he had acquired by being appointed Brigadier General of the Fourth Brigade by Governor Booth. He would instantly resent the term "Mister" if applied to him, and tell the offender plainly that he was "General" Banning. Although he was commissioned General of Brigade before his district could boast of an organized military company, he had appointed a full staff, and it was his boast that he had the most unique military family in the country, for there was not a blue coat, a brass button nor a pair of epaulettes in his whole staff. The General, while on a visit to San Francisco, was knocked down and run over by an express wagon. He received internal injuries in the accident which resulted fatally. He died on the 17th of March, 1885, universally regretted by all who knew him.

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Albert F. Kercheval was a sweet character. He was an enterprising orange-grower in the lower part of Los Angeles city, where he raised some of the finest fruit grown in the county. He was a born poet, and his verse was as pure and as limpid as the waters that flow from the fountain of Helicon.

Some of his ambitious pieces deserve to live as long as English poetry is read. "Oblivion," "Ode to the Sun" and "Shakespeare" are simply majestic in their grandeur of thought and the cadent beauty of their harmonious numbers. He published a volume of his poems in 1885 that ought to grace the library of every lover of the Muse. He died in 1892.

There was gathered to his fathers the other day one of the most tireless, hopeful and enterprising of the old residents of Los Angeles. J. W. Potts had lived in that city from the early fifties. He had been a merchant, a farmer and a speculator. He had the most unbounded faith in the grand destiny of his city and county; and his optimism was always backed by his means. He made several fortunes in legitimate trade, and invested them in realty. His sanguine nature led him to always discount the future, and in the several booms through which Los Angeles passed in thirty odd years, each collapse caught him overloaded with land or lots. He retrieved himself from all these unlucky ventures but the last. That held him fast as if in a vise, and during the closing days of his life he experienced the 303 pinchings of poverty and drank to the full the bitterest of all cups, the ingratitude of friends he had liberally helped in their hour of need. Death must have come to poor Potts as a welcome messenger.

Benjamin D. Wilson was perhaps one of the finest specimens of pioneer frontiersmen that ever came to California. He was a Tennessean by birth but a son of the world by the comprehensiveness of his love for his kind. He came to California in 1842 with Wm. Workman, John Rowland and others from Santa Fé, New Mexico. He had been a trapper, and in the pursuit of his calling he had penetrated to the country beyond the Rockies. Having taken in Southern California in one of his expeditions, he became enamored of its climate and its fertile valleys. On his return to Santa Fé he and Rowland and Workman organized a party to remove permanently to the beautiful sunset land. He secured several grants of ranchos from the Mexican government, but finally settled on the beautiful tract in San Gabriel Valley, where his children now live. He was a man of fine intellectual endowment, of untiring industry and of a high order of moral and physical courage. He endeared himself to the native Californians, and whatever "Don Benito" advised was accepted by them as the right course to pursue. During the Mexican War he was one of the strongest friends the American cause had, and he made 304 the conquest of Southern California easy and comparatively bloodless



by the wholesome influence he exercised over the natives. When California became a State of the Union, he was repeatedly elected to the upper house of Legislature, and was noted in business life for the many beneficial enterprises he inaugurated and successfully carried out. He died in 1878. Wilson's Peak will stand as an imperishable monument to his memory.

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## CHAPTER XXX

### THE PEOPLE OF CALIFORNIA IN A RESTLESS AND DISSATISFIED MOOD--CALLING OF A CONSTITUTIONAL CONVENTION--FORMATION AND ADOPTION OF A NEW CONSTITUTION--A DISTINGUISHED GROUP OF THE FRAMERS OF THE NEW INSTRUMENT--SACRAMENTO AS IT IS AND AS IT WAS

The financial panic and the collapse of banks in San Francisco and Los Angeles brought hard times to all parts of California. The people were in a state of agitation and unrest. A combination of causes tended to aggravate this deplorable condition. Thousands of men in San Francisco wanted work, but were unable to get it. Distress and discontent seemed to be more general and acute in the winter of 1877 than ever before. The Southern counties were suffering from drouth and the middle and northern counties from the blight that seemed to have settled upon all industries. Some ascribed this last state of affairs to the exactions of the Southern Pacific Railroad, which was the most potent factor in stimulating or enervating the energies of the producers; others traced the root of the stagnation to those provisions of the constitution which placed no wholesome check upon the formation of corporations and their growth into "trusts," paralyzing and rendering hopeless individual effort; and still others--and this feeling was by no means confined to the followers of Dennis Kearney --ascribed the distress to the unrestricted importation of Chinese labor. The public mind, on the whole, was in a disturbed state that it was ready to accept any reason, logical or absurd, in explanation of the really distressed condition which so generally prevailed. It is therefore not to be wondered at that, when the Legislature passed an act in March, 1878, to call a Convention to revise the constitution, the measure should have been favorably received everywhere. When the election for delegates to the convention was held in June, 1878, a non-partisan ticket of candidates

for delegates-at-large, which was nominated at a convention, composed of members of all parties, held at San José, was elected. This ticket was voted for all over the state, and my name was upon it.

We met at Sacramento September 28th, and were in session for one hundred and fifty-six days. The constitution which we framed was the subject of attack from powerful quarters, and the capitalists and corporations contributed large sums of money to accomplish its defeat. But it was to no purpose. The convention had taken the wise precaution to 307 print the proposed constitution in pamphlet form, and have a copy of it addressed to every voter in the State. The people made a close study of its provisions, and when they came to vote upon it, the new fundamental law was approved by a very large majority of the votes cast. It is doubtful whether there ever was a campaign more efficiently organized than that which was carried out by the friends of the new constitution. All the money was with those who opposed it; but whenever a meeting was held with able speakers to give their reasons why the instrument should be defeated, another materialized, and was addressed by ex-delegates and their friends who advanced invincible arguments to show why it should be adopted. In the light of experience there can be no doubt that the new constitution contained many serious defects, some of which have been since remedied by popular amendment, and some of which still deface the instrument, but taken as a whole it was a step in advance, and has proved a beneficial safeguard to the rights of the people and contributed materially to the purifying of the State and municipal governments and placing wise limitations upon their powers. There are many more steps to be taken before we shall have a fundamental instrument that will accomplish all the reforms that are needed; but the constitution of 1879 has blazed the way in the right direction, and it is only a question of time when the people 308 of this State shall have a bulwark of security in their organic law against the manifold corporate wrongs and public abuses under which they now suffer.

The constitutional convention was composed of some of the brightest minds and foremost representative men in the State. Joseph P. Hoge, who was selected to preside over its proceedings, was a lawyer of high and established reputation. He was a contemporary in Illinois of such men as Abraham Lincoln and Stephen A. Douglas, and represented that State for years in Congress. He presided over the Convention with a dignity and ability that rendered all his decisions upon points of parliamentary law final. He was a man well advanced in years, but so springy and elastic,

and so possessed of a spirit of juvenility that he was as much at home with the exuberance of the younger members as he was in touch with the sedateness and gravity of the older. I doubt whether his superior in parliamentary knowledge or decision of character could have been found in the State. Indeed in the latter respect he was thought by some to be arbitrarily “czarish,” and disposed to crush and overpower those who had the temerity to question his rulings.

Alongside of me sat General Volney E. Howard. I fear that my admiration and partiality may betray me into drawing too partial a picture of this gentleman. Whilst, however, he had faults, he was 309 by far the grandest man intellectually on the floor of the Convention. His learning was diverse and extensive. His mind was searching and analytic. He probed every question to the core, and traced every mooted Point to its relation or analogy with first principles. The scope of his sympathies embraced the whole range of human aspirations and human rights. His tendency of thought and prejudices of heredity were all in favor of the broadest conception of those rights and aspirations. As an orator he ranked with such men as Calhoun and Benton, and as a statesman he was less known to the country simply because he had no faculty for such practical politics as would have led him into the wide and conspicuous field which they occupied. His conversance with the law was the theme of comment even with men who stood in high places in the temple of Themis. Whenever one wished to find General Howard it would have been in vain to look for him in the usual places of resort of ordinary men; but one would be sure to find him in a public library eagerly poring over rare tomes, or storing his mind with fresh knowledge from books of modern science and literature. It may be well imagined that such a man commanded the respect and admiration of his colleagues. I sat at his feet as Paul sat at the feet of Gamaliel.

S. M. Wilson was one of the brainiest men in the Convention, and a lawyer of distinction. His 310 practice was of the most lucrative character, his clients being among the richest people in the State, and he was the leading counsel of the largest corporations. He was a gentleman of fine erudition, an earnest, pleasing and convincing speaker, and easy and courteous in his intercourse with all classes of people. His finely trained legal mind made him a most valuable member of the convention, and his quick discernment enabled him to point out many errors into which the Convention had been led which would have proved serious if they had not been rectified. Whilst Mr. Wilson was not in

full harmony with the majority of his colleagues, he worked loyally with them to frame the best instrument that could be agreed upon by a body which was in many respects incongruous. When Mr. Wilson died the bar of San Francisco lost one of its most conspicuous members.

Eugene Casserly was another member of marked distinction. He was perhaps the most scholarly man in the State. His knowledge of Greek, Hebrew and Latin and his conversance with the classics was as thorough as if he had been at the head of a university all his life. He had served one term in the United States Senate without adding to his fame, for his faculties were not of that *timbre* which shine in contentious parliamentary bodies. His nature was retiring and reflective, and indifferent to the applause of the multitude. There was also a tinge of asperity in it. No one could prepare a law case more completely fortified at all points against attack, but as a pleader before the bar he would have been surpassed even by the most mediocre advocate. When he prepared a case and his associate, General W. H. L. Barnes, also a member of the Convention, argued it before the court, one might rest assured that nothing could defeat it but its own intrinsic demerits. Mr. Casserly was well along in years when he took his seat in the Convention, and it was soon seen that his intellectual powers were on the wane. He died in 1883.

James McM. Shafter was another gentleman who had been conspicuously in the eyes of the public for many years. He, too, was a man of various and extensive knowledge, and a distinguished member of the bar. He possessed that rare gift, a mind that was profound in its reach and acute on the surface. He could successfully wrestle with the deepest subjects and detect the slightest flaw in the most commonplace transaction. His New England "cuteness" enabled him to more than hold his own with the most contentious hair-splitter, and no doubt this qualification rendered him as successful in worldly affairs as he was at the bar. There was a great fund of good humor in him, and it came out in full measure and delightful effect when he was surrounded by a few congenial friends. He was a very valuable member of the Convention, and tore to tatters many of the pet hobbies pressed by some of the visionaries on the floor. He was a most remarkable speaker. His mind was so prolific in ideas that his thoughts tumbled over each other in their hurry for expression;

so that the rapidity of his speech, and its fullness of pertinent and luminous matter, made him a terror to the stenographers when he got on his feet. He died in 1892.

David S. Terry was a member of the Convention, and a very helpful and efficient one he was. His carriage during the whole session was so manly and courteous that he won to himself many friends who had before been strongly prejudiced against him. An incident occurred during the session which raised him in the estimation of many of his colleagues. A vacancy had occurred in the Alameda delegation on account of the death of the lamented ex-Governor H. H. Haight, and a prominent citizen of that county was a candidate before the Convention to fill the vacancy. Terry had been requested to support him, but he showed no disposition to do so. At last the aspirant sent a mutual friend to Terry to urge his assistance in the contest, or say why he refused. Terry was prompt in giving the reason for his refusal. He said that he did not believe in bestowing public honors upon a man who had married his mistress. This was reported to the candidate, whose indignation culminated in his sending a challenge to Terry. The latter treated the challenge with scorn and declined to accept it. He said the world did not require any evidence of his personal courage, and that if he was disposed to go out with the challenger he would have an infinite advantage over him. He was familiar with the use of every weapon; his challenger was not; his eyesight was strong and accurate; his challenger's was weak and uncertain. There could be no equality of chances between them. Besides, the reason he had given for not supporting him in his candidacy would be sufficient for him to refuse to meet him in the field. When Terry's reply was carried to the challenger the latter's rage was furious; but he finally swallowed the affront, retired from the contest and went to his home in Alameda dejected and crest-fallen. In the light of Judge Terry's subsequent marital venture, we may well exclaim with Puck, "Lord, what fools these mortals be."

J. W. Winans was another clear-headed, forceful man of ideas. He was well grounded in the law and a well-equipped man of letters. His work in the Convention was of great value, and his death was deplored by all who knew him.

I have only mentioned in this cursory review the names of some of the most prominent delegates who have since gone over the dark river. Amongst those who are still alive there are many who hold high positions of public trust and whom the people delight to honor.

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The work of that Convention was performed through a continual storm of opposition, and in despite of the unwise counsels of injudicious friends. It was composed of representative men of all classes and all interests, and to have evolved out of such heterogeneous elements an organic instrument as worthy of the praise of impartial critics as the one they submitted to the people, was a task of no small difficulty. It has not accomplished all that its friends had hoped, but it demonstrated a fact which must be gratifying to every lover of the State, that however deeply the people may feel their wrongs, and however earnestly they may resent them, the principle of rectifying them by American methods through their power as citizens, in a regular and decorous manner, was splendidly illustrated and vindicated by the Constitutional Convention of 1878-9.

During my protracted stay in Sacramento as a delegate to the Convention, I had the opportunity to see much of that remarkable city and to form a warm friendship for many of her people. There is no city in the State which has grown up and flourished under more adverse circumstances and more sweeping calamities than Sacramento; nor is there any community whose people have shown more pluck, greater perseverance, or a more abiding faith in the triumphant outcome of their beloved city than the men and women of Sacramento who stood loyally by her until she has become as beautiful and

AN EXTREMELY RARE CUT OF SACRAMENTO IN 1849 Steamers that had come to California around Cape Horn steamed up the Sacramento River and anchored in front of the city  
315 as attractive a capital as any State in the Union can boast of having. It is easy enough to say that Sacramento was located in a swamp and should have been located at Sutterville. Whilst this is true, it carries with it the additional praise to the people who have made her what she is, that they have done so against the most formidable disadvantages and the greatest discouragements. Successive fires wiped her out in her early history, and successive floods overwhelmed her on

several occasions. Yet each time she rose out of her ashes in finer shape than before, and after each destructive freshet she raised and strengthened her levees and made inundation less possible than it had before been. Perhaps no greater praise could be awarded to the people of Sacramento than to say that their city was located in a swamp.

When I first visited Sacramento in July, 1850, it was just recovering from the severe flood of the previous winter. But its founders, instead of putting their hands in their pockets and bewailing their lot, commenced to build the levee that now protects them. They not only placed hundreds of men at work upon it at the then prevailing high wages, but they willingly burdened their shoulders with a tremendous debt through the terribly depreciated value of the municipal scrip they were compelled to issue to pay for the work. At that time nearly all the business houses were on the street fronting the river. 316 A little theatre had been constructed between J and I streets, and that fine pioneer actor, James Stark, with quite a meritorious company, was favoring the public with a series of dramatic performances. The city was alive with miners who had come down from the mountains to enjoy city life, such as it was at that time. Gambling saloons were numerous and the tables were crowded with players. The principal stores were doing a rushing business, and the streets were crowded with teams and pack trains coming from and going to the mines.

The river at that time was as clear as crystal, and little fishes that were playing “tag” near the bottom, could be plainly seen from the banks.

Sacramento was the focus of an immense business from the time of the discovery of gold. The Northern mines were prodigiously rich and very extensive, and were for years the center of the densest populations in the State. Stage lines radiated from that city to all the mining towns in California north of the Mokelumne river; and the roads leading out of it were alive with teams drawing great wagons heavily laden with goods of all kinds to supply the mining camps.

There was hardly any limit to the business prosperity of Sacramento down to the time that the railroad reached San Francisco. That made great and radical changes at once, and thenceforth Sacramento was compelled to rely more especially upon 317 the splendid agricultural resources

of her tributary country for the bulk of her business. This reliance has not proven delusive. It has enabled her to become a wealthy and a beautiful city, and now that with the aid of the Natoma Falls in the American river she is receiving through electric wires unlimited motive power, it looks as if a new era of prosperity, greater than she ever enjoyed before, is to come to her from the increased number of manufactories she will be in position to call into successful operation.

Sacramento cannot achieve greater prosperity than she deserves.

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## CHAPTER XXXI

THE FIRST EXPERIMENT IN BEET SUGAR IN LOS ANGELES COUNTY--AN UNSUCCESSFUL CONGRESSIONAL CAMPAIGN--CONSOLATIONS IN ORDER--BILL REYNOLDS TO THE FRONT--THE DAWNING OF BETTER TIMES--THE SANTA FÉ SYSTEM TO SOLVE THE RAILROAD PROBLEM--ITS COMING ASSURED

When I returned to Los Angeles, after my protracted Convention duties at Sacramento, I found the city still suffering from the prevailing depression. There were, however, signs that better times were ahead. Some new business buildings had been erected, and quite an influx had arrived from the East to see what inducements were held out in this section for investment. Nadeau was making preparations to devote his extensive ranch at Florence to the raising of sugar beets and erecting a sugar refinery. A man had come here who claimed that he had had large experience in the business. His credentials were of the most satisfactory character, and nobody who had investigated the subject had any doubt that the experiment would prove 319 successful. He had got Nadeau interested, and that gentleman, with his usual enterprise, had gone largely into the venture. It was generally believed that he was pioneering a new industry that would redound very much to the advantage of Los Angeles county, and therefore great interest was taken by everybody in its outcome. The beets were harvested, and the mill was placed in operation. A great mass of syrup was produced, but just here something occurred that made Nadeau suddenly close down upon any further trial of the experiment. It seems that by some error in the manipulation, the syrups



were brought to such a condition that sugar could not be made out of them. Nadeau jumped to the conclusion that his beet-sugar man was a fraud, dismissed him peremptorily and closed down his works. The remarkable feature of this affair was that Nadeau shipped his beets to the Alvarado sugar works, and they yielded a larger percentage of sugar than had ever before been obtained from beets treated at that refinery. With this encouraging result, it is astonishing that Nadeau did not, with his usual clear understanding and adventurous spirit, resume his efforts to make the industry a success.

In the fall of 1879 I ran for Congress. When I was at Sacramento, an informal meeting of the leading Democrats of the State was held there, and it was decided that in order that the party should win it was necessary that the Democratic candidates should have the endorsement of the Working men's party. I received that endorsement; but when the Democratic Congressional nominating convention met, it placed another candidate in the field. As to the influences which brought this about I do not care to speak. But I was placed in the position that I must make the run, or the inference might be raised that I had been bought off. I did not hesitate as to my course. I ran. I made a vigorous campaign, and stumped the whole district. The vote I received was very large, showing that I would have been elected by a tremendous majority if I had received, as I was induced to believe I should receive, the endorsement of the Democratic Convention.

I took my defeat philosophically and returned to my labors disgusted with politics. My friends offered me all kinds of consolation and recounted all sorts of anecdotes about the way in which defeated candidates had "taken their medicine." Wm. H. Reynolds, a peculiar character, was particularly earnest in impressing me with the idea that I ought to be thankful that the people had elected me to stay at home. "Ten good men," said he, "are spoiled by success in politics to one that is benefitted." He then related how Joe McCandless, by a singular defeat, was so disgusted with politics and politicians that he forswore office and became a

THE PICO HOUSE, LOS ANGELES, IN THE EARLY 80's

321 valuable private citizen ever after. The McCandless story was, in brief, that he had been elected to the early California Legislatures a number of times. He was a staunch Whig, and his

party was always hopelessly in the minority in both houses. It was usual, however, for the Whig Assemblymen to hold a caucus at the opening of the session and select one of their number to be voted for as Speaker. Joe coveted this honor the last year he was in the House, and when the caucus was called he went personally to all the members and said that it would please his old father back in Tennessee to know that his son had received the honor of the nomination of his party for Speaker of the Assembly. They all gladly promised him that they would vote for him. When, however, the ballots were canvassed, it was found that McCandless had received but one vote. Joe was greatly shocked at the result of the ballot, and went over into a corner of the room to hide his chagrin. Seeing him so greatly moved, they one by one went over to him, and expressed sorrow that he had not been elected; but each of them was careful to say that he had done his best to nominate him, and wound up by declaring that he had cast the solitary vote he had received. After about a dozen of them had repeated this consolatory tale in his ear, Henry A. Crabbe, of filibuster memory, went up to him and when he got down to the routine point that he had cast that vote, Joe raised himself up, and 322 said he didn't want to hear any more about that vote. He knew all about who cast that vote. "I cast that vote myself," he thundered out, and left the room. That experience made a man of Joe, and he never ran for office more.

I assured Reynolds that I was not borrowing any trouble over my defeat, but that I felt very much like Joe McCandless; it had enabled me to find out meannesses in human nature I never dreamt of before, and that I would eschew politics thereafter, as far as running for office was concerned.

The peculiarities of Bill Reynolds are so finely and vividly drawn by Major Horace Bell in his interesting book of reminiscences that I hesitate to present to my readers this remarkable character. Major Bell has told us how prompt Reynolds was to answer in person Lord Raglan's message to come at once to the Crimea, as they wanted his aid and counsel in the prosecution of the war with Russia; and how when he made his appearance at headquarters, Raglan embraced him with affectionate fervor, and said that now, indeed, that Reynolds had come, Sebastopol was as good as taken.

Reynolds' complexion was very swarthy, and his whole appearance was that of a high-class Hawaiian. Yet he was not slow to resent the intimation that he was anything but an American. His English was pure, and his conversation was that of an educated 323 gentleman. He was a surveyor and civil engineer, and was so proficient and reliable in his work that his services were in constant demand. He was a most interesting raconteur, and when started, his fertile imagination was an inexhaustible reservoir of fact and fancy, principally fancy. He was most at home in reciting marvelous events through which he had gone as the hero. It would be too much to ask that a man dominated by 50 rare and rich a fancy as that which Reynolds possessed would be held within the narrow and vulgar limitations of truth. Such a character, from his very nature, must have scope, and his little lapses of inveracity ought not be too closely scanned.

Colonel Howard and myself were coming down on the old steamer *Senator* from San Francisco once, and we reached the port of San Luis Obispo in the morning after breakfast. We had come to anchor and the Colonel and I were standing at the rail looking out at the mountain scenery, when the latter said:

“There's Bill Reynolds over there; let us go to him and hear him romance about this place.”

We found Reynolds leaning over the rail, with his eyes intently fixed upon a rocky knoll projecting into the harbor.

“Good morning, Bill,” said the Colonel. “What were you looking at with so much interest?”

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Bill turned around and greeted us with a smile that was peculiar to him, but which was somewhat Ethiopic, and had a touch of sweetness in the manner in which it displayed a fine set of teeth.

“Well, gentlemen,” said he, “I was just looking at that point jutting out there, and it brought to my mind a circumstance that occurred to me here in the winter of 1842.”

Howard and I exchanged glances, as much as to say, “He's off. Now we'll get it.”

“Well, what was that event, Bill?” asked Howard.

“You see,” said Bill, “I was living in San Luis that year, a guest of Pio Pico, and was in the habit of coming down to the harbor every morning and taking a sail, or fishing around in the spots where I knew I could always catch something worth hauling in. That morning I looked out to sea, and thought I saw a large vessel just heaving in sight. I kept my eyes upon it, and she soon loomed up into the dimensions and shape of a large man-of-war. It was not long before I made her out to be an English frigate, steering direct for the harbor. As she neared the offing I jumped into my boat and sailed out to her. When within speaking distance the captain hailed me and asked if this was the offing of San Luis Obispo as he found it on his chart. I told him that it was.

“‘Are you a pilot here?’ he then asked me.

“‘I am,’ I replied.

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“‘Are you sure you know all about the harbor and are capable to bring a ship to safe anchor?’

“‘Yes, sir; quite sure.’

“‘Do you believe you could bring this ship in and anchor her in a secure place?’

“‘I do.’

“‘Could you handle her while doing so?’

“‘Perfectly.’

“‘Then come on board.’

“I went on board, stood by the captain and pointed out to him the exact spot at which I thought the anchors should be let go. It was right there, about one hundred and fifty yards beyond that point

of rocks. I gave two or three orders which were instantly obeyed, called to the men to let go the halliards, lower the top sails and then told the man at the wheel to hold her down hard a-port. The captain turned to me and said:

“I see, sir, you understand your business, and this ship is entirely in your charge.’ Then he went below.

“You never, Colonel, saw anything more nicely done than the way I brought that frigate to the exact point I was looking at, and let the anchors go so that she brought up as prettily as a woman before the nuptial altar.”

“That was in 1842, was it, Bill?”

“Yes, in the latter part of the year.”

Col. Howard and I sauntered away to another part of the vessel, and the Colonel said that Bill was the coolest, the most prolific and the most magnificent liar he ever knew.

“A few days ago,” said he, “we were sitting with a party in the Grand Hotel, and Bill told them how he helped Sir Charles Napier to get out of a dangerous defile in Afghanistan, where his whole army might have been annihilated. That was early in 1843, and if he had gone by rail all the way he could hardly have got there in time after bringing his English frigate to anchor in the harbor of San Luis Obispo.”

I remarked that his stories might not be true, but that they made up in interest what they lacked in fact.

In 1880 there was an improved and improving feeling throughout the Los Angeles section. Frank Kimball of San Diego was in correspondence with some of the men in high places in the Atchison, Topeka and Santa Fé Railroad Company, and he felt assured that there was an excellent prospect of a favorable consideration on the part of that corporation extending its line to the Pacific coast. If it should do so, the logical terminus of the system would be in Southern California, and that

meant everything for Los Angeles. I was called to my door in East Los Angeles, one morning, and I found that my visitor was Frank Kimball. He told me that he had good news to give me. I asked him 327 what it was, and he said that he had just got in from the East; that he had gone there to see the magnates of the Santa Fé system; that he had quite a satisfactory interview with them, and that they had assured him that they had decided to extend their road to the Pacific coast. He was further informed that they would reach the coast in Southern California by the way of Cajon Pass; but that what course their line would pursue after reaching San Bernardino they reserved for subsequent consideration.

This was indeed good news, and I cordially congratulated Mr. Kimball on the success of his mission. It meant everything to the people of Southern California, and would solve the distracting question of railroad monopoly which had hung over the lower part of the State like a dark pall. I knew very well that in any overtures that Mr. Kimball had made to the directory of the Santa Fé he had kept the fine harbor of San Diego prominently in their view, and that they would naturally seek to get a terminus on the coast that would place them at once in commercial touch with the rest of California by the facilities which a good harbor would afford. But the fact that it would, in any event, practically give us the inestimable advantages of a competing through line to the Atlantic overweighed all local terminal considerations, and the people of Los Angeles entered heartily into the plan of doing 328 all they could to induce the Santa Fé Company to extend their system to Southern California.

I felt that the assurance of another overland railroad coming into our valley would have a highly stimulating effect upon the prosperity of the whole section, and that Los Angeles would receive her full share of the good effects that a new railroad connection would bring to our part of the country. The spirit of the people was animated with new hopes, and from this time forth there was plainly apparent a revival of energy which foreshadowed the good times that were coming. How more than largely these anticipations have been realized, let the flourishing condition of our whole section and the marvelous growth of the city of Los Angeles answer. That city has emerged from village proportions and has taken rank with the metropolitan cities of the fifth class in the Union. In another

decade, if its healthy growth should continue, it will have a population of a quarter of a million souls, and be firmly placed as one of the great commercial cities of the United States.

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## CHAPTER XXXII

GENERAL STONEMAN ELECTED GOVERNOR--HE AUTHOR BECOMES STATE PRINTER--INAUGURATION OF THE PRINTING OF SCHOOL TEXT-BOOKS BY THE STATE--THE ABUSES OF THE SCHOOL-BOOK RING THAT LED UP TO IT--A SKETCH OF THE CAREER OF GOVERNOR STONEMAN--HIS SAD DEATH

In 1882 an election was to be held for State officers. The course pursued by General George Stoneman as Railroad Commissioner had made him very popular, and when the Democratic convention met at San José he received the nomination for Governor. He was elected by the largest majority any Governor had received from the time that Leland Stanford was elected in 1861.

On his arrival in Sacramento he appointed me to the position of Superintendent of State Printing, and during the next four years my duties required me to live at the State capital. One of the most important measures adopted by the Legislature during Governor Stoneman's administration was a law requiring the State printing office to print the textbooks for the common schools. This law was passed 330 in pursuance of a provision in the New Constitution. The fact is that it became necessary to do something to relieve the people of the State from the exactions of a combination of the text-book publishers through which the prices of school books had been raised to exorbitant figures. Not only this, but the school-book ring became so powerful that it had succeeded, on more than one occasion, in defeating bills introduced in the Legislature to give relief to the people from the inordinate exactions of the text-book combination. The blighting effects of this combination were felt in every county in the State. They corrupted school boards, and even brought teachers within the range of their malign influence. Parents were not only obliged to pay extortionate prices for the books, but the ring induced frequent and unnecessary changes in the series of text-books used in the schools, and the parents would be compelled to buy a new set of books before the sets their

children already had were fairly worn. This sort of abuse became Unbearable and the people were very restive under the oppressive infliction. They clamored loudly for relief, and the provision in the article on Education in the new Constitution was intended to pave the way and grant power to the Legislature to effectually reform the gross abuse.

I was called upon by the Legislature to make a report on the approximate cost the books could be furnished for by the State, and on the basis of this report a bill was drawn up and passed making the appropriations requisite for the State Printing Office to do the work, and authorizing the State Board of Education to have a series of text-books compiled.

In order to comply with the provisions of the law, I went East, and secured presses and machinery of the most approved make, a large and complete book-binding plant, and an electrotyping outfit that enabled me to duplicate with plates the pages of all the text-books. When the establishment was in condition to proceed with the work, the State Board of Education was ready to furnish copy, and the new departure in school books was inaugurated. Now, after over a decade of experience in furnishing text-books for the common schools by the State, the plan is generally approved by all who have been in position to observe its working. It accomplished, almost from the beginning, the reform of the abuses that had so deeply entrenched themselves in the common school system, and purified it of the dangerous corruptions that were fastening upon it. Parents are now enabled to get the books at nearly cost price, and they are protected against the frequent and onerous changes which the greed of the school-book ring were in position to bring about.

If the administration of Governor Stoneman had accomplished no other great public object than the reform of the school-book abuses, it would merit the grateful remembrance of the people of the State.

Although the State of California has been peculiarly fortunate in her Governors, in their strict integrity and in the conscientious discharge of their duties, she never had an Executive whose honesty was more immaculate and whose aspirations were more earnestly enlisted in the advancement and the welfare of his State. He was not a keen, sharp man; but he was a man of noble



purposes, true as steel, and steadfast in his determination to do the right thing according to his lights. His weaknesses were those of a loyal and unsuspecting nature. He was too apt to be imposed upon by designing men who had wormed themselves into his confidence. He was slow to believe in the perversity of human nature, and clung to false friends long after a shrewd, sharp man would have “whistled them off, and sent them down the wind to prey at fortune.” A nature like his is lovely, but it is liable to be imposed upon, and when it holds a place of power and patronage it is sure to become the shining mark of the wiles and machinations of the most worthless of mankind.

Governor Stoneman came to California as a lieutenant in the army in 1847. He held his command during the excitement consequent on the discovery of gold, disdaining to follow the mercenary example of many officers who resigned that they might participate in the opportunities that then opened to make fortunes in the pursuits of civil life. He was stationed on the coast for many years after peace had been declared with Mexico, and was employed by the war department in the arduous but inglorious work of subjugating the turbulent Indian tribes of this State and Oregon. When the Civil War broke out he was stationed in Texas, and when General Twiggs joined the Confederacy, Governor Stoneman, under great difficulties and against strong opposition, got his command out of the seceded State and landed it in New York, whence it proceeded to the front in time to participate in the first battle of Bull Run, on the 21st of July, 1861. He was promoted for gallant conduct in the field, and fought through all the early battles around Richmond. As a Division General he was with Sherman in his famous march “from Atlanta to the sea.” At Macon, however, he was taken prisoner, and shortly afterwards exchanged.

At the close of the war, he was appointed to the military Governorship of Virginia, and afterwards he was sent to Arizona as Military Governor of that Department. He retired afterwards on half pay with the rank of Colonel, and went to Los Angeles, of which he had pleasant memories when he was stationed there during the Mexican War. He bought the fine ranch of Los Robles, and became for a number of years an energetic horticulturist. He was living at Los Robles when he was sought out by the people and made Governor of the State.

It is sad to think that Governor Stoneman, after a career so distinguished and services so valuable to his country and his chosen State, should have closed it far away from the scenes of the campaigns of his youth, his civic successes in mature life and the beautiful retreat in San Gabriel Valley where he fondly hoped to spend his declining years. At a time when his advanced age and precarious health were entitled to the hand of affection to smooth his restless pillow and the voice of love to soothe his fretful sorrows, he wandered forth to face the inclement rigors of the Eastern winters, and to spend a few weary years in uncongenial circles, until the welcome messenger of eternal repose came to his relief and closed the balance sheet of a human ledger in which were recorded numberless deeds of noble note and not a single act of meanness towards his fellow-man. May eternal sunshine light his brave and gentle spirit to the realms of endless peace!

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### CHAPTER XXXIII

#### CONCLUSION--A CONTRAST BETWEEN TWO REMARKABLE PERIODS--THE CONQUISTADORS AND THE ARGONAUTS

On that eventful Friday morning in October, 1492, when Columbus, from the deck of the *Santa Maria*, gazed upon the first spot of American land ever beheld by European eyes, a new and wonderful field was opened to speculative thought and to the spirit of adventure and enterprise. The thirst for gold animated the rage for discovery, and up to the time of the death of Columbus, twelve years later, the islands known as the Antilles had been added to the Spanish crown, and the eastern coast of America, as far south as the Straits of Magellan, had been partially explored. In this interval Pedro Alvarez Cabral had raised from his deck by an accident of navigation the rich coast of Brazil, and proceeding along its shore for several days he was gradually led to believe that a country so extensive must form part of a vast continent. Columbus had, in the meantime, explored the Spanish Main from Yucatan to Carthagen, and Martin 336 Alonzo Pinzon had discovered the mouth of the Amazon. Alonzo Niño, in a private venture with a far-seeing merchant of Seville, had skirted the coast of Pará and Venezuela trading with the natives, and returned home with such quantities of gold and pearls as to still further inflame the desire for adventure. During these twelve

eventful years the illustrious Vasco de Gama had bravely turned the Cape of Good Hope and solved for mankind the great problem of continuous navigation to the East Indies, the commerce of which with Europe down to that time had flowed through practically the same channels that were opened to it by Alexander the Great, 325 years before the birth of Christ.

On the death of Columbus a new line of adventurers arose. Some of them were men of illustrious families but impaired fortunes--men who had displayed soldiership in the wars on the continent, and who were seized with the ambition to carve out fame and fortune with their swords in the New World. Hernan Cortez, who stands at the head of this group of adventurers, both for his merit as a leader and his sagacity as a ruler, according to the methods of his kind and his time, became master of Mexico, after one of the most audacious invasions in the history of the world.

The Isthmus of Darien, after it had been successfully crossed by Vasco Nuñez de Balboa, opened an easy channel to a crowd of adventurers to the 337 Pacific Coast. These gradually distributed themselves throughout Granada and Nicaragua in search of gold. Diego de Almagro had won fame in these expeditions, and was a veteran conquistador when he formed a league with the renowned Francisco Pizarro to lead an expedition to the unknown country lying to the south of Panama. This expedition--one of the most arduous even in the annals of the arduous expeditions of that epoch--resulted in the seizure by a handful of men of a rich and populous country, and of adding to the dominions of Charles the Fifth, the extensive and opulent territory of Peru, with its mines of exhaustless wealth, its temples filled with countless treasures of gold and silver, and adorned with gems of inestimable value, and even placed in the cruel keeping of the conquerors the august person of Atahualpa, the last of those Incas who traced their line pure and direct from Manco Capac and Mama Ocollo, the mythical children of the sun, sent, according to Peruvian tradition, by the divine power to instruct and reclaim the human race.

Thus we find that in less than thirty years from the time of the discovery of the New World, the spirit of adventure and the prowess of the Spanish arms had opened to the most enterprising people of Europe some of the richest and most inviting regions of the American continent. The impetus that had been given to the desire to acquire wealth by the 338 great quantities of gold brought

into the national refineries from the mines of Hispaniola, or Hayti, was immeasurably accelerated by the boundless riches of Mexico and Peru; and when the conquests of Cortez and Pizarro were followed by the arrival at Cadiz of ships laden with precious ingots, the lust of avarice was fanned into a flame which set all Spain ablaze, and communicated its burning fever to every civilized nation. "When wealth," says one of the historians of this interesting period, "is acquired by the slow accretions derived from the hand of industry, or accumulated from the gradual gains of commerce, the means employed are so proportioned to the end attained that there is nothing to strike the imagination and little to urge on the active powers of the mind to uncommon effort. But when large fortunes are obtained almost instantaneously--when gold and silver and costly gems are procured in exchange for baubles--when the countries which produce these rich prizes are defended only by weak and naked savages, and can be seized by the first bold invader, objects so singular and alluring are calculated to arouse a wonderful spirit of enterprise; and it is not astonishing that the Spanish, when they found easy access to these vast regions of wealth, rushed with headlong ardor into the new path which led to fortune." The period of romantic valor struggling with incredible hardships, and overcoming obstacles which would have been insuperable to a less intrepid, persistent and lofty ambition than that which animated the conquistadors, now gave way to a period of rapacious thirst for gold. Under the specious name of colonization the Old World flocked to the New. By warrant of the cruel authority of a policy inaugurated by Ferdinand, and but mildly protested against by the pious Isabella, of distributing the natives among the Spaniards as slaves, the conquering race made the road to wealth a short and easy one. The gold-bearing rivers and ravines of Mexico were appropriated and despoiled by the relentless stranger. The surface and deep mines of Fern were robbed of their treasures by the quenchless avarice of those who followed in the wake of the conquerors; and from Cubagua to Porto Bello, and from the sea of Cortez to the Bay of Panama, the unfortunate children of the invaded provinces were compelled to dive into the depths of the bays and inlets, and to even scour the bed of the ocean itself in search of pearls to enrich their inexorable masters.

It is remarkable that the irrepressible energy of the gold-hunters of that excited period limited its searching explorations northward to the territory now known as Arizona. Viceroy Mendoza, in

1540, ordered an exploration of that region, but the great Colorado Desert seems to have proven a barrier to the restless spirit of adventure, and probably that 340 unexplored waste seemed to the Spanish gold-seekers of the sixteenth century the natural boundary of the belt of precious metals. On how slender a thread the most momentous destinies often hang. In an age when the spirit of adventure was so avid and reckless that large fortunes were wasted and the most alarming dangers braved in pursuit of discoveries merely possible, the faintest ray of hope was followed by eager expectations, and the slightest information was sufficient to inspire such perfect confidence as conducted men to the most arduous undertakings. Had the last expedition of Cortez, in 1536, which resulted, after incredible hardships, in the discovery of the Peninsula of Lower California, been extended as far as the Golden Gate--if, indeed, the Golden Gate existed at that time,--it is more than probable that the wonderful mines of this State would have been despoiled to increase the stores of an age which was rich enough without them. Fate, however, had ordained that there should be a hiatus of three centuries between the gold discoveries of the Spanish adventurers and those of the California pioneers.

The popular mind of the most progressive and prosperous people on this continent had long forgotten the story of the gold-hunters of the sixteenth century when it was suddenly startled by the report of the discovery of rich and extensive mines in California--a country about as remote and mythical 341 to the apprehension of the ordinary dweller in the trans-Mississippi states of forty-seven years ago as was Culiacan or Caxamalca to the awakened fancy of the inquisitive Spaniard of 1520. The announcement aroused in our people, as a similar announcement had aroused over three centuries before in the people of Europe, the spirit of adventure inflamed by the prospect of sudden wealth. Then commenced that wonderful hegira to the new-found gold fields; and the youth and manhood of our nation moved, as if by a single impulse, toward the setting sun. The social, moral and physical composition of that sudden irruption carried with it from all parts of the Union the elements necessary to constitute a state. Not a mushroom State created out of deference to a pressing political necessity, but a State springing into sudden and vigorous life, full grown in every requisite incident to complete and mature statehood. The fact is that the Americans who precipitated themselves upon California at that time were the very flower of the American people. They were

young men, or men in the very prime and vigor of manhood, for the trip at that period, both by land and sea, presented difficulties which had charms only for the supple and adventurous.

It is astonishing how quickly a new society adjusts itself to its constituents and to its surroundings. The great mass of people suddenly thrown together in the mines in 1849 became homogeneous 342 at once. No sooner was a camp formed than a patriotic community of interest sprang up among its denizens. There was no written law by which the society of the mines was governed; neither were there regularly constituted magistrates and officers. And yet law and order were there in their most substantial sense. By common consent, some patriarch, whose unchilled ambition had prompted him to follow the army of adventurers, would be singled out as the alcalde, and the jury system, so inseparable from Anglo-Saxon jurisprudence, would fill out the measure of equal and exact justice. Crime was promptly punished and justice was weighed in scales as true as ever poised from the impartial hands of Astrea. The vulgar vice of larceny was rare; but when detected its punishment was swift and severe. Assaults and combats were more frequent; but as every man considered his personal safety in his own keeping, and as an attack surely meant blood, serious quarrels were rare. It was not safe for a noted desperado to go outside his own class to indulge in his propensity, hence deeds of sanguinary encounter were almost wholly limited to gamblers and the desperate characters who consorted with them. Person and property were far safer in the mines in 1849 than they are at this day in our cities with all the expensive machinery of constituted authority to protect them. Riches that comes to us with wings flies away on 343 the slightest provocation. Our appreciation of the value of money is in proportion to the difficulty we experience in getting it. If it comes easy, says the adage, it will go easy, so that there is always a principle at work which in the end makes the general distribution uneven. Only a moderate percentage of that vast army of gold-hunters secured results consistent with their exceptional opportunities. Some, however, knew how to take care of their treasures, and of those who had that faculty but a small number carried out their original design of returning home to enjoy their fortunes. The greater proportion of those who had prudently hoarded their gold found, when they were in condition to return to the "States," that they had become weaned of their desire. A new commonwealth was rising out of the society with which they had become identified. Its future was promising, and they felt as if they were part

and parcel of it. By degrees the attachment intensified, and the many avenues opening to business and enterprise arrested their attention and finally tied them indissolubly to their new State. From this class of successful miners came the best of human material which figured in the great work of erecting California into a proud and prosperous commonwealth.

We have now glanced at two remarkable periods in the annals of our continent. The first, the period of discovery and conquest, animated by the greed 344 of gold; the second, the period of another gold mania, but carrying with it the seeds of a progressive and benignant civilization--advancing the empire of peace and prosperity from the shores of the Atlantic and planting it on the western most verge of our territorial possessions. The footsteps of the first were marked by all the worst vices of insatiable and unrestrained avarice. In their inexorable tread, the Spanish adventurers trampled upon all rights and upon all laws, human and divine. The effeminate people whose homes they had invaded they reduced to a hopeless state of slavery. To feed their own rapacity they remorselessly pillaged the cities and robbed the temples of their riches. Resistance was punished by fire and sword, and the plaintive cries of exhausted nature were met with rigors that quenched the last flickering spark of vitality. In their thirst for gold, the adventurers of the first period inaugurated a systematic reign of oppression which extirpated in a few years the native race of the islands of the Atlantic and wasted the numbers on the continent to an extent beyond the reach of statistical verification. Wherever the first pioneers went they left in their wake desolation and death. They came like the scourge of God, and made a continent reek with their atrocities and their crimes.

Animated by the same desire for gold, the pioneers of the second period carried with them a civilization 345 instinct with the humanities. If they despoiled the earth of its treasures, they devoted those treasures to beneficent and useful purposes. They found a territory wild and virgin as it came from nature's mold. They stripped it of its gold, but they turned that gold into the channels of improvement, and out of the wilderness and waste they called forth a splendid commonwealth. They were builders, not destroyers. They subjugated nothing but the soil. The fabric they built will stand as a noble monument to commemorate their virtues and their enterprise. They walked over no prostrate race to reach the pinnacle of their ambition, and their cities and their temples have

not been reared amid the tears, the sufferings and the lamentations of a trembling and a perishing people.

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